

Vol. 839
No. 10



Friday
26 July 2024

PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS

OFFICIAL REPORT

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

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

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House of Lords

Friday 26 July 2024

10 am

Prayers—read by the Lord Bishop of Southwark.

Oaths and Affirmations

10.05 am

Several noble Lords took the oath or made the solemn affirmation, and signed an undertaking to abide by the Code of Conduct.

Support for Infants and Parents etc (Information) Bill [HL]

First Reading

10.08 am

A Bill to make provision for and in connection with the making available of information about support available for infants, parents and carers of infants, and prospective parents and carers, including reporting requirements relating to such support; and for connected purposes.

Lord Farmer (Con): My Lords, I declare my interest as a guarantor of FHN Holding, the not-for-profit owner of The Family Hubs Network Ltd.

The Bill was introduced by Lord Farmer, read a first time and ordered to be printed.

Assisted Dying for Terminally Ill Adults Bill [HL]

First Reading

10.09 am

A Bill to allow adults who are terminally ill, subject to safeguards, to be assisted to end their own life; and for connected purposes.

The Bill was introduced by Lord Falconer of Thoroton, read a first time and ordered to be printed.

Education for 11 to 16 Year-olds (Committee Report)

Motion to Take Note

10.09 am

Moved by Lord Johnson of Marylebone

That this House takes note of the Report from the Education for 11 to 16-year olds Committee *Requires improvement: urgent change for 11–16 education* (Session 2023–24, HL Paper 17).

Lord Johnson of Marylebone (Con): My Lords, it is a pleasure to introduce this debate on the report from the Education for 11-16 Year Olds Committee. At the outset, I declare my interests as on the register and say what a pleasure it has been chairing the committee. I particularly thank the members of the committee for their hard work and commitment, in particular my

good noble friend Lord Baker, who proposed the inquiry and was such a formidable force in all its evidence sessions. I do not think I will ever forget his cross-examination of former Minister Nick Gibb, for example. I also recognise the staff who worked so hard on behalf of the committee under the direction of our clerk, Eleanor Clements, and I want to mention the others who supported our work, including operations officers Mark Gladwell and Maherban Lidher, policy analysts Babak Sharples and David Stoker and media officer Alec Brand, all ably supported by our special adviser Tom Richmond.

This inquiry was established in response to a growing sense that the present 11 to 16 system of education in England has been moving in the wrong direction. We were not the first to have this concern. Many predecessor bodies and reports have come to the same conclusion, including the Times Education Commission, the Tony Blair Institute for Global Change, the Heads' Conference and others. All have called for radical reform within this phase of education in order to ensure that future skills demands can be met.

In examining the 11 to 16 system, the committee assessed a number of proposals for significant change as well as potential measures that could be delivered in the shorter term. We took evidence from school leaders and academics as well as from representatives of exam boards, teaching unions and subject associations, and we held round-table sessions with teachers and pupils. Much of the evidence we heard reaffirmed the conclusions and recommendations from the other bodies I mentioned, which have considered this subject in great detail over recent years.

The witnesses we spoke to over the course of our cross-party, year-long inquiry described how education in this phase prioritised a restricted programme of academic learning delivered through a narrow set of subjects and teaching styles. This is primarily the result of reforms introduced since 2010 that have unabashedly emphasised knowledge acquisition and academic rigour. We heard consistently that this approach does not equip young people with the knowledge, skills and behaviours that they need to progress to the next phase of their education and to flourish in the future. The committee urged the Government, and now urges the new Government, to change course.

I turn first to the curriculum. The 11 to 16 curriculum in its current shape has been forged by the focus, as I said, on knowledge-rich approaches. We heard that it places too great an emphasis on teaching and learning individual facts, on memorisation and on regurgitation, rather than on developing pupils' understanding and deep feel for the underpinning concepts. This is particularly true for key stage 4. Following reforms in 2015, which increased the size of GCSE curricula, we heard from many of our witnesses that there is now "complete content overload". Several of the pupils and teachers we spoke to described teachers as being unable to take questions during a lesson because there is so much material for them to get through prior to exam season. Our report called for the overall content load, particularly of GCSEs, to be significantly reduced.

We received the Government's response to our report in February and it was disappointing, to say the least. There has of course been a change of government

[LORD JOHNSON OF MARYLEBONE]

since, as I mentioned, and I hope that we will see greater appetite from the new team to drive forward the change needed. Responding to our recommendations, the previous Government stated that they did not consider GCSE subject content

“to be excessive or in need of fundamental review”.

They argued that the academic standards expected under the current arrangements were “in line with” those of

“countries with high-performing education systems”.

Supporting all pupils to achieve the highest standards they can is a crucial aim and England’s improved positions in the latest PISA rankings is to be welcomed, yet our young people must also be offered the chance to experience more practical, applied forms of learning. Witnesses argued that the current overcrowded curriculum provides few opportunities for this. Our talent pipeline also depends on secondary pupils being supported and inspired to pursue the full range of options in the next phase of their education, including technical qualifications and apprenticeships. Enabling our young people to begin to explore creative and technical learning in this phase is therefore vital. Yet we heard that there has been a dramatic decline in the number of pupils taking design and technology at GCSE, the main technical qualification at key stage 4.

Last week the Government launched a review of both the curriculum and assessment. This is much needed, and I particularly welcome the Government’s ambition to ensure that

“every young person gets the opportunity to develop creative, digital, and speaking and listening skills”.

As the Government note, these are “particularly prized by employers”.

On accountability, I hope that the upcoming review will take note of the committee’s finding that the current system is overfocused on academic pathways. A key driver of this, of course, is the English baccalaureate, or EBacc. The EBacc comprises a set of traditionally academic GCSE subjects defined by the Department for Education. It is not in itself, however, a qualification for pupils; rather, it is a performance measure through which schools are held to account. The Government have set an ambition that 90% of 14 to 16 year-olds in state-funded schools should be studying the EBacc subjects by 2025. We heard compelling evidence that this has led to a deprioritisation of creative, artistic and technical subjects, particularly when school budgets are stretched, as they are. According to GCSE entry data, take-up of music has fallen by 35% and of drama by 40% since the introduction of the EBacc in 2010.

The EBacc’s composition is based on the facilitating subjects—a now-retracted classification formerly put forward by the Russell group. It is therefore geared to the requirements of high-tariff university entrance. Yet around three in five 18 year-olds in the United Kingdom do not go to university. One head teacher described the narrow diet of academic study promoted by the EBacc as “a deadly experience” for those who would be better suited to a different combination of subjects. The committee therefore urged the Government to abandon the EBacc immediately. We argued that the remaining 11 to 16 school performance measures

should then be reviewed. They must give schools more flexibility to offer the qualifications that would best serve their pupils, including creative, technical and vocational subjects, and not give undue emphasis to the university route. Responding to the report, the Government simply told us:

“We have no plans to abandon or amend the EBacc or our ambition for high levels of take-up”.

The Labour Party has, however, previously suggested that the key stage 4 school performance metrics should be adapted to recognise

“the value of creativity in young people’s education”

and to promote the take-up of creative and vocational subjects. I would be grateful if the Minister could expand on this proposal and set out how these changes might be implemented.

Finally, I turn to assessment. We heard that many pupils in this phase undergo more than 30 hours of assessment during GCSE exam season. This follows a shift away from the use of coursework or other forms of non-exam assessment in recent years. Our report determined that there is a need for some kind of formal assessment at 16, given the number of pupils who change institutions when they progress to the next phase of their education. We also noted credible concerns that non-exam assessment can lead to less reliable grades. The committee concluded, however, that the current emphasis on end-of-course exam-based testing places a “disproportionate” burden on pupils.

Intense exam pressure is also experienced by teachers and schools, since GCSE results underpin the majority of school performance measures for the 11 to 16 phase. We therefore supported proposals from the Times Education Commission and others to move towards a slimmed-down form of assessment at 16, with externally validated testing used across a smaller set of subjects.

On assessment reform, the previous Government restated their position that linear exam-based testing is

“the best and fairest way to ensure children learn and retain knowledge”.

The new Government have committed to

“consider the right balance of assessment methods whilst protecting the important role of examinations”

as part of their expert-led review. Could the Minister confirm that this review will take account of the many recent reports that have called for a less onerous model of assessment at 16? Given that all young people in England must now remain in education or training until the age of the 18, the case for change seems clear.

To conclude, the committee received overwhelming evidence that the current 11 to 16 system is failing to provide a genuinely broad and balanced education and to adequately prepare the next generation. I strongly encourage the new Government to carefully consider our recommendations and take swift action to bring about the changes needed. I beg to move.

10.21 am

Baroness Blower (Lab): My Lords, I am extremely pleased to participate in this debate and, in particular, to follow the noble Lord, Lord Johnson—about whom

I will say more later. I regret that the date of this debate has meant that some committee members are unable to be here. I present in particular the apologies of my noble friend Lord Watson, who is unable to be present today due to a long-standing family commitment. Before coming to the details, let me say that it was a genuine pleasure to engage in the work of this committee, which was so ably chaired by the noble Lord, Lord Johnson of Marylebone. He encouraged all members to work together and adopt a collegiate approach to addressing the urgent issue of 11 to 16 education, and I believe that we all complied.

When we concluded that “urgent change” was needed, I do not think any of us were imagining that there would be a general election on 4 July this year. We have now both the response from the previous Government, which I also found disappointing, and the prospect of significant change from a new Government. There is a great deal in the report which should commend itself to those now in office. I am hopeful that the curriculum and assessment review announced by Bridget Phillipson will take account of the work we did, on which there was such an impressive measure of cross-party agreement and support.

Many headline aspirations of the Government’s review would be met by the recommendations—and there are many—in this report, none more so than the need for a broader curriculum. As the chair has already said, we heard from many witnesses, in person and in writing, that the constraints on the curriculum are such that many areas are squeezed or excluded from the experience of many young people; music, art, dance and drama, as well as PE, and technical and vocational subjects, are all suffering in this regard.

Earlier this week, I was pleased to attend the launch of the *State of the Arts* report. One of its chapters charts the decline of arts education in schools in England. One statistic is that, at GCSE,

“entries in arts subjects has declined by 47%”.

We heard from the noble Lord, Lord Johnson, about the individual subjects, but across the piece it has declined by 47% since 2010. This is not, I believe, where we would all agree that we should be. One of the speakers at the launch was the mother of the remarkable Kanneh-Mason children. Their talent and enthusiasm for music was nurtured and developed in a state school in Nottingham. Dr Kanneh expressed regret that future cohorts of children at that school would no longer enjoy such provision, due to budget cuts arising from both curriculum constraints and, of course, insufficient funding. Such cuts have been faced in all too many schools.

Curriculum breadth is important but so too is the vision and mission that all children and young people will leave school ready for life—of which work is a part—with the skills, attributes, behaviours and knowledge to thrive as emerging adults. There was much discussion in the committee of digital skills, which are clearly now essential, but also of team working, problem solving, and critical and creative thinking. These are all important and prized by employers—not to mention oracy, about which I received an interesting and useful briefing from an aptly named organisation, Voice 21.

I turn to a particular constraint on the curriculum, about which noble Lords have already heard: the so-called EBacc. The report rightly called for this to be abandoned; it should be. I recently read a book by Sam Freedman, a former advisor to Michael Gove. Noble Lords may know that, in my previous job at the National Union of Teachers, I rarely agreed with that particular former Secretary of State or his advisers, but I have learned something really important from Sam Freedman’s book, which I hope will increase the likelihood of the end of the EBacc. Mr Freedman, in writing about the comms grid, which he calls “the beast”, said:

“As an adviser in the Department for Education I had to feed the beast. Every September a ‘Back to School’ week appeared on the Grid, which meant three or four big policy announcements were required. In 2010 we hadn’t yet finished developing our policy plans so had to scabble around for ideas. Over the past several months we had been considering an idea to reward pupils who did a particular mix of more traditional subjects at GCSE. But no proper work had been done by the department and we had not talked to any headteachers about it yet. However, the minister, Michael Gove, was due to go on the BBC’s Andrew Marr programme that Sunday and he needed something to say, so we decided it was the best idea we had. At the time the department was leaking a lot so the announcement was worked up by a tiny team of ministers, advisers and one or two trusted officials. There was no consultation and it was done in two days. That Sunday, Gove announced a new ‘English Baccalaureate’ to Marr (He called it that because it sounded European and The Guardian would like it.) In the years since the announcement, that policy has had an enormous impact on schools.”

Mr Freedman goes on to say that he did not think it was wholly bad but observes that it has had a distinctly deleterious effect on arts subjects.

Let me move on to the fact that the EBacc subjects appear in buckets—a rather inelegant way to express subject groupings. This clearly makes some combinations completely impossible. These buckets, and the overburdensome content of the subject syllabus at GCSE, put me in mind of the WB Yeats quote:

“Education is not the filling of a pail, but the lighting of a fire”.

I venture to suggest that not many of WB Yeats’s metaphorical fires are currently lit—or indeed that much fun is being had, as the noble Baroness, Lady Garden, often reminded the committee. Surely that should be the experience of education that we want for young people. Going forward, we will achieve this only if the curriculum and assessment review is bold and radical. We need to turn our attention—as the noble Baroness, Lady Morris, said in this Chamber only last week—to the model of curriculum that we want. This is not a time for tinkering with buckets.

I add, as I am sure my noble friend Lord Watson would have done if he had been here, that as Ofqual recognises that GCSE results are accurate only to within one grade, serious questions should be asked about their value. Assessment needs to be considered in the round. There are many more options than the near-total reliance on terminal exams. Presentational skills in writing and speaking can play a key role going forward in how we capture the learning and strengths of all our young people. There is ample experience in the education sector, including in universities, as well as in schools offering other types of qualifications such as the EPQ, of alternatives. We also need to

[BARONESS BLOWER]

consider the hitherto malign influence of Ofsted, and look to better and more professionally appropriate ways to evaluate the work of schools. The Beyond Ofsted inquiry, chaired by the noble Lord, Lord Knight, has much to offer on this.

I repeat that it was a pleasure to be a member of this committee. I am particularly pleased to have worked alongside the noble Lord, Lord Baker of Dorking, who now regards me, he said last week, as a “good egg”, and I certainly returned the compliment. I commend this report to the Government and urge boldness. However, in thinking about change, even urgent change, we need to have regard to the investment required in teachers’ necessary professional development, the resources needed, and the need to ensure that the curriculum and assessment will be appropriate for all our young people. Our new Government have talked about a curriculum that reflects the issues and diversity in society, ensuring that all young people feel represented, are able to access it and can be successful. Surely that is the appropriate aspiration for our education system.

10.30 am

Lord Aberdare (CB): My Lords, another Friday, another education debate. The more the merrier, in my view, although perhaps not always on Fridays. As a perennial tail-ender, coming so early in the batting order is a rather new experience for me, but one that I welcome.

It was a great privilege to serve on this committee last year under the excellent chairmanship of the noble Lord, Lord Johnson of Marylebone, and a great pleasure to work with colleagues who were both committed and knowledgeable. We were supported by a splendid staff team, led by our clerk, Eleanor Clements. We had less than a year for the task, so our remit, focusing on education for 11 to 16 year-olds, was designed to fit within this timescale. This was challenging, since policy for 11 to 16 year-olds cannot ignore what happens before the age of 11, nor indeed what happens post 16.

As your Lordships have heard, we focused on three principal areas: curriculum, assessment, and school accountability. However, this meant giving limited attention to other issues, such as teacher recruitment, training and retention; careers education; and the needs of pupils with special educational needs and disabilities—important as all these are and worthy of further consideration by this House.

Our report made some 20 recommendations, and the response of the previous Government roundly rejected 12, very partially accepted five, and somewhat grudgingly accepted three. So I welcome the fact that we are having this debate with a new Government in place. The Labour manifesto and last week’s King’s Speech indicate a much more encouraging response to our ideas. Indeed, the launch last week of the curriculum and assessment review marks a welcome step towards implementing some of our recommendations.

I was struck by the degree of consensus in the evidence given to the committee by teachers, school leaders, pupils and education experts about the challenges facing 11 to 16 education. Some aspects are indeed

admirable, as evidenced by the UK’s performance in reading and maths in the PISA rankings. The system works well for students with strong academic leanings who can cope with studying for more than the minimum number of GCSEs and who are good at exams and keen to go to university. However, even for these students, the curriculum is not well balanced, placing too much emphasis on knowledge learning at the expense of acquiring essential skills such as listening, oracy—something that, regrettably, was not available at my school, as noble Lords may be discovering to their dismay—problem-solving, creativity and teamwork, let alone more practical skills such as digital literacy, financial literacy and language learning.

Even more concerning is the ever-growing gap between state and private schools in providing creative and cultural education, including in music, art, theatre, dance and, particular, design and technology, resulting largely from the omission of these subjects from the EBacc performance measure. So I hope that the Minister, whom I welcome to her post, will have something to say about restoring arts and creative subjects to their proper place in all schools.

For the 60%-plus of students who do not aspire to university but are more concerned about acquiring the knowledge and skills to enable them to discover and develop the talents and attributes that will enable them to fulfil their potential in the world of work, the picture is less rosy. For the 30% or so who fail to attain level 4 passes in GCSE English and maths—the so-called forgotten third—the prospects are even worse, as they find themselves branded failures. Even in their own eyes, they may see themselves as failures, and they are condemned to a sometimes recurring round of resits in order to make any further progress.

There are other ways of achieving functional proficiency in English and maths than through GCSEs, and I hope the Minister will assure us that this is one of our recommendations that the Government will pursue. I am encouraged by this statement in the manifesto that

“Labour will support children to study a creative or vocational subject until they are 16”.

I look forward to hearing from the Minister how all pupils will be enabled to study at least one technical or vocational subject.

Assessment for 11 to 16 year-olds rests mainly on GCSEs. These are claimed to have the advantage of being fair, since all children take the same exams at the same time and are marked in the same way by external assessors. The flaw in this idea is that not all children are the same. We received a mass of evidence that GCSEs are too content-heavy, too demanding—with up to 30 exams in a concentrated period—too stressful and too rigid. Teachers told us of having to “teach to the test” and being unable to explore issues that had sparked pupils’ interest and desire to learn more about them because of the need to get through the GCSE curriculum. Students told us of throwing away their textbooks after completing their GCSEs, because they knew they would never again need the information contained in them.

Schools may be good at preparing pupils for university, but they are much less good at preparing them for life or for work. Regular promises over many years to

improve parity of esteem between academic and technical education have never succeeded. Yet the university technical colleges pioneered by the noble Lord, Lord Baker of Dorking—I am sure he will tell us more about them in a moment—have shown clearly how such a balance can be successfully achieved. We visited a very impressive UTC in east London. Not all schools can be UTCs, so the idea of a UTC sleeve, enabling existing secondary schools to extend their offerings to include technical learning, is hugely attractive, and I hope the Government will commit to piloting it with a wider rollout in mind. Other schools, mainly in the private sector, such as Bedales and Latymer Upper, have decided to abandon GCSEs altogether except for English and maths, and to develop their own curriculum offers and assessment methodologies. There is something to learn from that.

Skills-based and technical subjects are often seen as harder to assess than academic subjects. Our report emphasises the need for appropriate forms of non-exam assessment to meet this need. There are many options, including performance-based assessment in music or sport, for example. Other options include presentations, coursework, project outcomes—as part of the higher project qualification, for example—on-screen assessment, and the universal framework for assessing essential life skills, which was developed by the Skills Builder Partnership and is already used in almost 600 schools and colleges. All these forms of assessment are much closer to what students are likely to encounter in their working lives than our exams.

I will move on and not talk about accountability, because that was covered extremely well by the noble Lord, Lord Johnson. I very much look forward to the Minister's response to this debate and trust that it will confirm the Government's intention to act on rather more of the committee's recommendations than their predecessor planned to do. Reforming the education system for 11 to 16 year-olds along the lines we advocate, although urgent, is no small task, so an evolutionary approach over a period possibly as long as 10 years will be needed, with an emphasis on getting students, teachers and parents on side.

The Government should set out a clear vision of how they seek to transform education, and a road map for getting there over the coming years. Perhaps they might launch a national campaign to raise the profile and status of education and teaching as a central element of their drive for growth, and again—as the noble Baroness, Lady Garden, might have said if she were here—to make education fun and exciting again.

There are many other issues relating to education for 11 to 16 year-olds, and of course to education and skills before and after that age bracket. I wish the Government well in pursuing the change that is so urgently needed and hope there will be many opportunities for this House to provide comment and scrutiny along the way.

10.40 am

The Lord Bishop of Chichester: My Lords, it is an honour to follow the noble Lord, Lord Aberdare, and the noble Baroness, Lady Blower, who have participated in the excellent report chaired by the group led by the noble Lord, Lord Johnson.

I welcome the priority that has been given to the review of the curriculum for 11 to 19 year-olds at an early stage of the Government coming into office. In particular, I welcome the report of the review group and how it will “refresh” the curriculum,

“build on the hard work of teachers and staff”,
and seek “evolution and not revolution”.

These are important indications that education will not be driven by ideology that leads to it becoming a political football, as sometimes has happened in the past.

In particular, the promise that the review will not “place undue burdens on education staff”

will need to be delivered ostentatiously, particularly if the Government wish to improve the recruitment and retention of top-quality teachers. To that end, I greatly welcome also the acknowledgement of “the innovation and professionalism of teachers”.

The working principles for the review group speak of consultation with education professionals, other experts and stakeholders. This does not at present include direct reference to the churches, but perhaps that is because this relationship is simply taken for granted. The tone of the statement on the review certainly chimes with the “whole child” approach of the Church of England's vision set out in its 2016 vision for education, which outlines wisdom, knowledge and skills as the framework for nurturing capacity for decision-making, ethical considerations and social and environmental responsibility. We would certainly welcome the opportunity to be represented as part of the review group.

The diocese of Chichester that I serve is not unusual in running 155 schools, of which eight are secondary, delivering education to 37,000 pupils. This is a serious responsibility and it provides us with a significant window on the concerns and challenges of every community that our schools serve. It also indicates the wider context in which our schools operate. Thousands of volunteers across the country give their time to work with head teachers and teachers to try to distil the best possible balance between curriculum requirements and time spent on other demands that are non-essential academically but essential for the flourishing of certain subjects and activities, such as music, sport, drama and after-school clubs. Sustaining this, together with recruitment for the demanding contribution of volunteers in good governance, is a constant challenge and it will be very good to hear encouragement of this contribution.

I also note that the terms of reference for the review group speak of

“a curriculum that reflects the issues and diversities of our society”.

Here again, I ask the Minister what attention is to be paid to religious literacy as an important strand of education for understanding the complexity of national and global society. The Statutory Inspection of Anglican and Methodist Schools, or SIAMS, framework promotes religious education as a means to develop “courageous advocacy”, asking how a school's theologically rooted Christian vision creates an active culture of justice and responsibility.

[THE LORD BISHOP OF CHICHESTER]

In a recent article on religious literacy, Professor Jim Walters at the LSE observed that

“learning about religion has become fused with agendas to foster inclusion ... This makes it uncomfortable to touch on a tradition’s shadow side or the destructive ways religion is used”.

Walters goes on to assess how education might deepen and widen the outreach of students as a way of preparing them for adult decision-making. He contrasts economic, social and eco systems that are at risk of collapse with a religious imagination that is more than a creed or a set of dogmas. We might legitimately see the absence of any such orientation as one reason for the well-documented decline in happiness and positivity among students today. So I urge that the review group take seriously the important contribution of religious education to addressing issues of diversity and encouraging a critical and imaginative exploration that can expand our vision of a flourishing and coherent future.

Alongside this, I welcome the importance that the report gives to music, art, sport and drama. Investment in this area of education as integral to the curriculum is essential and has been lacking. This makes financial sense as we review the importance of the creative industries for our economy and as a significant source of soft power internationally.

On music as an integrative aspect of a curriculum, the Church of England is very aware in its work, particularly in the diocese of Coventry through its Inspire Education Trust, of how music in schools in areas of acute deprivation, incorporated as a necessary part of the curriculum, has lifted self-esteem and led people into exploration of performance and experience of live music, bringing groups to London to expand that. This is entirely positive.

In the diocese of Chichester, we have also benefited from partnership between church state schools and the independent sector, where music and the arts have been so well funded. At their best, these partnerships have ensured learning opportunities for both sides. The considerable investment in music and the arts from the independent sector has resulted in a notable range of successful actors from that background. One of our leading independent schools, Brighton College, intentionally uses the arts to break down stereotypes of gender and sexual orientation. For example, a key rugby player can also be the lead in a dance troupe. As we face an unprecedented surge in male violence against women, these performative processes of education that tackle emotional insecurities and unexamined prejudice should find an important place in any school curriculum.

I welcome the reference to a curriculum that prepares all children and young people for life as well as for work. It is essential that the formative development in the primary school years is also referenced in the curriculum that builds on that foundation. The resourcing of that early stage will legitimately demand attention and adequate resourcing. For example, the effects of digitalisation and the implementation of technology for the rolling out of the curriculum are heavily dependent on local budget availability, and many children miss out. It is also true that keeping people safe online is

now a key priority for the governance of schools, and that includes basic searching for knowledge. I hope this will feature in the review ahead.

Finally, the curriculum review must also recognise that a “whole child” approach confronts us with a significant barrier to the effectiveness of any curriculum: namely, child poverty. The schools I serve identify the two-child cap as a significant contributor to this priority. I hope that its damage to education will contribute to its abolition.

I welcome the attention that His Majesty’s Government intend to bring to the review of the existing national curriculum and statutory assessment system. I hope that the churches will be invited to participate fully in the work of the review group.

10.49 am

Baroness Morris of Yardley (Lab): My Lords, first, I draw attention to my declaration of interests; in particular, as chair of Voice 21, because it is specifically mentioned in this report. I am very pleased to be able to contribute to this debate. I was not a member of the committee, but I followed casually what it was doing and looked forward to its recommendations. I congratulate the committee on a very good document, which will be very helpful moving forward—and I thank the noble Lord, Lord Johnson, for the way in which he introduced it today.

This debate is bound to be about criticising what goes on in schools; it is the nature of the report and the recommendations. I want to place on record that lots of good things go on in our schools at the moment and, although even in our present system there are attainment gaps to be closed, we must always make sure not to de-energise schools even further by making it sound as though nothing good goes on. They achieve against significant obstacles.

However, the report goes beyond that: it is not about merely looking at what happens at the moment. It asks the fundamental question: are we aiming for the right thing? When we achieve what we have set out to achieve, will it be right and fit for purpose? The evidence that the committee has brought to us makes us conclude that the answer to that is no. It is stark in its emphasis on what the curriculum is trying to do: it is a knowledge-rich curriculum with very narrow pedagogy and only an end-of-course written assessment. I went through a phase of thinking that that was something targeted at some children but it was not a vision for the whole school system—but when you look at the ambition that 90% of children should do those subjects and be assessed in that way, it really hits you that that is the vision for the whole system, and that cannot be right. You can think of so many people who have contributed so much to society, whose contribution will not have been prepared for adequately in those subjects, with that assessment.

If you think about what we aspire for in our economy, where the jobs come from and what sort of adults—the rounded individuals—we want our children to be, that approach does not prepare them for employment, fulfilment or civic life. You can see the consequences of that, as has already been mentioned, in the reduction in emphasis on the other subjects. Music is 35% down,

drama is 40% down, expressive arts is 49% down, while design and technology is down by 70% and is now taken by just 12% of pupils. When that happens, you do not get the next generation of teachers coming through either; we have seen that in modern foreign languages. So it is not just about the gap at the moment—we are sowing the seeds for the gaps for the next generation as well.

All that means that the case for change is exceptionally strong. That is not the vision we want: it is not fit for purpose, and it does not meet the aspirations that we have for our nation or our children. So I very much welcome what the report says about the subjects that are ignored—particularly oracy, given my connection with Voice 21. That is described in the report as

“the ability to articulate ideas, develop understanding and engage with others through spoken language”.

Why would we not want all our children to be able to learn to do that? Why would that not be part of our aspiration? Why would not that be something that we treasure and do all that we can to make happen?

Noble Lords have already spoken about the need for more creative and artistic subjects and for technical and vocational education—and that is right. There is an important point to be made here. When you go round schools, it is not that you do not see any arts, music, drama, engineering or technical work. It is not that you do not hear children speaking very effectively or articulately—it is that the system does not recognise it, and makes it difficult for that to happen. Yes, we have good musicians, but we do not have enough. Yes, we have people who do drama, but there are not enough teachers and facilities around for them all to do it. For too long, the Government have been allowed to say, “Ah, yes, but there is time outside the English baccalaureate for schools to do all those things that are important as well”. The whole system does not recognise those things, and everybody here knows that that accountability system is very good at driving behaviour. If you look at the subjects and skills that have been squeezed out, it is evidence of the power of the accountability structure.

It is interesting that in a report on the curriculum for 14 to 16 year-olds, as much attention has had to be paid to the accountability structure as to the curriculum itself. The curriculum is what we teach and how we teach, while the accountability structure is something completely different. But the strength of the accountability structure is so great that the committee has had to examine that as well. I am a believer in the accountability system. I believe in testing and reporting the tests, and I believe in inspection and accountability, and I have done ever since I was a teacher and the noble Lord, Lord Baker, introduced it into schools at that time. But, to be honest, it has now become our master rather than our servant, and that is a real problem.

We talk about having an aligned system. Of course, the accountability system has to align with the curriculum; we have to test what we teach, and we have to hold people accountable for what we ask them to do. But really that is now so strong that that alignment is a straitjacket. When you ask people why they are not going beyond the English baccalaureate, or why they are not doing more technical subjects, the answer is

always the same—because of the accountability system. When the accountability system rules everything else that goes on, there are questions to be asked, which is why I welcome the changes to the accountability system that the committee has recommended. I think that around half of its recommendations do that.

This is the second Friday when we have had an education debate, and on both days the words “revolution” and “evolution” have been used. We have all said the same thing: it must not be revolutionary, it must be evolutionary—and I would say that as well. But I worry that actually we are using that as an excuse not to make the changes that we do not want to make. That is a real risk. I do not want to use the term “revolutionary”, but my criticism of this report is that it is not bold enough; it is restricted too much by what we have now. Really, being evolutionary rather than revolutionary should not restrict our vision—it should indicate caution in our actions. I think that we are allowing the dichotomy between revolution and evolution to put a straitjacket around our aspirations rather than using it as a guide in the implementation. I would have liked the committee—and after a general election is perhaps a good time—to go beyond that. Even if we implement all these committee recommendations, I still do not think that it is the answer to the question of what we aspire to for our children.

I will mention some things that I would have liked to see in the report—and I would very much welcome it if the new Government said that they would take these things forward. First, on assessment, there is nothing brilliant about end-of-term written exams. They are not the gold standard—there are other ways of allowing children to show what they have achieved, with pride and with an objective to do even better. Ofsted is not the only way in which to hold schools to account. The Government could do no better than to implement the report *Beyond Ofsted* by the inquiry chaired by my noble friend Lord Knight, which suggests an exceptionally strong, robust and fair way in which to hold schools to account.

The third area where I would have liked to see the committee’s report being bolder was to have the starting point have a wider appreciation of what we want for our children and young adults in this stage of their lives. What do we want for their well-being? What do we want for their character? How do we want to help shape their contribution to civic life? What do we want their dreams to be about? How do we equip them to make good partnerships and be friends, colleagues, comrades and work associates with the people they live alongside? How do we help them to be strong individuals and part of strong families and communities and a strong nation? There is no way that the English baccalaureate delivers that—but there is a danger that, while we may implement the recommendations from this report as a first step, the real task of a curriculum and a school system for 11 to 16 year-olds has to be bigger and bolder. Now with a new Government is exactly the time to take on that task.

10.59 am

Lord Baker of Dorking (Con): It is always a pleasure to follow my friend, the noble Baroness, Lady Morris. She is one of the three former Education Secretaries—the

[LORD BAKER OF DORKING]

other being the noble Lord, Lord Blunkett—who still talk about education, and brings to the House her wisdom and experience.

This is a fascinating debate. When my noble friend Lord Johnson presented his report in December 2023, it was dismissed out of hand by the previous Government. We were told that our recommendations to change the curriculum were absurd because the curriculum, which was EBacc and progress 8, was the best that had been invented by mankind, and as for the assessment system of GCSEs, it was the best examination system in the world, and the person who invented it was brilliant. I invented it, and I now want to scrap it.

The GCSE exam dominates the whole educational world. I spoke to a young student last week who has just done her GCSEs. I asked, “How many exams did you take?” She said, “I took 27 exams—nine in five days”. That is absolutely absurd. The GCSE dominates the whole education system, and I hope that it will be a victim of the review that the Government set up. It was needed in 1980 because 80% of children left school at 16. Now only 5% leave at 16, and the qualification that is important is what you get at 18.

I welcome what the Government said in their manifesto and the action that they have already taken. The Secretary of State got off the mark very quickly. She said in the Commons only two days ago that she was going to stop the defunding of BTECs. It is a very technical matter, but it is important that BTECs and T-levels run together. I thank her for that. She also said that she would set up a skills fund. I very much welcome that; it will replace a body that we—the Conservatives—abolished in 2017: the Commission for Employment and Skills, which identified the skills that the country needed and identified where there were gaps. Since that time, there has been a sort of mist, miasma and fog over skills; then suddenly, out of the blue, we discovered that we were short of abattoir workers, heavy duty drivers, construction workers and data analysts. The Government have already appointed an interim head of the skills fund, Mr Pennycook, whom I hope to meet.

The other fundamental thing that the Government have done is to set up a review of the curriculum and assessment from 14 to 18 under Professor Becky Francis, who is a very distinguished person and well-known figure in education. That review will be very important. Its object is to re-establish the broad curriculum, which I tried to introduce in the 1980s. It has been whittled away. As a result of the EBacc, design technology—the only practical study—has been reduced by 80%; that is incredible. The cultural subjects—I think the Minister is responsible for culture, or has some interest in culture—have dropped by 50%, including drama, dance, music, art and the performing arts. That industry is burgeoning: the entertainment industry in Britain this year is likely to earn as much as banking. There is huge demand. Eight of the colleges that I promote produce students for the entertainment industry.

One thing that we made a great fuss of in this report was the importance of data skills. In this day and age, students at 18 must all have data skills, not

just to be able to use a computer for Instagram and social media but to use all the riches of a computer. In the schools I have been promoting for the past 15 years—university technical colleges—all the students have a computer and are, obviously, well versed in how to use them. What I have found, however, is that everything is happening so rapidly in this area that you have to realise that data skills change almost every other year. Cybersecurity is one example. Several of the colleges that I promote teach cybersecurity with GCHQ. GCHQ has come out of its closet to say that it will support these schools. That is not done in normal state schools.

These schools also teach virtual reality—helmets on heads—and gaming and all that sort of thing. We are the centre of the gaming industry. Again, this is not in normal schools today. The only exam is a GCSE in computer science. My grandson has recently taken it—he did very well—but all they do is learn coding. You no longer need to learn coding, because artificial intelligence codes quicker and is more accurate. The only GSCE that we have in computing, which is taken by only 13% of the children, teaches something that they will no longer need. This shows how important this review will be.

To stay on skills for a moment, it is really very important to change the whole mentality and approach. The right reverend Prelate the Bishop of Chichester said that the approach of the Church of England was “Wisdom, knowledge and skills”. I benefited from that, as I went to a Church of England primary school when we were evacuated to Southport. It really was the basis of my education. It is important to have that mixture. In the university technical colleges that I have been promoting for the past 15 years, we try to have that. First, they are for 14 to 18 year-olds. Fourteen is very important as a transfer age in education; the rest of the world tends to transfer at 14. Europe is moving from lower secondary to upper secondary at 14 and America changes at 14. We are the only country that is stuck with 11 and 16. We have 11 because it was once the school leaving age and 16 because that was also once the school leaving age. The school leaving age should no longer be the determination. The private sector in Britain, as noble Lords know, changes at nine and 13 or 14, as the rest of the world does. This is something that I hope the review committee will look at very carefully indeed.

You cannot just turn on technical and cultural education with one switch. It is much more complicated than that. The real success of our schools is that we get local companies—whether the school is in Newcastle, Plymouth, Birmingham or Norfolk—to determine what should be taught in the curriculum, because that is what affects the local community. In Birmingham it is cars, but we have also now discovered that jewellery is a very important industry in Birmingham. This September, we will have jewellery courses, on manufacture and training, in the Aston UTC. One has to develop these sorts of local things. Technical education does not work without the active support of local companies. By “active”, I mean that they sit on the board, help to determine the curriculum, bring in projects for students to work on in teams, and get involved in the schools, just as the local university does. That is the sort of education that we should have in this century.

I am very hopeful that we have now got to the stage where change will happen. It really must. If the Government are to get a 1% improvement in the country's economic performance, we will have to produce more skilled people in our country. Otherwise, the alternative is to import more from overseas. The Government are quite right to promote wind farms, both offshore and onshore, but the Minister will discover that at least 25% or 30% of the people managing the large offshore one at Grimsby come from overseas. There is a huge task to be done in training people in all these skills.

I very much hope that we are at the dawn of a very different and new age. I hope that it will be done with cross-party support. I hope to persuade my party to support what the Government are doing. It might be quite a difficult task from time to time, but I will do my best.

11.08 am

The Earl of Clancarty (CB): My Lords, it is a pleasure to follow the noble Lord, Lord Baker of Dorking. I congratulate the noble Lord, Lord Johnson of Marylebone, on his able introduction to this important debate. I also congratulate the noble Baroness, Lady Twycross, on her ministerial appointment within the DCMS. The arts, for one, deserve that representation in this House, and I am very glad to see that. I hope that she will argue the particular case of the arts, which are in such severe financial difficulty. I was sorry that, unlike for science and technology, in whose interests the Government have hit the ground running, there was no slot for the arts and creative industries in the King's Speech debate in this House. I therefore gently ask the Minister to look at the speeches and questions, particularly on Friday, when we got no reply at all. I do say these things gently, because many of us are very much heartened by the quite dramatic change in language that has taken place, particularly around arts education.

These things are important within the context of this debate, because education in schools does not occur in a vacuum. The report quite rightly focuses on the educational system, but education is influenced by social change, directly through a Government's educational policy and by a Government's industrial strategy, which feeds back into school education. The perceptions of parents and children will be affected by how worthwhile they believe studying any subject is—in the case of the arts, whether the arts and creative industries have a solid future in this country. After so much decline in creative subjects' take-up at GCSE and A-level, which the report points up, these perceptions will now need a lot of turnaround. At present, there is every sign that the Government will agree with the report's belief that there should be

"greater emphasis on technical, digital and creative areas of study",

but parents and children will need to be convinced, having for so long been told the opposite, that the creative subjects are worthy of study and the arts and creative industries will be as much at the heart of this country's future development as science and technology.

Some of us have been making repeated observations about the decline in the take-up of arts subjects for some time. The trend is graphically illustrated by both this report and the new *The State of the Arts* report, mentioned by the noble Baroness, Lady Blower. It was produced by Campaign for the Arts and the University of Warwick and had a well-attended launch in this House on Monday. It has a brilliant cover designed by Bob and Roberta Smith, the beneficiary of a more enlightened time in arts education. I hope the Minister will look carefully at that report as well.

The committee's report rightly recommends moving away from a focus on a knowledge-rich approach towards a broader approach that includes skills and other non-academic subjects. On Wednesday, we had an Oral Question on the relationship between mental health and poor school attendance. I wonder how much of a circular argument that is and whether a different approach to education will also have an effect in this regard—an approach that does not rely so much on the sometimes deadening experience of "rote learning and 'cramming'", as the report puts it. Learning should be a joyful and fun experience. This is all about teaching to the individual child, not teaching to the test.

This is not to say that knowledge within certain contexts is a bad thing, but those contexts ought to be as meaningful as possible to the student. My daughter, who is now at drama school, is very much a case in point. She has no problem memorising pages and pages of a script for a play in which she is performing, but found it difficult at school to marshal facts and regurgitate the often already clichéd arguments that need to be put down in an essay in a specified time, which is great—well, perhaps great—if you want to be an academic, but she wants to be an actor. Those kinds of creative skills—in drama, music and the visual arts—are not taught enough in state schools and are certainly at present less available to underprivileged pupils.

One thing that is particularly good about this report is that it has cast its net wide; it has gathered evidence from many educational corners, including initiatives in independent schools, as the noble Lord, Lord Aberdare, said. I suspect the noble Lord, Lord Lenden, had a hand in that. One such initiative is Rethinking Assessment, which works between the independent and state sectors and from which the committee took evidence. The report recommends:

"In the shorter term, improvements could be made by increasing the use of coursework or other forms of non-exam assessment, including project-based qualifications".

It is clear that such assessments go hand in hand with a move away from a knowledge-rich approach.

Reinstating and reinvigorating creative subjects will not in practice be just about removing the EBacc—one of the recommendations of the report—or about perception. It will also be about money. One of the things that at present distinguishes the arts offer in many independent schools is a willingness to spend money on performing arts facilities, art studios and musical instruments. In my view, music should be brought back into our state schools. While culture is

[THE EARL OF CLANCARTY]

increasingly consumed digitally, these kinds of production facilities still remain hugely important for schools, alongside digital media.

While Becky Francis carries out her review, we seem to be in that period of re-entry to the atmosphere called “blackout”, when there is radio silence. There are strong hints, and I hope the Minister will give us as much detail as she can. I hope Becky Francis takes on board the recommendations of this excellent report and what we say in this debate as well.

11.14 am

Baroness Evans of Bowes Park (Con): My Lords, I was delighted to be a member of the Education for 11-16 Year Olds Committee and am pleased to have the opportunity to speak in this debate. I too thank my noble friend Lord Johnson for his excellent chairmanship and the committee staff for their hard work in supporting us.

We say at the start of our report:

“The 11-16 phase of education is a crucial stage in a young person’s life”.

It is essential that it effectively equips them with the skills, knowledge and behaviours they need to progress and make the most of the opportunities that lie before them. Today’s 11 year-olds will leave school in the 2030s and join a labour market that is likely to be transformed from the one we have today, to one with major opportunities and major challenges. As our economy and society develop, it is only right that the education system adapts and changes to reflect our new realities. However, doing that is no easy feat.

Trying to second-guess with any certainty what job opportunities might be available to young people in the coming decades when we are seeing such technological and societal changes now is extremely challenging. But, as we set out in the report, even if we cannot predict future employment requirements, we can say with perhaps more certainty that, in addition to all pupils needing a strong grounding in literacy and numeracy—a non-negotiable in a high-performing education system—the development and nurturing of “human skills” during a young person’s secondary education is likely to be increasingly important for their future success, as technology in particular reshapes employment.

In evidence, we heard that the skills imperative 2035 programme undertaken by the National Foundation for Educational Research identified six essential employment skills that are predicted to be the most utilised in the labour market in 2035: communication; collaboration; problem solving; organising, planning and prioritising work; creative thinking; and information literacy. This view—the need to develop a range of skills during the 11 to 16 phase of education alongside acquiring knowledge—was a clear theme throughout our evidence sessions. Equally clear was the view that they are currently being squeezed out by the demands and structure of the curriculum.

Nevertheless, while we look to the future, it is only fair that we recognise that education reforms introduced by previous Conservative Governments have successfully improved standards and were designed to address the

concern at the time that the previous qualifications did not adequately prepare young people for the demands of the workplace or higher study. They have had success. But, with the last full-scale review of the curriculum being over a decade ago, it is timely to consider what and whether changes are now needed.

The evidence we heard suggested that what and how pupils learn in the 11 to 16 phase needs to be reconsidered. Access to the internet, the advent of AI and the possibilities these hold for access to information and learning must lead us to examine whether such a strong, continued focus on a knowledge-rich curriculum which necessitates narrow teaching methods at the expense of pupils having the opportunity to develop broader skills—

“collaboration, creative thinking, critical thinking and communication”,

as one of our witnesses described them—continues to be the right approach.

Data from the survey platform Teacher Tapp found that 76% of teachers felt there was too much content to cover in their GCSE classes and that 57% were unable or only just about able to complete teaching their course prior to exam season. At our session with young people—which, as we have heard, impacted quite a lot of us—several participants talked about their teachers being unable to take questions during lessons because there was too much material to get through, which the pupils felt stifled their ability to really engage with their learning and the deeper understanding they were trying to develop.

So in recognising the need to continue to improve outcomes for young people, the committee, as we have heard, made a series of recommendations in relation to the 11 to 16 curriculum in our report aimed at rebalancing it. In particular, we recommended that the Government look at reducing the overall content load of the 11 to 16 curriculum, specifically on GCSE subject curricula, to allow pupils greater opportunities to develop and apply the essential skills they need to thrive in the future, and to give teachers greater flexibility to foster curiosity and deeper understanding of learning in the classroom.

Indeed, as we say in the report:

“A revised curriculum should enable schools to offer a more varied range of learning experiences, with the aim of promoting the development of a broader set of knowledge, skills and behaviours”.

Mindful of the disruption that wholesale change can cause—a concern raised by a number of those who gave evidence to the committee—we proposed that the Government should undertake a review to establish how this can be achieved and publish its findings. As we set out clearly in the report, supporting pupils to achieve a basic standard of literacy and numeracy must remain a core purpose of the 11 to 16 system.

We therefore also recommended that high-quality level-2 literacy and numeracy qualifications focus on the application of essential skills and that genuinely different and distinct qualifications from the discipline-based English and maths GCSEs qualifications be developed. Again, we proposed that the Government consult on whether the existing English and maths

functional skills qualifications could fulfil that purpose or whether the development of new qualifications was needed.

In light of the recommendations, I—like all noble Lords, I think, who have spoken so far and who I suspect will speak in the debate—welcome the curriculum and assessment review announced last week by the Government and the opportunity it offers for an informed evidence-based debate on what a curriculum that delivers a high standard of education and equips young people with the skills and breadth of knowledge they need to flourish might look like over the coming decades. I hope this will be a genuinely open exercise based, as we say, on evidence and not preconceived ideas, one that recognises the achievements that have been made in our education system over the last decade and builds on them but which also unashamedly looks to the future to ensure that our education system continues to give young people the best start in life.

I hope that the Minister in her closing remarks will be able to provide more details about the review. Building on the comments of my noble friend Lord Baker, it will be critical that cross-party support comes behind a review in order that any recommendations are effectively implemented. Again, I would be very interested to hear whether the Minister could say anything about how there will be a real attempt to build consensus around this. It is such an important issue and will have such an impact on the young people of tomorrow.

11.22 am

Lord Knight of Weymouth (Lab): My Lords, it is a pleasure to follow that excellent speech from the noble Baroness. I should, however, start by reminding your Lordships of my education interests in the register, particularly as chair of the boards of the E-ACT multi-academy trust, STEM Learning and CENTURY Tech. I also sit on Pearson's qualifications committee.

I pay tribute to the committee's chair, the noble Lord, Lord Johnson, for the way in which he has introduced the debate and the inclusive way in which he facilitated things and helped us to come up with a strong report. I also thank fellow committee members, our staff and our advisers, and I am grateful to my friends Michael Shaw, Rosie Clayton, Liz Robinson and many others in helping me to think about these issues in preparation for today.

When we started as a committee, we explicitly agreed that, because of where we were in the political cycle, this was going to be more about influencing manifestos than the then Government. The inadequate government response and the new Government's curriculum review reinforce that view.

The symptoms of problems in our schools are the current crises in pupil attendance and teacher retention. Those in our schools are voting with their feet. We need learning opportunities that better engage students and prepare them for the future. We need teachers who feel more motivated and empowered, improved protection of students' and staff's mental health and well-being, and assessment models that do not destine some learners to fail.

Currently, everything in our schools is aligned around a narrow aim. When the then Schools Minister Nick Gibb gave evidence, he revealed his thinking. It was all about aligning schooling to the needs of Russell group universities. After his 13 years in office, initial teacher training, the early careers framework, Oak National Academy, the curriculum, inspection, accountability and regulation are all aligned around that aim. Yet less than 40% go straight from school to university at 18. This narrow focus is failing at least a third of our children, and disproportionately the disadvantaged. It is failing the economy and is stuck in the past. That is why I very much welcome the Government's curriculum and assessment review led by Becky Francis.

Broadening and rethinking curriculum and assessment gives us a chance to let all learners show what they can achieve at a more rigorous, deeper level in much more complex, real-world situations. The rise of AI means an education that leaves young people simply repeating facts and will not be good enough; the AI will always outcompete humans on that basis.

We should be raising, instead of lowering, our collective expectations of what learners can show us. Creating the space for that will mean more agency for teachers and students, more learning experiences that stick in the long-term memory and a more future-proof education.

It should also create more opportunities for joy. Of course, not every learner will be delighted by every lesson, but instead of seeing rigour and joy as opposites in education, why should our goal not be to create, in words coined by my friend Jenny Anderson, "joyful rigour"? If we succeed, it will not just be the students who benefit. Teachers deserve greater agency and joy in what they do. We can create a system that reminds them, parents and whole communities that, fundamentally, education is beautiful.

The curriculum review's remit is a reflection of the committee's report, but your Lordships also asked us to have a particular focus on young people's readiness for a digital and green future. The Labour Party's National Policy Forum agreed last year that

"A Labour government will integrate learning about climate change and sustainability throughout the curriculum in schools and on vocational courses, and provide training and support for teachers".

Can I ask the Minister whether this will be delivered through the curriculum review? I remind your Lordships in this context of my failed Private Member's Bill a couple of years ago that sought an additional aim of the national curriculum to instil,

"an ethos and ability to care for oneself, others and the natural environment, for present and future generations".

Beyond that important issue, the core problem for the review to grapple with is how prescriptive to be. What is required learning as opposed to the required outcomes? Here, the big constraint is time. How are we going to retain academic rigour and add sports, the arts, learning that is vocational, more relevant, more practical and more project-based?

We heard from witnesses that the current curriculum has too much detail. I was told by a former official that in 2010, when he was in the room, the new Ministers Gove and Gibb reviewed the curriculum,

[LORD KNIGHT OF WEYMOUTH]

saying that it was cluttered with too much detail and without enough room for the big ideas. It is easier to add to a curriculum than to take away, and I guess part of the reason for the review is once more to strip out detail and focus on big ideas once more.

However, I also think that aspects are outdated. The required reading for English in secondary is backward-looking and not inclusive of our diverse British population. Conrad Wolfram is one of the world's biggest employers of advanced mathematicians and argues that maths as a subject in schools is weighed down with too much hand calculation that is now exclusively done better by machines. Instead, I hope that the review talks to more than just maths academics and gets the views of users of maths like engineers and physicists. I hope that we have data handling and manipulation across the humanities and sciences as part of numeracy to 18.

Stripping out content will still not be enough, however. We are still asking too much of the timetable if we add all that our report calls for, so we need to evolve a bigger change.

I applaud the Secretary of State's desire to reset the relationship with the profession. We must allow teachers more flexibility on content and subjects. By all means specify big ideas, but lean on pedagogy for relevance and real-life problem-solving. That, in turn, requires reviewing and reinvesting in pre-service and in-service training, which is also good for retention.

We can also deploy technology better to support pedagogy—the ugly phrase *PedTech*. To do that, school leaders need good advice, and I would advocate repurposing Oak to be a new light-touch Becta. With less specificity in the curriculum, we should then align assessment, inspection outcomes and accountability to ensure an inclusive system that delivers for all children.

I, like the noble Lord, Lord Aberdare, am grateful to the Skills Builder Partnership for sharing the universal framework developed by Sir John Holman of basic, essential and technical skills. I commend it to your Lordships. Everything is underpinned by the basics of literacy, numeracy, digital and oracy. These should be studied all through and assessed across the curriculum, possibly with an approach more akin to competency-based music grading exams than to general exams at 16.

The basics are then built on by essential skills, sometimes called life skills, those highly transferrable skills that everyone needs to succeed in almost any job in life. The eight skills they specify are speaking, listening, problem solving, creativity, aiming high, staying positive, teamwork and leadership. I suggest that these should largely be assessed through extended project-type qualifications and the nature of question items in traditional assessments that would be continued for technical skills and knowledge.

We should also think about modern foreign languages, music and sport being core to key stage 1, where the cognitive and physical development of young children would be enhanced by these subjects in particular. This would create a significant CPD requirement for primary teachers, but that should not lessen our ambition.

However we arrive at the right place in the curriculum, through prescription or through trust, we must shift the accountability away from the EBacc and Progress 8. I look forward to understanding better the Government's thinking on school report cards as how we do that.

I am grateful to my noble friends for referencing my work on school inspections. I add only that we should quickly look to adjust the Ofsted inspection framework to focus on these basic and essential skills, plus more on personal development and leadership and governance, and less on the minutiae of the curriculum.

Finally, I want to say a little on the distorting effect of university admissions requirements on schools' efforts to be inclusive. In an informal session, Sam Friedman reminded the committee of the dependencies in the system that all culminate in the desire for aspirant parents to get their children into a good university. There is nothing wrong with that, but it leads to a focus on A-levels above all other qualifications. Surely universities can do better in assessing the potential of students than paper and pen tests in hot sports halls every summer.

If we are to move to graded exams in literacy and numeracy when ready, extended project qualifications that play to the passions of pupils, and other exams more akin to GCSEs in a mix, we can move to a more portfolio approach, creating a passport for university admission and for work that includes learner profiles and micro-credentials.

There is a new Government, I hope resulting in less assessment at 16 but more assessment of the basics, more labour market relevance through essential skills and a system that is much more inclusive and relevant to every child, and both more rigorous and more joyful for both teachers and learners. I commend the report to the House.

11.32 am

Lord Holmes of Richmond (Con): My Lords, it is a pleasure to follow my friend, the noble Lord, Lord Knight, who not only was an excellent Schools Minister but has also continued his passion in the education field for the benefit and the betterment of us all. I declare my interests as an adviser to BPP University, and I also congratulate my noble friend Lord Johnson and all members of the committee on an excellent report.

It is neither my role nor my function to sum up the debate at this point, but if I were to do so, I would do it in two words: I agree. All speakers have got behind the ideas, issues and recommendations so well explored and set out in the committee's report. I think we will get the best results for our 11 to 16 education system—as with every element of our society—if we fully deploy those golden threads of inclusion and innovation, if we see and conceive of education as experiential rather than transactional, and if we have far more application and perhaps far less abstraction.

To the inclusion point, what is the experience for disabled learners aged 11 to 16? I fully endorse all the comments around the need to review and reform—and potentially close down—GCSEs. But as they are the only currency we have at the moment, I ask the Minister: what is the current disability education attainment gap at GCSE and what is the Government's

approach to closing it? Similarly, what is the Government's view on current provision of SENCOs and support for those with special educational needs and disabilities, and what are their plans to improve that so every learner has the support they need to succeed?

In 2022 I published a report on the disabled students' allowance. It is for learners beyond the age of 16, but there are a number of relevant points for the 11 to 16 experience, not least the sense of having a passport of needs and provisions that disabled learners require. Would it not make sense to have that passport from the first moment a disabled learner steps into the classroom? That would run through wherever their education journey goes, from further education to higher education and indeed into the workplace. I would welcome the Minister's thoughts on that point.

On the impact of technologies, as rightly mentioned by so many other noble Lords, it is clear that the education system has a critical role to play, but it should not be doing anything that technology already does better. AI has burst on to the scene for many people and does facts in fractions of a second. We need to consider not only what skills young people need to have to benefit from all these new technologies—not least artificial intelligence—but what impact artificial intelligence will have on skills themselves. Threading technology through every element of the curriculum will give students, teachers and everybody involved in the education experience the best opportunities to succeed.

I appreciate that it is early days with the curriculum review, but is there a sense that principles will be set at the outset to consider human-led technologies? How will we thread the golden threads of talent, technology, inclusion and innovation through every aspect of the curriculum, not in verticals, in certain subjects or in silos?

In computer science, noble Lords may be delighted to know that young people still consider floppy disks and their role in the development of information technology. Can we have a complete change to a largely abstracted curriculum, to a computer science that is applied and ruthlessly up to date? This would enable young people to have the skills they need, rather than—as my noble friend Lord Baker rightly said—overly learning coding. It is good to have an understanding of coding and to be able to code, but only to an extent. It is how the skills go broader than that, to enable our young people to have the comfort and the confidence to work with these new technologies in every element of their education.

While being focused on the importance of these technologies and specific skills for the workplace, I believe it is critical that we do not just push the “relevant education” argument and all the attendant shortcomings. As noble Lords have rightly said, it is much more about character education, resilience, growth mindset and mental well-being. These should all be threaded through every element of our education system. Will the review consider all these factors and more? As well as specific skills that are obviously required, I believe that what will enable our young people is more the sense of the real Promethean flames of curiosity and creativity being allowed to run through all their educational

experience, rather than just the transaction of facts. As philosophers have said right from the beginning of time, education should be the sense of the flowering of possibility and potential.

I was in the first cohort of students to do the GCSE; I can thank Ken for that—my noble friend Lord Baker. It was a change and, as has rightly been identified, one that was required at that time. However, now it is time to change and move beyond that, to inclusion and innovation, the experiential rather than the transactional, and application rather than abstraction. Curiosity, creativity, critical thinking, communication, data and digital literacy, and social media literacy are critically important. For me, what will be as good a measure of success as any is that every young person will be able to cry out collectively and connectively, with clarity and confidence. It is our data, our decisions, our human-led talent and technologies, for all our futures.

11.40 am

Lord Mair (CB): My Lords, it is a privilege to have been a member of the Select Committee undertaking this inquiry, under the expert chairmanship of the noble Lord, Lord Johnson. I will confine my remarks to technical and vocational matters, speaking as an engineer, having been in full-time practice for almost 30 years, and latterly as a professor of engineering at Cambridge University.

As well as having a general interest in the importance of education and equipping children with the skills they will need for life, my particular interest in the work of our Select Committee related to the education of potential future engineers and technicians. Our committee's remit was to

“consider education for 11 to 16 year olds with reference to the skills necessary for the digital and green economy”.

The success of the digital and green economy in the UK will undoubtedly depend on many more of our young people pursuing technical careers. There is already an acute national shortage of engineers and technicians.

At the outset of our inquiry, our committee recognised the importance of the following two questions. First, how does curriculum reform ensure that all abilities are catered for? Secondly, is there a risk of pitching curriculum content too high or too narrowly? In the context of both questions it is very important to recognise the need for flexibility. There is a wide spectrum of technical education required to equip the country with the future engineers and technicians that we need. Education and skills for 11 to 16 year-olds must address the differing requirements for the next stage of their training, whether it be via higher education, further education college, university technical college or direct employment.

Higher education clearly has a key role in producing engineers. Our universities will need to continue to attract girls and boys into engineering, and there is the question of what skills are needed for 16 year-olds likely to apply at the age of 17 or 18 to university engineering courses. Those interested in digital technologies will need to go on to higher-level maths—A-levels or the international baccalaureate—together with advanced computer science, to equip them for AI, quantum computing and data analysis.

[LORD MAIR]

As for technologies for the green economy, at the heart of the new Government's agenda is making Britain a clean energy superpower, with zero-carbon electricity, by 2030. The Government's clean power mission plans major investments in wind and solar power, carbon capture and storage, hydrogen and marine energy, decarbonising the electricity system and long-term energy storage. Nuclear power will also be part of the energy mix. All of this will involve new and challenging technologies, needing many more university graduate engineers than we currently have. For those academically suited, it is important that the curriculum for 11 to 16 year-olds includes the right material to equip them for the next stage—typically A-levels—as preparation for entry to university courses.

However, it is most important to recognise that around 60% of our young children will not go to university. It seemed to our committee that the existing curriculum and the school performance metric, the EBacc, has been designed as if all children will go to university. Of equal importance to the university route are the routes through further education and apprenticeships, whether trained via FE colleges, UTCs and degree-apprentice courses, or direct employment. For these routes, in contrast to the entry requirements for university engineering courses, numeracy, rather than more conventional maths, and familiarity with computer technology, are of most importance. FE colleges and UTCs provide excellent computer programming and data analysis training. I witnessed this when a number of our committee visited the very impressive London Design & Engineering UTC, in east London. I am a huge supporter of UTCs, of which there are now 44 across England—the UTC being the innovative brainchild of the noble Lord, Lord Baker of Dorking. He was an active and influential member of our Select Committee, and it is excellent to see him participating in this debate.

Numerous industries, including the many connected with the green economy, will require a range of other practical skills, many of which are uniquely provided by UTCs and FE colleges. It is the lack of technical and vocational opportunities during the 11 to 16 phase that particularly concerned our committee. Without exposure to these opportunities at an early stage, the door to a technical career is already closed in the minds of many young people. Closing the door to technical careers at such a critical stage is very damaging to the future prosperity of our country.

It is highly significant that, in Germany, 20% of 25 year-olds have a higher technical qualification, whereas in the UK the present figure is only 4%. That is because, in Germany, there is a much wider range of opportunities in technical education for young people, and this starts at an early stage. There is much more flexibility in the German educational system; the more academic pupils go on to university, while others go to FE colleges, and others become apprentices. There is a wide spectrum, highly regarded by schools and parents alike, with opportunities for all.

In this country in recent years there has been a substantial decline in the number of pupils taking technically-related qualifications at key stage 4. Entries for GCSE design and technology have fallen by more

than 70% since 2010, and in 2023 the subject was taken by only 12% of all pupils. Take-up of GCSE engineering has also fallen dramatically. The evidence our committee received indicated that the 11 to 16 curriculum is overly focused on academic learning, with technical and vocational education insufficiently valued. This is a serious imbalance, particularly for those pupils not suited to university.

To rectify this imbalance, Andy Burnham, the Mayor of Greater Manchester, proposes to introduce a Greater Manchester baccalaureate—the MBacc—which would focus on technical careers and sit alongside the academically-orientated EBacc. The evidence he gave to our committee was compelling. The subjects included in the MBacc would be designed to steer young people on the technical route, preparing them for jobs in the key sectors of the Greater Manchester economy: manufacturing, construction and health.

Our report recommended that the Government should engage closely with this MBacc proposal—a key stage 4 subject combination focused on technical careers—as an alternative to the EBacc. In their somewhat lukewarm response, the previous Government partially accepted this recommendation, while saying that schools are already able to make decisions about the technical qualifications they offer their pupils. However, the reality is that subjects falling outside the EBacc—most notably the all-important creative, technical and vocational subjects—have seen a dramatic decline in take-up. This is largely because schools have had to adjust their timetables to focus on a limited set of traditionally academic subjects associated with the EBacc performance metric. There is an overburdened curriculum and little scope to engage with topics beyond it.

In summary, we are in the midst of a digital revolution and dramatic technological changes as this country aims to become a green energy, zero-carbon superpower. It is therefore crucial that we attract more engineers and technicians. Vocational and technical options must be more readily available to all those pupils likely to go to an FE college, or a UTC, or directly into employment. There is a danger of attempting to generalise the national curriculum, and of pitching its content too high and too narrowly. There should be options for different choices available to pupils pursuing different post-16 routes. Curriculum reform and school performance measures should reflect this. The key requirements are a broader curriculum and, above all, as so well put by the noble Lord, Lord Knight, flexibility.

Many noble Lords have referred in this debate to the important recent announcement by the new Government of a curriculum and assessment review. The terms of reference include the statement that

“the review will seek to deliver ... A broader curriculum, so that children and young people do not miss out on subjects such as music, art, sport and drama, as well as vocational subjects”.

The review will also seek to deliver a curriculum that “includes embedding digital, oracy and life skills”.—[*Official Report*, Commons, 19/7/24; col. 15WS.]

These are all excellent objectives consistent with our report's recommendations. I hope the Minister can confirm that this review will fully take our recommendations into account.

11.51 am

The Earl of Effingham (Con): My Lords, I thank the noble Lord, Lord Johnson, for moving this important debate, and the many noble Lords on the committee who are here in the Chamber to contribute and add value.

According to recent research, more than half of Britons say that the skills taught to them as children in the classroom have not helped them in later life. This indicates that there is a fundamental issue with the curriculum. Indeed, the committee concluded that the current curriculum gives

“little scope to engage with topics beyond the curriculum or apply learning to real-world issues”.

It was therefore encouraging to read that the new Government want a broader curriculum

“that ensures children and young people leave compulsory education ready for life and ready for work, building the knowledge, skills and attributes young people need to thrive”,

so that

“every young person leaves school or college with the best life chances”.—[*Official Report, Commons, 19/7/24; cols. 15-16WS.*]

If that is the aim, which it absolutely should be, I flag to the Minister that the top three life skills that students wish they had but did not learn at school are: how to go about getting a mortgage, how to buy a house, and how to set up a private pension as well as the value of doing that.

This confirms what we heard from several noble Lords in the King’s Speech debate last week: that relevant financial education is an absolute must-have in the curriculum. Those three life skills are easy to teach, and there should be loud alarm bells going off that children are not being taught such essential tools already. Notwithstanding the fact that this is actually being requested by young people, by setting up a private pension at an early age to supplement a state one in later life, the cost saving to the Exchequer would run into multiple billions of pounds. Financial anxiety is also a common cause of poor mental health, so by reducing that risk you again achieve multiple billions of pounds-worth of cost savings to the NHS.

Oracy was flagged in the committee’s report. I bring to the Minister’s attention a real-life example. I recently visited an academy in Hackney that is a shining example of what is possible with the right leadership team and strategy in place. It is achieving 65% Russell group university acceptance and 15% Oxbridge acceptance, and one of the key focuses for its improvement is oracy. You experience that when you meet and speak with the students, many of whom find it difficult to maintain constant eye contact during a conversation. When you look at the wider pool of schools nationally, only 23% of secondary school teachers are confident in their understanding of the statutory spoken language requirements outlined in the national curriculum. Oracy is a critical life skill, and it should be put on an equal footing with numeracy and literacy throughout the whole school lifespan.

The report touches briefly on the subject of physical education. In summary, it says that students are not doing enough of it. We know from other surveys that only 47% of children and young people meet the Chief

Medical Officer’s guidelines of taking part in sport and physical activity for an average of 60 minutes or more every day. Sport and physical activity can change children’s lives. It improves cognitive abilities, and it boosts concentration and improves classroom conduct and behaviour, not to mention physical and mental health. We need it now more than ever.

I would like to focus briefly on two areas not mentioned in the report: food education and smartphones. One only has to look at the *Times* newspaper from yesterday, which asked, “How healthy are your kid’s snacks?” Noble Lords would be shocked at the very low nutritional content in some of our children’s favourite foods. Food education should be an important part of the curriculum. As I have mentioned before, “Healthy body, healthy mind” and “You are what you eat” are fundamental principles to the well-being of everyone, not just schoolchildren.

One of the most serious issues we have in schools currently is the use of smartphones. Some 25% of children and young people are, in effect, addicted to their smartphones. How can it be possible for any child to concentrate in class when they have their smartphone pinging away right next to them?

I would be grateful if the Minister could let us know how the Government plan to include relevant financial education in the curriculum, when we will be at a point when our schoolchildren will have the one hour of physical exercise that they need every day to be fit and healthy, whether the Government will use the new breakfast clubs as an opportunity to teach children more about food education, and who will ensure that the breakfasts provided are not ultra-processed foods high in calories and sugar. Most importantly, when will the Government act on the recommendations in the report from the Education Committee in the other place urging for a statutory ban on smartphones in all schools?

11.57 am

Lord Addington (LD): My Lords, having overcome my disappointment at not being quite quick enough to get on to the committee, this is one of those reports where, when I heard that a debate was taking place on it, I suspected that the answers would be exactly as they have been. Anybody who has been following the education debate will not be surprised by any of the answers we hear.

We started this debate with a description from the noble Baroness, Lady Blower—it is a pity she is not back in her place—of how the tone on education set by the previous Government was like the cock-up school of history writ large: “Got to say something. Got to say the right thing at the right time. Let’s go with that. We’ll go back to good standards and good academic levels. This is what we were taught at grammar school”. That, I am afraid, is the impression I had of the previous Government’s education policy from start to finish.

This has led to other things happening. For instance, if you put an emphasis on academic achievement, anybody who is not academic or does not conform to this will be squeezed. As night follows day, it is there. Also, it is slightly looking back to “the sort of thing

[LORD ADDINGTON]

we did in my day” and to “We all know that what we did was right, because we did it”. It is only when we get taken out of that space that we realise that the world moves on or that there would have been a better solution even for us. That is one of the things I have come across in listening to this debate and to the experience that has gone through.

One of the main things I would say about this issue is that the damage to it is not just the overloaded system, with the huge amounts of technical detail in the current GCSEs. To digress for a minute, those were roughly the arguments when the old O-level was gotten rid of. People were teaching to memory and rote learning, and there were lots of facts and details. We got rid of them to replace them with a shiny new GCSE that would have more emphasis on learning and concepts. Well, it has changed, has it not?

We must ensure that people are not merely regurgitating something that fits a very narrow band. I regret not having seen the Gibb-Baker confrontation. It sounds like it would have put “*Ali v Frazier 1*” to shame. If we are going to step away from that, we must be aware of a couple of things. One is that education must keep everybody interested for longer. Having diverse subjects means that a person can have a degree of success, whether in sport, the arts or technical detail. Everything backs this up: if somebody enjoys their sport they are more likely to do well at other subjects, and the same for somebody who is good at art or the technical detail.

If you keep it narrow and focused, you guarantee failure. If you guarantee failure and it becomes a bad experience, that person will disengage. If you are lucky, that disengagement will be disappearing into the middle of the class and doing nothing. If you are unlucky, that person will be out of the school system completely—physically as well. This has been a contributory factor to the fall-off from our school rolls. There is no two ways about it. I do feel rather sorry for the noble Baroness, Lady Barran, who has to come next. I hope that the Government, when they answer, will tell us how they will ensure that people have a degree of success within the school.

There is an unwritten rule that whenever I speak on education, I must declare my interests in special educational needs and assistive technology. I am very glad that the noble Lord, Lord Holmes, got there first today. However, if we are dealing with technology and using it as the useful tool that it can be, I hope that the Government can give us some hint that they are open to using this correctly. We have just heard that the technical processes of mathematics and English can be done by a computer. Voice-to-text and text-to-voice technology is built into every system from Windows 10 upwards, Apple and all the others. It is there: you press a button, talk to your computer and it word-processes for you. I am still waiting for the people who can tell me why this is less efficient than tapping a keyboard. You can quite easily mark how well somebody does that compared with tapping a keyboard or writing with a pen. The same is true of mathematics and many other concepts. You still have to know what you are telling the machine to do, but then it will come back to you and tell you what you have done.

Doing that will open up these subjects and their basic requirements for large groups of people. If we remain obsessed with written English tests they will continue to be a barrier for many people. I suggest that anybody who wants to fall asleep rapidly looks at the work I did on the apprenticeship system all those years ago. If you put those barriers in place that do not allow people to enter by saying that they have to take these tests in certain ways, you waste time and potential, and build in that failure.

If the new Government are to deal with this, please can they ensure that they embrace it and bring people together? They have the capacity now. You do not have to do anything special; you have to say that the system will do it. You may have to tell teachers that they will have to operate differently and give them some more training. I hate to say that to teachers, who have such an overloaded timetable at the moment, but it is required. Better training in these areas, or at least an awareness, is required in order to do this, but it can be done, and once it has been done the load on the teacher should be lowered.

When the Government respond, can they let us know exactly what they are aiming to do and what the central drive is? If they get that right, everything else will be that little bit easier, but one of the things they must do is ensure that they open up the base of operation. Technical schools and technical education are one way forward, but all the things that they hope to do will allow more people into the system to have a stake in it. At the moment, we exclude those at the edges—cutting them off and making it more difficult. We should not be doing that. We should ensure that the education system says that there is a place for everybody.

The back-up for this, as everybody has said, is that many of the new skills that we have are better acquired through others areas of examination or study. It is not just the key elements. The creative industries, as anybody who pays attention to the DCMS brief will know, have been saying for ages, “No, we don’t need to retrain another English graduate in the creative industries. We need people with level 4 or level 5 technical qualifications”. Allow this key area—one which allows people to go on to their next stage of training or university—to be broader, and allow people into different areas of training. If you do that, you will remove some of the problems which we have at the moment, where people take qualifications that they probably do not want and will not use, and which they take longer to achieve and with more debt. This will be a big cultural shift, so if the Government do not start it now, they will be in real trouble, but how they do it will be very important.

I hope that this report goes down as being a death knell on a wrong turn in education. I hope that the Government will confirm that they are looking forward, to ensure that the general thrust of this report becomes a key part of this bit of education. Also, it would not be beyond my wish list to hear what the Government will do on the other bits to allow that to happen. I understand why the report can cover only a few years in the timescale that we had, but we need to remember that we have stages before and after and think about how this key bit goes in. The analysis from the noble

Lord, Lord Baker, of why we have exams at 16, was right on this occasion. When the two of us agree, I always worry that somebody will say that we are wrong, but I think that he is right. However, if we can make building up to those exams at 16 more flexible and inclusive, we will take a big step towards ensuring that the rest of the education system works a little bit better.

12.06 pm

Baroness Barran (Con): My Lords, I join other noble Lords in thanking my noble friend Lord Johnson of Marylebone and all members of the committee for their comprehensive and wide-ranging report and recommendations. I also send my warmest congratulations to the noble Baroness opposite on her appointment to DCMS, which is very much deserved.

I sense that I have a slightly lonely job in my remarks, but I felt as I listened to your Lordships' speeches that perhaps it was a job that needed to be done. As your Lordships pointed out, the previous Government's response to the report, which was published in February, set out some significant reservations about its recommendations. I will summarise in different words what lies beneath those reservations. It is fair to challenge the committee to answer why England's children are moving up the international rankings if there are so many problems in our education system and, most importantly, how the proposed changes would impact on our international performance.

However, in an effort for conciliation, I will start by touching on some of the areas where the previous Government agreed with the committee. The first relates to the emphasis that the report placed on opportunities for disadvantaged pupils and those with special educational needs and disabilities. The previous Government have a proud record in this area, with the introduction of the pupil premium, the national tutoring programme and, at the heart of it all, a commitment to offer all pupils a broad and balanced curriculum. I stress that because I have an uneasy feeling from listening to the speeches in your Lordships' House today that we are at risk of having preconceptions about which children follow an academic path and which do not, and of losing as our north star an emphasis on social mobility. I worry that, by assuming some children will follow an academic path, those who do not will be those on free school meals and those with special educational needs. I know that is not where your Lordships want to end up.

The previous Government also agreed absolutely with the importance of creative subjects and sport in the curriculum and made a major commitment to deliver those through the sports premium and, more recently, the music education plan. We absolutely share the committee's concerns about access to modern foreign languages in the curriculum, but, as the House knows, this has been a particularly challenging area for teacher recruitment.

In relation to the current curriculum, of course, where the new curriculum has not worked quite as intended, it makes sense to review it. We hear anecdotal evidence about the breadth of the curriculum in the sciences and the House will be aware that, in the case

of computer science, the previous Government drafted a new curriculum, which was being consulted on and was published in May of this year.

I will focus on a couple of areas where the previous Government did not agree. We disagree that the EBacc has resulted in a narrowing of the curriculum. The noble Baroness, Lady Blower, who is no longer in her place, described the EBacc as having a big impact—perhaps not in an altogether complimentary way—but I will stress some incredibly important positive shifts. In 2010-11, only about 61.5% of pupils were entered for the EBacc science pillar, so they were doing double or triple science. Today, that figure is almost 95%. That is an economy-changing shift and something we should be very proud of; it opens doors for every single child, not just the children who we have decided are academic. I make it a rule never to disagree with the noble Baroness, Lady Morris of Yardley, but I just pose the question: who could argue that a default curriculum should not include maths, English, sciences, geography, history and a modern foreign language? Every child should have access to that. So we talk about this narrow curriculum at our peril.

In relation to the amount of assessment at the end of key stage 4, the previous Government's response to the committee's report acknowledged that there was a case to review the burden of assessment and a case for streamlining. Of course, if one can get the same level of reliability from a smaller set of questions, nobody would disagree with that as a good evolution. But I think it is worth reporting the finding from the Ofqual report that there is little evidence that coursework has any differential impact on outcomes for either disadvantaged students or those with special educational needs.

In this shift to focus more on skills, I remind your Lordships to look at what has happened in Scotland. To quote a different Keir, Keir Bloomer, one of the architects of the Curriculum for Excellence reform, which has seen such a sharp drop in the international rankings of Scottish pupils in the recent PISA results:

“The problem is we did not make sufficiently clear that skills are the accumulation of knowledge. Without knowledge there can be no skills”.

Knowledge—or “facts”, in the words of my noble friend Lord Holmes—is what you think with, and you cannot outsource your thinking successfully.

Many of your Lordships will be familiar with Daisy Christodoulou's book, *Seven Myths about Education*. In it, she very clearly makes the point, also made by my noble friend Lady Evans of Bowes Park and other noble Lords, that no one can argue that the skills of critical thinking, problem solving, communication, collaboration, creativity or innovation are not vital for all pupils to thrive. This is not a new thing; they have always been needed. It is how we give children those skills that matters, and it has to be done with a strong knowledge base. The risk is that, by reducing the amount of knowledge in the curriculum, pupils are less able to develop these skills. What Archimedes knew about bath-water and Euclid knew about maths have stood the test of time. As my noble friend Lord Baker said in different words, nothing dulls as quickly as the cutting edge; think how programming and coding skills are being made redundant in a world of AI.

[BARONESS BARRAN]

We also need to be rigorous—I look now at the Minister—in understanding whether there are other reasons why children are struggling. The issues that the report raises are not universal across all children from disadvantaged backgrounds or with special educational needs and disabilities. Many are thriving and many are achieving exceptional results, so I really urge the new Government to look at areas where those children are thriving and succeeding and to see what can be learned from that.

Finally, I turn to the new Government's curriculum review, which talks about addressing

“the ceilings to achievement ... built into Key Stages 4 and 5”.

I would be grateful if the Minister could elaborate on what is meant by this. If she cannot today, perhaps she would be very kind and write to me afterwards. The committee's report was clear that norm-referenced assessment does not limit the number of pupils who can be awarded each grade, so I just wonder what ceilings the Government are referring to. In relation to the focus on breadth—particularly the arts, sports and vocational subjects, which we welcome—we know that the strongest schools and trusts are already offering this. They are using their funding in the most efficient way to offer maximum opportunities to their pupils. I wonder how the Government plan to build on this. Could the Minister summarise what she sees as the barriers to expanding the curriculum in this way?

The committee's report will certainly give the new Government some really useful insights, perspectives and ideas, which I know will be invaluable for the new curriculum review. That review will be important for the life chances of future pupils and the strength of our economy. I urge the new Government to focus not just on calls for change where the system is working less well but also on where pupils are really thriving most, particularly those from disadvantaged backgrounds and with SEND, and to work out how to scale that great practice. I genuinely fear that there is a real risk that we return to a world where it is precisely those children whose futures are limited by well-intentioned changes that do not deliver, falling prey to what one Secretary of State and, indeed, US President, described as

“the soft bigotry of low expectations”.

Any changes need to avoid this. They need to avoid the mistakes that have damaged education systems from Scotland to Finland and beyond and protect the achievements of the last 14 years.

My final question to the Minister and my noble friend Lord Johnson of Marylebone is: please can they show me a country whose international educational rankings have improved by introducing a greater emphasis on skills and a reduced focus on assessment at the expense of knowledge? Then, perhaps, I will change my mind.

12.18 pm

The Parliamentary Under-Secretary of State, Department for Culture, Media and Sport (Baroness Twycross) (Lab): My Lords, I thank the noble Lord, Lord Johnson of Marylebone, for opening this debate so well, and the Education for 11-16 Year Olds Committee for its thoughtful

and detailed inquiry and report under his chairmanship. I am hugely sorry for the fact that I seem to have lost my voice since I got up this morning. Please bear with me.

I am grateful for the excellent contributions today from the committee's members and others across your Lordships' House on the important areas covered by the report on the education received by 11 to 16 year-olds in schools in England. It is a particular pleasure to follow the noble Baroness, Lady Barran, whose personal commitment to improve education in England and social mobility was clear throughout her time as Minister. My noble friend Lady Smith was hugely sorry not to be able to attend today. It has been an excellent debate and I have enjoyed hearing noble Lords' contributions. As the noble Earl, Lord Clancarty, noted, there is relevance to my DCMS role throughout today's debate and the report.

The report notes that the committee

“focused on whether the current education system effectively equips young people with the knowledge, skills and behaviours they need to progress to the next phase of their education, and to flourish in the future”.

The noble Lord, Lord Addington, asked what the central drive of the Government's mission was. High and rising school standards are at the heart of this Government's mission to break down barriers to opportunity for every child, no matter their background. We want an education system in which all children and young people can achieve and thrive in education, throughout work and life.

High and rising standards are the foundation of opportunity for all—the bedrock of great life chances. Our children deserve nothing less. As my right honourable friend the Secretary of State for Education said in the other place on Wednesday:

“I want standards to be the story for every child in the country, not just in some of our schools but in all our schools. I want high and rising standards for each and every child”.—[*Official Report, Commons, 24/7/24; col. 698.*]

Before I turn to the report and noble Lords' contributions to the debate, I want to acknowledge an important wider factor for many children and young people. The right reverend Prelate drew attention to the impact of poverty on attainment, and we know that disadvantaged pupils are more likely to fall behind and face barriers that hold them back from the opportunities and life chances they deserve. Following the pandemic, we have seen disadvantaged children fall further behind their peers, with the disadvantage gap for 16 year-olds at the highest level since 2011. Rightly, the noble Baroness, Lady Barran, points to looking at where these children are succeeding and what we can do to ensure that this is duplicated across the system. Removing barriers to opportunity and raising school standards are at the heart of our mission to transform life chances for the millions of children and young people in this country. In line with this, the Government have moved quickly to reset the relationship with our school workforce and to appoint Sir Kevan Collins, who has a deep understanding of and expertise in education effectiveness, and a wealth of experience, to advise them on driving high standards for all.

I turn to the committee's report looking at the education system for 11 to 16 year-olds. The committee found various areas in need of action and made

recommendations across the curriculum, assessment and performance measures. As noble Lords have noted, last Friday we launched an independent expert-led curriculum and assessment review, chaired by Professor Becky Francis CBE, an expert in education policy. The review will consider the national curriculum and statutory assessment system from five to 19, and pathways for learners in 16-19 education to drive high and rising standards for every young person. Many of its aims, terms of reference and working principles are very relevant to the committee's recommendations and the matters raised by noble Lords in the debate. I am grateful for the broad welcome of the review from many of today's speakers.

The review will contribute to the Government's mission to break down the barriers to opportunity for every child and young person at every stage, and kickstart economic growth. We know the hard work that teachers have done to develop knowledge-rich syllabuses. The review will build on this to deliver the Government's ambition for every child and young person to study a curriculum that is rich and broad, inclusive and innovative. It will support the professionalism of our teachers and school staff to adapt how they teach the curriculum to their pupils' lives and life experiences.

In response to—and apologies if I misunderstood, but probably not in line with—the comments of the noble Earl, Lord Clancarty, we want the review to be evidence-based, and the evidence supports the importance of knowledge in helping children learn. But that should not be, and does not need to be, at the expense of developing skills or making sure that young people can thrive, whatever their aptitude or ambitions. I welcome the point made the noble Baroness, Lady Evans of Bowes Park, about the possibility of cross-party consensus on future changes as a result of the review. This was echoed by the noble Lord, Lord Baker. It is clear that children and young people would benefit from consensus, and I hope that this proves possible.

The review will develop a cutting-edge curriculum, equipping children and young people with the essential knowledge and skills that will enable them to adapt and thrive in the world and workplaces of the future. This will include an excellent foundation in reading, writing and maths, and embedding life skills such as communication into all our children's learning. I assure the noble Earl, Lord Effingham, that financial education will be included in the review, as will food as part of the design and technology curriculum.

Digital skills are essential for future work, life and prosperity. We are committed to ensuring that every child can benefit from a high-quality digital education. The review will therefore consider how to embed digital literacy and skills throughout children's learning. As the noble Lord, Lord Baker, said, the skills required change rapidly in the current world.

The noble Earl, Lord Clancarty, and my noble friend Lady Blower focused particularly on arts. The review will ensure that this new curriculum provides breadth of opportunity for every child and young person, with access to subjects such as music, the arts, drama and sport, and that it reflects the issues and diversity of our society, so that all children and young people are represented.

A number of noble Lords, including the noble Lord, Lord Johnson, noted the significance of getting vocational learning right for those three in 10 children who do not go to university, and the review will cover this. It will also seek to ensure that the assessment system captures the strengths of every child and young person and the breadth of curriculum, with the right balance of assessment methods, while maintaining the important role of examinations.

My noble friend Lord Knight raised a specific point about education on climate change. Quite clearly, climate education is very important for helping young people prepare for the world they will grow up and work in. I have no doubt that the curriculum and assessment review will want to consider how best to support these. It will also look at the “golden threads” the noble Lord, Lord Holmes, referred to.

My noble friend Lady Morris spoke of the value of but also the barriers created by the current accountability system; this will be covered by the review. The review will look closely at the barriers which hold back children and young people, particularly those from socioeconomically disadvantaged backgrounds, including whether they have a special educational need or disability, or are otherwise vulnerable.

The key principles of the review are that it will be rigorously evidence-based and evidence-driven, and that it

“will be undertaken in close consultation with education professionals and other experts; parents; children and young people; and stakeholders such as employers, colleges, universities and trade unions”.—[*Official Report, Commons, 19/7/24; col. 16WS.*]

There will be extensive engagement with the sector throughout the entire review process, which will start in September with a call for evidence, taking written evidence from key stakeholders, and undertaking a national roadshow. Given the breadth of expertise in your Lordships' House, I know the review will welcome input from Peers, and my noble friend Lady Smith is keen to meet noble Lords from across the House.

However, we recognise the pressure that schools and colleges are already under, and the further strain that wholesale reform can bring, so the review will seek evolution, not revolution. It will be alive to the trade-offs required to deliver high and rising standards alongside greater breadth; in particular, any recommendations that would or could increase workload.

Professor Francis will be supported by an expert group of individuals with experience from across the education system. The review will publish an interim report in the new year, setting out its interim findings and confirming the key areas for further work. The final review with recommendations will be published in autumn 2025. Clearly, there will be some alignment with the committee's report and ambitions, but we will need to wait for the findings and recommendations of the independent review before taking on any particular recommendations that have been made. I assure your Lordships that our ambitions are not simply on pause while the review is under way. There is much this Government will be getting on with in the meantime.

We will start working towards our manifesto commitment to support more children to study a creative or vocational subject to 16 and ensure that

[BARONESS TWYXCROSS]

accountability measures reflect this. Too many children, particularly from disadvantaged backgrounds, leave primary school with unresolved speech, language and communication needs that have a lasting impact on their life chances. We will provide more targeted support for development of early language in early years settings and primary schools to change this, because the ability to speak confidently and fluently is important for every young person throughout their time at school and as they approach adulthood.

As the noble Earl, Lord Clancarty, and other noble Lords said, cultural development should be an essential part of every child's education, to develop their creativity and find their voice. The noble Lord, Lord Aberdare, noted the growing divide between private school students and state-funded school pupils in creative arts. To extend music opportunities, we will launch a national music education network to help parents, teachers and children to find courses and classes.

Our children's well-being Bill will require all state-funded schools, including academies, to teach the new curriculum on which the review will advise, so that all children receive the same core education and opportunity to achieve and thrive. This measure's core purpose is one of equality—ensuring greater consistency between academies and maintained schools, giving parents certainty over the core of their children's education. It will be commenced after revised or new programmes of study are introduced.

I can assure noble Lords that the review will deliver a core curriculum that is designed to empower—not restrict—all schools, including academies. It will provide a strong foundation that will foster the innovative practice that thrives in the best academies and other schools. We want a national curriculum that all schools want to follow, and all parents will want their children to study, because it provides a richness and breadth that works for everyone: the starting point for an excellent education taught by motivated, empowered professionals.

With a reformed curriculum, we will need the accountability arrangements to reflect the broad and deep learning we want to see in schools. We are committed to improving the inspections system, reforming accountability and raising school standards. We will replace the single headline grade with a new report card system, telling parents clearly how schools are performing, and bring multi-academy trusts into the inspection system, because every part of our school system that can drive improvement should be considered to ensure it is doing so, in the best interests of all our children.

We want every child in England to be taught by excellent qualified teachers. We will raise the professional status of teaching by ensuring that all new teachers hold or are working towards qualified status. Our challenge through the opportunity mission is to break the link between young people's backgrounds and their future success. We will prioritise creating opportunities for every child and young person in their community, including at school, with expert teachers and targeted interventions to help all our children thrive. This will be enabled by the Government's pledge to recruit 6,500 additional expert teachers, because we

know that it is the quality of teaching that makes the biggest difference to children's outcomes at school. We will bring these teachers into the classrooms of our schools and FE colleges by the end of the Parliament, to fill critical gaps in our workforce and support our drive to raise standards.

The noble Lord, Lord Baker of Dorking, spoke about skills, technical education and digital. I know he has a long history of supporting and promoting the opportunities provided by technical education. He has continued to be a great influence in the education sector—although I am too old to have done GCSEs—including by developing and supporting the university technical colleges programme across the country. This point was highlighted also by the noble Lord, Lord Mair, in his speech. I am aware that the noble Lord, Lord Baker, submitted a proposal to the department under the previous Government to include the technical curriculum of UTCs in mainstream secondary schools. The noble Lord, Lord Aberdare, also eloquently raised this issue. The recently launched curriculum assessment review will include reviewing technical skills in our secondary schools and will allow us to consider this proposal as part of our overall approach.

The noble Lord, Lord Addington, and the noble Lord, Lord Holmes, raised special educational needs and disabilities. The Government are clear that the education and care system does not currently meet the needs of all children, particularly those with special educational needs and disabilities. The department has already restructured to ensure that improving inclusion in mainstream schools is at the heart of our plans to improve opportunities for those children with SEND. I will ask my noble friend Lady Smith to write to both noble Lords with respect to the questions they raised on technology.

In response to the question from the noble Earl, Lord Effingham, about smartphones, schools can, as many do already, ban smartphones during the school day. We fully support their right to do so. The noble Lord, Lord Addington, rightly said that education should keep more pupils interested longer, and my noble friend Lord Knight said that education should include joy, and that is a matter that previous debates in this House have also noted.

I could not agree more with the noble Baroness, Lady Barran, that we should not have predetermined routes for any child. Every child should believe that success belongs to them, that they can achieve their potential and get the knowledge, skills and experience they need to do so. This Government have committed to transforming our education system so that all young people get the opportunities they deserve. We have made a good start and I know noble Lords will quite rightly continue to shine a light on this important area as we continue to build a Britain where background is no barrier to opportunity. I assure my noble friend Lady Morris that we will not have a straitjacket around our aspirations.

The continued interest in the committee's report is a testament to its quality and the considered way in which it has approached this vital yet complex part of the education landscape. As I hope I have demonstrated, the principles of what the Government are aiming to

achieve across these policy areas reflect the areas of the committee's conclusions and recommendations. I am confident that, when your Lordships' House considers government policy in the future, noble Lords will see that the ambitions of the committee have been addressed with the great respect that they deserve.

In closing, I repeat my thanks to the noble Lord, Lord Johnson of Marylebone, for securing this debate, to his committee for its excellent work and report, and to all noble Lords for their contributions today. I will ensure that these are shared with the review and that the Minister writes to noble Lords whose specific points I have not been able to respond to today.

12.36 pm

Lord Johnson of Marylebone (Con): My Lords, I am delighted our report has been the source of so much agreement and near-consensus this morning. As the noble Lord, Lord Addington, observed, this was not a big surprise, given the weight of evidence that we had in front of us. It has been a very rich debate and I want to briefly point to a couple of highlights.

One of the main ones for me was the noble Baroness, Lady Blower, I believe, recalling the delightful and revealing origins of the English baccalaureate with that funny story from Sam Freedman's book. There were also the reflections of the noble Baroness, Lady Morris, on the evolution/ revolution trade off and her gentle admonishment that, while there was much that was good in the report, it was not nearly bold enough. That felt like a school report and we are happy to have had it.

Many noble Lords and noble friends made excellent points about the importance of getting this right to drive growth and productivity in the years ahead. Finally, I much enjoyed the call from the noble Lord, Lord Knight, for a more joyful 11 to 16 phase. That has to be a really important ambition for the new Government.

In response to the former Minister, my noble friend Lady Barran, and her lonely defence of the status quo, I would simply say that resting the Government's case for the defence, a case for inaction, on some limited progress in the Pisa rankings over recent years just will not cut it. Pisa is a very partial measure of the success of an education system. When you look at England's absolute scores in recent years in key subjects, they have been going backwards—albeit, I admit, by less than the scores of some other countries, hence the rise in our relative performance. It is also worth pointing out that there is nothing in our committee's recommendations that would reduce the emphasis on English and maths.

Finally, I thank the Minister and congratulate her on taking her new role in DCMS and on her thoughtful and engaging responses to the committee's report. It is very encouraging to hear that the Minister feels that it will be relevant to the new review just announced by the government. I am sure everybody on the committee welcomes, as they have today, the announcement of that review and will be working hard to support it on a cross-party basis.

Motion agreed.

Supply and Appropriation (Main Estimates) Bill

First Reading

12.40 pm

The Bill was brought from the Commons, endorsed as a money Bill, and read a first time.

Community Sentences (Justice and Home Affairs Committee Report)

Motion to Take Note

12.40 pm

Moved by Baroness Hamwee

That this House takes note of the Report from the Justice and Home Affairs Committee *Cutting crime: better community sentences* (1st Report, Session 2023–24, HL Paper 27).

Baroness Hamwee (LD): My Lords, I need to declare an interest. I am a trustee of the charity Safer London, whose focus is on keeping young people out of offending. We are in a rather different context from late June, when a debate was scheduled on a report by the House's Select Committee that I chaired until earlier this year. I am particularly pleased that the new Minister for Prisons, Parole and Probation—I hope I have that in the right order—is able to respond. On my behalf and, if I may, on behalf of the committee from which I have become time expired, I welcome him very warmly and with high expectations. So, no pressure, but he is now an old hand in this Chamber—after three days.

It is fair to say that the committee felt that it and the previous Justice Secretary were on the same wavelength. The then Government's response to our report was published in February. It was careful and encouraging, but I hope the Minister will not feel constrained by it. We are, of course, interested in updates, new directions and the "how" as well as the "what".

The committee's starting point was, as the title indicates, cutting crime, particularly reoffending, and making better use of sentences served in the community. We looked at the benefits of community sentences to society—for instance, value for money, the intergenerational impact of imprisonment, and as a humane and practical response for the individual offender. The use of community sentences had dropped considerably, though there were and, no doubt, still are varying interpretations of the data.

During our work, prisons reached operational capacity. Then the Government announced proposals for revised early release, and we are all aware of the new Government's plans. The issue is not just a matter of theoretical capacity and physical conditions, but scope for rehabilitative work. The committee well understood that the aims of sentencing include punishment. Under the 2020 Act, there are also the reduction of crime, the reform and rehabilitation of offenders, public protection and reparation.

[BARONESS HAMWEE]

There are positive reasons for the use of community sentences. One is that the offender can retain contact with his—most often it is a male, and I will refer to offenders as such—support networks, and his home and job, in both cases, if he has one. Imprisonment often means these are lost. The Minister may say something about employment and the importance of the stability of a home and a job, and, conversely, the much increased risks of reoffending without those stable bases. A previous Chief Inspector of Probation commented on HMPPS paying for accommodation for people coming out of prison. He said:

“What you need is to pay for the accommodation before they have had to go to prison in the first place”.

The issue of accommodation will only escalate. This is one of a number of areas that cry out for cross-departmental working.

Community sentences can and should be tailored to the individual, but that does not mean that they should not be robust and demanding. My noble friend Lord Beith, who was on the committee, commented that it is much easier to sit on your bunk all day—but actually, I think many of us would find that pretty demanding. One of the routes to a personalised sentence is through problem-solving courts and intensive-supervision courts, which work holistically. The Government’s response was a little cautious. The committee of course recognised that you cannot just randomly introduce new schemes, and we understand the value of pilots. Our recommendation was that there should be proper monitoring and evaluation of the pilots—because there are quite a lot—and that pilots should not be launched without a plan for evaluation. But we wanted to see best practice shared and scaled up: single pilots will not get us far nationally. Can the Minister update us on progress?

We were interested in incentivising offenders by deferring sentencing—positive behaviour before passing sentence means a less severe sentence—and a single judge following the progress of an offender, with regular reporting back to the judge during the sentence. I suppose that the courts backlog, alongside bulging prisons, means that this is a rather long-term aspiration. Integrated community sentence orders are being tried in Ireland, with incentives for engagement in rehabilitation and meaningful activities.

I certainly did not have the impression that every offender is resistant to orders incorporating treatment requirements, but I did get the impression that they are often not supported to be more than passive recipients of what is done to them. Treatment requirements to address drug and alcohol abuse and mental ill health need the offender’s consent. There seems to be a lack of understanding of this, and the processes do not help.

I was surprised that pre-sentence reports are not more widely used. This is partly a matter of capacity and of saving court time, and because the short-format reports are insufficiently detailed and there are varied views of their purpose, and some misconceptions—of course, these are all connected. One ex-offender saw PSRs as probation’s advice to the court on the sentence and was emphatic that the court did what probation

told it. PSRs can give offenders the opportunity to consent to treatment and give sentencers confidence to impose treatment requirements. The MoJ was encouraging about increasing the number of PSRs. Again, can the Minister update us on the feasibility of adopting the new model?

The Probation Service is central, but it is an unattractive profession with unmanageable caseloads—I hesitated before writing that, but it was the evidence we received. We were well aware of the impact, still felt, of the reorganisation of a decade or so ago, and, if we were not, many witnesses would have made sure that we were. But we were clear that there should be no large-scale restructuring in the next few years. The reunification of 2021 must be allowed to settle down.

We got the logic of recruitment in waves so that experienced staff were in post to support the next intake. But the best may be the enemy of the good. Is the MoJ confident that there are so many potential recruits out there? The Secretary of State mentioned the recruitment drive. The current chief inspector applies the term “not sustainable” to the current position and suggested that capacity should be freed up by probation officers no longer being required to monitor people released after short sentences. If that is not directly relevant to community sentences, it is on the same page, and the Minister may wish to comment.

The previous chief inspector talked of the role having evolved to focus more on supervision and administration: more “assess, protect and change”—its current tag line—than “advise, assist and befriend” offenders, which is the statutory duty under the 1907 Act. The relationship between an offender and his probation officer is crucial. The ex-offenders—I stress “ex”—we met were impressive not only in demonstrating their successes but in explaining obstacles along the way. So were the treatment providers—the relationship with them is also central.

Smaller providers feel squeezed out by big national organisations and excluded by the complex commissioning process. This must be very recognisable to anyone who has dealt with contract bids by voluntary organisations and procurement by local authorities, so I hope that the Government’s promise to simplify the process at local government level will not stop there. There is a lot of enthusiasm, energy and expertise in the third sector, but providers feel unappreciated, given the obstacles in the way of applying it. The Government recognise this, but I did not take from our work that the benefits of changes had filtered down to service level. The Government referred to the dedicated grants probation portal to support the smaller bodies. How is that going?

Both the Probation Service and the courts need to be aware of what services, including treatments, are available—crucially, available in the local area—and make the most of them. Referrals must contain sufficient information and risk assessments, and commissioned partners must be able to feed back information. Data sharing is less than optimal, and there are still misapprehensions about restrictions: “We can’t—GDPR”. Smooth commissioning, allowing flexibility so that partners can innovate, would be of wide benefit, including to the taxpayer.

The stereotype of unpaid work by offenders is unfortunate. Both the public and offenders should see the work as having an intrinsic value. There are good models of support for offenders. I will not let this moment go by without plaudits for so much of what goes on in women's services, and a plea for funding—I describe it as investment—for its expansion.

Youth services have much more bandwidth than adult services, though I am of course aware of the recent report about Feltham. Staff remain in post for long periods, caseloads are manageable and there is scope for thoughtful actions such as addressing communication needs—reading and writing. We heard persuasive views about the cliff edge at 18 and suggestions of extending “youth” to 21 or higher. This is not a new point, as understanding of a young person's development is increasing. I would be anxious, though, that standards in youth justice services might drop if there was a handover of young adults without more.

I end with a particular, and perhaps more recent, concern. In the light of the size of the prison population, the demands of post-release supervision must not mean that we lose sight of the lowest level offenders.

I hope that the committee's report and its work will be useful to the Government. When we spoke earlier this week, the Minister said he thought that, at so many points, trust was the issue. I absolutely agree. I welcome his commitment and what I would describe as hard-headed practicality. It is a very positive mix. I beg to move.

12.53 pm

Baroness Prashar (CB): My Lords, I thank the noble Baroness, Lady Hamwee, for introducing this debate and for her very skilful chairing of the Justice and Home Affairs Committee. Her thoughtful and probing approach was a real asset to the committee. My thanks also go to the clerks, researchers and special advisers for the excellent support that they provided. It was also a pleasure to work with the other members of the committee.

I also take this opportunity to extend a very warm welcome to the noble Lord, Lord Timpson, and congratulate him on his elevation and appointment as Minister with responsibility for prisons, parole and probation. As a former chairman of the Parole Board, I am delighted that he is undertaking this task. I cannot think of a better person to help us develop a more effective strategy for prisons and shape a more responsible debate about crime and prisons. The point about trust is well noted.

We had a response to the report by the previous Government. As the noble Baroness, Lady Hamwee, said, it was encouraging, but I hope that the new Government will approach this issue with vigour and determined commitment.

The noble Baroness, Lady Hamwee, has covered the findings of our report very comprehensively and admirably. I will focus on just two issues I feel quite strongly about. The first is public opinion on matters of crime, prison and justice. We did not cover this in the report, but we must recognise that we need to shape public opinion to get a better debate on these issues. The second is the Probation Service and a need

for better, improved rehabilitation provisions in the community. The noble Baroness, Lady Hamwee, mentioned the expertise we have in the third sector.

The first thing, which should be said quite emphatically, is that non-custodial sentences are not a soft option. To create support for non-custodial sentences, we need to change public perception and the public narrative. We need to ensure that people understand what prisons are for. We need to do much more to enhance public confidence in the criminal justice system and sentencing. An evidence-based change in approach to communication is much needed.

The lack of confidence is exacerbated by the reinforcement of unhelpful beliefs in how we talk about crime and justice: we prioritise punishment and prisons, and leave other necessary measures, such as non-custodial sentences, out of the narrative. We have a duty to ensure that the question of public discourse about crime and punishment is taken very seriously. Offenders, once they have served their sentences, have to be integrated into the community. Rehabilitation is a necessary part of public protection, so those who commit less serious offences can be treated in the community. We know that prison, on the contrary, is a training ground for turning less serious offenders into hardened criminals.

There is also a responsibility for the media to be accurate in reporting and not perpetuate misunderstandings of the law and sentencing. Maybe we should consider whether we need guidelines for the media on the way these things are reported. The Sentencing Council has a role too. It should be supported to expand its communication across both traditional and social media. How to engage the public should be an integral part of the discourse about non-custodial sentences and needs attention. In other words, there is a need for a very proactive role in communicating this. Is this something the Government intend to pay greater attention to?

Moving on to our report, the evidence we gathered shows that offending and reoffending can be reduced through rigorous non-custodial sentences. With the right investment, appropriate provision in the community and support for the Probation Service, non-custodial sentences can be very effective. They reduce reoffending and, in the long run, pressures on prisons. We found that there was a drop in the use of community sentences—their use has more than halved in recent years. Along with changing public perceptions, what is needed is an increase in the provision of effective rehabilitative services in the community, particularly for the treatment of addictions and mental ill-health, with services tailored to the needs of individuals.

In our report, we give examples of good practice drawn from support for women and young offenders. We believe that this can be replicated. Targeted investment in treatment places is required. Those which work best are the ones provided locally and where all the agencies concerned actually co-operate. We also need incentives to encourage low-level repeat offenders to engage with rehabilitation.

The Probation Service should be encouraged to place trust in the expert and experienced third sector. That needs quite a bit of attention. The forthcoming commissioning process is an opportunity. Maybe the

[BARONESS PRASHAR]

focus should be on increasing the numbers, longer contracts, partnership working and adequate funding. Will the Government use the upcoming wave of commissioning as an opportunity to apply the lessons of the past two years? Are there plans to use the commissioning process to make the changes recommended in this report?

As we heard, the Probation Service has been subjected to enormous changes. It has been pulled and pushed in different directions, which has led to an identity crisis: pushed into being a law enforcement agency, with a greater emphasis on public protection and less on rehabilitation of offenders. Inevitably, this has led to less concentration on less serious offenders. Faced with massive changes and unrealistic expectations, along with unimaginable case loads, this affected its performance and its ability to focus on less serious offenders and produce timely pre-sentence reports. We need a well-supported, well-trained and adequately resourced Probation Service that is not subjected to constant change and contradictory expectations. The current changes announced on early release will put further pressure on the Probation Service. What steps are being taken to mitigate the impact on it?

It is extremely encouraging that we now have a Minister who is well versed on prison reform. I look forward to his response to our recommendations and, going forward, to a more enlightened debate on penal policy.

1 pm

The Lord Bishop of Newcastle: My Lords, I am glad to take part in this debate and I thank the noble Baroness, Lady Hamwee, for enabling the report on community sentencing to be discussed in this House. It is an honour to follow the noble Baroness, Lady Prashar, and I commend her point about changing the public narrative.

I also welcome the Minister to his new role and commend his excellent maiden speech, delivered on Wednesday, for which I was pleased to be present, and the wisdom and expertise that he brings to his new role. I wish him very well indeed. I also commend him on the way he dealt with repeating a Statement from the other place and taking questions before he had delivered that maiden speech. If I may use a word borrowed from my primary field of expertise, this was a baptism-by-fire experience.

Throughout my ministry in episcopal orders, I have gained insights into the value of community-based initiatives supporting the criminal justice system. First-hand insights from supporting indigenous family and kinship initiatives among Māori and Pacific island communities in New Zealand, where those communities are disproportionately represented in the criminal justice system, and from listening to the distress of young men brought into the youth custody estate in Wetherby young offender institution—often from far-away locations—give support to many of the conclusions of the report before us.

I welcome the Government's commitment to a sentencing review, creating a framework that is consistent and clear to the public. This was a point that the

Minister made in his remarks on Wednesday. At the heart of the report before us, as other noble Lords have mentioned, there is a clear message: the need for more community sentencing. As the report outlines, growing evidence points towards community sentences being far more effective in reducing reoffending than short custodial sentences. Many of those in the criminal justice system suffer from addiction and mental health issues. These are health issues that require treatment—treatment that does not come in the form of a locked cell. The tailored sentences that community sentencing provides enable offenders to attend necessary treatment and rehabilitative programmes while remaining in their existing support networks, which can be a vital part of their rehabilitation.

I believe that those who commit an offence must take responsibility and face just consequences for their actions. The theme of justice is central to a number of faith traditions, particularly the Judaeo-Christian tradition. With this perspective in mind, justice is not simply about punishment; it also transforms and restores. This view of justice is reflected in community sentencing. It ensures that justice is served while providing offenders with restoration through rehabilitative services.

I want to focus on the vital support that local organisations provide. The report emphasises the value in partnering with the third sector and how community sentences are

“more effective when the Probation Service is a fully engaged member of local partnerships”.

My experience of witnessing the work of charities in Newcastle only confirms this. The Oswin Project offers people with criminal records in the north-east of England second chances through mentoring, training and employment. Its initiatives include Café 16, located in Newcastle Cathedral and staffed by a team of prison leavers who are led, trained and mentored by the project. The café sells excellent baked goods supplied by the charity's bakery in HMP Northumberland, further providing prisoners with new skills that they can use following their release. Across the country, hundreds of incredible organisations such as these understand local needs and opportunities and are working to break the cycle of reoffending. I therefore encourage greater devolution in probation services and more local commissioning of rehabilitative services.

The faith-based sector also does invaluable work in supporting offenders to transform their lives. Junction 42 works across the north-east of England to empower individuals to take control of their lives and become active contributors to their communities. When I spoke with the director of Junction 42 ahead of this debate, she shared the need for charities working in this sphere to receive longer-term and consistent funding from the Government. This echoes the evidence shared in the report, as longer-term funding allows charities to plan ahead and results in a lower staff turnover, providing offenders with greater stability and consistent relationships. What plans do the Government have to increase the length of contracts with third sector partners, particularly smaller charities? I note that the noble Baroness, Lady Hamwee, referred to this area of concern in her opening remarks.

“It is cheaper and safer to reduce crime or to reform criminals than to build gaols”.

Those were the words spoken by a Minister of Justice in New Zealand in the 1880s when introducing legislation establishing probation—nearly 30 years before probation services were introduced in this country. More than 130 years later, his words still ring true. I understand the immediate issue of overcrowding in the system that needs urgent action, but I am concerned that there should not be too great a focus on building more prisons rather than making long-term reforms to the system.

My friend, the right reverend Prelate the Bishop of Gloucester, expresses her regret that she could not be here today to participate in this debate. She recently travelled to the Netherlands to learn about the prison system there. In due course, she hopes to share her reflections from that trip with the House.

There is much opportunity to learn from overseas, but the Minister has rightly said that we need to get our own house in order in a way that will work effectively for our context. Much can be learned from examples of best practice already being implemented in our own system. I highlight the specialised women's services providing tailored, wraparound support that have proven to be effective in reducing reoffending. What assessment has been made of the success of this holistic approach? Do the Government plan to extend this model to all probation services?

If we do not think long term about the rehabilitation of those in the criminal justice system, and increasing the use of community sentencing, we will continue to have this same debate in the years to come. Our criminal justice system needs bold reform; we need not solely to punish but to provide offenders with support to turn their lives around. I am sure that the Minister will agree that our system needs such reforms and that he understands the bold action that it requires. I offer him and his colleagues all my support in this mission.

1.08 pm

Baroness Meacher (CB): My Lords, I too congratulate the noble Baroness, Lady Hamwee, on her contribution today but, much more particularly, on her excellent chairmanship of the Justice and Home Affairs Committee's work on community sentences.

Our report came out in the context of the criminal justice system being regarded, according to the press, as a catastrophic public safety failure—so it was certainly relevant to have it. It has been found that 52.7% of hyper-prolific offenders, with at least 45 previous convictions, are given community sentences. The great majority of those offenders are of course not redeemable. Community sentences are therefore not suitable for them—something needs to be done about that—but for offenders who are neither prolific nor violent, intensive community-based sentences, including both punishment and treatment programmes, can be highly effective.

The Government need to make it clear in legislation that community-based sentences rather than short-term prison sentences should be the preferred option for these non-violent and non-prolific offenders. Very important is that, when sentencing offenders to community-based sentences, judges and magistrates

must be required to set out the conditions of the sentence and why these are being imposed, with a very clear purpose of reducing reoffending in future.

As the noble Baroness, Lady Prashar, mentioned, our report makes it clear that crime can be reduced, and the lives of offenders turned around, through rigorous community sentences. This is not a likely outcome of short-term prison sentences, as we know. Yet community sentences currently fail to achieve their full potential: they are not sufficiently rigorous in either their treatment or punishment components, so work needs to be done on all that. Also, the use of community sentences has more than halved over recent years. As a result, we have untapped potential in our criminal justice system. To reduce reoffending, we need to keep offenders out of prison and apply rigorous community sentences to far more offenders.

The adult offender service can learn, as the right reverend Prelate said, from both the women's service and the youth offending service, both of which adopt effective supervision of offenders in the community. Increased investment in treatment for offenders serving community sentences is urgently required, as the noble Baroness, Lady Prashar, also said. In particular, the need for mental health and drug and alcohol treatments far exceeds the imposition of these treatments, and the availability of such treatments needs to be expanded substantially and urgently. Some 91,000 people on probation at any point in time have mental health issues, yet only 1,302 of them started mental health treatments as part of a community sentence in 2022.

Increasing the use of community orders can be expected to lead to a decline in reoffending, which would result in long-term savings. Of course rigorous community sentences are costly but, in the long run, they really are cost effective. The Government would do well to reverse the decline in their use under the previous Administration. However, the first step will need to be an increase in the availability and quality of mental health and addiction treatments.

1.12 pm

Baroness Ludford (LD): My Lords, both the prisons crisis and, more happily, the very wide welcome that has been given to our new Minister, the noble Lord, Lord Timpson, in the media and during the debates on Wednesday, provide a perfect backdrop for this debate on the report from our Justice and Home Affairs Committee, then chaired by my noble friend Lady Hamwee. The Minister's background as a former chair of the Prison Reform Trust and in his family business, which practices what he preaches, gives a great deal of heart to those hoping for deep reform of the criminal justice system.

The Lord Chancellor, in her recent announcement on prison capacity, said:

"Longer term, we will also look at driving down reoffending, because the entrenched cycle of reoffending creates more victims and more crime, and it has big impacts on our ability to have the capacity that we need in our prison estate".—[*Official Report*, Commons, 18/7/24; col. 180.]

She made no mention of how to reduce the use of prison, such as community sentences, but my right honourable colleague Alistair Carmichael did, saying:

[BARONESS LUDFORD]

“The answer surely has to be more than just building more prison capacity. The problem is not that our prison estate is too small; it is that we send too many people to prison, and that the time they spend there does nothing to tackle the problems of drug and alcohol dependency, poor literacy and numeracy skills, and poor mental health, which led to their incarceration. Can we hope to hear in the very near future the Government’s comprehensive plan to tackle the issue of the time that people spend in prison?”—*[Official Report, Commons, 18/7/24; col. 180.]*

So it was heartening to hear the Minister in an interview with Channel 4 refer to the Dutch experience, saying:

“They have shut half their prisons. Not because people are less naughty in Holland. It is because they have got a different way of sentencing, which is community sentencing, so people can stay at home, keep their jobs, keep their homes, keep reading their kids bedtime stories and it means they are far less likely to commit crime again”.

That completely gels with the report, which emphasises that too many low-level and non-violent offences are dealt with through short sentences, but that these can be counterproductive and more likely to compound the issues that lead to crime in the first place. If someone needs support to move away from non-violent crime, they will have better access to the services that can help them if they are being supervised in the community.

The report’s very first sentences are:

“Crime can be reduced through rigorous sentences served in the community. With the right investment, intensive community sentences can succeed where short prison sentences fail”.

“Rigorous” and “intensive” are key adjectives. The report points out that community sentences are

“demanding on the offender and help them stop committing crime, thereby protecting the public. Breach mechanisms mean that offenders are being held to account”.

It also points out that community orders can save the public purse money, not only through reducing the use of expensive custody—since even the most intensive types of community orders cost less than prison—but through a reduction in reoffending.

But courts are not utilising community sentences as widely as they might. Over 151,000 community sentences were issued in 2012, but the number steadily declined over the following decade to just 69,000 in 2022—a reduction of over half. So the committee understandably reports that there is untapped potential for keeping offenders out of prison and supporting them to avoid reoffending, but the scope for effective results needs to be better understood.

One barrier to overcome is the all-too-widespread perception, reinforced and hyped by much of the media, that community sentences are a cop-out for offenders. The Justice Committee in the other place, under the excellent chairmanship of Sir Bob Neill, said in its report on public opinion and understanding of sentencing:

“Low levels of understanding of sentencing have an effect on the quality of public debate on sentencing, which in turn can have an influence on sentencing policy ... There needs to be a step-change in the Ministry of Justice, the Attorney General’s Office and the Sentencing Council’s efforts on public legal education”.

Is there more that the Minister believes can be done in this regard? Will the Government be robust when predictable quarters of the press accuse them of being “soft on crime” and point out that in fact changing behaviour is jolly hard work?

Another barrier to greater use of community sentences is the sorry state of the Probation Service a decade after Chris Grayling launched his ideological and disastrous “transforming rehabilitation” so-called reforms, which actually involved fragmentation and part-privatisation. The role of the Probation Service is key, as the report highlights. Lack of sentencer confidence in probation’s ability to effectively deliver community sentencing must have been shaped in part by the chaos and constant policy churn in the Probation Service, which has suffered a disastrous impact on its staff retention.

The Lord Chancellor made a welcome commitment to recruit 1,000 more trainee probation officers by March 2025 but, as she has acknowledged, this is not new investment but a “redeployment of resources”. This is not particularly encouraging. The committee stresses the need for manageable case loads, as probation officers are often managing more than 70 cases. As my noble friend pointed out, the Chief Inspector of Probation in England and Wales, Martin Jones, was reported on Monday as saying that the current model for the Probation Service was not sustainable; unfortunately, one of his suggestions was to reduce the demand on probation officers to monitor people released from prison. Will the Minister respond to those concerns about the non-sustainability of the Probation Service?

Some commentators believe that the issue goes beyond money and that the Probation Service needs a strategic focus, with national leadership and accountability coupled with localised service delivery. There are suggestions around for reorganisation. The committee’s report suggests:

“When services are provided locally, various agencies can cooperate effectively. The co-location and co-commissioning of services are the gold standard”.

Do the Government have any thoughts on the Howard League’s suggestion—I am pleased that its president, the noble Lord, Lord Macdonald, will speak in the gap—of delivering probation work through local community justice partnerships, each with a board including representatives from the police, local authorities, local voluntary groups and members of the community, sentencers, health boards and regional prison management?

The committee’s report stresses that pre-sentence reports produced by the probation service are an essential part of the sentencing process. However, the probation service has been under great stress and has not always been able to produce these reports. Do the Government have any new thinking on how to encourage the greater production and scope of pre-sentence reports?

As others have said, our committee’s report points out that:

“The need for mental health, and alcohol and drug treatment far exceeds the current rate of imposition of Community Sentence Treatment Requirements, which itself exceeds the availability of treatment”.

How will the Government ensure better provision of treatment facilities?

The report wants incentives to be created to encourage low-level, repeat offenders to engage with rehabilitation, and says that

“The approach which underpins Ireland’s ‘integrated’ Community Service Order is a helpful model”.

Do the Government see scope in looking to what Ireland is doing?

The report comments favourably on the effectiveness of “wraparound rehabilitative support” offered to female offenders and some young people, wanting it to be a model for probation services generally. Do the Government agree with those suggestions? Does the Minister have any thoughts on how to avoid the cliff edge at 18, which the report stresses?

Finally, the committee’s report stresses the importance of the availability of housing, saying:

“Being homeless makes it difficult”—

if not impossible—

“to comply with the requirements of a community order”.

I am glad that the new Government are giving long-overdue prominence to the supply of housing, but is the connection to offending being given specific attention?

We clearly have great hopes of the new Government bringing a new approach to criminal justice. We wait with eagerness to hear the detail of the Government’s commitment.

1.22 pm

Lord Macdonald of River Glaven (CB): My Lords, I hope your Lordships will bear with me as I speak during the gap. I am aware that such contributions are meant to be kept short, so I will speak relatively briefly. I do not need to mention my interest, because it has already been referred to by the noble Baroness, Lady Ludford.

I congratulate the committee on its report, which is absolutely excellent: it is rigorous and well-argued, and a very good piece of work. For my part, I agree with its conclusions and recommendations. I thought the Ministry of Justice’s response was careful and constructive, and also a very good piece of work. That said, I agree with the noble Baroness, Lady Hamwee, that the Government ought now to treat this as a springboard, rather than the final word, and to build on that response, because there is progress that can be made.

I will make a couple of points. I was delighted when, on Wednesday—I cannot remember whether it was during questions on the Lord Chancellor’s Statement or during the King’s Speech debate—the Minister went out of his way to remark upon the great attachment to public service of those working within the probation service. I was delighted, because my experience running the CPS taught me that there is nothing more destructive to the morale of a workforce than to be constantly criticised and abused—in the press and, sometimes, even by members of the Government, as I am afraid we have seen in the past. This drains enthusiasm and demotivates; it sucks the lifeblood out of a workforce.

I was interested to hear what the Minister had to say in his remarkable maiden speech about his own business and the way he treats his employees. I hope the Government will take a similar approach. Of course, when things go wrong, they have to be investigated and put right, but it seems that we hear only when things wrong; we do not hear about the countless occasions when the men and women working in our public services get things right.

There are other pressures; it is not simply media and political pressure. As others have made clear, the probation service is badly understaffed and underfunded. There are too many relatively junior probation officers taking on cases which should be reserved for more senior, experienced people, who do not exist in the service. This will take a long time to put right. Recruiting 1,000 new probation officers is better than nothing, but they will be trainee probation officers, at the bottom. Programmes to try to tempt back into service more senior figures who have left in recent years will also be important.

If it will become the aim of this Government, as I very much hope it will, to try to reduce our prison population, the obvious place for them to start will be at the lower end, with those serving shorter sentences who have the highest reoffending rates—over 50% for adults released from serving sentences of 12 months or under. However, if these individuals are released without some form of supervision, the policy will soon discredit itself, and the Government could even be forced into a U-turn. An absolute corollary of reducing the prison population is to boost probation and rehabilitation services. The former cannot happen successfully without the latter.

We are told that there is not enough money, and that may be the case, but we could save some money from the £600,000 it takes to build each new prison cell, put less people in prison, and spend some of that money perhaps on intensive treatment, probation officers and other rehabilitation services. We have the balance of expenditure wrong.

I was very interested in the remarks made by the noble Lord, Lord McNally, during the King’s Speech debate on Wednesday. He is a distinguished former leader of the Liberal Democrats, and I think we can all agree—I am sure Liberal Democrats would—that he is a wise old bird. He made the point that it is important in this debate to keep lines of communication open with the top of the Government.

Baroness Blake of Leeds (Lab): Could I ask that the noble Lord makes his comments short, and brings them to a conclusion, please?

Lord Macdonald of River Glaven (CB): I will come to a conclusion now.

I was simply going to say that I think that is absolutely right. I knew the new Prime Minister for 25 years at the Bar, first as a practitioner and thereafter when he succeeded me as Director of Public Prosecutions. I think his instincts would tend towards supporting generally the conclusions of this report. If that is right, those inclinations, combined with the Minister’s well-known desire to boost rehabilitation, could lead, at last, to some real reform in this area.

1.27 pm

Lord Paddick (Non-Affl): My Lords, I am another interloper, I am afraid.

Sometimes the planets do align. This is a very welcome report on community sentences, and a Minister who believes that too many people are imprisoned. In my experience of over 30 years in

[LORD PADDICK]

policing, the biggest problem with low-level crime recidivism is the disruptive nature of short-term prison sentences, particularly to employment, housing and family ties, to the extent that it can lead such prisoners becoming institutionalised and unable to survive outside prison. I worked at Holloway, in north London, as a police constable. I distinctly remember an older woman who, having left the local women's prison, made her way to the nearest store and blatantly committed shoplifting, hoping to be swiftly returned to the security of the prison. The local magistrate granted her wish. Short sentences can encourage recidivism, and community sentences can encourage reform.

As my friends, the noble Baroness, Lady Hamwee—who so expertly chaired the committee and whose report we are debating today—and the noble Baroness, Lady Ludford, have said, community sentences can be tailor-made, enabling those subject to them to maintain the links that are so important in preventing reoffending. I am sure the Minister will agree that, if at all possible, any sentence should have the aim of preventing reoffending through rehabilitation, rather than by incarceration.

Committees always have to be disciplined in their focus to make their inquiries manageable, and this committee understandably decided to concentrate on community orders specifically, rather than other forms of community sentence, such as restorative justice sentences. It is on this subject that I wish to speak briefly.

Later in my police career, I worked with Professor Larry Sherman, now the Metropolitan Police's chief scientific officer, on a Home Office trial of restorative justice, including those involved in serious offences that led to custodial sentences. The greatest positive impact was on victims of crime voluntarily coming face to face with their assailant, where the offender became a real person, not some monster in the victim's imagination. In a legal system where the defendant can refuse to participate in the process, and where people in wigs and gowns talk to each other about something that is going to be done to them without their direct involvement, for the offender too, engagement with the restorative justice process can make them realise that the victim is not just another faceless target but someone with friends and family, and feelings. It makes their offending real.

Restorative justice is most impactful when it is not followed by the brutalising effects of a prison sentence. When restorative justice leads to genuine remorse and empathy and a tough but positive community sentence, it keeps everything in the real world that the offender inhabits, something that can turn offenders' lives around and make the victim's experience less traumatic. I could not let this opportunity pass to attempt to ensure that restorative justice is on the Minister's agenda.

1.31 pm

Lord Sandhurst (Con): My Lords, I am delighted to respond to this debate from this side of the House. I was and indeed remain a very happy member of the committee. I am also the executive chair of the committee of the Society of Conservative Lawyers.

As others have noted, if it is properly managed through rigorous sentences served in the community, crime can be reduced. With proper investment, intensive community sentences can more often succeed where short custodial sentences too often fail. Only this week, the Secretary of State for Justice observed that

“too often our prisons create better criminals, not better citizens”.—
[*Official Report*, Commons, 25/7/24; col. 835.]

Nearly 80% of offending is reoffending.

These important points were acknowledged by the previous Government at the end of February this year in their response to the committee's report. The previous Administration was working to improve the quality of community sentence delivery, from the earliest stages of advice to the court through to the delivery of requirements and supervision. They were seeking to ensure the delivery of robust community sentences and had recognised that there was more work to be done. So too, the previous Government acknowledged the persuasive evidence that community sentences can be more effective than custodial sentences in reducing reoffending and rehabilitating offenders.

I shall now highlight the committee's more significant proposals, together with the synchronicity of the previous Government's responses. I note the approving remarks of the noble Baroness, Lady Hamwee, in that respect.

Custody, while sometimes necessary, is expensive and fuels reoffending, as others have said today. Community orders are a sound alternative in many cases—not all, of course, but many. Mechanisms to deal with breaches mean that offenders are now being held to account. We know too that over 50% of people sentenced to custody for up to 12 months go on to reoffend within a year. However, for those on community orders, the figures are different: the reoffending rate is 36%. Where there has been a suspended sentence order coupled with requirements, the reoffending rate is lower still: only 24%. That is significant; it is a pointer to the way forward.

The last Government acknowledged the persuasive evidence that community sentences are, in certain circumstances, more effective than short custodial sentences in reducing re-offending. Policy should therefore build on what the last Government started. We should now have more sentences that do not result in immediate short-term prison terms. But identifying the right candidates for non-custodial sentences is crucial. The public must be won over and must have confidence in what is being done. So, what steps will government take to work with the Sentencing Council and the Probation Service to identify criteria to help guide the judges to move in the direction of fewer short-term prison sentences?

Since 2020, under the last Government, over 4,000 trainee probation officers have been recruited. The judicial forum now meets quarterly at a senior level to share information about new projects and to get feedback on probation performance. The last Government deserve credit. The Sentencing Bill of 2023 would have imposed a duty on courts to suspend short sentences of 12 months or less. That Bill was lost with the Dissolution. Like community orders, suspended sentences are available for courts as a robust community-based sentencing disposal and an alternative to immediate custody. So,

as there is no mention in the gracious Speech of the Sentencing Bill, which was lost, do the Government intend to revive it? If not, why not?

The committee was clear that government should invest in the services that underpin community orders, and there should be an emphasis on intensive treatment whose effectiveness is established. The previous Government had already invested over £500 million in the treatment and recovery provisions in the first three years of the drugs strategy plan. The committee concluded that a greater proportion of people on probation should be serving sentences with “one or more” treatment requirements. This policy has already been pushed forward, and more orders of this kind are being made, with drug rehabilitation, alcohol treatment or mental health treatment requirements being attached. We have made a start, and it must be carried through, as other noble Lords have said. Will there be further investment in community sentence treatment requirements, which the committee believed should be a priority and key to reducing re-offenders, putting offenders on a path away from crime and protecting the public?

Pilot schemes to incentivise offenders, such as that for deferred sentencing, can encourage offenders to engage in probation and to change their behaviour. The pilot schemes for these and for intensive-supervision courts, started by the last Government, should be pursued and developed where they show promise. Monitoring will be important.

Young offenders bring a subset of problems of their own. As we have heard, there is a cliff edge when they move from the youth justice services to the adult Probation Service. It is not straightforward. They are young adults—often young males, who do not reach psychological maturity until around 25. The last Government acknowledged this and had it very much in mind. Age-appropriate solutions must be implemented to smooth the transition. So, what proposals do the Government have to address the transition of young offenders to adult probation services at 18?

Local entities are key to securing meaningful unpaid work placements and to fostering public support for community sentences. That means that we have to ensure that smaller organisations are enabled and helped to bid for contracts and offered administrative support. To date, the Probation Service has not always made the most of partnerships with local organisations outside the formal commissioning process. Government can spur this on and encourage. There has been a start; the Probation Service must do more in this respect.

The provisions which I have outlined, taken as a whole, are crucial to the management and disposal of lower-level offenders. Supervision of lower-level offenders is essential to the mission of the Probation Service. If people are properly managed, we all benefit.

To conclude, the unification of the Probation Service has been successful. There have been praiseworthy increases in recruitment. Progress has been made in absorbing the new recruits. Now is the time, as others have said, to educate the public that locking up relatively—I emphasise “relatively”—low-level offenders is often not the answer. The previous Government

recognised this in their helpful response given in February of this year. They were moving energetically to implement change and to drive the Probation Service and the judiciary forward in this respect. It is vital that our new Government do not give up on this. I have every hope that this new Minister will give serious weight to our report. If not, we are watching.

1.41 pm

The Minister of State, Ministry of Justice (Lord Timpson)
(Lab): My Lords, it is a privilege to close this debate in my new role as Minister for Prisons, Parole and Probation, with responsibility for reducing reoffending. I thank the noble Baroness, Lady Hamwee, for her opening remarks and for securing this important debate following publication last year of the Justice and Home Affairs Committee’s report on community sentencing.

It was clear to me upon first entering your Lordships’ House that this is a human library of knowledge, experience and expertise. I assure noble Lords of the value I place on getting community sentences right, from the point of advice to court and throughout a sentence, so that they are effective in keeping the public safe and cutting reoffending.

This debate is an opportunity to start a conversation about this Government’s vision and priorities for the future of community sentencing. It also provides an avenue to recognise the work going on across the Probation Service and other public, charitable and private organisations to deliver better community sentences. On this subject, I acknowledge the fantastic work that probation staff, as well as those from other organisations, do on a daily basis, despite the pressures caused by the prison crisis that this Government have inherited. I will set this out first before turning to the additional points raised in the Justice and Home Affairs Committee report.

The Labour Party manifesto promised to take back our streets. That is why those who risk the public’s safety must be confronted by law and order. Central to this is our ambition for a criminal justice system that not only makes sure that justice is upheld by punishing offenders but provides genuine rehabilitation, leading people away from crime.

For many offenders, although not all, community orders are a more appropriate option than custody. For example, they are more appropriate for individuals struggling with a range of complex needs, such as substance misuse or mental health issues, which have led them into a cycle of offending, or for a young first-time offender who is likely to become a career criminal if their life is disrupted by a custodial sentence. If left untreated, the circumstances that led to a person’s initial offence will only push them towards a life of crime. As a result, too often we see needless preventable reoffending. Robust community sentences are an alternative option that protects the public, reduces reoffending, cuts crime and is rooted in evidence. These sentences offer a different narrative—one that emphasises rehabilitation and reparation, without sacrificing public safety. This is done through a combination of tailored monitoring and support that targets offenders’ often complex issues.

[LORD TIMPSON]

The Probation Service has a crucial and often overlooked role in delivering these sentences by protecting the public while supporting offenders to turn their lives around. A more joined-up approach to reducing reoffending is required if we are to maximise the potential of community supervision. We can see this in action in Greater Manchester, where probation is linked up with housing and health services to ensure that offenders leaving custody receive the support they need. That is why this Government will conduct a review of probation governance, following the evidence of what works to cut reoffending.

I would like to talk about some specific elements of community sentencing which I think hold real value and promise. It is vital that we make good use of technology where we can in the delivery of community sentences. Electronic monitoring is a useful tool that allows us to monitor compliance with behaviour and location requirements in the community. There are three types of electronic monitoring devices available: radio frequency devices for curfews; global positioning system—GPS—devices for curfews, exclusion zones, attendance at appointments and constant whereabouts monitoring; and alcohol monitoring devices, which can be used to monitor partial or total bans on alcohol consumption. Data from alcohol monitoring for community sentences shows that devices did not register a tamper or an alcohol alert for over 97% of the days worn. This provides offenders with a real chance to rewrite their behaviour and change the narrative of their life. I have volunteered to be fitted with an alcohol tag and look forward to gaining first-hand insight into the experience of those who are electronically monitored.

It is important that while on a community sentence offenders take responsibility for their actions and actively contribute to repairing the harm caused. Community payback, while punishing people, offers them a real opportunity to give back to their communities. It is vital that this work addresses local need and benefits communities so they can see the reparations being made. It can also support measures to reduce reoffending by providing opportunities to gain vocational or skills-based on-the-job training to assist offenders in finding employment.

I am interested in finding ways better to deliver community orders and address the drivers of offending behaviour. The intensive supervision courts pilot is testing an innovative approach to community sentence management. Pilots have been rolled out in four locations: in Liverpool, Teesside and Bristol in the Crown Court, and in Birmingham in the magistrates' court. These orders are delivered jointly between probation and the courts to offer comprehensive and rehabilitative support to offenders as an alternative to short custodial sentences. Wraparound support can be hugely beneficial, particularly for vulnerable cohorts of offenders. I note the committee's interest in these pilots and believe that much of their work aligns with the conclusions made in the report. We are conducting an evaluation of the effectiveness of the pilot to consider its role in the criminal justice system, and I look forward to visiting one of the sites, in Birmingham, in the coming weeks.

Although this report and debate are focused on community orders, I want also to touch on the subject of prison leavers, as it is one in which I have long been invested. Effective resettlement of those who leave prison is a core part of our efforts to reduce reoffending, as it aims to ensure that the elements which are proven to reduce reoffending are in place when an offender leaves prison. This includes making sure that someone has a home, family links where appropriate, access to healthcare, a job or further education and/or access to benefits.

As noble Lords will know, employment opportunities for offenders is a subject in which I have long taken a significant and active interest. As the noble Baroness, Lady Hamwee, said, and I very much agree with her, we know that finding employment in the year after release makes offenders less likely to reoffend by up to nine percentage points. The employment rate for prison leavers six months after release has more than doubled across the past three performance years from 14% in 2020-21 to 31% in 2023-24, with growing support from the business community. Yet there is more to do to ensure that this trend continues, especially with high vacancy rates in many sectors. I am particularly interested in how we can increase paid employment and training opportunities for those on community sentences as well as prison leavers.

I will now turn to some of the specifics of the committee's report and respond to some questions raised in today's debate. The committee has clearly set out the complexities of the system, but also the potential of those we are trying to help to turn their lives around. This report is well timed for me coming into this role and is much appreciated. This may sound unusual, but to me this is perfect bedtime reading.

Given that this is a new Government, I will not speak to the specifics of how the previous Government responded to the committee's report. It is important that we take the time to get these decisions right, improve our criminal justice system and ensure that community sentences are robust in delivering their objectives. I instead want to use this opportunity to demonstrate this Government's vision for community justice, and I will touch on a few areas the committee highlighted, which I think are fundamental in the successful delivery of community sentences.

Before continuing, I will take the time to thank front-line staff, who warrant immeasurable credit for their commitment and professionalism, without whom our vision for the system will not be realised. Our brilliant staff at the Probation Service, as the noble Lord Macdonald of River Glaven, mentioned, are committed to delivering the punishments set by the courts, keeping the public safe from harm, and giving offenders the chance to turn away from their lives of crime. They work every day with some of the most complex people in our country, inside one of its most complex systems.

This Government will strengthen probation by building a supported, skilled and resilient workforce that is able to deliver high-quality supervision that is focused on the areas of highest risk and delivered within manageable case loads. I have found over the years that building the most effective workforce and achieving an outcome

to its fullest potential means ensuring that the people on the front line are happy, motivated and respected. In my role as Minister, I intend to embed this culture.

Probation practitioners, supervisors and managers keep the public safe. I am here to support those professionals in their endeavour to protect, rehabilitate and build trusting relationships with those they supervise. That is why I am determined to increase recruitment to mitigate case-load stress. We have committed to recruiting more than 1,000 trainee probation officers by March 2025. I can feed back to the noble Baroness, Lady Ludford, that my visit last week to meet front-line probation staff was absolutely inspiring, and although they are up against a huge amount of work with the current releases and those coming soon, they were determined to make this a success. I have every faith in their ability.

I agree with the noble Baronesses, Lady Prashar and Lady Meacher, on the importance of increased provision of treatment for addiction and mental health. It is vital that sentencers can appropriately tailor community sentences to address individuals' needs, which may be driving their offending behaviour, as well as to protect the public. I agree with the emphasis the noble Baroness, Lady Meacher, placed on the provision and availability of community sentence treatment requirements for substance misuse and mental health needs. I am committed to working with health partners to maximise the availability and impact of this, although, as per the questions from noble Lord, Lord Sandhurst, and the noble Baroness, Lady Prashar, I am not able to commit to increasing funding at this time. Mutual aid groups such as Alcoholics Anonymous and Narcotics Anonymous also have an important role to play in supporting long-term recovery.

The committee helpfully highlighted the specific needs of women and the vital role that women's community services play. Effective community-based sentencing can mean that women are less likely to lose accommodation and employment, enabling them to receive targeted support, reducing the likelihood of reoffending, and limiting disruption to their families and children. Going forward, we must be led by evidence and learn more about the potential for residential alternatives to custody, such as at Hope Street and Willowdene, where wraparound care and effective rehabilitation is provided for women with multiple complex needs.

A process evaluation interim report will be published later this year and a full process evaluation report will follow in summer 2025. As mentioned earlier, the intensive supervision courts are a promising pilot of how this wraparound support can help with certain cohorts of offenders. I was pleased to hear the question from the noble Lord, Lord Sandhurst, about provision for young adults in probation. The Transitions to Adulthood Hub in Newham, delivered in partnership with the Mayor's Office for Policing and Crime, demonstrates the value that this type of approach can have for young adults. The evaluations being conducted for these approaches will help to evidence the effectiveness of wraparound support to address criminogenic need.

I note the remarks of the noble Lord, Lord Paddick, on restorative justice. This is something that is offered at the hub to encourage young adults to gain an

insight into the consequences of their actions and the impact on victims. I will be considering its role in the future of the criminal justice system.

Of course, the most effective community sentences are those that are tailored to the individual. Sentences should address the underlying causes of offending, while ensuring that the individual is not set up to fail, with requirements they cannot realistically comply with. The work of probation in court is therefore crucial in properly assessing rehabilitative needs and risk, as well as providing an independent recommendation on appropriate sentencing options.

For a service under such significant pressure, there are no quick wins for improving delivery, as I am sure the committee is well aware. However, evidence shows that in cases where a pre-sentence report has been completed, offenders are more likely to successfully complete their sentence. I am supportive of the department's efforts in increasing the volume and quality of PSRs. I hope that the noble Baroness, Lady Hamwee, approves of this and agrees that we need to encourage the building of relationships between probation officers and offenders, and between government and the third sector.

The noble Baronesses, Lady Prashar and Lady Ludford, emphasised that it is vital that the Probation Service commands the trust of victims, the public and sentencers. The word "trust" was used a lot today, and to me this is a very important trait we need to continue with. I am committed to restoring and maintaining the confidence of the judiciary in probation's delivery of tailored community sentences. Through the judicial engagement charter, the department works closely with the judiciary to ensure that sentencers have up-to-date information on available interventions and evidence of effective practice.

The department also seeks to increase transparency by bringing together senior representatives from across the judiciary in quarterly meetings, chaired by the Chief Probation Officer, Kim Thornden-Edwards, to share information about new projects and get feedback on probation's performance.

Regarding the question from the noble Lord, Lord Sandhurst, on sentencing and short custodial sentences, I can inform the committee that 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.

I support the committee's overall assessment that local and partnership working is important to delivering good community sentences. I thank the right reverend Prelate the Bishop of Newcastle for her comments on the importance of partnering with third sector and local organisations. It is vital that the Probation Service works as a team with partners across the criminal justice system and beyond who have the knowledge and specialist expertise to help turn people's lives around. I want to thank the many partner organisations that work closely with probation, including police forces, local authorities, health providers, the third sector and others, which all play a key part in driving down offending and supporting offenders' rehabilitation. We will ensure that this valuable engagement continues.

[LORD TIMPSON]

I am also grateful to the right reverend Prelate the Bishop of Newcastle for sharing her reflections on her experiences in New Zealand, and I note these with interest. A central feature of New Zealand's approach is its focus on joined-up and partnership working, which we know helps to support meaningful change. International comparisons provide us with valuable insight, and I am keen that we consider this evidence and lessons learned from examples of good practice across prison and probation systems globally. I intend to visit international justice systems, but I will make sure that my tag has been removed before I get on the plane.

Like the committee, I believe in the value of technology in improving the public services we deliver. New and efficient software is integral to the task of increasing productivity. I am encouraged by the rollout of the new HMPPS assess risks and needs instrument—known as ARNS—a replacement for the core risk assessment tool used day in, day out by probation staff. The introduction of this technology will free up administrative time for sentence management to allow valuable face-to-face meetings with supervised individuals and improve our digital capability so that information on offenders' risk will be better shared across prisons and probation.

I fully agree with the noble Baroness, Lady Prashar, on the importance of securing public confidence in community sentences. The Sentencing Council is independent of Parliament and the Government, but I note with interest the noble Baroness's thoughts on its role in public perception.

This Government are committed to doing all we can to make non-custodial sentences fit for purpose. Our vision of successful community justice is to deliver suitable punishment, public protection and vital rehabilitation in order to reduce reoffending. To realise this, we will build a system based on a clear understanding of what the problems are and evidence of what works, to ensure that community sentences are delivered effectively.

Let me repeat my gratitude: for the opportunity to respond to this important debate; to the noble Baroness, Lady Hamwee, for securing it; and to all those who contributed. I thank again those noble Lords who are members of the Justice and Home Affairs Committee for the work that has gone into this report. I also thank the committee's officials, who have, I know, worked collaboratively with the department throughout the duration of the review.

I close by emphasising my appreciation of and admiration for the committee. With a strong Probation Service, we can break the cycle of offending, make our streets safer and restore public confidence in community

sentences. This is the right approach for our justice system. I look forward to the continued dialogue on this matter.

2.01 pm

Baroness Hamwee (LD): My Lords, I do not want to detain the House unduly so I will not go through every point that has been made and every speaker by name.

Public perception is hugely important, as is supporting public servants. We have heard some interesting perspectives, including from the two speakers in the gap; I am glad that they made it at the last minute. The word "intensive" has been used quite a lot; it is very appropriate to so much of what we have been talking about.

This has been an afternoon well spent. Today's debate was arranged at the last minute. I mention this because those who follow our proceedings should not think that a shortish speakers' list indicates anything other than that Parliament was to have been in recess by now. So many colleagues were committed elsewhere. The current chair of the Justice and Home Affairs Committee, my noble friend Lord Foster of Bath, is particularly sorry not to have been here. So, my thanks go to the speakers—including, of course, the Minister. I wonder: does he know whether there is a chocolate tag—I could do with one of those—not just for what noble Lords have said so very thoughtfully but for actually being here and making points that I was not able to cover because I had to cover the report? It is rather frustrating not to be able to go off on a riff of your own in this sort of debate.

I really appreciate the noble Lord, Lord Ponsonby, being here because I am sure that he has plenty to do. His listening to this is well taken.

My thanks go to the committee and our hard-working staff: the clerks, David Shiels and Sabrina Asghar; the policy analyst, Achille Versaavel; the press and media officer, Aneela Mahmood; Amanda McGrath, our amazingly efficient committee operations officer; and Gemma Birkett, the specialist adviser. I thank our hosts at Westminster Magistrates' Court for our visit, as well as the MoJ officials throughout my chairmanship of the committee; we really appreciated their engagement.

My particular thanks go to our many witnesses—those who put in written material and those who came and gave compelling and vivid evidence. I am happy to badge that as evidence in the context of the evaluation of measures.

Motion agreed.

House adjourned at 2.04 pm.

