

Vol. 844
No. 119



Friday
28 March 2025

PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS

OFFICIAL REPORT

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Abbreviation	Party/Group
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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 28 March 2025

10 am

Prayers—read by the Lord Bishop of Sheffield.

Food, Diet and Obesity Committee Report Motion to Take Note

10.05 am

Moved by **Baroness Walmsley**

That this House takes note of the Report from the Food, Diet and Obesity Committee *Recipe for health: a plan to fix our broken food system* (HL Paper 19).

Baroness Walmsley (LD): My Lords, I thank the members of the committee for their hard work and dedication, and our wonderful staff team: Stuart Stoner, Lucy Valsamidis, Abdullah Ahmad, Lara Orija and Kate Willett. The advice of our specialist adviser, Professor Martin White, was absolutely crucial.

Albert Einstein is said once to have said:

“Insanity is doing the same thing over and over again and expecting different results”.

Unfortunately, the Government’s response to the committee’s recommendations smacks of insanity. Why? Because we have an obesity crisis and a consequent health crisis, which the NHS is meant to clear up. Page 3 of their response accepts that this is real, urgent and caused by bad food—yet there is no commitment to do things differently.

There was outrage from food and health campaigners at the Government’s response. But the following sentence appeared in an article in *The Grocer* periodical:

“However, food industry bosses welcomed Streeting’s response to the inquiry”.

Well, yes, that says it all—of course they did. They are laughing all the way to the bank with their profits on making our children sick, because the Government have accepted hardly any of the recommendations in the committee’s report. All they have committed to is implementing the policies of the previous Government: reviewing the soft drinks industry levy; implementing the advertising ban on less-healthy food; and banning energy drink sales to children. However welcome these are, they are not enough. Ambition needs action, not just words. We have a new Government with a new mandate and a duty to enhance people’s lives, but all we got was obfuscation and delay.

The Food, Diet and Obesity Committee’s remit was to consider the role of foods such as ultra-processed foods and foods high in sugar, salt and saturated fat in a healthy diet and tackling obesity. We interpreted that as asking us to recommend how the Government can ensure that all our citizens get access to healthy food, real food, affordable food. The committee looked at how we got here. We heard that our food system has changed over the past 30 years: less cooking from scratch, more fast-food outlets and more ultra-processed foods. These are usually high in calories, highly palatable and high in harmful nutrients such as salt, sugar and

saturated fat; they are low in fibre and vitamins, and loaded with additives. There has been a vast increase in the advertising and promotion of less-healthy foods. Only 2% of advertising spend is on fresh fruit and vegetables, while 36% is on confectionery, snacks, desserts and soft drinks.

We heard that food is an equalities issue. The poorest 20% of people would spend 45% of their family income to comply with the national dietary guidelines, rising to 70% if they have children. Therefore, they suffer the consequences in lower life expectancy and more years in poor health. On average, today’s British children consume less than half of the recommended amount of fruit and veg, but twice the amount of sugar.

The committee looked at government action over the past 30 years while overweight and obesity have rocketed. There have been 14 obesity strategies, including about 700 policies. We asked researchers which ones had worked and which ones had not—and, if not, why not? The answer was that they failed because they were piecemeal, had voluntary rather than mandatory targets and relied on personal choice in a world where many people, because of the food environment and poverty, were not free to choose healthy food. The exception was the soft drinks industry levy, which was mandatory and led to a reduction in the amount of sugar in soft drinks, as manufacturers reformulated to avoid paying the tax. That was the point of it, of course.

The committee therefore determined not to fall into the same traps, and that led to our main recommendation that the Government should develop a comprehensive and long-term strategic approach to the oversight and regulation of the food system, backed up by legislation. Despite Wes Streeting saying he would steamroller over the food industry if it did not improve, the Government are falling into the piecemeal and voluntary action trap again.

Because of the public health obesity crisis, we recommended a shift to mandatory rather than voluntary policies, such as healthier food targets, reformulation taxes on sugar and salt and a laser focus on improving the diets of babies and children—but we are not seeing any of that in this response. We regulate the oil industry, the tobacco industry, alcohol, drugs and gambling, so why not food? It is not just about the safety of food but its quality and healthiness.

I find it sad that this is despite the Government being elected on some very worthwhile promises—first, to have the healthiest generation of children ever. However, there is no commitment to reviewing the school food standards and the eligibility for and value of free school meals. There is no commitment to increase healthy start payments or to address the deluge of advertising of junk food to teenagers or the poor regulation of foods advertised for infants and toddlers. Will the Government start by implementing all the recommendations of the CMA report on formula milk, and then tackle the shocking and harmful content and misleading advertising and labelling of food for young children?

Secondly, there is the Government’s health mission, to move from treatment to prevention. What has happened? The only tangible initiative on obesity has

[BARONESS WALMSLEY]

been treatment through expensive anti-obesity jabs—which would cripple the NHS budget according to NESTA—rather than primary prevention by ensuring everyone can get a healthy diet. I do not deny jabs can be appropriate and successful, but prevention is cheaper.

Thirdly, the Government promised to save the NHS, where the cost of treating obesity-related illness is £18 billion per year. However, the Government seem content for the taxpayer to pay for the NHS to foot the bill for obesity, rather than the food industry that caused it.

Fourthly, the new national food strategy shows no sign of getting to grips with the food industry, the sector that has caused the obesity crisis in the first place. Last week, the membership of the advisory board for this strategy was announced. Although there are several very good people on the board, the majority are from the food industry, and so is the secretariat—talk about the fox in the hen coop. It includes a major supermarket which refused to give the committee evidence in public, but instead offered us a private meeting with researchers that it funds—we rightly refused on transparency grounds. I wish the advisory board and the food strategy well, but I fear it is already in danger of going in the wrong direction.

Finally, there is the Government's growth objective. We have almost 3 million people of working age out of the workplace because of preventable illnesses caused by obesity. Sick people cannot work. They do not pay taxes, but they qualify for benefits, adding £4 billion per year to the Government's existential economic problems, according to Frontier Economics. But it is not the patient's fault; it is the fault of our broken food system, and the Government could fix it if they wanted to.

Wes Streeting said recently,

“Our sick society is holding back our economy, and that is why we should act”.—[*Official Report*, Commons, 26/11/24; col. 685.]

The committee heartily agreed, because the annual economic cost of overweight and obesity is £98 billion. Professor Susan Jebb, chair of the FSA, has pointed out:

“At a time when government is looking closely at public expenditure, it's important to remember that costs of inaction far outweigh the investment needed to deliver a safe, healthier, and more sustainable supply of food for all”.

The OBR has warned that many older workers are leaving the workforce because of obesity-related health issues. On the plus side, investors told us that there are billions of pounds waiting to be invested in companies that produce healthy food, but they wanted to see a clear direction of travel from government and a level playing field on regulation.

The case for bold action is made, and it is in line with the Government's own objectives and the public's wishes. Some 68% of those polled support the committee's recommendation for a sugar and salt reformulation tax. Indeed, our recommendations could have been written precisely to enable the Government to achieve their objectives—but that means that they must get a grip on the food industry, with measures well beyond the last Government's proposed restrictions.

And then there is lobbying. The committee recommended that the Government should establish their food policies independently of companies that rely mainly on sales of less healthy foods but should engage on implementation. After all, the Government's objective should be public health, while the industry's legitimate objective is making profit. In many cases, these two objectives are incompatible, but the Government have given a majority on the food strategy advisory board to the food industry. I ask the Minister: are the Government deliberately misrepresenting our recommendation, or are they responding to the vigorous lobbying of the industry?

Those few food industry witnesses who were prepared to give evidence in public wanted one thing. Like the investors, they want a level playing field: regulation that applies to all industry players, so that the good guys doing the right thing are not undercut by the bad guys who do not care who pays for the health consequences, as long as it is not them. The Government say they will continue

“to review the balance between mandatory and voluntary measures”, but the voluntary target of reducing sugar by 20% resulted in a measly 3.5% reduction. Are the Government serious about saving the NHS, improving children's health and growing the economy?

I am afraid I paint a very disappointing picture, and yet there is much to celebrate. So, here's to those who produce and sell good healthy food, the food banks and redistributors, and the chefs and restaurants who serve good, healthy local food. Here's to the food campaigners who never give up—and I hope they never will—and the parents and carers who try their best to feed their families healthy meals. Here's to the health professionals who treat the consequences of bad diets, and here's to the many witnesses who shared their experience and expertise with the committee. I thank all of them.

As I come to the end of this rather depressing analysis, I would like to quote from page 17 of the Government's response. They said that they “will consider whether further action is needed”. You bet it is, my Lords. I beg to move.

10.19 am

Lord Brooke of Alverthorpe (Lab): My Lords, I am extremely grateful to the noble Baroness for her introduction. She has been a wonderful chair; she had to handle some difficulties—some internal tensions—but she managed to bring the committee through, and we produced a wonderful report. It is a bit like the one that the noble Lord, Lord Krebs, previously produced, which again offered a whole range of recommendations, but not many of them were implemented at the time. I came to the committee with some reluctance—as the clerk, Stuart, knows—because I felt that I had spent many years, 20 years ago, doing so much work on Select Committees and yet so little was implemented. I came back reluctantly, but I have a very strong interest, as most of the House knows, in sugar addiction and how we should address that and try to change it.

A week ago, I told the Minister that she would have a rough morning today. I start by expressing my gratitude to her, as well as to our Financial Secretary, the noble Lord, Lord Livermore. In the October Budget the Government made a Statement to extend the

range of the levy over a wider front than we had done previously. Not a great deal of publicity was given to it, but it was a move in the right direction. So our principal recommendation has been partially addressed already—but only partially. I suspect that it will not be addressed a great deal further on a wider basis, so we have to deal with the reality and the changing circumstances in which we find ourselves.

The soft drink levy should be extended, but I know that the Government will run into great difficulties with that. If we get into a war with the Americans on trade, we will have to retaliate. I suggest to the Government that we should have tariffs of 25% on a few of the American products that are causing us difficulties—Coca-Cola, Pepsi, KFC and McDonald's; you name them—they are responsible for the excess calories that we consume. That will probably not happen, but I hope that it will be borne in mind.

There are issues on which the Government have given indications that they are trying to do something. They talked about weighing and measuring. We have had a scheme for weighing and measuring children since 2008. Notwithstanding that, we now find that our children are heavier. The Government have hinted recently that they intend to extend this to all adults, and that GPs will be required to weigh and measure people. I have no objection to that. We will have a great deal of data again, but I suspect that we will end up with an indication that people are still getting heavier—unless we take action.

The action I suggest is that we look at what has been happening—or not happening—with children and at where there has been no follow-through with children identified as overweight. Here I thank the people in Blackpool who gave us a great two days; we got down to the nitty-gritty on some of these issues. We heard from the public health officials about the great difficulties they had when they identified children who were overweight; they had problems with parents who would not help. It is about how we find a way through to take action for children.

We should spend some time looking at AI. Children use technology in a way that we do not, so that may be an opener for us. For example, noble Lords who look at ChatGPT or its alternatives will know what facilities and availabilities are coming online—what comes with AI is not all negative—and that could be used to find a way forward. We should try to bring people together in groups, in a way that we currently do not; we do it only with children, but maybe we should do it with adults.

I come from the background of a 12-step programme. I was in real trouble with my health. At 40, I was told that, if I did not stop drinking, I would die. I joined a 12-step programme—it cost nothing—and I have been in it for 43 years. I am still here, at age 82.

Noble Lords: Hear, hear!

Lord Brooke of Alverthorpe (Lab): That 12-step programme has helped me address the problems I had with my weight. I was overweight in my 60s, and when I got to the end of my 70s I was on the cusp of type 2 diabetes. I did a 12-step programme, entirely free of charge, and I got my weight back down and avoided

having to take tablets and injections. I hope that we will look at the 12-step programmes and the available alternative programmes; they should be put through social prescribing, which we are failing to use to its full advantage.

On the new food strategy, I share the views of the noble Baroness, Lady Walmsley, on happiness. We should involve the food and manufacturing industry, because, at the end of the day, it will still be there and we have to find ways to do business with it. My complaint is that we do not have one of the 10 big worldwide manufacturers on the committee. Why do we not have the people with whom we need to engage? For example, why have we not involved Nestlé, which spends so much time with children's food and baby food? I ask the Minister to bring in even bigger players than those we have so far.

The solution that the Government will eventually light on will be the anti-obesity drugs. It is the way that government invariably goes—I regret that, but I suspect that it will be the case.

I am running out of time. Finally, we did not look at alcohol in our review. Alcohol is a major contributor to obesity, but we did not have the time to do that. I hope that, when we come back, we will spend some time looking at the anti-obesity drugs, which will cost a fortune and be in widespread use.

10.25 am

Baroness Browning (Con): My Lords, it is always a pleasure to follow the noble Lord, Lord Brooke of Alverthorpe. Like him, I pay tribute to our chair, the noble Baroness, Lady Walmsley; she has been such an excellent chair of a committee that was both very interesting and very worrying to serve on.

Our committee covers food, diet and obesity, but today I will mainly focus on food, and food insecurity in particular. We know that food insecurity is really about the affordability and accessibility of food; if that is not present, it is the driver of unhealthy diets. I want to talk about our relationship as human beings with food. I am not talking about packets, tins, what comes out the freezer and cooking it; it is about eating and handling food, and it is sometimes about growing and shopping for food. It is part of the human condition—and I am talking here about real food.

Chapter 7 of our report says:

“Food insecurity is an urgent problem”.

Of course, the poorer people are, the more that adds to this urgency. In the Government's response to our report, particularly to chapter 7, they talk about the strategy that has already been mentioned today. Page 5 states:

“In alignment with the health mission, the Department for Environment, Food and Rural Affairs ... is developing an ambitious food strategy that will set the food system up for long-term success and will provide wide ranging improvements. The food strategy will help to improve our food system so it ... provides healthier, more easily accessible food to tackle obesity and give children the best start in life, and help adults live longer healthier lives, building on the government's existing work to tackle obesity and improve health”.

Today, I would like to hear more about this strategy from the Minister. We have heard that the advisory board is in place. I would like to know a lot more

[BARONESS BROWNING]

about what its terms of reference are and how the Government will make sure that what they have asked the board to do is what comes out at the other end. It must be cross-departmental—because this whole subject involves more than just one department—but led by Defra.

Now that the board is in place, the Government should know by now whether the strategy's work will encourage more food to be grown and produced in the UK. Will it look at that? Is that one of the objectives of the strategy? I say that not out of some quirky, old-fashioned nationalism, but as a former Agriculture Minister, and somebody who represented a truly agricultural seat for 18 years, and as a former home economist who has taught many people, including adults, to cook. Will we have the availability of the ingredients and products from which we would all benefit if they were grown closer to home rather than on the other side of the world?

Will this strategy encourage both children and adult communities to grow the food they eat? Will allotments, for example, be protected from land to build on? If this is cross-departmental, are we actually going to start engaging the public with the very food they need throughout the course of their lives? We know that many schools, for example, support gardening and growing things, which help to introduce children in a most positive way to food that will be part of their lives. Will this strategy improve the population's understanding of basic nutrients in food so that people know what to look for when they are shopping? Will they understand the labelling? All these things are small in their way, but they contribute to the way in which people address and see the food that appears in their kitchens.

I am sure the Minister will not be surprised to hear me ask this: is the teaching of cookery going to be improved in schools? In a former existence—as the president of the Institute of Home Economics—I campaigned very hard for many years with Governments of all persuasions to encourage this basic science in schools. It is a science and it is so essential. Will the strategy mean that from childhood to adulthood the population's relationship with food improves to the extent that it once again becomes an essential life skill that is enjoyable, healthy and accessible? If the Minister cannot say exactly what she thinks will come out at the end of this strategy, can she at least share the timescale with us? The word “soon” was used in the Government's January response to our report. How soon is “soon”? How will the strategy be monitored? Who will do this? Will any legislation needed at the outturn be given priority for parliamentary time? There are recommendations for legislation in our report, but if a recommendation for legislation comes from the strategy, will that be given priority?

I wish the Minister well with this, and I know she will be listening to what we have to say today.

10.32 am

Lord Krebs (CB): My Lords, I join other noble Lords in thanking the noble Baroness, Lady Walmsley, for being an excellent chair of this Select Committee inquiry and for her outstanding introduction to this

debate. I also express thanks to our specialist adviser, Professor Martin White from Cambridge University, who kept us on the straight and narrow, as well as our clerk and policy analyst.

I declare two interests. First, I am the chair of the World Cancer Research Fund's global expert panel, which reviews the scientific evidence for links between diet, obesity and cancer risk. Secondly, I am a scientific adviser to Marks & Spencer.

Like the noble Baroness, Lady Walmsley, I am puzzled. The Government agree with our diagnosis of the problem. They say in their response to our report that people are eating too much calorie-dense, highly palatable food, commonly known as HFSS—high in fat, salt and sugar, or junk food for short—and, as a result, obesity rates have rocketed in recent decades. They go on to say that this rise in obesity has adverse effects on health, well-being and the economy. They also say there is a need to reshape the food environment, which has been an important causal factor for the rise in obesity.

Having read these introductory paragraphs of the Government's response, I was ready to enjoy learning that, having agreed with our diagnosis, they also agree with our proposed solutions. These solutions were based on many months of hard graft and more than 1,000 pages of written evidence from experts. Instead, the Government, as we have already heard, rejected nearly all our recommendations, as indeed they rejected the recommendations of the inquiry I chaired a few years ago on food poverty, health and the environment. There were—as the noble Baroness, Lady Walmsley, mentioned—some honourable exceptions. These included the policies inherited from the previous Government on restrictions on the promotion and advertising of junk food, as well as the welcome uprating of the soft drinks industry levy announced in the Autumn Budget. Apart from those two, we got some rather vague hand-waving about the health mission of prevention instead of treatment and the new Defra-led food strategy.

For nearly all our recommendations, we got answers such as, “It's all terribly complicated. We will review, consider and consult. We have to carefully consider the balance between voluntary and mandatory measures”. This is, to say the least, disappointing. There has been plenty of review, including in our inquiry, and there is no need for further paralysis by analysis. There is no need to further consider the balance of voluntary and mandatory measures. Simply read paragraph 62 of our report, where we refer to research from Cambridge University showing that about 700 policies to tackle obesity have failed because they were based on individual responsibility and voluntary measures. Does the Minister disagree with the conclusions of this Cambridge University research? If so, why?

Perhaps the Government might look at the lessons learned from smoking. In the middle of the last century, over 80% of adult males and over 40% of adult females smoked. Today, under 12% of adults smoke. This dramatic shift has not been driven by voluntary measures and individual responsibility; it has come about through a combination of legislation, taxation and education. The Tobacco and Vapes Bill, announced this week, will further tighten the regulatory screw. I know there are important differences between smoking

and overeating, but both have major impacts on public health, so why not apply a similar logic to both problems? Given that they have not accepted our recipe for change, what is the Government's plan? I could go on at great length, but a simple, straightforward answer to this question would be most welcome.

However, before I finish, I want to say a few words about ultra-processed food. As the noble Lord, Lord Brooke of Alverthorpe, mentioned, there were some disagreements in our committee, and our chair handled those disagreements very skilfully. One of them was about whether UPF—ultra-processed food—is dangerous, or whether it is largely a red herring. The committee was divided on this, and I was on the red herring end of the spectrum. Why? There are three reasons. First, as Chris van Tulleken and others told us, UPF is not suitable as a policy tool, not least because experts often disagree when they try to apply it to individual foods. In one study we were referred to, a panel of experts agreed on only four out of 231 foods they were asked to classify as UPF or not. Secondly, there is no convincing scientific evidence to show that processing, as opposed to the content of food, is harmful to human health—of course, that evidence base may change. Thirdly, most UPF is also HFSS. The foods that are deemed to be UPF but not HFSS, according to some experts, include things such as oat milk, vegan sausages, wholemeal bread from the supermarket and pre-packed cooked vegetables. Do we really want to suggest to the public that these foods are dangerous to eat? No, let us concentrate on HFSS, where the evidence for harm is robust and the definition is already used in regulation.

10.38 am

The Earl of Caithness (Con): My Lords it was a privilege to serve on the committee. I thank our chairman, the noble Baroness, Lady Walmsley, Professor Martin White, our clerk Stuart Stoner and the whole team. Of the many committee reports in which I have been involved, this one is unique. None has been so welcome and reported on outside this House yet received such a negative response from the Government.

We made several important recommendations for a comprehensive policy, but I want to focus most of my remarks on ultra-processed foods. Our report draws attention to the difficulties encountered by the concept and classification of UPFs, as the noble Lord, Lord Krebs, just said. We noted that some processed foods, particularly the ultra-processed ones, are more harmful than others, but it is hard to know which.

Buying food that is good for you is often difficult and requires time, especially for those on low incomes. Added to this, there is a huge amount of confusion and misinformation promulgated by the food manufacturers. Generally, the more healthy and good the packet tells you the food is, the more cautious you need to be.

Most food is processed to some degree; it is the amount of processing that is relevant to how much of a health risk it can be. What we as consumers need to know is the damage that that process can do to food. It can be used to include additives that are non-culinary ingredients, such as emulsifiers. One should try to

avoid food with those in them, so reading the label is a necessity even if one does not understand what all those unintelligible values mean.

Processing can alter the palatability of foods. Many foods are processed to make them hyperpalatable, which encourages us to buy and eat more of them, but they are bad for us. Processing the food can also alter the energy intake of the food in question.

Understanding the combination of the effect of the additives, the palatability and the energy intake is critical to assessing the health risk. The ZOE science team, led by Professor Tim Spector, together with Dr Federica Amati, ZOE's head nutritionist and nutrition topic lead at Imperial College London Faculty of Medicine, found that 38% of the foods they analysed were both energy-dense and hyperpalatable. This reinforces our call for clearer, more accessible information about making healthier choices when buying processed food.

So, my noble friend Lady Browning will welcome the news announced this morning of the development of ZOE's processed food risk scale, which is currently being tested and validated. It is very good news for us consumers. It will help us navigate the often confusing landscape of processed and ultra-processed foods to better understand the health risks associated with their consumption. The plan for the future of this new tool is that by photographing the packet of food using an app, within seconds one will know whether there is no health risk or whether there is a low, medium or high risk. That will start to enable us consumers to choose a better diet.

Thank goodness for those in the private sector who are doing something to help, because the Government are doing very little. Nor are the food manufacturers. They did not want to be asked difficult questions by the committee, so they refused to attend. Ms Betts, chief executive of the Food and Drink Federation, responded to our reports by saying that if UPF or processing raised concerns,

“industry would of course act quickly”.

My response to her is, “Pull the other one: it's got bells on”. Evidence there is aplenty, and there has been even more since the publication of our report. Most of the industry has done the bare minimum. Let there be no misunderstanding: the food manufacturers are in it for profit, and ultra-processed food is the source of the biggest profits. Like the tobacco industry, they will fight all the way to delay change, regardless of whatever damage is done to our health in the process.

The Minister tells us that a smoke-free UK is a pillar of the Government's health mission to help people stay healthier for longer and forms part of their plan for change, focusing on the crucial role prevention can play in cutting waiting lists and making the NHS fit for the future. Our report records that:

“Obesity has been predicted to overtake smoking as the main preventable cause of cancer in women by 2043”.

The total annual economic cost to the UK of overweight and obesity is £98 billion. That is nearly 4% of GDP and about 350% more than tobacco costs us. If stopping smoking is a key pillar of the Government's health mission, how much more important is a good, affordable diet and reducing obesity? That should be a tower of strength to the Government. The Secretary of State has abdicated the driver's seat on the steamroller,

[THE EARL OF CAITHNESS]

which, when in opposition, he said he would drive over the food industry, which was blocking reforms. He is now the man busily waving the green flag at it. The Government are neglecting us all, but in particular pregnant women, infants and children.

10.44 am

Baroness Brown of Silvertown (Lab): My Lords, I too am grateful to the Food, Diet and Obesity Committee, which wrote this report. It is excellent, but it paints a picture that this country has a real problem with food. As has already been stated today, the prevalence of cheap, unhealthy foods filled with sugar, salt and fat has fuelled an obesity epidemic and causes real damage to individuals' health and to the NHS. According to a Frontier Economics report, obesity-related illness costs £6.5 billion a year, so it also damages the UK economy.

As the noble Baroness, Lady Walmsley, said, there have been over 700 proposed policies to tackle this issue over the years since 1992, but none have worked. Healthy food has become a luxury for many in this country, something that some people simply cannot afford. There is a very real and increasing health gap between the richest and the poorest. We have relied on the good faith of the food industry for far too long—that it will voluntarily reformulate its products—and we have told people they must eat healthier. But this report lays bare our failings and demands a radical shift in our policy. We simply must change the food landscape, encourage companies to produce healthier food, focus on children, and ensure that all are able to access a healthy diet.

The levy on sugary drinks caused sizeable reductions in sugar levels and had a greater effect on the health of the nation than a voluntary measure could possibly have achieved, so I add my voice to the mandatory regulations lobby. Mandatory reformulations will create a level playing field, encourage all companies to commit to producing healthier food and can only be good for all of us, including the industry. But for many people in this country, eating healthily is simply not an option. I fear it would really be very problematic to reform the food industry, potentially increasing the price of unhealthy food, without making healthier alternatives available to all. I hope that the Government's future food strategy will go some way to telling us how they intend to deal with that.

But let me talk about children in the time I have left. I welcome the Government's commitment to maternal and infant health, as well as the detailed nutritional guidance recently published by NICE; it will undoubtedly help families provide their children with a balanced and healthy diet. But advice only goes so far. As this report highlights, there is incontrovertible evidence that children starting reception in more deprived areas are twice as likely to be obese as children from the least deprived areas. Families in poverty face real difficulties accessing enough healthy food for their children to meet the advised nutritional guidance on fruit and veg. It is expensive.

Many schoolchildren face food insecurity. I have many tales from my time as an MP illustrating just how desperate it can be, with children taking it in

turns to eat on school nights. Families who live in temporary accommodation—some in hotels—have simply no access to cookers, sinks and fridges; while others who have access to fridges and cookers may not have cooking equipment because they had to relinquish it in their many moves through temporary accommodation, and simply had no space to store it.

Holidays can also be a food and financial nightmare, so I was absolutely delighted to see the Government commit to extending the holiday activities and food programme for another year; it is an absolute lifeline for so many families. I hope that the spending review will provide multi-year guaranteed funding for the programme.

Wealth inequalities in this country have grown over the last decade. Some 24% of schoolchildren are now eligible for free school meals, and while the numbers eligible increased, government spending lagged behind inflation. Since 2014, there has been a 17% real-terms cut in funding for free school meals. The report states that current funding results in many schools being unable to meet the Government's food standards or provide a healthy meal to children. It details cases of recipients of free school meals being able to afford only a fried or battered chicken in a flimsy wrap or a white bun—no sauce, no salad, no fruit. Without proper enforcement, the school food standards are not worth the paper they are written on.

Sharon Hodgson MP, a good friend of mine, has been an unremitting campaigner for universal free school meals. She believes that free school meals would be a significant answer to some of the issues in this report, and she is absolutely right. They can be a game changer, but only when done right. There is no incentive for caterers to serve healthy, nutritious and tasty food at lunchtime, especially when cost pressures mean that the quality and portions of the food are being compromised. There is so much more to be said, and I have run out of time, but I absolutely know that this Government have the will, the talent and the drive to meet the health challenges of inequalities, to try and reform our food environment and tackle the root causes of obesity and poverty. I look forward to the committee's further reports in the future.

10.50 am

Baroness Meyer (Con): My Lords, I, too, congratulate the chair and all the committee members on their excellent report. But while the report is strong, the Government's response is weak. Despite years of proposals, successive Governments have failed to tackle obesity. In fact, the problem has got worse and it is our most vulnerable, poorer families and children who are paying the price, as many noble Lords have said before me. Childhood obesity is not just a phase. Children who are obese have an 80% chance of remaining overweight or obese as adults. That is a lifetime of preventable illnesses. We owe our children a healthier and better start in life.

Today, over one in five children in England are overweight or obese when they start primary school. By the time they leave, that is one in three. These are not just numbers; they are our children's lives. In the UK, we have among the highest obesity rates in the developed world: only the USA and Brazil outstrip us.

In France, the difference is stark. There, food is something to be cherished. Schools offer children a proper meal—a three-course meal with fruits and vegetables. Families still cook from scratch, shop for fresh ingredients and eat together at set times. Meals are moments of connection and enjoyment, not something consumed on the go in front of a screen. When I first arrived in the UK, I was shocked to see people eating chocolate bars at their desk in the morning, sipping sugary drinks on public transport and snacking constantly without sitting down to enjoy a meal.

People often ask me: “How do you manage to keep your weight down?” The truth is simple. I was raised to eat well. My parents taught me to rely on fruits and vegetables, not tinned and ultra-processed foods. My parents were vegetarians, and we sat at meals around a table. I was taught to chew before I swallowed.

The root cause of obesity is clear. It is not just the quantity—it is also what we eat and how we eat it. This is not about blaming individuals, but about acknowledging that our food system is broken. As the report highlights, obesity is not just a health issue. It is driving chronic illness, disability and economic hardship. It costs the NHS over £19 billion a year, and the wider economy even more, yet the Government’s response lacks ambition and urgency. It leans heavily on voluntary measures, with no serious regulatory levers, but we need a national food strategy that puts health first.

We also need to change our food culture and support local markets. In France, local markets offer fresh products from the region. In every city and village, you have markets. Even in Paris, you have 80 street markets, and they are operating three days a week. An apple is not more expensive than a bar of chocolate, but it is far more nutritious, with fewer calories, so why not support our farmers to bring their products directly to shops, as they do in France?

Prevention alone is no longer enough. We must also invest in weight services and therapies such as GLP—but, as noble Lords have mentioned before, although that may be helpful in extreme cases, we do not know the long-term effects and, as the noble Baroness, Lady Walmsley, pointed out, it is still a very expensive way to treat people. Is it not better to concentrate on food and what we eat, and to educate? Fast food makes you hungry; it does not quench your hunger. It is time to tackle junk food. Will the Minister tell this House what steps her Government will take to support our farmers and work with them to improve our children’s well-being? Instead of imposing inheritance tax, would it not be better to work with farmers to tackle this issue?

10.56 am

Baroness Suttie (LD): My Lords, I, too, congratulate my noble friend Lady Walmsley on both her extremely powerful speech and her excellent chairing of the committee. It was a genuine pleasure to serve on that committee and to learn a lot. Anybody who knows my noble friend will know that she is both firm and fair as a chair; she also has a tremendous grasp of the detail. She has made some extremely powerful points this morning and I hope that the Minister will respond in a more encouraging way than appeared evident in the official and hugely disappointing government response

to this report. I also place on record my personal thanks to the secretariat of the committee, in particular to Stuart and Lucy, who were truly exceptional.

As a child of the 1970s and a teenager of the 1980s growing up in Scotland, I grew up through a revolution in food production in this country. Growing up in the 1970s, I remember food as predominantly homemade and wholesome, if slightly bland. It was an era, as a dear friend of mine used to say, when we were blessed with “freedom from choice.” By the time I was at high school in the 1980s, industrially produced foods and ready meals were beginning to appear, along with the invention of the domestic microwave. Multinational fast-food outlets began to multiply in our cities. As a student, I clearly remember always feeling strangely dissatisfied after eating a McDonald’s burger. Although it was cheap, it always left me feeling hungry afterwards and immediately wanting another.

At that time, I was unaware that industrial research had specifically and quite deliberately produced that effect, so that customers like me consumed more. Following my time on this committee, I now understand that what I was experiencing as a student is called hyper-palatability. But whereas in the 1970s and 1980s, ultra-processed food might have been an occasional treat, nowadays, tragically, in some parts of the UK, it makes up to 80% of people’s diets.

We are all faced with an enormous choice of food outlets, from takeaways to supermarkets, Deliveroo and Uber Eats. Children, in particular, are bombarded daily by food offers and advertising encouraging them to buy and eat much more than they need. This food revolution has had a profound impact on children. They have grown up with an abundance of artificial and industrially produced foods, and some have little or no experience of natural or home-cooked food.

The statistics are stark and becoming worse. In the UK, over 20% of children are already too heavy and around 10% are already obese when they start primary school. As the Food Foundation’s most recent report states, children in the most deprived fifth of the population are over twice as likely to be living with obesity as those in the least deprived fifth by their first year of school. A few weeks ago, on a four-hour train journey back from Scotland, I watched as a mother fed her toddler three little plastic sachets of fruit puree. Misleadingly, these fruit sachets are marketed as a health product. The mother no doubt thought that she was giving her child a healthy option, but just one of those sachets contains the recommended daily allowance of sugar for an adult. It is surely wrong that our shops can sell baby foods and drinks that are packed full of sugar but have no traffic light warning or label on them.

The same applies to so-called follow-on and growing-up milk. For example, a one or two year-old consuming Alpro soya growing-up milk—which states on the pack that it is low in sugars—would typically be consuming over three times the recommended maximum total daily sugars intake from that product alone. Does the Minister not agree that warning labels about sugar content on children’s food products are urgently needed? The noble Baroness, Lady Brown of Silvertown, made the case so very powerfully that provision of a healthy school meal in early years can have an extremely

[BARONESS SUTTIE]

positive impact on behaviour and concentration in class. It can also encourage healthy eating and good nutrition habits at a young age.

A healthy and nutritious hot meal is nearly always going to be healthier than a packed-lunch option, which is often full of ultra-processed products. A friend's nine year-old daughter, Livia, recently told me that she was deeply concerned by what her schoolmates were eating on a daily basis. During the public hearings for this committee, we heard the experiences of many young people; they really do care about these issues. There have been rumours surrounding cuts in the provision of school meals. I would be grateful if the Minister could clarify the Government's plan regarding school meals.

The Government's response, or lack of response, to the very concrete and constructive suggestions on children, young people, infants and school meals in chapters 6 and 7 of this report are deeply disappointing. Investing in a healthy start for our children makes sound economic sense, as other noble Lords have said. Robert Boyle, a paediatrician from Imperial College, says that obesity is the greatest health crisis on the planet and that it often starts with childhood. We need to take firm action now.

11.02 am

Baroness Boycott (CB): My Lords, it is a pleasure to follow the noble Baroness, Lady Suttie. I agree with every word that she said. I too had the great pleasure of being on the committee that was expertly chaired by the noble Baroness, Lady Walmsley. It genuinely felt like being on a jury, with 12 members, evidence being shown and someone taking evidence and notes, which our clerks did superbly. At the end of it, I think we were all informed and pretty much facing the same direction. Our verdict was straightforward.

I will use my few minutes to talk about one of our recommendations—the extent to which the food industry is involved in the policy of food at the moment. Take, for instance, the Scientific Advisory Committee on Nutrition—SACN. It is the main adviser to the Government on food policy and, if you think it is unbiased, you would be wrong. Of the 16 members of SACN, 14 of them directly or indirectly take money from the food industry. They might brush it aside by saying, “I declare my interests”, but, if you take money, it changes minds.

SACN's statement on ultra-processed food concluded that the associations between higher UPF consumption and adverse health outcomes was “concerning”. It is well known that the noble Lord, Lord Krebs, and I argued a bit about this in the committee. However, the noble Lord is highly respected, so I urge him to look at the overwhelming weight of evidence and stop quibbling at the edges about whether this is HFSS or UPF. The overwhelming body of evidence is that what we and our children are eating is bad for us and is making us fat and ill. We should all combine forces to understand that simple fact and park the quarrels.

Food policy must always be made without the industry being in the room, because we have two different aims. They want to make money; we want to

make people well. It is very interesting to note that when George Osborne imposed the sugar tax, he made it completely on his own—not literally but with an incredibly tight, tiny team of civil servants and advisers. He then went out and told the industry, which got on with it.

Like many others, I have been interested this week to see the announcement of the newly created advisory board. There are 16 members and seven represent one or other face of big food. The press release states that this board will help to set the ambition, but the ambition of McCain Foods is to sell a lot more chips. Indeed, one of the shocking things that we heard on our committee came from one of the young people on Bite Back: when he buys a bus ticket to get to school, on the reverse of the ticket it offers free chips if he comes into McDonald's with it.

Therefore, I cannot believe that McCain Foods is really after our help. Yes, it has some sterling people: Anna Taylor, who is CEO of the Food Foundation; Susan Jebb; Professor Chris Whitty; and Ravi Gurumurthy from Nesta. I am glad that they are there, but can they hold the line against the lobbying might of Greencore, Sofina Foods, Kerry Group, McCain Foods, Sainsbury's, Cranswick, Bidcorp Group? A line on Bidcorp Group's website says that:

“Bidfood has identified many opportunities for value-add light processing and bespoke manufacture to make our customers' lives easier”.

Is that what we want in our food strategy? Of course, we must wait and see, but the industry must not be allowed to health-wash itself by sitting alongside people such as Anna.

Alongside the board, we have the Food and Drink Federation, which plays a very shadowy role within this setup. The noble Baroness, Lady Jenkin, and I—who tabled the Motion for this committee and were so pleased when we got it and the noble Baroness, Lady Walmsley—went to a meeting where the Food and Drink Federation unveiled its new strategy. I do know how much this will be involved in the food strategy, but its idea was that all healthy foods across the country should have a new label: “Feel Better”. This could be plastered on to every packet of salad, brown rice or unprocessed meat. The British public would then happily change their ways. It would be a real win for the industry, because it would not have to label anything that is not quite so good. The federation is a famed lobbyist for big food and I think it offered to come before our committee.

However, it is worth the Food and Drink Federation and us noting that investors have a duty to cut the systemic risks in their systems. Yesterday I was talking to Sophie Lawrence of Greenbank. She told me that the Investor Coalition on Food Policy is calling for greater transparency around lobbying activities by the food industry. She said that during the previous Government, from January 2022 to June 2024, Ministers at Defra met with food businesses and their trade associations 1,408 times. That is 40 times more than they met with the food NGOs and people such as the noble Baroness, Lady Walmsley, who might want to put the results of her report before them.

The food strategy is coming and we look forward to it, but what was wrong with the strategy that Henry Dimbleby wrote? It seemed an excellent strategy. When it was published, the Government only committed to doing four of its 14 recommendations, which have been delayed and forgotten. As all noble Lords have said, the response to our report has been equally weak.

I also recommend that when the Minister steps forward to help with food strategy, she spends some time talking to the Food, Farming and Countryside Commission, which is setting up citizens' juries. There is no point in food policy being made if it does not change how things happen on the street. Wherever you live, however much you earn, whether you are disabled or not, you want to be able to walk to a shop that provides healthy, affordable food for you and your family. If you end up in a food desert, that will not work. People want this to happen. All the polling shows that people really care. They are heartbroken by the quality of some school meals and driven to despair by the endless adverts.

11.09 am

Baroness Jenkin of Kennington (Con): My Lords, many in this Chamber will have been involved in the highly competitive process of the ad hoc Select Committees. Most applicants are disappointed, so the noble Baroness, Lady Boycott, and I were thrilled when our proposal got over the line. Both she and I had become increasingly concerned about the unsustainable rise in obesity, especially in children. Indeed, I chaired a Centre for Social Justice report on childhood obesity in 2017, which called for urgent government action, and since then there have been numerous other reports, including the Government-commissioned National Food Strategy, led so ably by Henry Dimbleby; and yet there was almost no action as the situation deteriorated further. That was a wake-up call for me and we hope that this report debated today will wake up others, especially the Government.

I remember the first meeting, where we all agreed that this must not be yet another committee which produces yet another report which languishes on the shelves gathering dust, or the digital equivalent. We were ably led by the noble Baroness, Lady Walmsley, who not only chaired with distinction and tenacity but has continued to campaign vigorously at every possible opportunity. I remember her saying it was the most important work she had undertaken in nearly 25 years in the Lords, and she has been like a terrier since. Indeed, I am tempted to say that I agree with every word and just sit down.

I too would like to pay tribute to the committee staff. All were excellent, but we were especially lucky with our clerk, Stuart Stoner; Lucy the policy analyst and drafter of the report; and our specialist adviser, Professor Martin White, a leading expert in the field. The evidence sessions were outstanding and illuminating for many, particularly the evidence from Dr Chris van Tulleken and Henry Dimbleby, who came as early witnesses. I had read both their books and knew what to expect, especially with regard to ultra-processed food, but other members of the committee were horrified

as it dawned on them how broken the state of our food system is. As a committee, we did our part: we signed off a hard-hitting, evidence-based report.

I do not think our expectations about the Government's response were unrealistic, but to say that we have been underwhelmed and disappointed would be an understatement. Quite frankly, just acknowledging the issues and committing to seeing through some of the existing policies was not really good enough. As we pointed out, the need for further research into ultra processed foods must not be an excuse for inaction; and yet, that appears to be the position.

I believe the Government will regret this lack of urgency, as have many former Ministers in positions of responsibility before them. Dr Dolly van Tulleken and Henry Dimbleby's most recent publication, *Nourishing Britain: a Political Manual for Improving the Nation's Health*, is another useful report documenting the wisdom of three former Prime Ministers, one Deputy Prime Minister, 10 former Health Secretaries and six other former and serving politicians, all of whom have dealt with the vexed politics of obesity, food and health. All 20 interviewees agreed that the Government had not done enough to tackle the problems of food-related ill-health. Many expressed personal regret that they had not done more during their own time in power. Those who did the most were immensely proud of their policies. All the politicians knew that it was a growing problem and many had tried to avert it. As we have noted, since the early 1990s, Governments of all political hues have published 14 obesity strategies, containing almost 700 individual policy suggestions, and in that time, the proportion of adults living with obesity has doubled.

The reasons behind this are clearly set out in the pamphlet, which I recommend to the Minister; but, essentially, politics got in the way of policy. There is no room to let this happen today, and nor do you have to; the politics can work. *Nourishing Britain* contains some excellent examples of how Ministers made the politics work for some of the boldest policies to date, including the soft drinks industry levy. The insights provided by those who have been at the sharp end are fascinating. Alan Johnson said:

"We took the piss out of David Cameron, one of his early PMQs, he was new. He was up against Tony Blair and he said something about, it's wrong that chocolate should be near the tills ... He was absolutely right".

Alan Johnson also admitted:

"We were pondering on [a sugar tax], but we were never really bold enough to do it".

Boris Johnson pointed out that

"one pound in every three of government spending is on the NHS and there's no doubt at all that people's life expectancy has been greatly shortened by obesity".

He also explained that his adviser told him not to touch the issue—something which he thought was short-sighted. As Tony Blair told them:

"Take bold, innovative steps, including shifting the focus of the NHS from cure to prevention, and stay committed to building a healthier, more resilient Britain as the health of our people is the foundation of our future prosperity".

As the first Labour Government since then, I ask the Minister to heed these words. All the evidence shows that the public want the Government to act.

[BARONESS JENKIN OF KENNINGTON]

The Food, Farming and Countryside Commission recently published its *Citizen Manifesto*, calling for courageous political leadership and for government to move fast and fix things. Like the interviewees who regretted their lack of boldness and bravery, I am sure she and the Secretary of State will not want to look back and think, in George Osborne's words:

"What's the point of occupying Number 11 Downing Street, or indeed Number 10 Downing Street if you're not doing something with it?"

11.15 am

Lord Bethell (Con): My Lords, it is a great honour to follow my noble friend Lady Jenkin who has been talking on these issues way before it became so fashionable and drew me into this debate in the first place. I would like to say thanks to the noble Baroness, Lady Walmsley, and all those who sat on this committee, who have done an incredible job and made a very persuasive case. I also draw attention to my role as adviser to Oviva, a company that provides treatment to those with obesity, and the role of my wife, who is a non-executive director of Tesco, the British retailer.

Others have spoken about the impact of obesity on our health, including the noble Baroness, Lady Browning, the noble Lord, Lord Brooke, and my noble friend Lady Meyer. As a moment of personal testimony, I saw how we, as a country, suffered during the pandemic because 64% of adults were carrying too much weight and their bodies were weakened and could not fight the virus properly. The ONS study on obesity and mortality found emphatic evidence that the risk of death from coronavirus was double for those who had obesity. That is true in other realms of health and it is an observation that plays out in every hospital, every GP surgery and every morgue in the country, every day of the week.

Others, including the noble Lord, Lord Krebs, the noble Baroness, Lady Boycott, and my noble friend Lord Caithness have talked about how all this damages our economy. The evidence is absolutely overwhelming; I will not go over it all, but I will mention the correspondence I had with the OBR—emphatic and clear arbiters of our future financial security. It wrote that the rising tide of chronic health conditions linked to obesity is increasing the years that people spend in ill-health, and that is having a material impact on our ability to sustain the national debt. The Army cannot recruit fit soldiers; our businesses cannot find a fit workforce; and our communities are struggling to cope with obesity-related poor health—we simply cannot go on like this.

The response from the Government is particularly disappointing given that the political mood on this issue has completely changed. Polling evidence overwhelmingly points to strong support for government interventions. National newspapers have become health conscious, campaigning on issues such as fast food outlets near schools. Major civic organisations like children's charities and the health champions are clamouring for action. Directors for public health, local authority chiefs and NHS chiefs published compelling evidence of harm, thoughtful recommendations for change and alarm about the cost of exciting but expensive obesity treatments.

Countries such as Norway, Portugal, Mexico, Canada and Chile are leading the way by clamping down on junk food advertising and, most strikingly, in America, the popular End Chronic Disease movement has expressed popular anger towards the junk food industry. That was seen in the influence of Robert Kennedy on the presidential election. His appointment at Secretary of State for Health, while quite a strange event in world history, has shown how popular anger about our declining health is boiling over into the mainstream.

We have reached a point where the junk food industry can no longer be regarded as a constructive contributor to our national interest, or a benign employer of our people, or a supplier of nutritious sustenance to feed our people. Companies such as Nestlé, Mondelez, Coca-Cola, Mars, Ferrero and others are making billions of pounds of profits. Their CEOs make tens of millions of pounds each year. Meanwhile, our children face a life of poor health and addiction; the NHS is running nearly 100 child obesity clinics, at great expense; and the UK workforce is quitting employment because of the cardiovascular, MSK and consequential mental health problems associated with obesity. The junk food giants should be regarded as a leech on our public finances; free riders that are not paying for the externalities that they create; and a threat to both our national security and our public finances. That is why the Government's response is so disappointing. It calls for "co-ordination and collaboration", which they say is essential. I just do not agree.

We need hard, regulatory guard-rails. We need to put health promotion at the centre of the Food Standards Agency priorities. We need fiscal intervention, starting with the sugar tax. We need a monopoly investigation by the CMA. We need to start taking the junk food industry out of the conversation, as we have done with the tobacco industry and should do with the pornography industry. The points made by the noble Baroness, Lady Boycott, on that really resonated.

If we have learned anything, it is that the micro-intervention approach does not work. It did not work with tobacco, despite what the noble Lord, Lord Krebs, said. Some 80 years after it was proven that cigarettes kill, 13% of the country still smokes. The micro-intervention approach does not work for businesses, which have a fiduciary obligation to maximise profits. As a result, they waste huge amounts of shareholder value and creative energy battling fines and red tape. It is not working for our NHS, our economy or our national security. Instead, we need a clear and emphatic approach that protects the consumer and allows the industry to survive. Collaboration with today's junk food industry just will not get us there.

11.20 am

Baroness Freeman of Steventon (CB): My Lords, I listened to all the oral evidence to this inquiry while making it into a podcast. It was shocking, depressing and inspiring. We have already heard the shocking part: the statistics—the numbers of people suffering, the cost to the NHS and the cost to the economy of diet-related illnesses keeping people out of work. The depressing part of the evidence was hearing about our repeated failure to even slow down the train wreck.

The reason we have an obesity problem now compared with 40 years ago is that food has changed—not us, and not our willpower or our genetics. The challenge, then, is how we reduce the amount of unhealthy food and drink that we all consume. That is how we will eliminate these diet-related illnesses. However, the aims of the Government’s food strategy—noble Lords can read them—do not mention reducing unhealthy food in our diets at all, only making healthy foods more affordable and accessible. This in itself will not make the difference that we need to see.

It is pretty clear what healthy food and drink look like. People can try to split hairs and draw lines, but we all know it: whole foods, variety, minimal processing, less meat, and lower salt, fat and sugar. And we all know what unhealthy food looks like. Why are we not eating the good stuff, and instead eating the bad stuff? In most of our day-to-day lives, we do not have the time, money or resources to cook with fresh, whole-food ingredients for every meal of every day. The inquiry heard how kitchen equipment, the cost of heating an oven, and the space for food storage and preparation are prohibitive to many, as well as how quickly most fresh ingredients and freshly made foods go off, risking expense and waste.

The industrial food chain has grown into this space, producing ready-to-eat, long-life foods at affordable prices. However, these are not just convenient versions of traditional dishes; they are designed to be very tasty—we all know that—but they are also mostly very unhealthy. Their design is around palatability, not nutrition, and profitability. Being profitable, they are marketed to us aggressively. The more time-poor or financially poor that you are, the more they are marketed to you.

The impact of industrialised food on our health sits alongside the terrible impact on the environment, animal welfare and farmers’ livelihoods. Surely, then, the Government’s food strategy should be asking how we can efficiently produce and distribute freshly made meals, ideally from mainly British-grown ingredients, to replace as much as possible of the industrial stuff.

From listening to the evidence to the inquiry, I know where I would start. Where do a known number of people eat, every day, all in one place, allowing a relatively easy calculation of how much fresh food needs to be prepared, minimising wastage and transport? It is in schools—where this is very much needed. The committee heard not only that nearly one in four of our children are clinically obese by the age of 10 but that they are stunted by malnutrition—UK children are up to 9 centimetres shorter than their peers in northern and eastern Europe.

Here we come to where the committee evidence was inspiring. We heard about local schemes, where schools hosted kitchens that supplied freshly prepared, freshly cooked, healthy meals for all the children—100% attendance—as well as selling to parents and the local community, meaning that they could do all this within current authority finances. There is evidence that this reduces obesity. There are myriad other innovative ways to get fresh produce from our farms to our forks, with as little in between as possible. This is the sort of

thinking and supply that small, local businesses and communities excel at. The committee heard about many.

However, last week, my depression returned. The Government announced the advisory board for its food strategy—the strategy that does not mention reducing unhealthy food. On the board is one solitary farmer; there is no one who cooks fresh food, no one who is an expert in school meal provision, and not even a biodiversity and conservation expert, even though one of the stated aims of the strategy is to work out how to reduce the impacts of our food system on the environment.

Another of the aims is economic growth. Economic growth could mean the encouragement of innovative local and community SMEs and family farms—British businesses that employ locally and supply locally. But no: the board is almost all made up of representatives of multinational industrial foodstuff manufacturers and retailers, as is its secretariat—the people whose businesses are the antithesis of what a healthy food strategy needs.

The strategy says that it aims to ensure that “our largest manufacturing sector can realise its potential for economic growth”.

I emphasise “manufacturing”. That is how this Government see food: not in terms of growing, preparing, cooking, health or the environment, but manufacturing. That is the sort of thinking that has caused successive Governments to fail the citizens of the UK and fail to stop the ever-increasing illnesses from poor food.

I therefore have some questions for the Minister. Why does the government strategy not consider reducing unhealthy food in our diet a priority? If it does, why does it not state that? How were the members of the advisory group chosen? Why is there no representation in the group of those who specialise in cooking or supplying food made from fresh ingredients? Why is there no expert in biodiversity in the group, despite that being a stated priority? Will the minutes of its meetings be made publicly available? Will those contain agreements on key targets to be reached on reducing diet-related health problems, as well as on biodiversity, so that we can be sure that the strategy is focused on the outcomes that we all want to see?

I end with a plea: please listen back to the evidence given to this inquiry. Do not let all those inspiring people down by making the same mistakes that we have made, decade after decade, by not tackling the real problem: industrialised food.

11.27 am

Baroness Coffey (Con): My Lords, I declare an interest in that I worked for Mars for 12 years and I have a pension.

I am conscious that a lot of the discussion today is about food processes, not food producers, but I have spotted that the noble Baroness, Lady Batters, is speaking later, so I expect that she may cover the issue of food production.

One thing that struck me about this report is that it seems that the only way to try to get change is through regulation, taxes and strategies. I can genuinely say that, in the three different roles that I held at Cabinet

[BARONESS COFFEY]

level, particularly when I was at DWP, we worked with the Department of Health and Defra on the food strategy. We worked on increasing Healthy Start, and, when people asked for it to be online, we got the applications online.

This is all about how we try to develop habits and, as has already been referred to today, starting young is a key element of that. That can be in schools, but I would go further. Thinking of what the noble Baroness, Lady Brown of Silvertown said, there is a lot here for local government. That is where the health workers are and it has responsibility for planning permission, which was further strengthened last December—a key driver is not necessarily what happens at home, but what you purchase, particularly from fast food outlets. That is really where a lot of the focus should increasingly be.

To follow on from what the noble Baroness, Lady Meyer, said, I remember that, as a student, I used to go down from my halls of residence to the Berwick Street Market every Saturday at 5 am to get the cheap veg. The question is how councils can promote markets, and not just, dare I say it, the niche chichi farmers' markets. Perhaps councils can do innovative things, such as removing business rates or similar, in order to try to get that fresh food habit as part of a regular shop, with people not just travelling to the supermarket.

One thing that the report frequently refers to is the 2021 national food strategy. I know that Henry Dimbleby was commissioned by Michael Gove to provide evidence to it. It somewhat mushroomed and went way beyond its remit and people referred to it as the “national food strategy”. I should point out that it was never adopted by the Government. However, it brought out a lot of important issues—I appreciate that Henry is not only charming but indeed passionate about this particular interest—that built on the work he had done in improving school meal standards and his other work. A strategy was produced in June 2022 and is now to be updated.

In thinking about processes, one thing your Lordships may not be aware of is the relationships that were forged, particularly during Covid, with the Food Resilience Industry Forum. Frankly, it was the partnership between government and the food processors that are being maligned that kept food on the shelves, so that people could get fed during the challenges that were faced at that time and to some extent during Ukraine a little bit later. Fast-forwarding somewhat and thinking about UPF and science, I would recommend that your Lordships read Dr Amati's article in the *Times* today, which talks about this issue and the challenge of how, to be candid, the Nova classification is not just in the balance like the committee has suggested but has been discredited as being ineffective in its classifications. The Nova classification gave a starting point, which was a good thing, but it needs to evolve. That is why the important work still needs to continue. If more research could be done towards that, it would be a welcome move by the Government.

In thinking about the needs of families, we have to remember the cost of living challenge that people face. When food inflation was rising, we had food companies

admitting in private that their policies of pursuing net zero by 2030 were increasing the cost of food for families right across the country. When we challenged them about changing that while we had the national emergency, the answer was, quite simply, no. That was a concern to me, but I appreciated that trying to legislate to change that, or creating some new strategy, would simply just add to a very long list. As a consequence, going into the Department of Health as I did, I was accused of all sorts of things at the time, despite the fact that we had a series of strategies. We sat down, looked at the impact assessments for all the different bits of legislation and tried to prioritise those that would make the most difference. That is why banning buy one, get one free during a cost of living crisis was not necessary, especially when the marginal impact was so low. I hope that the updated food strategy that we will see later this year will have a systemic approach to achieving the outcomes that noble Lords seem to be seeking.

I agree with the committee on one specific recommendation: getting the Food Data Transparency Partnership to complete its work. It is one of the best things I set up when in government. It is done on a basis of trust, but it should not be delayed. I encourage the Minister to work with her colleagues to make sure that goes through.

I speak as somebody who is super-obese. Noble Lords may not believe this, but about 20 years ago, I lost 8 stone. I did that by not eating or drinking alcohol—that was pretty much it. I cannot pretend that it has stayed off—far from it. It is not a lack of desire and, as I said to the health officials when I went in, I am a classic example of failure. What has gone wrong? It was not the nutritionist who advised me to eat more carbohydrates. What was it? This is still a journey and there are many good recommendations, but I encourage the Government to focus on delivery and not on more strategies and laws that distract from getting the job done.

11.33 am

Baroness Goudie (Lab): My Lords, I congratulate my noble friend Lady Walmsley on the way she chaired the meeting and kept us together, including making us do a lot of extra homework. It was tremendous, and I so enjoyed working with all our colleagues on the committee. I thank the clerks, Stuart and Lucy, and our special adviser. They found fantastic witnesses and ensured that all of them turned up and that, where they could not come, we got great evidence. It made such a difference to the report.

I am pleased to join the debate as a member of the committee and to discuss our report, *Recipe for Health: A Plan to Fix Our Broken Food System*. I welcome the opportunity to reflect on the urgent need for reform in how we produce, market and consume food in the United Kingdom. We should consider this in terms of how children and children who are not born yet will have to live in this society, with the high number of obese people we have, and remember that, if a mother is obese, the child has a high likelihood of being obese as well. We must look at that and encourage mothers, through maternal health and in every way, to try to change how they eat. However, we must assist them,

including by changing something in the planning system that we learned about in the committee, which is that a lot of flats are now being built or converted where there is no kitchen, so the only thing in the flat is a microwave. That is something we must try to alter. It is not for this report, and it is not for the Food Minister, but it is something to be passed down with change in planning laws.

Our food system is broken. Over 60% of UK adults are overweight or obese, and diet-related illnesses consume our national health billions each year. However, let us be clear, it is not merely a matter of personal choice; this is a systematic failure driven by a food industry dominated by multinational giants—companies such as Nestlé, PepsiCo and fast-food chains, as we found out in Blackpool, that flood our shelves and high streets with ultra-processed foods. These products, packed with sugar, salt and unhealthy fats, make up over half of the average British diet—one of the highest rates in Europe. Why? It is because they are cheap to produce and have long shelf lives. How long have they been on the shelves or in the warehouses by the time they get to anybody's home? They are engineered to keep us coming back for more. This is not an accident; it is the business model. Through relentless lobbying, they have stalled or diluted policies meant to protect public health. Let us take the HFSS advertising restrictions—rules designed to limit junk food ads aimed at children. The report highlights how industry pushback delayed those measures, with groups such as the Food and Drink Federation decrying the impact on “innovation” and “jobs”. The result is a generation hooked before it can make informed choices.

Supermarkets are complicit too. A handful of chains control most of our grocery markets, determining what consumers see and buy. The report points out how shelf space is auctioned off to the highest bidders, processed food brands—as we notice when we go to the supermarket—while fresh local produce is sidelined. In low-income areas, cheap own-brand ultra-processed foods dominate, making healthy eating a luxury that many cannot afford. Products labelled “low fat” or “high protein” are still loaded with additives and sugar. This confusion, the committee warns, drowns out clear nutritional advice.

Profit is the driving force behind this crisis. Reformulating products to cut sugar or salt risks losing that addictive edge and, with it, sales. Voluntary pledges such as the failed public health responsibility deal have proven ineffective. Without a legal framework and enforcement, the industry will not change. The report cites a £6 billion annual burden on the National Health Service due to obesity—money that could fund schools and school meals; as we know, school meals are not made in schools any more but in different places and then brought to schools. They are not good food. Further, school budgets are now run by schools and, sometimes, if they need money for other issues in the school, they cut school meals—it is an easy cut, without anybody noticing. We have to be quite tough about school meals and what children are fed at school.

The *Recipe for Health* report offers a bold plan to fix this mess, and it starts with breaking corporate strangleholds. First, we need tougher regulation. The committee calls for mandatory reformulation targets

forcing companies to cut sugar, salt and fat, with penalties for non-compliance. The soft drinks industry levy cut sugar in sodas by 44%; imagine that success applied across the food categories. Secondly, we must ban all junk food marketing everywhere. Our children deserve the chance to grow up free from corporate manipulation. Thirdly, we must level the playing field. The report urges subsidies for healthy foods—making fruit, vegetables and whole grains cheaper than a Happy Meal. We should tax ultra-processed foods harder and use the revenue to fund community kitchens or school meal programmes that teach children to love real food. We also should consider going back to teaching cooking meals in schools.

11.40 am

Lord McColl of Dulwich (Con): My Lords, I, too, thank the noble Baroness, Lady Walmsley, for introducing this debate, chairing the committee so expertly and allowing me to attend all its meetings. I say at the beginning that, as far as controversy is concerned, I agree entirely with the noble Lord, Lord Krebs, in his views about ultra-processed foods: there is no scientific evidence that they are the cause of the obesity epidemic, and it is strange that his advice is not accepted.

The next controversy was with Dr Chris van Tulcken, who addressed the committee and told it that the personal responsibility argument is

“morally, economically, socially, politically and scientifically dead and buried”;

so all such policies must be removed from the table. To be fair to him, he was not around, as I was, during the successful campaign against AIDS in the 1980s and the campaign in Uganda. I was responsible for setting up hospices for people dying of AIDS in London and in Uganda. The reason why these campaigns were so successful is that they were honest. They did not wrap everything up in euphemisms. Norman Fowler was the Secretary of State for Health, and he was absolutely honest and frank. He said, “AIDS: Don't Die of Ignorance”. You see, if you were honest with people and explained to them what was required, each individual had to take responsibility for himself or herself in taking precautions to avoid getting AIDS—and it worked. In fact, the programme in Uganda, the ABC programme, led by the Ugandan Government, brought down the incidence of AIDS from 34% to 4%. That is hard data and cannot be argued against. Perhaps we should be saying, “Don't die of complacency, don't die of obesity”. I have been saying this for the last 20 years.

There is only one cause of obesity: eating too much. The 40 million overweight people in this country are not like French geese subjected to gavage. They are not force-fed to produce pâté de foie gras. French geese should have a right to complain against their masters for force-feeding them, but obese people have no such luxury to engage in the blame game. It is time to recognise that we have to ignore many of the excuses that are put forward to persuade obese people that it is not their fault—that it is inevitable that they are obese because they live in an “obesogenic” society, as a professor at Oxford says. We really ought to understand that the total cost to the NHS, which I think has been mentioned, is not £5 billion but £98 billion. That is

[LORD McCOLL OF DULWICH]

what is wrecking the National Health Service. If we want to save it, it is no good reforming it yet again; it has been reformed about eight times in the last few years, and none of those have worked. But if we start reducing demand, in getting people to slim down, that will work. The obesity epidemic is such a disaster. We have to do something about it and get people to realise their personal responsibility.

There is one cause of obesity and one cause only. There are no diseases that cause obesity. The one cause is eating too much. It is high time that that was recognised. We have to dispel the fake propaganda that people are victims of an obesogenic society, and to encourage successful methods such as fasting and calorie counting in reducing dietary intake. Of course, exercise is important for our general health but not for losing weight—it does not work very well indeed. The clarion call to the 40 million overweight people is this: save yourselves, save the NHS, save £98 billion a year, and find the way that you want to reduce your weight.

11.46 am

Baroness Batters (CB): My Lords, I, too, thank the noble Baroness, Lady Walmsley, for her leadership on all this and the expert committee which has worked and supported her. I agree with so much of what has been said today, and I am conscious that, with time running short, I do not want to repeat that.

I want to focus a bit more on carrot and not just stick. I, too, pay tribute to Sharon Hodgson, who has many times been a one-woman campaigner on school food. We have had others: Jamie Oliver has done a huge amount, and the school food plan has achieved a huge amount, but we must not give up on creating a love of food and cooking from scratch.

When I hear a lot about our broken food system, I would say it is very much our choices that are broken rather than just the food system. All roads lead back to education and opportunity. I look at countries such as Finland and what it has achieved: it has been recently reported yet again to be the happiest country in the world and has had the longest period of free school meals of any country in the world since 1948. Much has been said about France but also Japan—another of the healthiest countries on Earth, with food much more expensive than it is here. There, I think, lies some of the challenge around the culture of our food.

We remain slightly lost, whether we are European or American—and we have inherited the worst of both in many cases. It will be education, in many ways, that drives us back to a love of food and to cooking from scratch, and it will need carrot and stick to achieve it. We have had a long-term cheap food policy that has crossed all political parties. At what price have we had that policy? We have the most affordable food in Europe and the third most affordable food per income spend of any country in the world. It is also worth noting that we waste more food than any other country in Europe, which tells us very clearly that we are not learning to value our food.

So I put two questions to the Minister. We have had a long-term, cross-party focus on the importance of STEM learning. Is it not time that food, diet and

fitness, which have been key to Finland's and Japan's success, were treated in the same way in our curriculum as STEM? I am also interested to know: how will the government food board join up across departments? For my entire time at the NFU, I failed to get into the Department for Education. If we are to have success here, we must have a food board that is truly joined up and is not competitive within government departments. That, I fear, is what could happen.

11.50 am

Lord Rennard (LD): My Lords, our debate has created much passion and many personal emotions for me, including in thinking about the noble Lord, Lord Brooke of Alverthorpe, and his experience of giving up alcohol 43 years ago. We have had a fairly wide consensus across the House on many measures that are needed to help reduce the large gap in life expectancy between the richest and the poorest in this country; to reduce the figure of two in every five children in England leaving primary school above a healthy weight; and to lessen the financial and other burdens placed on people who are overweight and on the nation as a whole. But we have also heard constant frustration about the Government's very limited response to the excellent report. Indeed, I think the flavour of the debate has been largely to describe the response as pitiful.

Thirty years ago, I was 40 kilos heavier than I am now—or, to put it another way, I am now more than six stone lighter. My weight is still going down, but it has been an issue throughout my life and a source of depression. It made me a target for bullying from school onwards. I consider myself fortunate to now be classified as “overweight” rather than “obese”, but we cannot just hope for good fortune to reverse the escalating scale of the problem with obesity and its links, for people like me, to type 2 diabetes and other health conditions.

In discussing the Government's response to the excellent report of our Select Committee, so brilliantly led by my noble friend Lady Walmsley, our debate has highlighted much of what I feel that I have learned personally, and often painfully, as I used to let my own health get completely out of control. We have highlighted very strongly how the Government really must take forward more of the many practical and positive suggestions in the report. We know that they have some determination to do so, but that this determination is still very limited.

I mention my personal struggle with weight and diabetes because one of the things that we must address is the stigma that accompanies these conditions as we address educating children, and their parents, about such issues. The approach of personal responsibility and “pull your own socks up”, if I might thus describe the approach set out by the noble Lord, Lord McColl, is not just unhelpful but deeply counterproductive.

I learned nothing about nutrition at school. I am probably one of the few Members of this House who had free school meals. I always chose the options with chips, but I see much worse options being chosen these days, as children leave school in the early afternoon, not having had any form of lunch, and pour into the nearby fried chicken and burger shops. In relation to food generally, I prefer the French approach described by the noble Baroness, Lady Meyer.

I am pleased that more fast food outlets will, in future, be blocked from selling cheap, unhealthy, high-fat products so near to schools, but in my view they should really be banned from selling such products in close proximity to schools altogether. I welcome the long-overdue restrictions on the advertising of their products targeted at young people. But, as my noble friend Lady Suttie said, parents do not have information or understanding about sugar content. We really must properly address issues of labelling.

Only the provision of healthy and nutritious free school meals will really help to address the problems we are talking about. In the meantime, I welcome the greater provision of breakfast clubs, which I hope will offer healthy alternatives to white toast and sugary cereals.

Boys and girls, men and women can all suffer from body image issues, as well as from the health conditions that arise from being overweight, including the greater likelihood of developing type 2 diabetes. Schools need to address these issues while doing much more to promote health education, cookery skills, as described by the noble Baroness, Lady Browning, and physical activity in schools and after school.

The resulting ill-health caused by being overweight or obese is, for many families, a major factor in their relative poverty. It limits their capacity to work, their life experiences and their emotional well-being, and puts significant burdens on the state through our health and care system. It results in damage to the economy, as there is far more reliance on the state and there are fewer tax contributions. The Institute for Government estimates that the economic impact of obesity in this country is between 1% and 2% of our GDP.

Healthier food is, sadly, more expensive than the least healthy options. Families are trapped in a vicious cycle of poverty causing ill health, which makes it harder for them to get out of poverty and live more healthily. That is why I and my party strongly support scrapping the two-child limit for universal credit or tax credits. But we are going in the wrong direction this week with the Government's new measures, which will push 50,000 more children into poverty and a total of 250,000 people altogether.

The Government's response to the report accepts that

“mandatory regulation can drive change”,

and says that parts of the industry welcome the setting of a level playing field to avoid the most unscrupulous in the food and drink industry seeking competitive advantage. But we should also ask why action that was promised after the Covid pandemic highlighted the dangers of being overweight was suddenly rolled back. The answer is the unscrupulous lobbying on behalf of parts of the industry, adopting tactics with which some of us are familiar from the tobacco industry. They seek to scare MPs and those who work for them into thinking that action to improve the nation's health may be damaging electorally. Such lobbyists use their dark arts via well-funded think tanks, which, unlike political parties, can keep their sources of funding secret. Those who lobby in this way must be forced in future to declare their sources of funding and to list them, together with all their contacts with Ministers,

parliamentarians and those who work with us. The soft drinks levy has proved hugely successful and we need such a measure now for foods, especially for ultra-processed foods.

Some of what the Government are doing is welcome, but there is widespread agreement about the problems, as the report clearly shows. The Government can and should go further and faster and be more radical as we seek to tackle the epidemics of obesity and diabetes.

11.59 am

Baroness Manzoor (Con): My Lords, what an excellent and informative debate this has been. I thank the noble Baroness, Lady Walmsley, and her committee members for this timely, hard-hitting and excellent report. She made an outstanding speech opening this debate. The report makes some important key recommendations. As noble Lords have rightly highlighted, two-thirds of adults in the UK are currently overweight or obese. The UK has the third-highest rate of obesity in Europe, behind only Malta and Turkey. While the rates of obesity among adults appear to have stabilised over the past five years, we clearly still have a long way to go. Much greater pace needs to be introduced to tackle, in a holistic way, obesity and the issues that surround it.

We are often bombarded by statements that healthy eating is simply a choice, but I am afraid that the choice is often illusory. It is not just as simple as that, as has been powerfully articulated by the noble Baronesses, Lady Suttie, Lady Freeman of Steventon and Lady Goudie, and my noble friends Lady Jenkin of Kennington and Lord Caithness in relation to issues around ultra-processed foods. Those who cannot afford healthier alternatives or children in schools who are not given healthier options do not have the luxury of choice. Nor is there sufficient choice of quality foods for those on lower incomes, as outlined so ably by the noble Baroness, Lady Brown of Silvertown. Oviva, a provider of NHS weight management services, estimates that 22% of its patients are in the bottom socioeconomic groups and 13% are unemployed, as my noble friend Lady Browning and other noble Lords referred to.

As has also been mentioned, eating habits are often formed in childhood. The foods made available to our children often follow them into adulthood, and the choices made, as the noble Baroness, Lady Batters, outlined, can remain for a very long time. NHS Digital's 2024 national child measurement programme showed that two in five children in England leave primary school above a healthy weight, as referred to by the noble Lords, Lord Rennard and Lord Brooke. As the report makes clear, environmental factors are one of the most significant drivers of those habits.

If we as a society are to have any hope of tackling the scale of the obesity crisis, we must start by making positive changes in the food environment our children are exposed to, in relation to not only food safety but quality, as my noble friend Lady Coffey outlined so ably. There is precedent for this. The Japanese health authority is world leading. A 2021 article in *Pediatrics International* pointed to the comprehensive and consistent health education in Japanese schools. This is enabled by a national curriculum that embeds scientifically backed teaching on how to form healthier eating habits

[BARONESS MANZOOR]

and the provision in every school of a qualified nutritionist to prepare school meal plans that are low in salt, sugar and fats. Will the Minister look at working with her ministerial colleagues in the Department for Education to ensure better health and nutrition education?

All this is essential to address the issues identified by the noble Lord, Lord Darzi. As his report established, we need to move away from reactive medicine and towards a far greater focus on preventive healthcare. I know the Minister supports this. Of course, a healthier population is the foundation of a healthier economy. Frontier Economics estimated that in 2023 the total economic cost of obesity was £98 billion, as so ably outlined by my noble friends Lord Bethell and Lord McColl. It is evidently in all our best interests to make further progress here.

There are also a few warnings that we must heed, which a number of noble Lords have outlined. First, all noble Lords will be aware of the recent rise in the use and availability of weight-loss drugs such as semaglutide and tirzepatide. While these drugs have some success in helping people, they should be available only to those who need them, access should not be limited by affordability, and we must be careful about overmedication. Secondly, we must be wary of vested interests, as my noble friend Lady Browning, the noble Baroness, Lady Boycott, and other noble Lords highlighted very powerfully. The Government have recently announced their food strategy board, comprising the heads of a number of large food retailers. I appreciate the importance of bringing the industry together, but there must be an assurance that such a body will not simply lobby for its own interests to the detriment of public health. What safeguards will be put in place to address that?

In conclusion, the Government need to address this urgently and put in place key preventive strategies to address the root causes of obesity and poor health now. Although it will be welcome, we cannot afford to wait for the Government's 10-year plan. Indeed, the NHS cannot afford financially and structurally to wait that long. Action on tackling obesity does not require the reinvention of the wheel. As the noble Lord, Lord Krebs, my noble friends Lady Meyer, Lord Bethell and Lady Jenkin and other noble Lords have said, the research has been done, the reports have been published and it now falls on the Government to be bold, to act and to implement the recommendations at pace. All the evidence is there.

12.06 pm

The Parliamentary Under-Secretary of State, Department of Health and Social Care (Baroness Merron) (Lab): My Lords, I welcome the Food, Diet and Obesity Committee report. Like many noble Lords, I express gratitude to the chair, the noble Baroness, Lady Walmsley, and to all members of her committee for their dedication and insight into improving the health of the nation. My thanks also go to those who contributed their time and expertise in providing evidence and support for the committee's work. As noble Lords will be aware, the Government published their response to the report on 30 January following the publication of the committee's report in October.

This has indeed been a very valuable debate, and I am grateful to all noble Lords for their wisdom, experience and contributions. It has been acknowledged throughout that one thing we are in full agreement about is the characterisation of the problem as set out in the report. As highlighted by many noble Lords, including the noble Baronesses, Lady Manzoor and Lady Meyer, and my noble friend Lady Brown, we face a childhood obesity crisis. Well over a third of children are living with obesity or are overweight by the time they leave primary school. It is not equal across the country. This is a matter that disproportionately affects those in disadvantaged areas. As the noble Lord, Lord Rennard, highlighted, among other things, we also have some two-thirds of adults overweight or living with obesity.

The impact is huge, increasing the risk of many serious diseases, exacerbating mental health issues and reducing the years lived in good health, as the noble Lord, Lord Bethell, bringing to bear his experience as a former Health Minister, rightly observed. We know that prevention will always be better than cure. The noble Baroness, Lady Manzoor, referred to the evidence on this found by the noble Lord, Lord Darzi, on which he commented strongly. It will form one of the three pillars of the 10-year health plan. It is also why prevention is at the heart of our health mission.

As noble Lords know, I really do not like to disappoint them and particularly do not like to disappoint the chair of the committee, the noble Baroness, Lady Walmsley. I heard not just from the noble Baroness but from others their observations, which included disappointment at the Government's response. I hear that and will endeavour to respond in a way that I hope noble Lords will find helpful to alleviate some disappointment. I am sure noble Lords will tell me whether I succeed.

We need to tackle the root causes of obesity. My noble friend Lady Brown was absolutely right to highlight the impact of poverty and homelessness, and all that those mean. We have to address, as we have heard today, the increasingly unhealthy changes in our food environment and make healthier choices cheaper, more attractive and more available in order that the healthy choice is not just the easy but the smart choice. As the noble Baronesses, Lady Freeman and Lady Browning, said, it is about equipping people—I bow to the experience and cookery skills of the noble Baroness, Lady Browning, in this regard—with skills because unless they are equipped, it is just not going to happen.

Looking at what action has been taken so far, I do not pretend for a moment that this is a speedy or simple task. The committee expressed its concerns that the actions taken—at the time of the report, I might add—were not bold enough, nor was the Government's response, and nor was it moving fast enough, as the noble Baroness, Lady Jenkin, particularly said, in its urgency.

A number of noble Lords have been good enough to refer to the actions that have already been taken. Since coming into government in July, we have indeed laid secondary legislation to restrict advertisements of less healthy food and drink to children on TV and online from 1 October this year. My noble friend Lady Goudie recalled that that had not happened

previous to this Government and referred to the strong voice of industry against this measure. I certainly remember, when in opposition and standing at the Dispatch Box opposite, urging action. I am glad that we have done this.

A number of noble Lords spoke about the influence of industry. I will come back to this later, but it is not my experience, either as a Minister in this Government or the previous Labour Government, that because I spoke with industry or any other stakeholders, I necessarily agreed with or felt pressured by them. I heard the comparisons that the noble Lord, Lord Rennard, and the noble Earl, Lord Caithness, made with the tobacco industry. I can absolutely say, as a former Public Health Minister, it was not my experience that because they were spoken to by those with a different view, our previous Labour Government—or indeed this one—went along with that.

What I do believe in is transparency. The noble Baroness, Lady Boycott, referred to figures under the previous Government of the numbers of meetings. The noble Baroness and all noble Lords will know that it is required—and absolutely right—that Ministers and others declare their interests and, more than that, the meetings we have. That is absolutely crucial and I am completely on board with doing that.

Another area in which we have taken action has also been referred to. I am glad the noble Baroness, Lady Coffey, was good enough to support this. We have given local authorities stronger and clearer powers to block new fast-food outlets near schools and where young people congregate.

We have gone further than our manifesto commitments. The October Budget uprated the soft drinks industry levy and I thank my noble friend Lord Brooke for continuing to highlight this. That action, as we know, has taken thousands of tonnes of sugar out of the drinks that are consumed every day. I believe, and it is evidenced, that this uprating will keep this action effective and continue to drive reformulation by industry towards healthier products.

We know that we need to go further. The noble Baroness, Lady Coffey, reminded us of the challenge for individuals, not just the system. I appreciate how personally she told us of those challenges. It is not just the complexity of the landscape, as noble Lords have said and I agree, but the complexity of the challenge for individuals, referred to very personally by the noble Lord, Lord Rennard. It is right that we support, guide, educate and make it possible for individuals to be part of the solution. We will need new measures to further improve the food environment, more measures to trigger the reformulation of less healthy products and more support for people to make healthier choices.

I have heard the committee's concern that it takes too long to make new policy commitments. I was reflecting on this when preparing for this debate and I take that point. The Government's response, which was made not many months after coming into government, was made in January this year but it was started as soon as we received the committee's very welcome report. Being realistic, the Government were not ready to make firm positions on introducing, or indeed rejecting, many of the committee's more specific

recommendations. For me, that perhaps explains or illustrates some of the reasons behind the Government's response.

Of course, policies will be informed by strategy. I am going to use the word “complex” again, but the food system—noble Lords have illustrated this today, as they have done on many occasions—is very complex. There is a need to engage and consult with a wide range of stakeholders in government, in industry and in the health and academic sector to make sure that policies will be effective and proportionate. To take the necessary steps, we need to have the machinery in place to drive progress, bringing together many government departments including the Department for Education—I refer the noble Baroness, Lady Batters, to this point—as well as non-government stakeholders. We also need to develop and drive forward an agenda for change.

That is why, in addition to the work under way within the health mission—a new approach to government and very much a core approach—we are developing a new cross-government food strategy, as has been spoken about a lot today and as recommended by the committee's report. The noble Baroness, Lady Batters, urged a joined-up approach across government, including the role of the Department for Education. Indeed, that department is very much part of that, as are other government departments. The food strategy will promote more easily accessible and healthy food to tackle obesity and diet-related ill-health and will help children to get the best start in life.

There has been a lot of discussion about the advisory board to the strategy. I will make a couple of additional points, alongside those that have already been highlighted. The strategy was announced on 21 March. The Minister for Food Security and Rural Affairs, Daniel Zeichner MP, is the chair, and it held its first meeting on Wednesday 26 March. The board will initially meet monthly. On the points about the composition of what is, as I have emphasised, an advisory board, Defra worked closely, and continues to, with the Institute of Grocery Distribution to establish the board, and the IGD will act as co-secretariat for the meetings.

The food strategy and the health mission are both about delivering change—the very premise on which this Government were elected. I can give the assurance that all policy options are being fully considered, recognising the need to engage with a wide range of government and non-government stakeholders. This includes engaging with the food industry, as my noble friend Lord Brooke acknowledged.

Our food environment, as noble Lords have rightly said, needs to improve. The food industry shapes our food environment, and it needs to be part of the solution. That is a point to which the noble Baroness, Lady Coffey, brought her experience in three very relevant departments to bear in this debate. Engaging in this way is vital to allow us to understand how changes may impact the food supply chain and how to deal with possible risks.

Noble Lords are eager to see progress, and so am I. I am conscious that we are not dealing with a new or unexpected problem, but one that has been allowed to develop over many years. Our reaction to that, in the

[BARONESS MERRON]

form of our action plan, must include properly designed policies that have been consulted on. We need to remove barriers to implementation and set out a clear path and a timeline for delivery to avoid delay and uncertainty.

On the points about mandatory regulation, our action will not stop with the actions we have already taken. I have heard the concerns and the urgings to be bold. Former Prime Minister Tony Blair was quoted. I remember him saying:

“We’re at our best when at our boldest”.

Mandatory regulation can drive change and establish a level playing field between companies which have already taken voluntary action and those which have yet to do so.

The noble Lord, Lord Krebs, mentioned a Cambridge report which said that hundreds of policies have been failing because of a voluntary approach. The reference to the balance of voluntary and mandatory measures in the Government’s response to the committee’s report did not mean a reliance on wholly voluntary measures, nor was it “giving in”—to quote the noble Baroness, Lady Walmsley—to industry lobbying. I have already outlined the steps that we have taken, and we will fulfil our commitment to banning the sale of high-caffeine energy drinks to under-16s. We will not shy away from taking necessary mandatory action. I believe we have already shown ourselves to be going in that direction where it is needed and where it will produce the best result.

On the important matter of supporting children, I say to the noble Baroness, Lady Meyer, that taking a life course approach is key to our commitment to give every child the best start in life. Again, I reassure noble Lords that the Department for Education has an important role in achieving that. All of this starts with helping families to access support for feeding their baby. For those who use infant formula, it is vital that they can access affordable and high-quality products—something that I know is of interest to the noble Baroness, Lady Suttie. We therefore welcome the Competition and Markets Authority’s formula report. We will consider carefully the recommendations and will respond to it. The affordability and availability of healthy food is key for those trying to feed their family. We are committed to providing a healthy diet for young people and providing support to families who need it most through our Healthy Start scheme.

The issue of mandatory school food standards was raised by my noble friend Lady Brown and the noble Baronesses, Lady Goudie and Lady Freeman, among others. These standards are in place throughout the school day. I assure the noble Lord, Lord Rennard, that they apply to the new school breakfast clubs. I have heard the concerns of noble Lords. The DfE keeps the approach to school food and ensuring compliance under review. Our two departments will continue to work together.

I turn quickly to ultra-processed foods. I agree that further research is needed to establish why and whether these foods are unhealthy: is it the processing or the nutritional content? As we have heard in the debate from the noble Lords, Lord Krebs and Lord McColl, and the noble Baronesses, Lady Boycott and Lady Suttie, there is a difference of opinion about this. That is why

the SACN regularly reviews new and emerging evidence and will publish statements on UPFs and non-sugar sweeteners. We are also commissioning new research.

Once again, I thank the committee for its report. It articulated the seriousness of the challenge. I hope that, today, I have described some of the mechanisms through which we will work to drive change. We know we have to go further, where previous Governments have not done so. I look forward to being able to set out further actions that we will take in due course.

12.27 pm

Baroness Walmsley (LD): My Lords, I thank the Minister for her response, and I will come back to some of her comments in just a moment.

Time does not allow me to thank everyone and pick up points from all the fantastic speeches we have heard today. However, the hard-hitting speech by the noble Baroness, Lady Freeman of Steventon, reminded me that I was remiss at the beginning of my introduction to not thank her. She had the clever idea of producing a podcast to disseminate more widely the fantastic evidence that we received. I thank her for the many hours of her—absolutely free—professional advice and work. Noble Lords might be interested to know that, next week, our digital department is going to publish a short YouTube video about this debate and the Government’s response. I am going to film some of it next Tuesday.

In response to the noble Baroness, Lady Coffey, I say that regulation is needed because voluntary action has failed. If the food industry does not like it, they have only themselves to blame, because they did not come up trumps when it came to voluntary targets. However, I agree that it is not the only thing that is needed and thank her for the FDTP; its work is really needed to get the metrics for measuring the achievement of mandatory health targets, which we recommended.

The noble Lord, Lord Bethell, mentioned a lot of food companies. He might be interested to know that the majority of them were invited to give us evidence and refused to do so.

I agree with the noble Baroness, Lady Meyer, about markets. I spoke recently to Sadiq Khan’s health adviser, Professor Etherington, who is a long-standing GP in London. He was very keen on markets because, through them, people on low incomes can get healthy food for the same price that they might pay for unhealthy food in the supermarket. That was a very good point.

I say to the noble Lord, Lord McColl, on UPF, that the committee came down in the middle ground. We asked the Government to fund more research and to really take notice of what it comes up with. We also suggested that it would be appropriate, in dietary guidelines, to warn people that it could be dangerous to have too much UPF in their whole dietary pattern, because it pushes out wholefoods.

We had very hard-hitting speeches about children’s food from the noble Baronesses, Lady Brown of Silvertown and Lady Suttie, the noble Lord, Lord Rennard, and others. I say to the Minister that nobody can criticise a Government which do stuff to improve the diet of children, so they should go ahead and do as much as they can on that. They will not get any criticism or push-back from the population.

I say to the noble Baroness, Lady Batters, that I regret that we did not have the opportunity or time to talk about food waste—she is absolutely right about that. We had only eight months and we could not look at education, sustainable production, food security or food waste; I only wish we could have done so. However, the Minister has given me some hope. The last Government showed that you can legislate and then give time for implementation to be prepared for—the advertising ban is one of those things, although I do not think it should have taken three and a half years. I also point out to her that the IGD, which is the secretariat of the advisory committee for the food strategy, is an element of the food industry.

I am very pleased to hear that the Minister intends to keep some of our recommendations under review, and I assure her that many people in this Chamber today will also be keeping an eye on her and the Government. We will follow up in detail how many of the things that we are proposing are put into place by the Government. So it really is encouraging to hear some of the things that she has said, but there are some things that we need to watch very carefully.

I say to the Government that, if they get to the end of their five-year term of office and have not done something to improve the healthiness of the food in this country, they will suffer at the ballot box, because this is what people want. The Food, Farming and Countryside Commission has done a lot of polling on this, and it is very clear that it is what people want, so, if the Government want to win the next election, they need to do something about it. The best advice I can give the Minister has already been given by the noble Baroness, Lady Jenkin: listen to Tony Blair and be bold.

Motion agreed.

Modern Slavery Act 2015 Committee Report

Motion to Take Note

12.34 pm

Moved by Baroness O'Grady of Upper Holloway

To move that this House takes note of the Report from the Modern Slavery Act 2015 Committee *The Modern Slavery Act 2015: becoming world-leading again* (HL Paper 8).

Baroness O'Grady of Upper Holloway (Lab): My Lords, I am pleased to introduce this debate on our report. On behalf of the committee, I begin with a sincere expression of appreciation: to everyone who provided evidence; to our brilliant staff team led by Sabrina Asghar; and to our expert adviser Caroline Haughey KC, a pioneer in the successful prosecution of modern slavery criminals. It is also right to recognise that a step change in victims' rights was achieved only because of the determination of the then Home Secretary, now the noble Baroness, Lady May, who sponsored the Modern Slavery Act 2015. At the time, this was truly world-leading legislation.

I thank my fellow committee members for their hard work, diligence and dedication. Our deliberations were sometimes challenging, not to say robust, but always, I hope, conducted in good spirit. Special mention should be made of the noble and learned Lord, Lord Hope, who is unable to participate today, who made the original proposal to establish our committee, and that it should examine whether the Act is still fit for purpose. Last, but certainly not least, I pay tribute to the modern slavery survivors who spoke to our committee and provided feedback on our report. In future, we must go further to ensure that survivors are at the heart of policy-making, not just giving testimony but shaping strategy.

In my contribution, I want to highlight three areas of our report: first, immigration legislation. Our committee concluded that immigration legislation introduced by the last Government had served to undermine support and protection for victims, including the non-punishment principle that was enshrined in the Modern Slavery Act. This has had real-world consequences: making victims more vulnerable, which can only embolden the criminals who exploit them.

We were disturbed by the then Ministers' attempts to justify this with the unfounded suggestion that the modern slavery system was being gamed. Second-hand anecdotes are never a substitute for hard data. On examination, our committee found no evidence to back up such claims. Can the Minister confirm today that those provisions contained in the Illegal Migration Act 2023 and the Nationality and Borders Act 2022 which weaken modern slavery victims' rights will be repealed?

In addition, victims are often traumatised and may be reluctant to engage with the authorities. Our committee recommended that the Government set a goal to guarantee every victim a trained and accredited advocate or navigator to support them through the system. It is very welcome that the Government want to expand this scheme, but can the Minister tell us by how much and how fast?

Moreover, the harsh reality is that an employer who sponsors visas still holds the whip hand. What incentive does a worker have to report exploitation when an employer can simply withdraw sponsorship, putting them at risk of destitution and deportation? Sixty days to find another employer sponsor in the same sector means little if the worker has no home, no money and no power.

In contrast, the Australian Government have recently introduced a workplace justice visa, which, in cases of where there is evidence of exploitation, frees the victim from dependence on a bad employer and supports their right to work in any sector. Have the Government made progress in considering such a scheme in the UK?

My second area of focus concerns the care sector. Modern slavery in the UK takes place in many—sometimes overlapping—forms. For example, as we recently saw in the shocking case of modern slavery at a branch of the multinational fast food chain, McDonald's, labour exploitation can soon lead to sexual exploitation. While the picture of modern slavery is constantly evolving, prevention, regulation and enforcement have not kept pace.

[BARONESS O'GRADY OF UPPER HOLLOWAY]

Following an alarming spike in media exposure by investigative journalists, drawing on the great work of NGOs and trade unions, our committee decided to take an in-depth look at modern slavery in the care sector. We found that, in the rush to issue visas to tackle the care recruitment shortage in 2022, the then Government failed to put in place basic controls that could have prevented modern slavery. Does the Minister agree with our committee that organisations should not only register with but be inspected by the Care Quality Commission before they are allowed to sponsor overseas care workers to work in the UK? Does he also agree that, to deter phoenix companies, sponsoring organisations should also be subject to a minimum period of operation first?

Our committee heard evidence of a “continuum of exploitation” that starts with weak union organisation, low pay and insecurity, and runs through to no pay, confiscation of passports and modern slavery. The Government’s promised fair pay agreement to raise labour standards in the care sector offers a real opportunity to disrupt that continuum. When responding to our report’s recommendations for a single enforcement body, the Government promised that the fair work agency

“will be adequately resourced, with powers to proactively investigate and enforce compliance”.

That is welcome, but the Minister will be aware that the current number of labour market inspectors in the UK falls woefully short of the ILO’s recommended minimum standards, leaving us ranked 27th out of 33 OECD countries for labour market inspection. Although I am sure that many would accept that the ILO benchmark cannot be met overnight, can the Minister commit to setting targets for increasing the size of the labour inspectorate and publishing progress towards those targets?

Since our report was published, the Employment Rights Bill has proposed access for trade unions to the workplace so that they can organise and so that extreme exploitation is more likely to be deterred or exposed, tilting the current imbalance of power back towards staff. Can the Minister confirm that that will include care establishments?

My final point is about supply chains. Our committee was concerned to stress that the Department for Business and Trade must rise to its responsibility to help stamp out modern slavery at home and abroad. The Government’s commitment to build on and improve the modern slavery statement registry is welcome. Can the Minister tell us by when that will happen? Will it include revising thresholds for modern slavery reporting, given that most care providers fall well below the current threshold? Can he also reassure us that the promised review of sanctions for non-compliance with reporting rules will deliver penalties tough enough to make a difference and provide proper compensation for those who have suffered slavery?

Moreover, while greater transparency and consistency of reporting would be welcome, as our report makes clear, other countries have raced far ahead of the UK on due diligence requirements to tackle modern slavery in supply chains. The Government’s response to our report promised to look at that. If the Minister is unable

to update us today, can he agree to facilitate a meeting with the relevant Ministers so that members of our committee have the opportunity to make that case? Some 10 years since the introduction of the Modern Slavery Act, the Government have a golden opportunity to reclaim the UK’s title as a world leader in the battle against modern slavery. We owe it to the victims to seize that chance. I look forward to the further contributions to this debate and to the Minister’s response. I beg to move.

12.45 pm

Lord Randall of Uxbridge (Con): My Lords, I start by declaring my interest as the chair of the Human Trafficking Foundation. I echo all the comments from the noble Baroness, Lady O’Grady of Upper Holloway, particularly about the committee, committee members, staff and those who gave evidence. I also pay tribute to the noble Baroness, Lady O’Grady, not just for her excellent speech, but because, although she came in to chair the committee at short notice, her expertise has been really well received. She is now committed to this cause, as all those who are new to the subject committee will be.

Yesterday, there was a debate in the other place to mark the exact date 10 years ago that the Modern Slavery Act was passed. Favourable comments were made about the now noble Baroness, Lady May, and Dame Karen Bradley MP, who was the Minister taking it through. I am delighted to see in his place behind me my noble friend Lord Bates, who was the Minister who took the Modern Slavery Act through the House of Lords.

Some 10 years since the passing of the Modern Slavery Act, I have somewhat conflicted emotions. I am immensely proud of what we achieved in that landmark legislation, yet I am deeply frustrated that still, despite a decade of progress, the scourge of modern slavery still persists and our work in combating it is far from complete. The problem is that we find more and more examples of modern slavery all the time, and therefore we have more and more work to do.

The Committee came up with some very important conclusions. One of the things that struck me—I knew this before, but I was pleased to see it echoed—was how modern slavery, as an issue, has slipped down the political agenda—particularly, as was just mentioned, by the conflation between illegal migration and human trafficking. I was very frustrated with some of the legislation that was put through which did not endear me to my Whips—perhaps it should be the other way; I did not find myself endeared to them.

In many ways, modern slavery makes us all complicit in it—how many of us can say with absolute certainty that the clothes we wear, the food we eat and the electronics we use are entirely free from exploitation? That is deeply troubling to me as a citizen and a consumer, and it troubles many people.

Modern slavery intersects with every aspect of society. It may be a hidden crime. We do not need to look hard to see it to become apparent and visible in our everyday lives. Trying to eradicate slavery from the supply chains, as the noble Baroness, Lady O’Grady, said, may be difficult but it is an absolutely fundamental issue that we really have to grasp.

The Modern Slavery Act introduced measures to ensure companies of a certain size produced modern slavery statements, but sadly this is just not happening.

Modern slavery also intersects with many of the Government's own missions. We know that exploitation in the construction industry is high, and I would encourage them that mitigating the risk should be a key consideration in the plan to build the 1.5 million new homes we have been promised. When it comes to much needed green energy, it cannot be built on the back of forced labour.

Sadly, the Government cannot say that they were not warned by this House, because only this week they had an opportunity to prevent exploitation in the new Great British Energy supply chain. As expertly put by the noble Lord, Lord Offord, blocking companies found to be using forced labour

“does not create unnecessary bureaucracy or hinder investment; it simply ensures that taxpayers' money does not fund exploitation”.—
[*Official Report*, 11/2/25; col. 1175.]

This needs to be our focus. Ensuring that we are not all made complicit in enabling this crime and allowing it to be business as usual is fundamental.

At this moment it is business as usual. The Gangmasters and Labour Abuse Authority has not been properly resourced to proactively investigate and enforce proper labour practices. If, as we have heard, the proposed fair work agency faces the same levels of underresourcing, we are simply repackaging the problem. Proper investment and a clear plan on how it will operate are needed.

If we say that there will be consequences for forced labour, let us mean it. I point out to Ministers that the Government are fining hand car washes for non-registered workers, and yet only 5% of those fines are being collected—money that I think the Government not only need but could use for these resources.

We currently live in a society where victims of modern slavery are growing our food, caring for the elderly, propping up society and creating two tiers: people who are being exploited and people who benefit from this exploitation. I do not think anyone in this Chamber wants to be on either side of the coin.

Minister Jess Phillips, who spoke yesterday in the other place, is a real champion of fighting this scourge and has made a real difference. We will achieve this only if we have cross-party support and go forward to try to eradicate this, and get back to our position as a world leader.

12.51 pm

Baroness Barker (LD): My Lords, I begin by declaring an interest: my family depends on care workers who come from a CQC-registered provider. Part of what I say today is based on reflections from sitting and listening to some of the conversations of those remarkable people who have come around the world to do jobs that are extraordinarily difficult and very necessary to us here.

Yesterday, I and the clerk to our committee had the great privilege of speaking to representatives of the Lao parliament about the process of post-legislative scrutiny. We talked about this Act and the work that we did, and we were asked, “What was the most important lesson that you learned?”. I said it is important

to have a mix of people who know the subject inside out—I include in that our committee people, such as the noble and learned Baroness, Lady Butler-Sloss, the noble Lord, Lord Randall, and the noble Baroness, Lady Hamwee—together with people who know very little and are capable of asking the obvious questions; that is me.

We will hear in great detail from various people from around the committee on the nature of this problem and what the Government have to do about it. But the key question that we are debating is: is it government policy that ending modern slavery is seen as an integral factor in the development of sustainable business, or is it a luxury that would be very nice to have but actually does not matter? It was quite clear to us that under the preceding Conservative Governments it had gone from being one to the other. My suggestion is that it is neither. I suggest that all the things that we are going to recommend today that the Government do as the result of our report add up to good and sustainable business practice.

The noble Baroness, Lady O'Grady, talked about the care sector, and obviously I want to focus on that. But during our deliberations, one particular case came up that shows the problems in stark contrast. There was a case of a trawler firm, TN Trawlers, based in Galloway in Scotland. For over a decade it had been bringing in people from all over the world to act as deck-hands, and they were kept in the most appalling and dangerous circumstances with absolutely no possibility of contacting anybody at all. That threw up three issues for me. First, this is not just a domestic issue for us but an offshore issue; that is something that we did not get a chance to focus on in our committee but is very important. Secondly, the Government have not yet tackled the role that the directors of the company and phoenix companies have in the perpetuation of bad practice. Thirdly, the loopholes and the lack of information between different agencies—the police, the gangmasters authority and others—are ongoing.

We now have a growing body of evidence. In the care sector, for example, we have seen the problems grow over the last few years. It is very strange to me that we cannot get to the bottom of the problem. Our care sector is very well studied. People such as private equity investors do not put their money into a sector in the scale that they have without knowing the detailed financials, yet we could not get anybody to tell us who was paying for the care, which companies were bringing in workers and which were treating their workers badly. It is extraordinary to me that, as the noble Lord, Lord Randall, said, we are going to repeat the errors by setting up an agency that does not have the power to demand data of other public authorities or the requisite number of inspectors with deep knowledge of each of the sectors in which these abuses are happening, in order not only to deal with the cases that turn up but to do labour market projections and prevent matters arising. I see the problems of visas being tied to particular employers very clearly, and I think the noble Baroness, Lady O'Grady, is right that we should look at the Australian system as a way of preventing further abuses.

[BARONESS BARKER]

I go back to my starting point. I think that the role of government is to continue to make the business case against modern slavery. To do that, we really have to up our research game. The noble Baroness, Lady O’Grady, like me, was very disappointed by the response of the Department for Business and Trade that we received when we took our evidence. I sincerely hope that by making the fair work agency the responsibility of that department and making explicit the continuing responsibility of other parts of government to feed into it, we will overcome that problem. If we do not, we are going to continue to trade on human misery, and that is not just immoral but financially unsustainable.

12.57 pm

Baroness Butler-Sloss (CB): My Lords, I declare an interest as the co-chair of the parliamentary group on modern slavery and vice-chairman, to the noble Lord, Lord Randall, of the Human Trafficking Foundation. I am so delighted that the noble Baroness, Lady O’Grady, has held this debate, and I congratulate her on her splendid introductory speech. She was also an excellent chairman of our committee.

In the review of the working of the Act in 2019, chaired by Frank Field, then MP, we looked at how the Act was being or not being implemented, and we made 80 recommendations. Some of them were accepted by the then Government. None was implemented. The failure was largely due to the increasing concern over illegal immigration. Immigration, refugees and victims of human trafficking were conflated, as has already been said. Victims of exploitation were dealt with by the Immigration Minister. The tone of the previously excellent statutory guidance of the Home Office changed.

Subsequently, the Nationality and Borders Act was passed in 2022, the Illegal Migration Act in 2023 and the Rwanda Act in 2024. Much to the credit of this Government, the Rwanda Act will not be implemented. Sections 22 to 29 of the Illegal Migration Act on modern slavery have not yet come into force, and I very much hope they will be repealed. But the Nationality and Borders Act remains in force, and I want to deal with certain sections of it.

The Select Committee looked at the impact of Sections 61 to 68, I think. These limit the access that victims have to support, partly based on an entirely erroneous view of the previous Government—as the noble Baroness, Lady O’Grady, said—that the NRM was a vehicle for abuse of the system by enabling illegal migrants to enter the UK. A large majority of final decisions remain positive and, as the noble Baroness said, our committee found no evidence that this actually happened—it is entirely anecdotal.

I remember asking in this House again and again of the then Minister: “Where is the evidence?” We were never given it. But what happened in the past was that it strongly influenced the rhetoric and attitude of government towards possible victims of exploitation. We said in the report:

“It should be recognised that there is a very real difference between migrants who come here willingly, and those who come because they are being trafficked as victims of modern slavery”.

My goodness me—everybody would think that was obvious. It did not seem to me that it was obvious to the last Government.

Section 58 of the 2022 Act requires victims to provide evidence within a given time, which our witnesses pointed out was very difficult for those without representation. Section 61 decreases the recovery period. Section 63 provides that the protection from removal from the United Kingdom does not apply if an alleged victim

“is a threat to public order”—

that is to say, has committed a crime. Earlier statutory guidance from the Home Office recognised that victims were forced into committing crime by their traffickers, such as young Vietnamese men tending cannabis plants in rented property, who were locked in. None the less, they would be deported because they were a threat to public order.

In 2023, there were 331 confirmed disqualifications on the grounds of public order. We found that Section 63 was being applied beyond the statutory guidance and there are serious risks of re-trafficking. The Home Office requires reasonable grounds to be supported by objective factors. Despite earlier guidance recognising victims’ trauma and the difficulties in giving an accurate account, time from referral to a reasonable grounds decision is now taking much longer. There are issues on legal aid to fight public law decisions. The committee recommended that the Government should remove the requirements in Section 58(2) for evidence to be provided before a specified date and the requirement for objective evidence, and should improve their guidance and give more protection to victims from removal. I ask the Government seriously to consider repealing all the sections of the 2022 Act that relate to modern slavery.

The other thing is on modern slavery orders. There are three orders: reparation, prevention and risk. None is being properly used. The data is inadequate. There does not seem to be sufficient training or understanding of how to deal with it. There is also a freezing order in the civil law. If someone is about to be arrested as a perpetrator, it would be wise to give a civil order first in order to catch the assets—or, the moment the person is arrested, he will remove the money from the country using his phone. The prevention and risk orders are extremely valuable and should be used. The national referral mechanism urgently needs a review to deal with unacceptable delays in the short term and a real shake-up in the long term. There is much else I would like to say, but these are the major things I ask the Government to consider.

1.03 pm

The Lord Bishop of Bristol: My Lords, I, too, speak as a member of the review committee on the Modern Slavery Act in this 10th anniversary week. It was world-leading legislation, as we have heard. I also rise in the week that the Church commemorates Harriet Monsell, founder of the Anglican Community of St John Baptist, Clewer, a community which, from its 19th century inception, had as a core vocation the care of female victims of human trafficking. That community has for several years funded training of community groups across the United Kingdom to notice the trafficked

people—women, men and children—hiding in plain sight in their midst and to act on their behalf. Clewer has also produced apps, notably for car washes and nail bars, giving assurance on their labour practices and suppliers. In today's debate, that is where I would like to focus my remarks.

I draw attention to Section 54 of the Modern Slavery Act, which imposes a duty on companies supplying goods or services that have a turnover of at least £36 million to

“prepare a slavery and human trafficking statement”

every financial year. The statement should set out the steps that the business is taking to address and prevent the rise of modern slavery in its operations and supply chains. I know that some take that commitment very seriously.

I was happy to meet with one such company recently, Primark, which undertakes thorough and regular independent audits of its factories, employing experts who speak the local language and, in turn, talk to the local workforce so that they know what is going on on the ground. Once they find that the situation has materially changed, they pull out of the market. For example, in 2019, Primark found that it could no longer conduct effective human rights due diligence in Xinjiang province in China, so it prohibited all suppliers from using and sourcing products, materials, components or labour originating from the region. Primark has taken equally decisive action when UK suppliers have been found to be non-compliant.

Our report included recommendations on strengthening statutory guidance in Section 54 and the introduction of sanctions for non-compliance, as the noble Baroness, Lady O'Grady, indicated. I look forward to hearing more from the Minister on progress in this area.

The issue of modern slavery and exploitation in supply chains raises questions about corporate accountability. Although consumer businesses are exposed to a greater level of transparency and accountability, their lesser-known competitors can get away with publishing weak statements or not publishing at all, in the knowledge that any penalties are unlikely to be forthcoming. I know that many businesses, including the British Retail Consortium, John Lewis, Tesco and others, are asking for further regulation so that companies that operate supply chains free from forced labour are not left at a financial disadvantage.

A change in the law would chime with the public, as polling shows that four in five people want a new law to prevent exploitative practices. The law must in future hold UK companies accountable by establishing a central registry of statements similar to the gender pay gap register, and enforce the Modern Slavery Act by imposing financial penalties where companies fail to publish a statement and provide swift access to justice for victims.

Public sector organisations are also vulnerable to modern slavery risks in their supply chains and they lack the resources and legal power to address potential labour exploitation threats. Currently, public sector organisations, as we know, are driven by the need to drive down costs and find savings wherever they can, but it is vital that individuals are not endangered through their association with such risks. The Government's

modern slavery assessment tool indicates that 21% of suppliers were identified as high-risk, and that surgical instruments, gloves, gowns, uniforms and masks—PPE—were identified as the five highest-risk products. A possible reform to procurement processes could be the introduction of clauses into public tender legislation, mandating explicit disclosures about modern slavery risks. These clauses would require suppliers to demonstrate due diligence and reaffirm their commitment to preventing modern slavery.

The Modern Slavery Act was truly ground-breaking when it was introduced, but it must keep pace with changes to business practices by recognising the increasing complexities of supply chains. There are exemplary practices, as I have indicated, but these need regulatory support and a corporate environment where best practice is actively encouraged. Incentivising businesses would create a competitive and regulatory environment where companies would race to the top rather than to the bottom. The law as it stands discourages businesses from doing anything but the bare minimum and leaves the UK's record on human trafficking, once so powerfully pioneering, now profoundly blemished.

1.10 pm

Lord Bates (Con): My Lords, it is a privilege to follow the right reverend Prelate the Bishop of Bristol. The Church has been an essential voice in the campaign to end modern slavery, and many of us will remember the significant role played by the former Bishop of Derby, Alastair Redfern, during the legislation's passage through this House. I begin by joining with others in paying tribute to the noble Baroness, Lady O'Grady, all the members of her committee and the clerks and advisers for an excellent and timely report.

As the Minister who had the privilege of steering this legislation through your Lordships' House, I felt a shared pride with many others when it eventually arrived on the statute book. I say shared, because it was a cross-party measure brought in by a coalition Government—you cannot get more shared than that. That was, and remains, its strength. It could not have happened, however, and as the noble Baroness, Lady O'Grady, has generously said, without the determination and reforming zeal of my noble friend Lady May of Maidenhead as Home Secretary, nor without Frank Field—Lord Field—who first challenged us to “call a spade a spade” and refer to human trafficking as modern slavery. He chaired both the pre and post-legislative scrutiny, ably supported by the noble and learned Baroness, Lady Butler-Sloss, and my noble friend Lord Randall. We should also acknowledge the role played by many civil society organisations, such as the Centre for Social Justice and Justice and Care, and the dedicated civil servants who translated the poetry of our hopes into the careful prose of legislation.

The task of tackling modern slavery cannot be achieved by one department, one party or one country. The crime of modern slavery is not something that occurs only in the United Kingdom. The 2022 report by the ILO and the International Organization for Migration estimated that there are 50 million people in situations of modern slavery around the world. It is a global problem, and solutions need to be global too.

[LORD BATES]

We can no more work alone to tackle human trafficking than we can to tackle climate change or pandemics. Just as the problems are cross-departmental and cross-border, so solutions must be found through cross-departmental and cross-border working. The highly organised criminal gangs who are conducting this evil trade in human misery and suffering are no respecters of borders. We therefore need to co-operate internationally if we are to combat them.

It is worth reminding ourselves that the initiative for the legislation on modern slavery came through the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, known as the Palermo Protocol, which came into force in 2003. This then led to the Council of Europe's Convention on Action against Trafficking in Human Beings in 2008, which now covers 46 countries. We may have left the European Union but, mercifully, we are still part of its predecessor, the Council of Europe. The fourth UK evaluation report by the Council of Europe's Group of Experts on Trafficking in Human Beings is currently under way. Can the Minister say what part this report has played in that evaluation process? How can we learn from the process and the evaluations undertaken in the other 45 countries? Whose responsibility will that be?

Paragraph 203 of the report deals with the need to clarify responsibility for enforcement and how this is divided between departments. On page 25 of the Government's response, they point to the specific co-ordinating role of the Foreign, Commonwealth and Development Office. If you do not have clarity of responsibility, you cannot have clarity of accountability. Let me test that, in a couple of respects. In 2023, the Government appointed the highly experienced diplomat Justin Bedford as the UK's migration and modern slavery envoy, but he left his post in 2025. This would seem to be an important co-ordinating role, but I cannot see who has replaced him. Can the Minister provide an update for us on that appointment?

Secondly, having served as a Minister in the Home Office and as a Minister for International Development, I know of the vital role that UK overseas aid played in tackling some of the pressures on human trafficking at source. In 2020, the Independent Commission for Aid Impact estimated that the UK aid budget allocated explicitly to tackling modern slavery was £200 million over an unspecified period. This is a relatively small sum compared with the estimated economic costs of modern slavery to the UK taxpayer, which in 2018 the Home Office estimated as between £3.3 billion and £4.3 billion annually.

However, on the development tracker on GOV.UK, I note that the "Supporting Global Action to End Modern Slavery" programme had a budget of £12.85 million and ended in 2021. The successor programme, which started in 2024 and runs until 2030, has a budget of just £1,128,500—10% of the previous programme. The aid budget has been cut overall by 40% but the modern slavery programme has been cut by 90%. Is that correct? What is the current aid budget directed to tackling modern slavery? How is this projected to change over the next few years? In government, as everywhere else, results are driven not by rhetoric but

by the efficient allocation of resources and resolve. I do not doubt the Government's resolve, but I seek reassurance on adequate resources.

1.16 pm

Baroness Goudie (Lab): My Lords, it is a great pleasure to follow my friend the noble Lord, Lord Bates. We worked together in the coalition Government on the question of human trafficking and on ensuring that we got the UN convention on human trafficking agreed. That took a while to get done, because of the election and so on, but we managed it. I declare an interest as a member of the Georgetown Institute for Women, Peace and Security, of Vital Voices and of the Global Women Asia network, the director of which, Wenchi Yu, was the first person to bring the question of human trafficking across my eyes and desk in 1976. Since then, I have been very interested in working globally, and here in this country, including previously with the noble Lord, Lord Bates.

I welcome this report. The UK made history 10 years ago by passing the Modern Slavery Act, a ground-breaking law designed to expose exploitation, prosecute perpetrators and protect victims. It was a beacon of leadership in the global fight against modern slavery. However, in 2025 we must ask ourselves: has it delivered on its promise? I know that the noble Baroness, Lady May, is also working on a report to see where we are, here and globally, for which I am grateful.

The Act brought modern slavery out of the shadows. It equipped law enforcement with greater powers, created the anti-slavery commissioner and mandated businesses to report on supply chains. Since its passage, we have seen progress, with 466 prosecutions in 2021, 405 in 2022 and over 3,500 live investigations in late 2022—a stark rise from 188 in 2016. Victim identification has surged, with 12,727 cases referred in 2021.

This is a global crime which is well-connected around the world, as my friend the noble and learned Baroness, Lady Butler-Sloss, has said. Yet, despite these strides, we remain far from eradicating this crime. Conservative estimates suggest that between 10,000 and 130,000 people in the UK are trapped in modern slavery, yet our prosecution rates barely scratch the surface, hovering around 2%. The national referral mechanism, designed to support victims, is overwhelmed, leaving survivors in limbo for months or even years. Worse still, recent immigration legislation such as the Illegal Migration Act 2023 has created tensions, with the potential to deter victims from seeking help due to deportation fears.

Modern slavery is not static. Criminal networks have evolved, infiltrating global supply chains, the gig economy and care sectors. County lines gangs exploit vulnerable children. Digital trafficking is growing. Yet the UK's modern slavery strategy has remained largely unchanged since 2014. Other nations have moved ahead. As others have mentioned, Australia's Modern Slavery Act 2018 and the EU's corporate sustainability due diligence directive impose tougher requirements, demanding businesses actively prevent forced labour rather than just report it.

We also ought to look at companies reporting not only on the gender pay gap and ethnicity but now on how their supply chains are delivered. This is getting

more important as we are not making very much and are importing almost everything, particularly in the garment trade, which is huge. As we have seen, everything that comes in—not only in this country—is from somewhere in Asia or further afield in countries that we do not even remember because they are in the fourth division of the world's countries. Those countries are now doing this.

Despite over 16,000 UK businesses filing statements by 2024, compliance remains inconsistent, as I mentioned. Crucially, there are no penalties for failing the Act. Without mandatory due diligence, transparency becomes a hollow exercise rather than a tool of real change.

For the UK to reclaim its position as a world leader in tackling modern-day slavery, as we were, we must act decisively. First, we must strengthen victim protections by addressing delays in the national referral mechanism, ensuring that survivors receive immediate legal representation, safe housing and psychological support. Immigration policies must be reformed to protect victims, rather than penalise them.

Secondly, corporate accountability must be reinforced through mandatory due diligence laws and strict penalties for non-compliance, aligning with global best practice. Businesses must be required to take protective measures, not just report risks.

Thirdly, enforcement must be bolstered by making sure that crime does not pay, increasing asset seizures from traffickers, increasing prosecution and modernising legislation to combat emerging threats like digital exploitation.

Finally, the Modern Slavery Act must be updated to reflect current realities. The Government's Employment Rights Bill is a step forward, but comprehensive reform is necessary to ensure that the law keeps pace with evolving criminal tactics and economic vulnerabilities.

The Modern Slavery Act was a promise to victims and the world. A decade on, let us not merely commemorate its passage but demand its transformation. We must rise to the challenge and ensure that, in the United Kingdom in 2025, no one lives in chains.

1.22 pm

Lord Smith of Hindhead (Con): My Lords, I start by mentioning how sad I was that Baroness Henig, who was due to chair this committee, was sadly unable to take on this role due to ill health, and in fact passed away as our deliberations began. Ruth was a very intelligent and kind lady whom I had the privilege to serve alongside on other committees of special inquiry.

I also say, however, how fortunate we were that the noble Baroness, Lady O'Grady, took on this role. Despite having been in your Lordships' House for only a short time, she was, in my view, an excellent chair whose past experience was evident in her careful and considerate handling of an important and timely review of the Modern Slavery Act. I of course add my thanks to our clerk and the wider team for their professionalism in dealing with the committee's work.

The task of post-legislative review is never straightforward, and it is even less so when the subject matter is complex—and there is no doubt that modern

slavery is a complex subject with a great many overlapping factors. We certainly saw that when hearing evidence and cross-examining witnesses.

In the short time we all have to speak today, it is possible to pick out only a couple of topics from our report, and I will therefore focus on the following. During our deliberations, we heard from a huge number of NGOs, academics, experts and people who had spent often years or decades studying or working in the area of modern slavery. But the word "prevention" was rarely spoken and, until our eighth meeting, I think it had been said only twice. There seemed at times to be a lack of understanding between cause and effect. The last statistic produced by government, back in 2017, estimated that modern slavery cost the UK economy between £3.3 billion and £4.3 billion each year, which is about as broad-brush as one could get.

Yet, despite these costs, despite people being able to have a career in the industry of NGOs looking after the victims of modern slavery, and despite all the difficulties that we as a committee saw evidence of, the current prosecution rate of people who are behind all this misery, human tragedy and suffering is 1.8% of all cases brought to the attention of the police and courts.

I understand that there are many contributing factors for this low figure, and indeed we were assured that since hidden crimes, such as domestic abuse and sexual offences, sat at a similar prosecution rate of between 1% and 3% it was not apparently as low as it seemed. The figure nevertheless struck me and other members of the committee as being painfully inadequate. Will the Minister update the House on what measures are being considered to increase this prosecution rate and whether there are any plans significantly to increase prison sentences for those who are prosecuted as a deterrent to what is viewed by many in the criminal fraternity as being a high-profit, low-risk crime? Can the Minister provide an updated figure from the one available from eight years ago on how much the effects of modern slavery are costing the UK economy today?

The second point I would like to raise is that during our findings I was somewhat dismissive of certain areas and topics being examined which, in my view, constituted bad employment practices rather than modern slavery. I felt at times that we were being taken off course, but I have changed my mind. That is one of the great things about your Lordships' House: we have the freedom and are entitled to change our views. I now accept that certain employment practices may provide a culture in which modern slavery can exist.

My view changed following the publication of a news article in September last year, subsequent to the publication of our report, which was briefly referred to by the noble Baroness, Lady O'Grady, concerning modern slavery victims, all from the Czech Republic, who were forced for years to work at both a McDonald's branch in Cambridgeshire and a company supplying bread products to major supermarkets. The criminal gang in question forced 16 victims to work at either the fast food restaurant or the factory that supplied Asda, the Co-op, M&S, Sainsbury's, Tesco and Waitrose.

I cannot comment on the bakery company, as I have no knowledge of it, but McDonald's is an excellent employer with a happy, long-standing workforce, but

[LORD SMITH OF HINDHEAD]

well-established warning signs of slavery, including paying the wages of four men into one bank account, were missed over many years. On several occasions, some of the victims escaped and fled home, only to be tracked down and trafficked back to the UK. Now, while I am delighted that this exploitation ended after the victims contacted the police in the Czech Republic who then tipped off their British counterparts, how could so many red flags have been missed, allowing this exploitation to continue for so many years with the criminal gang making hundreds of thousands of pounds?

Will the Minister comment on whether there are any plans to initiate further collaborations with police forces from other countries to help solve this international problem and on whether the Government should provide advice to employers about red flags that indicate that modern slavery may be operating? Perhaps banks should be encouraged to be vigilant in cases where wages are being paid into a single account.

I end by saying that it was a privilege to serve on this committee of special inquiry, and I sincerely hope that our work and recommendations to the Government may in some way help to break the invisible chains of modern slavery.

1.28 pm

Lord Watson of Invergowrie (Lab): My Lords, it was a privilege to serve with colleagues under my noble friend Lady O’Grady, and the committee was brilliantly supported by our clerk Sabrina Asghar and her team. With the introduction of the Nationality and Borders Act 2022 and the Illegal Migration Act 2023, the previous Government deliberately conflated modern slavery and human trafficking with people smuggling and irregular migration and removed protections for survivors of modern slavery, making it harder to prosecute perpetrators and for survivors to receive support. I am glad to say that the Border Security, Asylum and Immigration Bill will repeal much of the Illegal Migration Act, including those sections that cover modern slavery. However, public order disqualifications will remain in place, and I hope that my noble friend, whom I am very pleased to welcome to his inaugural debate as a Front-Bencher, will say when they will be rescinded.

I want to concentrate on two main aspects of our report, both of which have been covered already by other noble Lords—I would say, unsurprisingly. The first concerns the care sector. Some 57% of all skilled worker visas issued in 2022-23 were health and care visas. This is a vital sector of the economy, but it is straining at the seams, with around 130,000 vacancies at the moment. That, sadly, has led to abuse by some care providers in their attempts to fill the gaps with care workers from overseas.

I am pleased that the Government have this month introduced regulations that will require care providers which hold a licence to sponsor foreign workers to first try to recruit from a local pool of migrant care workers who seek employment due to no longer having sponsorship because their sponsors have been unable to offer sufficient work and/or have lost their sponsor licences. This has to happen before employers can

sponsor any new recruits from other immigration routes or overseas. Workers in the pool may have undergone exploitation, including modern slavery, and may be living in adverse circumstances, including homelessness, and in some cases, destitution. That change is very much a positive step, and it will be important to monitor the effect that it has over the next year.

The Employment Rights Bill will introduce the fair work agency, which will absorb the statutory duties of the Gangmasters and Labour Abuse Authority, including its duty to identify and refer potential victims of modern slavery. That will be an overdue tightening of employment practices in the sector.

I also want to highlight issues in supply chains where due diligence of employers is required. I have to say to my noble friend that this is a part of our report to which the Government’s response was disappointing. The committee called for publication of statements on the modern slavery register to be mandatory. I would have thought that this was a straightforward request, but the Government’s response speaks only of the voluntary uploading of statements. That approach has been shown to be insufficient. There needs to be enforcement, otherwise nothing will change in a meaningful sense. If the Government are serious about ethical supply chains—and I certainly do not doubt that—they need to show that to those companies that do not see it as a priority.

Our committee recommended that the Government introduce proportionate sanctions for organisations that fail to comply with supply chain requirements. In response, the Government said that they are “reviewing” how they can

“strengthen penalties for non-compliance and create a proportionate enforcement regime”,

and

“will set out ... steps more broadly”—

in normal parlance—“in due course”.

That was three months ago. Can my noble friend say whether there has been any progress? The current reliance on the Home Secretary seeking an injunction to require compliance simply is not adequate in this situation.

In her excellent opening speech, my noble friend Lady O’Grady called on the Government to direct the Department for Business and Trade to act on supply chains. I have to say that the committee was treated very poorly by the department, which for several weeks refused to send anyone to give evidence to us. It occurs to me that the department’s officials may well be responsible for urging caution on the Government regarding sanctions. If so, I very much hope my noble friend and other Ministers will resist it.

I welcome that the Home Office is currently working with business, academia and civil society to update the Section 54 statutory guidance in this space. That will improve the quality of the statements, but they remain voluntary, and the committee believes that this is not enough. I accept that it is difficult to set up ethical supply chains, but more and more companies now understand the issues and what needs to be done.

Like the right reverend Prelate the Bishop of Bristol, I met Primark—not with the right reverend Prelate—and I found that it was an excellent example of what can be

achieved with the right approach. That company has been taking action on supply chains for 20 years and now has 130 people in its ethics and sustainability team. It pays for all its own audits, which ensures that they are independent. Those audits are carried out before appointing a supplier, not after, although of course they update constantly. Primark's emphasis on using local partners to build its capacity in the country of origin with the aim of leaving a legacy to ensure that standards are maintained is a model that many more companies could and should follow, but I come back to the point that without some form of sanction, there is no reason to believe that those who do not currently do so will change.

As my noble friend Lady O'Grady said, great credit is due to the noble Baroness, Lady May of Maidenhead, for her pioneering work in this area. As Home Secretary, she was primarily responsible for the Modern Slavery Act 2015. Despite being—shall we say—somewhat distracted by other events when she became Prime Minister, she has never lost focus. She once called modern slavery

“the great human rights issue of our time”,

so it is no surprise to learn that she has set up a foundation through which to continue her campaigning. That is undoubtedly necessary, as there are now 122,000 people estimated to be living in modern slavery in the UK. Ten years on from the Act, there is still much to do, and our report sets out many useful steps to be taken on that journey.

1.35 pm

Lord Kempson (Con): My Lords, it is a pleasure to follow the noble Lord and all my fellow committee members in this debate. I add my thanks to all of them and to everyone involved with this post-legislative scrutiny work. I particularly thank the noble Baroness, Lady O'Grady, for her work chairing this committee. On the Conservative side, we now know that we need trade unionists to chair committees really effectively.

This was a committee which had to examine some very difficult and troubling material. It had to deal with some issues in immigration policy which are very divisive. All the way through the committee's deliberations, it was carried out in the best spirit of your Lordships' House, so thank you. Before I go any further, I also put my thanks on record to the staff and our expert adviser, whom I am not sure we have yet mentioned, and for all the help the House provided in putting together our report.

I would also like to record just how affecting and moving I found much of the evidence to be. We have heard of so many ways to think about modern slavery; it is a complex topic. Perhaps one very straightforward way to think about it is through the prism that it is a crime. It is a crime which is having a terrible impact on some of the most vulnerable people in the United Kingdom and in communities more widely.

I want to highlight some of the findings of the evidence in our report about the links between modern slavery and other forms of offending, including the running of county lines drugs gangs, which previous Administrations tried very hard in various iterations to tackle. The impact of modern slavery runs far

beyond its immediate victims into the economy, into standards in employment, into healthcare and into many sectors. That is why we must do everything we can to redouble our efforts to eradicate this crime.

That leads us to the difficult question: how? Even as this post-legislative scrutiny exercise found, legislation alone is never the full picture; enforcement is key. Our committee heard repeated evidence about a lack of resources, a lack of focus and uncertainty about best practices and priorities in the enforcement architecture. I have to say—perhaps I am not alone among noble Lords—that I found the overlapping domains of different agencies quite confusing. Perhaps it is a prime example of the incoherence of some of the modern British state. Despite the great minds that we had assembled on the committee, I found it difficult to keep track of just which enforcement agency was responsible precisely for what. In the design of the Government's new enforcement architecture, it will be important to keep in mind the findings of this committee that those overlapping and unclear areas of aegis and remit can slow down and impact enforcement.

On the brighter spots in the enforcement landscape, I was delighted to read recently that in my home county of Hertfordshire police are now using slavery and trafficking prevention orders to tackle gangs which exploit children to distribute drugs. There are powerful civil orders in this Act, as the noble and learned Baroness, Lady Butler-Sloss, referred to. These orders can be used to ban foreign travel, ban criminals working with young people and place restrictions on them contacting vulnerable individuals. They are also being well deployed by Essex Police, one of the first forces in the country to deploy the slavery and trafficking risk order. That is why I was pleased to read in the Government's response to our committee report that the further deployment and more effective use of those orders is a priority for the Government.

Given my noble friend Lord Smith's reference to the low prosecution rate of just 1.8%, it is no wonder that people are asking whether the measures available to law enforcement under the Act are being used to their full potential. That statistic brings me to another area of concern I had when I was working on the committee: data or the lack of it. I was particularly struck by the evidence of Sir Bernard Silverman, the former Chief Scientific Adviser to the Home Office, who pointed out that there are many different ways of measuring these crimes, but none is inherently reliable because they all have assumptions built into them and various drawbacks. Modern slavery is a hidden crime in many ways; you cannot measure it as you would other offences. Therefore, I urge your Lordships' House to consider the recommendations we make about data and improving the Government's understanding of that field.

I realise that I may very well be in the minority in saying this, but I would use the same caution when coming to a fixed view about whether the modern slavery architecture is open to abuse by bad actors, who themselves are not victims of modern slavery but are trying to exploit the asylum system. That claim cannot be immediately dismissed out of hand; we simply do not have the necessary evidence. That is why I am pleased that the committee concluded in its report:

[LORD KEMPSELL]

“The Government should develop a sound evidence base to inform policy ... Data should be sought as to whether and, if so, in what respects and by whom the modern slavery system is being abused”.

Importantly, it says that that data should be published, rather than just being held by the Government.

Overall, after engaging in the work of the committee, I have concluded that, at the heart of fighting modern slavery, we need tougher policing and a more effective immigration system. With that in place, we would be better equipped and in a better position to crack down on this crime. I know that, across your Lordships’ House, there is a consensus that we must do all we can to fix that.

1.41 pm

Lord Whitty (Lab): My Lords, I too served on the committee, and I thank the noble Baroness, Lady O’Grady, for her chairmanship and her introduction. I thank all members of the committee who have spoken today—and stolen all my lines—because they have done a great job in pointing out both the analysis of the problem and the reasons why it has failed.

I have abandoned most of my speech, so instead I will address the question raised, by implication, by the noble Lord, Lord Smith: why are people not taking this more seriously? The noble Baroness, Lady O’Grady, and I come from a tradition where many of our comrades have always said, “All employers are exploitative, so what is the problem?” I am afraid that that is the attitude of quite a lot of the public, both as commentators and as consumers.

The definition of modern slavery is absolute control. The hold that the alleged employers—the gangmasters—that exist in this area have over the people they exploit is intense. They probably hold their passports and their work records, and they provide accommodation; in some cases, they have the ability to terrorise the families of those who were trafficked here, back in the nations which they came from.

We must remember that quite a lot of the victims of modern slavery were not trafficked here. At least 25% of the identified victims are of UK origin. Some 28% are children, who are probably here legitimately, and others will be here legitimately, at least in the short term, because they came here on legitimate short-term visas. This is not a problem that stems primarily from immigration.

One of the problems for the institutions involved in this area is that the Home Office—which was keen to address this under the now noble Baroness, Lady May—got overwhelmed with the issue of immigration and regarded the powers and responsibilities that it is supposed to undertake under the Modern Slavery Act as another means of getting at alleged illegal immigrants. That is unfortunate, though probably inevitable; in my view, it is a good reason for not allowing the Home Office to be the main protagonist hereafter in trying to eradicate modern slavery. The Home Office’s business and focus are inevitably elsewhere.

The department that ought to be responsible—the Department for Business and Trade—proved elusive when trying to get any information from it. At one stage, it declined to provide evidence or Ministers to

speak to the committee. That department, and the institutions run by it, must be the way of systematically stopping people in this country being employed on terms that are equivalent to modern slavery.

One of the difficulties is that people do not know what we mean. The public do not encounter this in any meaningful way, either because it is criminal, and provides only services such as prostitution, drug running or cannabis farms—which most people do not come across—or because it is short-term labour in places that most of the public do not visit, such as farms and construction sites. I dealt with this issue when I was Agriculture Minister, trying to get some control over the gangmasters who provide temporary labour to farmers—we succeeded in that, to a degree. Where this is totally hidden is in the area of domestic service. Many of the cases that have been successfully brought were in that area, but there are hundreds and thousands of cases that are never touched and never known about.

There are places where the general public come into contact with the final result of modern slavery, such as nail bars, McDonald’s, as has been said, and car washes. They have no idea that the people they deal with are held there under terms which amount to modern slavery. Public education must be part of this.

There is a lack of proper public appreciation that there is a big and costly problem—one which undermines the legitimacy of lots of sectors and employment conditions more generally. It is partly a failure of the institutions stemming from the Home Office, and the fact that the enforcement agencies do not appear to co-operate with one another. I am hopeful that, under the Employment Rights Bill, which we discussed yesterday, the fair work agency will perhaps do some of this. I am yet to be convinced that it will have the powers or the resources to do so. I would welcome an assurance from the Minister—whose department I want to take this away from—that the relevant department and the priorities of Government will ensure that there are resources in this area.

We need to raise public consciousness and the priority within government, and deliver the institution for regulation and enforcement that the Government have so far failed to do so. If we can both of those things, we can begin the very heavy task of eradicating modern slavery.

1.48 pm

Lord McColl of Dulwich (Con): My Lords, I too thank the noble Baroness, Lady O’Grady, for presenting this important report for debate.

Some 10 years ago, the UK led the world in tackling modern slavery. In 2012, I introduced the first anti-slavery and anti-trafficking Bill into the House of Lords, and, with the co-operation of everyone, we got it through. But it got stuck in the Commons, as usual, so I sent it to Prime Minister Cameron, who got his Home Secretary, now the noble Baroness, Lady May, to form a committee to design a more comprehensive Bill. I was privileged to sit on that committee, and it became the Modern Slavery Act—a landmark piece of legislation worldwide.

But 10 years later, our leadership has weakened. Policy changes have made things worse. Victim support, the national referral mechanism—the NRM—and

immigration policies have all changed, and these changes have left victims in greater danger. I welcome this timely report as we plan the next decade of action.

For many, modern slavery seems rather distant: it does not seem to affect daily life, they think. But, as has already been mentioned, slavery is involved in the manufacture of our clothes, in washing cars and in serving food. We ought also to understand that the UK Government are buying Chinese solar panels made by victims of modern slavery. Does the Minister not agree that this should stop forthwith?

Victims feel trapped; without support, there is no escape. One major issue is the tightening of the NRM criteria. This has drastically reduced the number of victims receiving support. In 2022, as we mentioned already, 89% of cases received a positive reasonable grounds decision, but by 2024 this figure fell to just 53% and, worse still, 35% of all cases are now rejected because of “insufficient information”. This was once rare but now accounts for over half the negative decisions. The committee’s report makes this clear. It states:

“The requirement for objective evidence to make a reasonable grounds decision has deprived many of support they would previously have been entitled to”.

Even for those who qualify, support lasts only for the recovery period. This period is now technically only 30 days, which is far too short for victims recovering from severe trauma. Many suffer from post-traumatic stress disorder, anxiety and disorientation. They have faced rape, violence and coercion. Recovery takes time. Many victims also wait a long time for a conclusive grounds decision, but, when they finally receive it, support does not continue. Instead, it often stops. Many are left homeless, destitute and at risk of further trafficking. Without housing or long-term support, how can they rebuild their lives? How can they help to bring traffickers to justice?

Between 2017 and 2019, I proposed several Private Members’ Bills to extend support for victims after a conclusive grounds decision. Sadly, I was unsuccessful, but I am pleased that the committee has highlighted this issue. At this stage, I pay tribute to the marvellous Chief Whip on the Labour side in the House of Lords, Roy Kennedy—the noble Lord, Lord Kennedy. He always supported me. In fact, he used to say, “The thing to do about these Private Members’ Bills is stop people putting down amendments. If you find anyone is putting down an amendment, just you tell me and I shall go and lean on him until he stops breathing”—he was a great help indeed.

Another concern is the way that modern slavery is treated as an immigration issue, as has been mentioned already. Victims are often seen as illegal immigrants first, and they are not recognised as people who are suffering extreme exploitation. This discourages reporting. Many victims, especially those trafficked from overseas, fear detention or deportation. Modern slavery is not about immigration: it is a serious human rights abuse issue. At the same time, modern slavery remains widespread in our economy. Investigations into major retailers have shown this. Charities and front-line organisations work tirelessly to support survivors, but they cannot do so alone. They need the Government to support them. This means safe housing, financial

stability and long-term security. It means tackling modern slavery as a crime, not as part of immigration enforcement.

One initiative that works very well is the victim navigation scheme, run by Justice and Care. It has a 97% success rate in securing convictions for modern slavery cases, where it has also helped victims. I have advocated for this scheme before and I do so again. The Government must expand it nationwide.

The UK once led the world against modern slavery. We must do so again. Let us support this report and help the victims recover and rebuild their lives.

1.55 pm

Baroness Hamwee (LD): My Lords, I should declare an interest as a trustee of Safer London, which supports young people at risk of exploitation.

Recently, a flat in my leafy London suburb was cleared out, with large, apparently industrial items being chucked out of an upstairs window. Later, I heard it had been a cannabis farm—to respond to what the noble Lord, Lord Whitty, said. This caused a small stir, but no one seemed to be curious or concerned about who had been working there. Then, a local councillor told me that she had dealt with three cases of cuckooing in rapid succession. It does happen here.

Slavery needs to be taken seriously and to be on everyone’s radar, including the radar of law enforcement and service providers. Anyone can come across it. The first issue is to recognise it, because victims, for a range of reasons, may not be able to speak. There are parallels with the response, or failure to respond, to domestic violence.

Is the Home Office, which is largely focused on law enforcement, the right department? Could it not focus more on support and recovery? Our committee and Members who have spoken today referred to the conflation of slavery and irregular migration, and the Home Office seems to be focused still on immigration numbers. Immigration trumps slavery, in practice.

The fair work agency is to be an executive agency of the Department for Business and Trade. I sought a word for what the committee was, and I have written down that it was “unconvinced” that this department understands the nuances. The noble Baroness, Lady O’Grady, has spoken very firmly and clearly on this and on other issues, and my noble friend Lady Barker issued an important challenge to the department. I hope it keeps modern slavery in mind when it negotiates trade agreements, including with the US.

Members have spoken about the confusion between trafficking and smuggling, and about assertions, which have not been shown to be more than assertions, of widespread fraudulent claims. Enforcement of the criminal law is quite inadequate—it is painfully slow, in the words of the noble Lord, Lord Smith.

All this and more indicates a need to reverse the rollbacks on modern slavery protection—protection that is required by human rights law and international obligations—and to revise legislation, and more than just the border security Bill. Like the noble and learned Baroness, I emphasise that there is a need to revise guidance that reflects the culture of disbelief. The language matters; it affects public attitudes. A “threat

[BARONESS HAMWEE]

to public order”? Victims must be identified both for their own sake and for investigation, prosecution and conviction, although it is not actually necessary for a victim to co-operate for them to be entitled to protection.

I applaud the work of individuals and organisations in the third sector who deal with victims of exploitation that is often beyond imagining. I could talk about the need for training, including in hard-pressed local authorities, to help identify it, but I will just say that I am struck by the call for co-ordinators or SPOCs—single points of contact—in each authority. Authorities have not received new burdens funding to tackle slavery or to support victims. Above all, I applaud survivors who are prepared to speak. They are experts and their evidence is invaluable.

The issues are big, wide and deep. They were too big for a time-limited committee, and I am not doing justice to the committee’s work. It benefited particularly from the clear focus of our chair, the work of the staff and our adviser, and the evidence of our witnesses, including survivors.

We are hearing a lot this week that the world has moved on. In a different context it has, with new forms of exploitation being deployed—there is another debate to be had about whether new definitions are needed—and new cohorts of people being exploited. County lines is just one example, and care workers are being treated as agricultural workers have been for far too long. The RCN reports receiving more than 100 calls a week from nurses saying they are being mistreated. It is shaming if we cannot—or do not—protect the people we recruit to care for us. The rules may also badly let down clients who need care.

Some new forms of exploitation may come to light, and some may still fail to get attention; my noble friend Lady Barker mentioned the fishing industry. Some may change, and some may not. In 2015 we did not achieve nearly enough for overseas domestic workers, and care workers are now exploited in similar ways because of the restriction on switching sponsors, just as overseas domestic workers were and are.

All exploitation is about money, so the calls for upping skills to follow the money, using financial investigation officers, are important, as is making more use of the tools available, especially civil risk and prevention orders. I believe plans were announced two or three years ago to strengthen the legislation, perhaps to apply these orders to defendants on remand, but that has not happened. We had evidence that their use is patchy, with different police forces having variable awareness of them.

On people as well as tools, what is happening with independent child trafficking guardians? Victim navigators, who have just been mentioned, have been described as game-changers, providing information about what support is available—I had not thought about criminal injuries compensation. The support, such as housing, is not always available. Housing is more than a roof—it is safety and stability. Navigators embody what is essential: respect for survivors.

There are more structural issues. A concrete point about better cross-governmental working—the noble Lord, Lord Kemsell, referred to the confusing landscape—was made by the National Audit Office in its recent

report on skilled worker visas. On data sharing between departments, the Home Office and HMRC are now sharing data on salaries and working hours but not enough to allow the Home Office to identify non-compliance. Robust data and independent research and evidence are essential. The noble Lord, Lord Bates, who always calls a spade a spade, talked importantly about responsibility and accountability.

Another suggestion is extending the list of non-statutory first responders for the purposes of referral to the national referral mechanism. They have a pretty good success rate with decisions, certainly better than statutory responders. It seems, though, that more training is needed for first responders in interview techniques, for instance. No one would deny that time in the NRM is, at best, time in limbo, with a real risk of re-trafficking. We should not have the situation of large numbers of people identified as possible victims by statutory authorities then declining referral to the NRM; why?

Knowledge of the Section 45 statutory defence for victims who commit an offence seems inadequate. There is a lack of legal advice and expertise, which means guilty pleas when they should not have been entered. The offences within the section are limited; indeed, logically, all offences should come within it.

Inevitably, one omits so much in a debate such as this.

The Government—every Government—say in response to amendments to previous legislation, “We keep all legislation under review”. The Government say the same in their response to our report, which, as the noble Lord, Lord Watson, said, in parts is really rather thin. There is no shortage of careful, well-researched thought and ideas, including from good employers, to bring us up to date in both legislation and practice.

On Wednesday I met some young people who, as children, had been trafficked. Their resilience and achievements were truly impressive. At a clinical, impersonal level, we waste people’s keenness to contribute—“contribute” is a word we often hear—and their experience of the processes is too often itself damaging. Of the process, one said, “I spent two years in my room waiting for a miracle”. Another, still waiting for a decision, said, “I am wasting years of my life”—in fact, it is almost a decade in his case—“waiting for just one decision”.

2.06 pm

Lord McInnes of Kilwinning (Con): My Lords, this thought-provoking, challenging and important debate has more than adequately answered the rhetorical question asked by the noble Lord, Lord Whitty, of why this subject matters.

I begin by paying tribute to the noble Baroness, Lady O’Grady of Upper Holloway, for her introduction and chairmanship of this important committee, to all noble Lords who served on the committee, and of course to the staff who have worked so hard to support them.

The report that this House has received is comprehensive but sobering. It examines and evaluates very adequately how we have gone from world leading in this area to identifying significant gaps over a period of time, not least because of the changes in

legislative architecture outlined by the noble and learned Baroness, Lady Butler-Sloss. The report has also identified other areas that need to be examined, such as carers, on which the noble Baroness, Lady Barker, and the noble Lord, Lord Watson, put specific emphasis.

The report highlights that the prosecution rate is far too low, which was echoed by the noble Baroness, Lady Goudie, and my noble friends Lord Kempself and Lord Smith. A prosecution rate of 1.81%, in the context of a prosecution rate for all crime in the UK of 7%, is clearly far too low. In saying that, it is important to remember that officers investigating these cases are faced with significant challenge. Around a third of people referred to the national referral mechanism in 2023 reported that they were exploited overseas, and it is naturally difficult to stay in contact with a large number of foreign national victims who return to the country they came from while investigations are ongoing. That underlines the important point that the noble Baroness, Lady O'Grady, made about support for victims once they have made a complaint within the legal system.

However, while we acknowledge these challenges, it must be stressed that we on these Benches are very proud of the Modern Slavery Act 2015, and proud of the leadership of my noble friends Lord McColl, Lady May of Maidenhead and Lord Bates. But we recognise entirely that it was built on a consensus across all political parties, and that this issue is not to be used as a political football.

The Act can work to protect people only when the threat of repercussions is effective. Criminals will be deterred only if they are made to feel that they are at a genuine risk of being prosecuted and punished for the actions they are perpetrating. It is incumbent upon the Government to make clear their next steps in making these legal threats credible. I therefore ask the Minister—I welcome him to the Front Bench for the first time—what his Government intend to do to support law enforcement bodies in their work to bring perpetrators of modern slavery to justice. What do they intend to do to recognise the confused landscape that my noble friend Lord Kempself referred to for victims in coming forward and seeing justice done? How will the Government send a clear message that a credible threat exists to those who choose to profit from this practice?

Another point raised by the committee's report was around Section 54 of the Modern Slavery Act, which imposes a duty on UK-based businesses to make clear the action they have taken to ensure that their own businesses and, often even more importantly, their supply chains are free of modern slavery. This point was adequately raised today by the noble Lord, Lord Watson, and the right reverend Prelate the Bishop of Bristol. Unfortunately, not all companies are Primark and, therefore, vigilance needs to continue as we go through. This cannot be a mere box-ticking exercise.

This provision is an important part of the Act, which places a burden on companies to take a deep dive into their own supply chains, beyond their immediate operations, to make sure that they are not inadvertently playing a role in funding the organised criminals who force people into modern slavery. I know that I am joined by many others in your Lordships' House when I express, as my noble friend Lord Randall said,

dismay that the Government whipped Members in the other place against supporting an amendment passed in your Lordships' House on the Great British Energy Bill that would have compelled the Government to cease financial assistance if

“there exists credible evidence of modern slavery in the energy supply chain of any company designated Great British Energy”.

The Government need to show leadership in working to uncover and tackle the scourge of modern slavery. I therefore ask the Minister: if the Government are not prepared to commit their own bodies to review and act against modern slavery, how can they demand that other companies take the same action? We cannot send out mixed messages to those who wish to avoid this legislation.

I am aware that the Government announced at the beginning of the year that they are in the process of considering how they can strengthen the Section 54 regime, including penalties for non-compliance. In matters such as this, sunshine is the best disinfectant, and ensuring that companies are compelled to report their figures means that customers, investors and civil society can review these crucial facts. We can therefore avoid consumers such as my noble friend Lord Randall being worried about their complicity—worried that they may be taking part—when they buy products and cannot be sure where they came from.

As we approach the end of this debate, I assure the Minister that, on this side, we want to do all we can to ensure the effectiveness of the Modern Slavery Act 2015, and we will be right behind him in making sure that victims are supported through prosecution, to ensure that this terrible practice is discontinued.

2.13 pm

Lord in Waiting/Government Whip (Lord Moraes) (Lab): My Lords, I thank the noble Lord, Lord McInnes, for the very constructive way in which he closed. I thank everyone who contributed to this debate. I am particularly grateful to my noble friend Lady O'Grady. To extend, perhaps, what the noble Lord, Lord Kempself, said, if you want something done well, get a respected trade unionist to chair your Select Committee. I have worked with my noble friend, and it has been done very well. This is a serious report doing two serious things: recommitting this Government—any Government—to the fight against modern slavery and, more importantly, to improving that response. I very much welcome this report.

This has been a thorough and thoughtful debate. Although the issues are of the utmost gravity, it has been reassuring and instructive for me to have had this exposure to the wealth of experience and expertise that exists across the House. It is also, of course, a timely debate, given that it is taking place just after the 10th anniversary of the Modern Slavery Act becoming law. On that note, I pay particular tribute to the noble Baroness, Lady May, who, as the then Home Secretary, was instrumental in getting this ground-breaking piece of legislation on to the statute book.

The Government responded to the committee's report in December, as the House knows, but that was very shortly after the current Government took office. Inevitably, I will repeat some of the points that were

[LORD MORAES]

made in that response but, clearly, we are now in March and the Government's policy is starting to take shape. There have been many criticisms of that approach but it is accurate to say that the Government are pursuing a positive path on action to deal with the issues under the Modern Slavery Act.

Why do I say that? We can see the energetic activities of our Safeguarding Minister, Jess Phillips, who now has that responsibility and portfolio—we saw that yesterday in the other place. We also see some practical improvements to the approach. That is why, in October, the Government committed to eliminating the backlog within two years by recruiting 200 more decision-makers—not a given, given the financial constraints that we are currently under. In a few short months, the Home Office has hired over 100 new staff. As of last month, the backlog is now half the size it was at its worst in 2022. Noble Lords have mentioned that NRM decisions went up. The Government are at least now getting those numbers down—that is important.

Of course, as the report rightly said, we also need long-term reform of the modern slavery system. The threat has clearly evolved over time since 2015, as a number of noble Lords have said. The crimes have also changed significantly since the 2015 Act was passed. The scale is now very large. I know that some existential points were made by my noble friend Lord Whitty, but it is true that we are now dealing with three massive categories: the exploited, who are legally resident and have leave to remain or are even British citizens, and are being exploited in work, sometimes very brutally; people who come through the immigration system to work in this country, perhaps not legally but we deal with them; and then the sheer scale of the issue of supply chains, which a number of noble Lords have mentioned during this debate and which is complex.

The Government have already introduced measures that will support such broad reform—they are steps, of course—which include a new standalone offence of child criminal exploitation in order to go after the gangs that are luring young people into violence and crime. We are also trying to get to the heart of the matter in the areas of work and the care sector, which noble Lords have mentioned. We are trying to address all the areas in the shadows where people are suffering.

We are establishing the fair work agency, about which I will say a little more later, through the Employment Rights Bill. It will ensure a more cohesive and streamlined response to exploitation. Further, this week, as noble Lords will know, the Home Office published a significant update to the transparency in supply chain statutory guidance. This will further support businesses to produce high-quality statements and, more importantly, take concrete action to comply with the letter and spirit of Section 54 of the Modern Slavery Act.

Clearly, further work is needed. That is what the Select Committee report was about. That is why the Government will soon be launching a public consultation on how we can improve the process of identifying victims of modern slavery and human trafficking. The Government will be working closely with survivors, first responders, law enforcement, prosecution services

and devolved Administrations, among others. The Government will also provide details about this consultation in due course.

I turn now to the many detailed points made in the House today. First of all, the chair of the committee, my noble friend Lady O'Grady, raised the critical points. I begin with immigration legislation and what will be repealed. The Government understand that they have to take meaningful steps on this to decouple the issues of immigration and trafficking but also deal with the adverse effects of previous legislation.

The Government have, first, ensured that the portfolio for modern slavery is under the Minister for Safeguarding and Violence Against Women and Girls, rather than the Ministers responsible for immigration, in recognition of the Government's priorities in this space. I had thought I was answering for the Home Office. I had many invitations to answer for other departments, but I shall not take up any of them because, as I go on, noble Lords will see the complexity of departmental interest in this area. Public procurement, for example, concerns all the departments mentioned in the House this afternoon. However, we now have a Minister with a specific portfolio that is a legacy of the 2015 Act. It gives a branding and a kind of central point of focus for tackling modern slavery.

I will now answer my noble friend Lady O'Grady's points specifically. The Border Security, Asylum and Immigration Bill seeks to repeal the modern slavery provisions. I was going to say "will repeal the modern slavery provisions", but it has not happened yet so let me not be sacked on my first outing as Minister. It seeks to repeal the modern slavery provisions linked to the duty to remove in the Illegal Migration Act 2023. This would ensure that there is no blanket ban on irregular migrants seeking modern slavery protections.

The sole modern slavery measure being retained from the Illegal Migration Act would, if commenced, allow more foreign national offenders to be considered for removal from modern slavery protections on the ground of public order—for example, serious criminality and threats to national security. However, the repeal of the 2023 Act is there.

As with all disqualifications, decisions are made on a case-by-case basis. As noble Lords know, many of these cases are complex and decisions consider the public order risk against the individual's need for modern slavery-specific support. That would take account of convictions for offences and the possible exploitation of an individual to commit those offences.

On the immigration White Paper, the Government recognise, as my noble friend Lady O'Grady said, the value of legal migration and the contribution it makes to our country. Many of the exploited people we see are coming to do jobs that need to be done in the care and other sectors. Migration has always been an important part of our nation's history, but the immigration system should still be properly controlled and managed. In the upcoming immigration White Paper, we will set out a comprehensive plan to restore order to our broken immigration system, linking immigration, skills and visa systems to grow our domestic workforce, end some reliance on overseas labour and boost economic growth. Where we have a reliance on overseas labour—the

matter before us today—we will not exploit those people, and we will do everything we can to take action to stop this happening.

My noble friend Lord Whitty, the noble Lord, Lord Randall, the noble and learned Baroness, Lady Butler-Sloss, the noble Baroness, Lady Barker, and, importantly, the right reverend Prelate the Bishop of Bristol—almost all noble Lords, I think—raised the issue of the care sector. To be clear, the care sector has become central because it is our current focus in where we see the exploitation. To answer the points made by noble Lords, the Government believe everyone deserves to be treated fairly at work and rewarded for their contribution to the economy.

The Government are deeply concerned about issues being raised in the adult care sector, including potential unethical employment practices by some sponsors of the health and care worker visa. The Home Office has zero tolerance for sponsors who seek to exploit workers and will take action against anyone found to be doing so. Noble Lords may ask what the evidence is of that. The Home Office now revokes sponsors' licences if they fail to meet their obligations, so the evidence is that that is happening. I know that this was also a question in the report.

The care sector has been a priority area for the Gangmasters and Labour Abuse Authority over the past couple of years, with a significant increase in intelligence and investigations being referred to the organisation. The GLAA has been working closely with the Care Quality Commission in response to the allegations of exploitation of overseas workers in the care sector under the visa system.

I should add to this because a number of noble Lords raised the fair work agency. As I have just mentioned the GLAA, I should in fairness also say that we are now in the process of creating a fair work agency through the Employment Rights Bill. The idea in relation to tackling modern slavery is that we are bringing under one roof multiple agencies that would have had some purview on tackling it. Those multiple agencies include the Gangmasters and Labour Abuse Authority, the Employment Agency Standards Inspectorate and HMRC's national minimum wage team. The issue raised this afternoon is whether this will improve things.

The idea is the same as that behind the creation of a recognisable way of fighting modern slavery, which is having an Act—the 2015 Act—and a single point of focus. Why would the new agency be better than those individual agencies in tackling modern slavery? Your Lordships can see, for example, that there will be investigations under the Fraud Act, which has a lower threshold than we had with those individual agencies, so we can probably prosecute more. We can certainly tackle the issue much more effectively.

I turn to the points raised by noble Lords on the right to work and the vulnerability of victims within the immigration system. This was a broad theme, and I want to provide an answer on it. On a victim's right to work, we know that many victims already have the legal right to work owing to being British or having leave to remain. They are here, they are being exploited, they are British. Victims with a right to work in the UK can do so while receiving support through the

national referral mechanism. Through the adult modern slavery victim care contract, support workers actively work with victims to support them with employment. This includes help to access the services of the DWP. We have DWP work coaches trained to tailor employment and benefits support based on the individual challenges faced by modern slavery victims.

Victims who have received a positive conclusive grounds decision may be considered for temporary permission to stay under certain circumstances. A victim who has been granted a period of temporary permission to stay will have recourse to public funds and no prohibition on work. They may also be able to enter higher education.

I should also mention, because I have gone a bit ahead of myself, that my noble friend Lady O'Grady raised many of these issues of fair pay and so on, but she also gave an example of good practice in the Australian visa scheme. While we have our consultations and look forward to how we can improve our response, it is important to take account of the Australian workplace justice visa scheme and other interesting laws that have been passed. For example, Australia is putting power back in victims' hands to take legal action against exploitative employers. That is quite a new law and my noble friend Lady O'Grady mentioned this. It is the kind of thing that we should watch because this is an evolving area and protections, such as the workplace justice visa, are certainly interesting to watch to see how they unfold and whether those cases will in fact be taken.

I turn to the enforcement of the Modern Slavery Act, which a number of noble Lords raised. The Government will continue to work closely with key law enforcement partners—I realise that I am going over time, so I will speed up—to ensure that action is taken to bring the perpetrators of this horrific crime to justice. Over the next year, the national police lead in the modern slavery and organised crime immigration unit will lead work to develop a national framework for the investigation of modern slavery to support police forces domestically to secure better criminal justice outcomes. As was raised, we will work and co-operate with police forces across Europe and other areas to tackle modern slavery.

I turn to supply chains, which were raised by the right reverend Prelate and a number of other colleagues. This issue is vital and is, if you like, the growing area when it comes to tackling modern slavery. The Government are committed to working with international partners and businesses to ensure that global supply chains are free from human and labour rights abuses. We encourage businesses to monitor their global supply chains with rigour and to take steps to address and remedy any instances of modern slavery they may uncover. To answer the point made by the noble Baroness, Lady Barker, the Government take the approach that sustainable business is useless without ensuring that it is ethical and moral. We have seen a range of stakeholders, from civil society organisations to investors and media, scrutinise modern slavery statements and push businesses to go further. There have been some achievements, but the Government know that much more needs to be done on supply chains.

[LORD MORAES]

As I mentioned, this week the Home Office published a significant update to the *Transparency in Supply Chains* guidance, which will support business to produce high-quality statements. To further enhance transparency in supply chains, the Home Office runs the modern slavery statement registry, which brings together all the modern slavery statements in one place. It has proved a notable source for transparency and accountability in corporations. The registry now hosts over 17,000 modern slavery statements covering over 58,000 organisations. The Government are working on several improvements to the registry to increase the number of statements being uploaded voluntarily. I know the point was made by a number of noble Lords about the quality of data, which was of course a big issue in constructing the report. I know that the Home Office is very much engaged in improving the quality of data that we have.

I want to mention one point on public procurement, which was also raised. We now have the Procurement Act 2023, which came into force in February. While there is compelling evidence of modern slavery in supply chains, the Government understand the importance of ensuring that exploitative businesses do not take a share of the £400 billion that the public sector spends on goods and services each year. There is evidence to show that the Government are developing good tools to help public bodies put these policies into practice, including the modern slavery assessment tool. Public bodies can exclude suppliers from public procurement if they need to and if there is compelling evidence. It has been said in some places that there needs to have been a conviction before that can happen, but it is compelling evidence that needs to be adduced.

I apologise if I have not answered any other specific questions, but I want to make some closing remarks. First, I say to the chair of the committee, my noble friend Lady O'Grady, that I will contact my noble friend Lord Hanson to put together a meeting. That will help to maintain the momentum of the work in the report and to keep moving on these ideas with as much cross-party support as possible. I will ensure that many of the points raised today, including those not raised or answered today, are raised at such a meeting.

Modern slavery has no place in our society; it must be dealt with as the serious threat that it is. There is always more to do, of course, and the insight and knowledge on display here today will no doubt be of great assistance as we develop our approach. In the meantime, I hope my remarks have gone some way to reassuring noble Lords of the Government's steadfast commitment to rooting out these crimes, stopping perpetrators and, most importantly, supporting survivors.

Lord McColl of Dulwich (Con): My Lords, before the noble Lord sits down, could he answer this question? Will the Government stop buying solar panels made by slave labour in China?

Lord Moraes (Lab): I attempted to answer that specific point on the question of supply chains—without mentioning the solar panels, of course. The Government are committed, through a sustainable business approach,

to ensuring that we do not buy products which are the product of slave labour. The threshold for that is not, for example, that these solar panel manufacturers were convicted of a crime in China. The threshold is that there should be compelling evidence that they have done that. We are moving towards a positive place, but no one would argue that this is an easy question. The global supply chains that we are dealing with provide so much of what we purchase in this country, but it is the Government's position that we are moving in the correct direction on the question of supply chains.

2.36 pm

Baroness O'Grady of Upper Holloway (Lab): I thank noble Lords for their powerful contributions today, which demonstrate the strength of the continuing cross-party commitment. It has been a very good debate. I thank my noble friend the Minister for his response.

I cannot mention every name in my brief response, partly in the interests of time and partly, if I am honest, because I am still practising this role. However, I was struck by the opening comments of the noble Lord, Lord Randall, that none of us can be confident that the clothes we wear and the food we eat are free of modern slavery, and that makes us complicit. I would add that it makes those of us with some power obligated to do something about it and take action.

Whether it is sexual exploitation, domestic servitude, county lines or labour abuses, and whether that is onshore or offshore, as the noble Baroness, Lady Barker, pointed out, the common thread running through modern slavery is the pursuit of profit for the dehumanisation of people. The noble Lord, Lord Whitty, talked about absolute control. As the noble Lord, Lord Kempself, reminded us, this is a terrible crime, and it should be tackled as such.

Other noble Lords may not be aware, but my noble friend the Minister has a very long track record in countering racism and fascism and being a champion of workers' rights. I know that he understands the dangerously corrosive impact of dehumanisation, both on vulnerable individuals and on society as a whole. Many of us have recognised that the Government are already taking steps to tackle extreme exploitation, and we welcome the positive commitment to engage with the committee's recommendations, including a further meeting. As a trade unionist, sometimes the only outcome of a meeting was to secure another meeting, so I am genuinely taking that as a win. However, I encourage the Minister to relay our concern that, if we are to consign modern slavery to history, in all its vicious varieties, then the Government must go further and faster.

The noble Lord, Lord Smith, talked about how rarely we discuss preventing modern slavery in the first place, missing red flags, and the importance of international co-operation. I think we would all agree that the balance of power has swung too far in favour of modern slavery criminals. To put that right, victims must be empowered, and, as the noble Lord, Lord Whitty, and the noble Baroness, Lady Hamwee, pointed out, the police, the courts, inspectorates and civic society must be properly resourced. As the noble and learned Baroness, Lady Butler-Sloss, stressed, neither should

the Government shy away from updating immigration legislation. On immigration laws, the imperative is clear.

The right reverend Prelate the Bishop of Bristol and the noble Lord, Lord Watson, talked about the importance of strengthening due diligence in supply chains. As a committee, we are keen to see much more ambitious policy on this front.

The Minister should take heart from the appetite for change from our cross-party committee, but I gently forewarn him that we will continue to hold the Government to account on progress. That is the very least that modern slavery victims and survivors deserve.

Motion agreed.

House adjourned at 2.40 pm.

