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OFFICIAL REPORT

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

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House of Lords

Thursday 12 May 2016

11 am

Prayers—read by the Lord Bishop of Truro.

EU Referendum: Voter Registration Question

11.06 am

Asked by **Lord Kinnock**

To ask Her Majesty's Government what steps they are taking to emphasise the importance to citizens, particularly young people, of registering to vote to enable them to participate in the referendum on the United Kingdom's membership of the European Union on 23 June.

Baroness Chisholm of Owlpen (Con): My Lords, the referendum on membership of the European Union is a decision of fundamental importance for the future of the country. The Government are committed to helping ensure that everyone who is eligible to vote, particularly the young, is able to do so. That is why we have allocated up to £7.5 million for a range of voting registration activities. With the introduction of online registration, it is easier than ever to register to vote, and since 2014, 4.1 million people aged 16 to 24 have applied to register.

Lord Kinnock (Lab): My Lords, I am grateful for that Answer. The outcome of the referendum will obviously be of the greatest and longest significance to the lives of the young generations. Will the Government therefore make major efforts, in addition to the commitments they have so far undertaken, particularly through the online communication that the Minister mentioned and through social media, to ensure that young people know that the final date for voter registration and for getting a postal vote is 7 June—less than four weeks from now? Does the Minister agree with me that this kind of information is especially vital when polling day coincides with the Glastonbury festival, the broadcasting of which could rather preoccupy the attention of millions of young people, whose votes are vital not only to their future but to the future of the country. It would be an awful pity if instead of voting, they were rocking.

Baroness Chisholm of Owlpen: My Lords, I think the answer is in the question—Glastonbury. The noble Lord should get a group of your Lordships together, appear on stage and sing, “No Satisfaction Unless There's Registration”—I am sorry, that is an end of term joke. Ministers have written to universities and sixth-form colleges to encourage them to promote voter registration ahead of the deadline. In addition, the Government are working with organisations such as Universities UK, the Association of Colleges, Bite

The Ballot, UpRising and other youth organisations to help ensure young people are registered in time for the EU referendum.

The Duke of Wellington (Con): My Lords, I declare an interest as chairman of the council of King's College London. I am so pleased that the Minister mentioned universities. Does she agree that it is particularly important that university students, who have the option of registering where they study or getting a postal vote from home, know how important it is that they get a vote for the referendum?

Baroness Chisholm of Owlpen: I could not agree more with my noble friend. Students are now able to register at both term-time and home addresses in just three minutes. It can be done, as we know, on a smartphone, PC or tablet device. Since June 2014, more than 4 million applications to register to vote have been received from people between the ages of 16 and 24, and 3 million of those were made online.

Lord Davies of Stamford (Lab): Will not least among the losses to the country if we leave the European Union be the ability of people in this country—this will particularly affect younger people and their prospects—to take part in Erasmus exchanges and to study and work in 27 other European countries?

Baroness Chisholm of Owlpen: I could not agree more with what the noble Lord says.

The Lord Bishop of St Albans: In response to a previous debate, I worked with Bite The Ballot and got it into one of our church schools. The interesting thing for me was seeing not that people could not understand voting but that they did not know what difference it would make. Watching young people being taken through the process and the penny drop about the implications was fundamental. It seems to me that we need people to engage at the grass roots. What attempt is being made to use voluntary and charitable organisations, many of which—including the churches—have newspapers and all sorts of other publications and are in touch with millions of people, as a way of trying to raise the issue in the next month, as the noble Lord asked?

Baroness Chisholm of Owlpen: Indeed, and that is exactly why we have been giving grants to civic societies to engage with the young. There have been several initiatives, one of which was the Make your Mark ballot: nearly 1 million young people aged 11 to 18 took part in deciding on issues such as mental health, the living wage and tackling religious discrimination. It is now statutory to teach democratic participation in schools at key stages 3 and 4 of the curriculum.

Baroness Smith of Newnham (LD): My Lords, referendums give the opportunity for everyone to decide on issues which sometimes divide political parties. Voter registration is clearly important; so too is participation. Does the Minister agree that televised debates can be an excellent way of engaging people

[BARONESS SMITH OF NEWNHAM]
and precipitating participation? If so, can she explain why a Prime Minister committed to campaigning “heart and soul” to remain in the European Union, alongside passionate pro-Europeans on this side of the House, is so reluctant to engage in the debate with Leave? Is he perhaps just frit?

Baroness Chisholm of Owlpen: I understand where the noble Baroness is coming from, but there are lots of debates going on encouraging people to register and there will be debates on television and on the radio—I heard one this morning on Radio 4—so obviously that is a way of getting people to know what is going on.

Lord Forsyth of Drumlean (Con): My Lords—

Baroness Armstrong of Hill Top (Lab): My Lords—

Lord Forsyth of Drumlean: Can my noble friend confirm—

Lord Morgan (Lab): My Lords—

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): My Lords, I think the House had already resolved that it was the turn of my noble friend Lord Forsyth.

Lord Forsyth of Drumlean: Can my noble friend confirm that there are in fact 33 countries participating in the Erasmus programme and only 28 countries in the European Union?

Baroness Chisholm of Owlpen: I am afraid that I will have to write to my noble friend.

Baroness Royall of Blaisdon (Lab): My Lords, much mention has been made of universities, and it is absolutely right that they have a key role to play. I am Pro-Chancellor of the University of Bath and I have ensured that the administration of Bath University and the students’ union are working together on this. I urge all noble Lords who have anything to do with universities to do likewise.

Baroness Chisholm of Owlpen: That is an extremely good idea. We are writing to all universities to encourage them to engage with their students to advise them on how to register to vote before the EU referendum.

Migration: Middle East and North Africa *Question*

11.15 am

Asked by Baroness Sheehan

To ask Her Majesty’s Government what evidence they have to support their claim that “pull factors” are responsible for the mass movement of people from the Middle East and North Africa in recent years.

The Advocate-General for Scotland (Lord Keen of Elie) (Con): My Lords, the causes of migration are many and complex, but are commonly described as consisting of push factors that make people want to leave their own countries and pull factors that make them choose particular destinations. The Government do not claim that pull factors alone are responsible for migration, but there is good circumstantial evidence that demonstrates that language, benefits and work opportunities influence movements of people.

Baroness Sheehan (LD): I thank the Minister for his reply. I add my thanks for the Government’s change of heart on the emotive issue of vulnerable refugee children in Europe. Ten thousand of them have disappeared without trace, according to Europol, while 50% of those who accessed a Save the Children respite centre in Italy presented with sexually transmitted diseases acquired during transit. I see from the Minister’s reply—although I am glad to see that he has now accepted that there are some push factors involved—that the Government still insist that pull factors, by which he presumably means higher wages and benefits, are still at work. Given that these have remained relatively stable over many years, what does he believe is the reason behind the very large increase in numbers of refugees in recent years?

Lord Keen of Elie: The Government have always recognised that there are both push and pull factors in the context of migration—indeed, historically, that has been well established. One could go back to the Goths moving into the Western Roman Empire to confirm that issue. With regard to more recent migration, there is no doubt that a great deal of it is economically based. Indeed, statistical flows into Italy between January and April this year show that the top nationalities entering across the Mediterranean have been Nigerian, Gambian and Senegalese.

Lord McConnell of Glenscorrodale (Lab): My Lords, I saw for myself in Kurdistan in northern Iraq just last week that the major pull factors for people to come to Europe from that part of the world just now are fear and a lack of hope for the future. Will the Government at the coming World Humanitarian Summit properly prioritise education and child protection for families to ensure that they feel safer in the camps where they have been living now for far too long?

Lord Keen of Elie: The example that the noble Lord gives is in fact an example of push factors—if I might respectfully suggest. Clearly, they do exist in that part of the world. We are, of course, prioritising the issue of addressing these problems at source. That is where our most material efforts are being made and that is where we can prevent the terrible development of the criminal enterprise, which is not only moving families and children across the Mediterranean but then, according to recent reports, trafficking these vulnerable victims further.

Lord Marlesford (Con): My Lords, does my noble friend agree that, whether we like it or not, it will not be possible to allow all those who wish to migrate to Europe from north Africa, the Middle East and indeed sub-Saharan Africa to do so without a dilution of the

standard of living of the residents of Europe that would prove politically unacceptable? Will the Government therefore consider further my proposal of 9 July last year for the establishment of a holding area mandated by the United Nations, somewhere in north Africa—I suggested Libya—which could eventually become a new state of Refugia?

Lord Keen of Elie: It is recognised that our good will is boundless but our resources are finite.

Lord Soley (Lab): I am grateful for the Minister's recognition that this is a complex area, but the British people might be more convinced if the Government were better at dealing with unaccompanied child refugees. The European Union and the UK do not give priority to the needs of the child, which in Britain you are required to do by law. If the Government were better at that, the overall message might get over rather better.

Lord Keen of Elie: The Government have been excellent at dealing with the question of unaccompanied children applying for asylum. Let me put it in context for a moment. In 2015, there were just over 3,000 applications from unaccompanied asylum-seeking children. More than 35% of the applications came from Albanians and Afghans; about 6% came from Syrians.

The Lord Bishop of Southwark: My Lords, what possibilities does Her Majesty's Government see for effective governance in Libya and for the much-needed increase in giving by our international partners to maintain the displaced populations of Iraq and Syria, which will impact on the movement of people and, most importantly, make a positive contribution to their lives?

Lord Keen of Elie: There have been indications of improvement in the governance of Libya, but it remains a difficult and problematic area—of that there can be no question. However, this Government are dedicated to addressing these problems at source. That is where the solution will be found.

The Earl of Sandwich (CB): My Lords, the Minister mentioned trafficking in north Africa. Will he update us on the Khartoum process, which was meant to solve some of these problems? Does he think that entry into that process will lead us into collaboration with some authoritarian regimes in north Africa at the expense of asylum seekers?

Lord Keen of Elie: We would certainly not want to be drawn into agreement with authoritarian regimes in that part of Africa. However, it is necessary, as I said, to address these problems at source.

Lord Rosser (Lab): My Lords, does the Government not accept that it is wars, repression and instability that primarily lead to the mass movement of people? If those seeking to come to Europe from the Middle

East and north Africa are simply economic migrants, why is it that after every outbreak of violence and repression we get a new wave of people from the area that has just had that outbreak?

Lord Keen of Elie: I must say that listening to Labour opine on the matter of immigration and immigration control is rather like listening to an arsonist on the subject of fire prevention.

Noble Lords: Oh!

Lord Keen of Elie: I cannot answer the question unless I am given an opportunity to do so. Thank you. The position is this: yes, push factors increase where there is violence and instability, but push factors alone are not the issue. There are push factors and pull factors. A simple example is Sweden. It takes the second-highest number of asylum seekers from north Africa and the Mediterranean area, yet it has the borders furthest away from that point.

Health: Alcohol

Question

11.22 am

Asked by Lord Brooke of Alverthorpe

To ask Her Majesty's Government what steps they are taking to alert the public to the dangers of alcohol and its causal links with hypertension, depression, Alzheimer's and other forms of dementia.

The Parliamentary Under-Secretary of State, Department of Health (Lord Prior of Brampton) (Con): My Lords, the new UK Chief Medical Officer's advice on low-risk drinking helps people understand how they can reduce their risks from alcohol consumption. Public Health England has recently launched One You, a marketing programme providing personalised feedback on alcohol and other potentially harmful behaviours. In primary care, alcohol-risk assessments are offered to all patients registering with a new GP and 3.5 million people have had one as part of their NHS health check.

Lord Brooke of Alverthorpe (Lab): I am grateful to the Minister for his Answer and for the efforts which I know he makes on this topic. Is he aware that we now have 9 million people suffering from hypertension, that the number of people with depression has doubled since 2005 and that the evidence now quite clearly shows that 62 illnesses are related to alcohol? Given the amount of money which the drinks industry spends on advertising seeking to persuade people to drink more, is it not time that the Government start to undertake some important work with a publicity campaign gently to persuade people to drink less and live a better, longer and happier life?

Lord Prior of Brampton: My Lords, the new guidelines published by the CMO are very clear about how much alcohol should be drunk and the implications it has

[LORD PRIOR OF BRAMPTON]

for health. I do not know whether the noble Lord has been on to the One You website or has downloaded the drink tracker app. The information is out there. A campaign is being conducted by Public Health England, and we are making some progress.

Baroness Hollins (CB): My Lords, does the Minister agree that introducing the evidence-based minimum unit price for alcohol would send a strong message from the Government about their concerns about the health dangers of alcohol? I should draw the attention of the House to my interests shown in the register.

Lord Prior of Brampton: Public Health England is conducting an evidence review of the harm done by alcohol, and minimum unit pricing will be an aspect that is addressed. To express a personal view, if we are going to address alcohol consumption by increasing the price, is it best that the benefit of that should go to the drinks companies through charging higher prices, or is it better that it should go to the Government through taxation? That is a question that the House might want to ponder.

Baroness Walmsley (LD): My Lords, does the Minister agree that compelling public information is key? Does he recall that the last time we talked about the sugar tax I recommended that manufacturers of sugary products should label them showing how much exercise would be required to burn off the contents? Is he aware that that is exactly what the Drinkaware website does? Would it not deter noble Lords, when considering ordering a glass of wine in the Bishops' Bar, if they knew that they would have to run up and down Whitehall for 16 minutes in order to burn it off?

Lord Prior of Brampton: I am sure we will all be following in the noble Baroness's wake when we do that. It is worth making the point that one of the benefits that came out of the responsibility deal, which I know not everyone in this House thinks was successful, is that the labelling on alcoholic products has got much better.

Lord Lansley (Con): My Lords, my noble friend will be aware that the risk of dementia in later life is now one of the public's principal concerns, and of course it is established that there is a relationship between harmful alcohol use and the risk of alcohol-related dementia and Korsakoff's disease. The One You website does not readily click through to give that information so that people's concern about dementia is something that they understand can be related to the harmful use of alcohol.

Lord Prior of Brampton: My Lords, that is an interesting point, which I will draw to the attention of Public Health England. If that click-through is not clear, it should be. Since the Blackfriars Bridge agreement, PHE has been working with Alzheimer's UK to do more research into analysing the impact of alcohol on dementia.

Lord Hunt of Kings Heath (Lab): My Lords, I commend the Minister on his courtesy in answering Questions in your Lordships' House. Perhaps one or two of his colleagues might learn from that example. The logic of the Chief Medical Officer's position is that essentially all alcohol is harmful. Is that the position of the Government?

Lord Prior of Brampton: Thinking very quickly, my Lords, our position is that alcohol is not safe but it is low risk depending on how you drink. It is a low-risk activity at a level of about 14 units spread evenly across the week. I am sure that the noble Lord will adhere strictly to that guideline.

Baroness Finlay of Llandaff (CB): My Lords—

Baroness Massey of Darwen (Lab): My Lords, does the Minister agree that attempts to alert the general public are often too little, too late?

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): My Lords, it is the turn of the Cross Benches.

Baroness Finlay of Llandaff: In the review to which the Minister referred, is the cost of accidents through alcohol-related driving and road accidents being costed? Is consideration being given to lowering the drink-driving limit, perhaps even to almost zero, as in some countries?

Lord Prior of Brampton: My Lords, traffic accidents caused by alcohol have been costed. I cannot give the noble Baroness that figure today but I will write to her with it. I do not believe that we are currently reviewing the alcohol limit for driving, although I know that in Scotland it has recently been reduced.

Lord Watts (Lab): My Lords, have the Government considered using the tax system to encourage people to drink lower-alcohol drinks?

Lord Prior of Brampton: That is a very good question. I do not have the answer to hand but I would like to think about that and write to the noble Lord. As part of the responsibility deal that was done with the industry in 2010, there has been a significant increase in lower-alcohol drinks, but I will have to come back to the noble Lord on that issue.

Voter Registration

Question

11.29 am

Asked by *Lord Lexden*

To ask Her Majesty's Government, in the light of the proportion of registered electors turned away from polling stations as part of the recent devolved, regional and local elections, whether they have plans to enact the recommendations of the All-Party Parliamentary Group on Democratic Participation report, *Getting the 'Missing Millions' on to the*

Electoral Register, including the use of electronic poll books and registering young people to vote in school.

Baroness Chisholm of Owlpen (Con): My Lords, the Government welcome the interest from the All-Party Parliamentary Group on Democratic Participation. As noble Lords may be aware, the Minister for Constitutional Reform has set out an ambitious vision for reforming electoral registration in this Parliament so that it is more efficient, digital and convenient for the elector, building on the success of individual electoral registration and online registration.

Lord Lexden (Con): I hope the Government will give careful consideration to every one of the 25 recommendations in this important all-party report. In particular, will they note the very strong recommendation that every young person should be able—indeed, given every encouragement—to register to vote in school following the markedly successful initiative recently undertaken by the Northern Ireland Electoral Office, which surely should be emulated in every part of our country?

Baroness Chisholm of Owlpen: EROs already work with local schools in their area but of course the Government continue to welcome ideas and views on meeting this challenge. We already have several initiatives in schools which I mentioned in my earlier Answer.

Lord Morgan (Lab): My Lords, is not this important Question from my fellow historian, the noble Lord, Lord Lexden, an answer to the equally important Question from my noble friend Lord Kinnock on how to achieve greater democratic participation in the European referendum?

Baroness Chisholm of Owlpen: Indeed; that is why, as I said, we are making huge efforts and have given quite a few grants to organisations that we feel are the best people to engage with those under-registered groups. They are working in universities, schools and online to try to get particularly the young interested in registering in time for the EU referendum.

Lord Cormack (Con): My Lords, perhaps I may raise once again an issue that I have raised many times: is there not now a case for compulsory registration?

Baroness Chisholm of Owlpen: No, we really do not feel that there is. We live in a free, democratic society and it is up to everybody to make the decision on whether or not they want to register. All we can do is to give them the option to register and make it as easy as possible for them to do so. That is why it now takes only three minutes to register online. I think that that is the best way for us to go forward.

Lord Empey (UUP): My Lords, the Electoral Office for Northern Ireland has the highest rate of participation from young people, at 83%. It is an independent body but is now sadly under threat. The unions are currently

balloting for strike action because of a proposal to close the six offices and retreat to one in Belfast. Thus, the schools outreach programme, which has been so successful, is being threatened in order to save a couple of hundred thousand pounds. Will the noble Baroness prevail on her right honourable friend in the other place to secure the future of this independent, highly respected body and ensure the highest level of participation rates among young people?

Baroness Chisholm of Owlpen: Yes—I thank the noble Lord for his question—the Government are aware of this. I think I am right in saying that the strike ballot closes on 20 May. We understand that the Electoral Commission and the Chief Electoral Officer for Northern Ireland are in discussions and that everyone is working hard to ensure the smooth running particularly of the referendum.

Lord Blunkett (Lab): My Lords, I commend the work of the all-party group and also the way in which Bite the Ballot has been promoting registration. But would it not be sensible to reconsider the answer that the Minister gave to the noble Lord, Lord Cormack? With over a quarter of under-25s not registered and a massive 10% drop in those coming up to 18 who have been registered over the last year, there is a real crisis in ensuring that we have a true democracy where people both register and use their vote to ensure that their voice is heard, rather than leaving it to someone else.

Baroness Chisholm of Owlpen: I can understand where the noble Lord is coming from, but as I said in my earlier answer, we feel that the best way is to work with civic groups to make sure they can make the young aware of how important it is to vote in all elections, not just the EU referendum. The grants we are giving to these civil society organisations are helping to make people aware of how important it is.

Lord Rennard (LD): My Lords, does the Minister accept that some of the problems with the administration of the elections last week and with the general election showed the need to update and modernise our electoral laws, the language of which is often more relevant to the 19th century than the 21st? Will the Government take forward the recent Law Commissions' report, which has said how that law should be modernised? In particular, will they accept that we need to clarify the difference between national election expenditure and local constituency election expenditure so as to avoid any potential ambiguity being exploited unfairly in elections?

Baroness Chisholm of Owlpen: IER certainly reduces the risk of all that, and it is why we have these very clear plans to clean up the electoral register. That is certainly supported by the international election watchdog, the election judges and the Association of Electoral Administrators.

Lord Kennedy of Southwark (Lab): My Lords, does the noble Baroness agree that we have a serious problem of under-registration in the UK?

Baroness Chisholm of Owlpen: I do not disagree with the noble Lord. That is why we are working so hard and why we have provided £7.5 million to local authorities to make sure that we encourage people to get on to the register. As I said earlier, we have made it much easier to do that, and all we can do is to keep plugging and make sure that we succeed.

Baroness Gardner of Parkes (Con): My Lords, in these days when the web is considered to be so insecure and is so frequently hacked, are the Government confident that all these methods of voting will be legitimate? There was concern about postal voting, with in many cases the names of 30 people being sent in from a single house? Will this method of registration be more secure than that?

Baroness Chisholm of Owlpen: Absolutely. The whole point about IER is that it reduces the risk of electoral fraud by ensuring that entries are confirmed as genuine. Last year's election court judgment on Tower Hamlets exposed the real threat of fraud.

European Union Migration: National Insurance Statement

11.37 am

Lord Ashton of Hyde (Con): My Lords, I wish to repeat as a Statement an Answer given to an Urgent Question in the other place by my right honourable friend James Brokenshire. The Statement is as follows.

“Mr Speaker, for years, UK migration figures have been measured independently, according to the agreed United Nations definitions. Today's report by the independent Office for National Statistics is a clear endorsement of their validity. I welcome the clarity that the ONS has provided on this important issue, and I welcome this opportunity to clear up some of the misconceptions on this important issue of national insurance numbers and what they may mean regarding EU immigration.

On 7 March this year, the Office for National Statistics published a note explaining why long-term international immigration figures could differ from the number of national insurance number registrations, concluding that the two series are likely to differ. At the same time, the ONS undertook to conduct further analysis of this issue and published its conclusions this morning. I stress that this is independent work carried out by an independent statistical authority.

The conclusions are clear. The ONS has now stated that the difference between the number of long-term EU migrants and the number of national insurance registrations by EU nationals can largely be accounted for by short-term EU migration to the UK, and that the independent International Passenger Survey remains, ‘the best source of information for measuring’,

net migration. It also says that national insurance figures are ‘not a good measure’ of levels of migration, even if they are helpful for understanding patterns of migration.

National insurance numbers can be obtained by anyone working in the UK for just a few weeks, and the ONS explains clearly why the number of national insurance registrations should not be compared with migration figures because they measure entirely different things. Short-term migrants have never been included in the long-term migration statistics, which are governed by UN definitions. We have always had short-term migrants who do not get picked up in the long-term statistics. Short-term migration will not have an impact on population growth and population pressures, as those migrants, by definition, leave the UK within 12 months of arriving. It would be completely wrong to distort or misrepresent these figures any further following the independent ONS's conclusions. The Government look forward to the ONS's follow-up note setting out its analysis in greater detail later in the year.

I welcome these conclusions. I hope they provide reassurance to those concerned that national insurance data could suggest that the published migration statistics were inaccurate. This Government take very seriously the need to reduce net migration to long-term sustainable levels. We have taken a number of steps to achieve that, of which the Immigration Bill, which completed its parliamentary passage this week, is just the latest. Clear and accurate statistics are clearly integral to what we are seeking to achieve. I am pleased that today the ONS has, with its normal impartiality, confirmed that the statistics we use, based on the International Passenger Survey, do have the necessary integrity and remain the best measure for understanding net migration”.

11.41 pm

Baroness Sherlock (Lab): My Lords, I thank the Minister for repeating that Answer. The number of national insurance numbers has never been a good guide to the number of British people resident in the UK, never mind anybody else. The report from the ONS suggests that there have long been differences between, for example, the number of EU8 migrants and the total number of short and long-term migrants, which has consistently been above the number of NINOs. Has the Minister's department had the opportunity to compare the NINO data set out today with, for example, the RTI data that his department holds, self-assessment, or the DWP L2 and tax credit benefit data? That would enable him to make a judgment and perhaps make it quite clear that many of these people are coming in as short-term visitors and not long-term workers.

Lord Ashton of Hyde: The noble Baroness is absolutely right. Today's report focused on whether the International Passenger Survey was the correct measure of long-term migration. There are other data sources, such as those the noble Baroness referred to. Of course, the report stressed that work on independent data sources such as HMRC and DWP data is ongoing, and there will be further such work. However, those are complementary, and it has now been established that the best way of looking at this is the International Passenger Survey.

Baroness Kramer (LD): My Lords, although born in Britain and British, I lived abroad for almost 20 years. I found on my return that my national insurance number was exactly the same as the one I had when I left. Does the Minister agree that national insurance numbers have never been intended to or used to define immigration or even current residency in this country, and that anybody attempting to use those numbers in that way is quite deliberately scaremongering?

Lord Ashton of Hyde: I agree with the noble Baroness about the use of national insurance numbers. I do not know whether people are using that information to scaremonger or not. She is absolutely right that national insurance numbers are not there to monitor migration. We want people to register for national insurance numbers so that when they come here to work, even on a short-term basis, they contribute to this country.

Lord Rooker (Lab): What most people do not really appreciate—of course, the media never explain it; they exploit it—is that millions of female pensioners in this country carry two national insurance numbers because their pension is based on their late husband's contributions. That number has to remain active in the system. That is why the numbers are always greater than the population, and always will be. There is no connection whatsoever between the number of active or inactive national insurance numbers and the number of people present in the country.

Lord Ashton of Hyde: I agree with the noble Lord. We want national insurance numbers to remain and to be the same so that when people come back and start working, as they increasingly do nowadays, we have a consistent record of what they are doing in terms of national insurance. The noble Lord is absolutely right that some people may have two numbers. Short-term migration and long-term residency are different things, and the International Passenger Survey is the best measure of long-term residency, which is what has an impact on housing and services such as the NHS.

Lord Forsyth of Drumlean (Con): My noble friend got through his whole Statement without telling us what the difference is between the numbers which are based on national insurance registrations, which give people entitlement to benefits and other things, and those based on the passenger survey. What has the difference been in the numbers during the past five years? Can my noble friend explain this to me, because I do not understand it? How can he argue that people working here, even if only for a short period, does not put pressure on schools, the health service, local authority services and housing? Can we take it that the Treasury will in future enable local authorities to be funded on the basis of the real, rather than the theoretical, pressures they face?

Lord Ashton of Hyde: I first point out to my noble friend that it was not my Statement; it was the Answer in the other place of the Immigration Minister.

A noble Lord: It is the Government.

Lord Ashton of Hyde: I agree that it is the Government, but I am just pointing out a factual error that my noble friend made. I cannot give the precise figures for the past five years because I do not have them to hand, but I will write to my noble friend if we have them. On his point about services and short-term benefits, it turns out, again based on some details pointed out today, that EU migrants produce a net benefit to this country in the amount of tax and national insurance they pay compared to the services they use. Of course, someone who comes here for a holiday job has to have somewhere to live, but that is not part of the serious housing problem we have for long-term residents of this country.

Lord Tomlinson (Lab): In his Statement, the Minister referred to “long-term sustainable levels” as being the level of migration this Government are looking for. Will he confirm to the House that the Government are still committed to reducing long-term net migration to “tens of thousands”, which was the ambition of the Prime Minister now several years ago—in each year since when, the figures have increased?

Lord Ashton of Hyde: I believe that is the target the Government are aiming for, and I certainly have not been told that it has changed. The question is, what would the noble Lord like to see happen? At the moment, we believe that being in the single market and having free movement of people is a net benefit to this country.

Lord Campbell-Savours (Lab): My Lords, would not this confusion be reduced if we returned to discussing a biometric-based national identity card, whereby people would be swiped in when they entered the United Kingdom and swiped out when they left?

Lord Ashton of Hyde: My Lords, this is a well-worn theme from the noble Lord and it is slightly outside the scope of today's Statement on the Office for National Statistics report, but I take his point and I am sure he will raise it again.

Lord Wallace of Saltaire (LD): My Lords, does the Minister recognise that this is not just a British problem? I have been sitting here thinking that I still have a US federal tax number—I am not sure about my US insurance number. And I am not sure from my three months working in Paris some years ago—during which, I have to say to the noble Lord, Lord Forsyth, we put our daughter into a French school, thus increasing the strain on their system—whether I still have a French number, but this is the two-way aspect to it. No doubt the noble Lord, Lord Lawson, has all sorts of things in the French tax system—maybe in the French national insurance system—from residence there.

Lord Ashton of Hyde: I am not quite sure what the question was, but I am sure it was a wise one.

Lord Lansley (Con): My Lords, does my noble friend agree that access to the National Health Service is defined by ordinary residence and therefore is not

[LORD LANSLEY]

signified simply by the possession of a national insurance number? I fear that, too often in the National Health Service, if somebody has a national insurance number they are treated as if they were ordinarily resident. Is it not therefore welcome that the Government are looking to tighten up all these issues in the forthcoming Queen's Speech, including where migrants do not have proper access and should pay for NHS services, because that will assist the NHS, which clearly has financial pressures?

Lord Ashton of Hyde: Of course, the Government have taken measures to prevent EU migrants as well having full access to benefits for four years: child benefit, for example, will no longer be sent home at UK rates. As to the NHS, it is true that some people contribute. The important thing from the NHS point of view is that, regardless of where you come from, if you are in desperate need of medical help you will get it in this country.

Lord Lea of Crondall (Lab): Does not the number of British people going backwards and forwards to Spain, for example—2 million plus people are in that sort of situation—also counterbalance the discrepancies that we have?

Lord Ashton of Hyde: My Lords, obviously it is a two-way street but we are talking about net figures.

Lord Hylton (CB): Can the Minister disentangle for us the impact on the figures of the huge number of annual visitors, whom we wish to encourage, and of overseas students coming to this country? We seem to be in a fog of numbers.

Lord Ashton of Hyde: My Lords, the figures that we are concerned about and that the ONS survey takes into account cover all passengers who come into and go out of the country. But the main migration figures are based on UN definitions of people who are resident here for more than 12 months—so we do not count visitors in those figures.

Arrangement of Business

Announcement of Prorogation

11.51 am

Lord Taylor of Holbeach (Con): My Lords, yesterday I announced that Parliament would be prorogued at some point today. It might help the House if I indicate that once we have completed our own business we will adjourn during pleasure until we are confident that the House of Commons has completed its business. The time for the resumption of the Royal Commission will be indicated on the annunciators. I know that there is a great deal of interest in the House in the BBC White Paper, which is the subject of the Statement that will be repeated following my brief interjection. I can assure the House that we look forward to facilitating, in discussion with my usual channel counterparts, a debate in the new Session.

BBC *Statement*

11.52 am

The Parliamentary Under-Secretary of State, Department for Business, Innovation and Skills and Department for Culture, Media and Sport (Baroness Neville-Rolfe) (Con): My Lords, with the leave of the House, I shall repeat a Statement given in another place by my right honourable friend the Secretary of State for Culture, Media and Sport on the government White Paper, *A BBC for the Future: A Broadcaster of Distinction*.

“The Government are today laying before Parliament and depositing in the Libraries of both Houses a White Paper on the BBC charter review.

The Royal Charter is the constitutional basis for the BBC. It is the framework for how the BBC is governed and guarantees its independence. The current Royal Charter will expire at the end of 2016. Today we lay out our plans for the next one.

The White Paper represents the culmination of 10 months' work. I would like to thank everyone who contributed to the Green Paper consultation process—not least the 190,000 members of the public. I am also very grateful to Sir David Clementi and his team for their independent review of the governance and regulation of the BBC; to committees in both Houses that made recommendations; and to all the stakeholders, BBC representatives and others who helped inform our deliberations.

The BBC is one of our country's greatest institutions. Eighty per cent of those who responded to our Green Paper consultation said that the BBC serves audiences well or very well. Every week the BBC reaches 97% of the UK population and 348 million people across the globe, informing, educating and entertaining them and promoting Britain around the world.

It is our overriding aim to ensure that the BBC continues to thrive in a media landscape that has changed beyond recognition since the last charter review 10 years ago, and that it continues to deliver the best possible service for licence fee payers. So today we are setting out a framework for the BBC that allows it to focus on high-quality, distinctive content which informs, educates and entertains while also serving all audiences; enhances its independence while also making it much more effective and accountable in its governance and regulation; makes support for the UK's creative industries central to the BBC's operations, while at the same time minimising any undue negative market impacts; increases the BBC's efficiency and transparency; and supports the BBC with a modern, sustainable and fair system of funding.

The BBC's special public service ethos and funding model allow it to take creative risks, to be innovative and to produce high-quality content. This means more choice for listeners and viewers. The BBC delivers a huge number of outstanding programmes in drama, news and current affairs, sport, science and the arts. Many have received awards, not least at the BAFTAs on Sunday, and they demonstrate that at its best the BBC is still the finest broadcaster in the world. However, as the BBC Trust has recognised, in some areas the

BBC needs to be more ambitious, particularly in its more mainstream television, radio and online services. The BBC director-general has called for a BBC that is, “more distinctive than ever—and clearly distinguishable from the market”.

The Government are emphatically not saying that the BBC should not be popular. Indeed, some of its most distinctive programmes such as “Life on Earth”, “Wonders of the Universe” and “Strictly Come Dancing” on TV, or the “Newsbeat” programme and the Jeremy Vine show on Radio 1 and 2 respectively, have very wide audiences because they are so good. But with a 33% share in television, 53% share in radio and the third most popular UK website, and with only 27% of people believing that the BBC makes lots of programmes that are more daring and innovative than other broadcasters, commissioning editors should ask consistently of new programming, “Is this idea sufficiently innovative and high quality?”, rather than simply, “How will it do in the ratings?”.

So we will place a requirement to provide distinctive content and services at the heart of the BBC’s overall core mission of informing, educating and entertaining in the public interest. We will also affirm the need for impartiality in its news and current affairs broadcasts. The BBC’s existing minimum content requirements will be replaced with a new licensing regime that will ensure that its services are clearly differentiated from the rest of the market, so enhancing choice for licence fee payers, backed up by robust incentive structures.

The BBC will also be required to give greater focus to underserved audiences, in particular those from black, Asian and ethnic minority backgrounds, and from the nations and regions that are currently less well served. That will involve the BBC building on its new diversity strategy, maintaining out-of-London production quotas and ensuring that the BBC continues to provide for minority languages in its partnerships with S4C and MG ALBA. Over the next charter period we want the BBC to be the leading broadcaster in addressing issues of diversity. For the first time, diversity will be enshrined in the new charter’s public purposes. This, along with a commitment to serve all audiences in the BBC’s mission, will help hold the BBC to account for delivering for everyone in the United Kingdom.

Looking beyond these shores, the BBC World Service is rightly considered across the globe to be a beacon of impartial and objective news. It is a vital corrective to the state-run propaganda of certain other countries. So we will protect its annual funding of £254 million for five years and also make available £289 million of additional government funding over the spending review period, as announced by the Chancellor last year, so that the World Service can represent the UK and its values around the globe.

All organisations need a governance and regulatory structure that is fit for purpose. The BBC’s is not, and it is no longer supportable for the BBC to regulate itself. Governance failures—including excessive severance payments and the costly digital media initiative—have illustrated that the division of responsibilities between the BBC executive and the BBC Trust is confusing and ineffective. As the independent review led by Sir David

Clementi made clear, there is widespread agreement that reform is vital. I can announce today that we are accepting the review’s recommendations.

The new charter will create a unitary board for the BBC that has a much clearer separation of governance and regulation. The board will be responsible for ensuring that the BBC’s strategy, activity and output are in the public interest, and accord with the mission and purposes set out in the charter. Editorial decisions will remain the responsibility of the director-general—his editorial independence will be explicitly enshrined in the charter—while the unitary board will consider any issues or complaints that arise post-transmission. And, for the first time, the BBC will have the ability to appoint a majority of its board independently of Government. This is a major change, as previously the BBC governors, and then the members of the BBC Trust, were all appointed by government.

Ofcom has a proven track record as a regulator of media and telecoms. It is the right body to take on external regulation of the BBC. We will require Ofcom to establish new operating licences for the BBC, with powers to ensure that its findings are acted upon. Ofcom will also take charge of regulating the distribution framework and fair-trading arrangements for the BBC. It will be a strong regulator to match a strong BBC.

The Government will introduce four further changes to make the BBC more accountable to those it serves. The charter review process will be separated from the political cycle by establishing an 11-year charter to 2027, with an opportunity to check that the reforms are working as we intend at the mid-term. This will be the third-longest charter in the BBC’s history and will allow for an orderly transition to the new arrangements. The BBC will become more accountable to the devolved nations; the complaints system will undergo long-overdue reform; and new expectations will be set for public engagement and responsiveness. These are major changes to the way that the BBC is governed. They will take time to take effect and it is important that this process runs smoothly, so the current BBC chair, Rona Fairhead, will remain in post for the duration of her current term, which ends in October 2018.

The creative sector is one of this country’s great success stories, growing at twice the rate of the rest of the economy since 2008 and accounting for £84 billion of gross value added and nearly 9% of service exports. The BBC should be at the core of the creative sector, supporting everyone from established players to SMEs. It is already a major purchaser, spending more than £1 billion on the services of around 2,700 suppliers involved in making programmes for the BBC.

The BBC already allows up to 50% of its content to be competed for by the independent sector. The Government now intend that the remaining 50% in-house guarantee for television should be removed for all BBC content except news and related current affairs output. Unless there is clear evidence that it would not provide value for money, all productions will be tendered. There will be a phased introduction of this requirement, which will open up hundreds of millions of pounds of production expenditure to competition. This will not only benefit the creative industries but is fundamentally a good thing for viewers and listeners, with BBC

[BARONESS NEVILLE-ROLFE]

commissioning editors given greater freedom to pick the most creative ideas and broadcast the highest-quality programmes.

The BBC plans to make its in-house production unit a commercial subsidiary. We support these plans in principle—providing they meet the necessary regulatory approvals. However, the BBC can by virtue of its size and scale potentially have a negative impact on the media market, crowding out investment and deterring new entrants. Ofcom will be given the power to assess all aspects of BBC services to see how they impact on the market, with proportionate powers to sanction. Rather than seeing other players as rivals, the BBC should proactively seek to enhance, bolster and work in partnership with the wider broadcasting and creative industries. There will be a focus on this in the new charter.

In particular, the BBC will support and invigorate local democracy across the UK, working with local news outlets. The Government will also consult in the autumn on a new contestable public service content fund that will allow other broadcasters and producers to make more public service content in areas that are currently underserved, such as programmes for children and for black, Asian and minority ethnic audiences. It will be worth £20 million a year. It will be paid for from unallocated funding from the 2010 licence fee agreement. There will be more transparency in the way that the BBC promotes its own services and a requirement to steer such activity towards areas of high public value.

The BBC will be expected to share its content as widely as possible, and will also be encouraged further to open up its archive, so that other organisations and the public can enjoy its many treasures. The BBC belongs to all of us. Making its archive more widely available is just one part of a broader opening-up process. We want the BBC to be much more transparent, in particular about efficiency improvements. The BBC already plans to make £1.5 billion of savings by the end of this charter period. The BBC Trust has driven some improvements in transparency.

However, the BBC needs to become more accountable to those it serves. Only 23% of the public believe that the BBC is efficient. Licence fee payers need the BBC to spend the nearly £4 billion given to it every year more wisely. The National Audit Office has an outstanding track record. The NAO will become the financial auditor of the BBC and will have the power to conduct value for money investigations of the BBC's activities, with appropriate safeguards for editorial matters. The board will also be required to ensure that the BBC is transparent and efficient in its spending, by reporting expenditure by genre.

The BBC already publishes data on the salaries of its staff by broad bands, and the names and detailed remuneration packages of managers earning more than £150,000. The public has a right to know what the highest earners the BBC employs are paid out of their licence fee. The new charter will therefore require the BBC to go further regarding the transparency of what it pays its talent and to publish the names of all its employees and freelancers above £450,000—the

current director-general's salary—in broad bands. The Government also expect the new BBC board to consider other ways in which it can improve transparency of talent pay. The BBC will be required to undertake a root and branch review of its research and development activity, laying out its objectives for the future.

Finally, the BBC needs a fair, accountable and sustainable funding system that is fit for the future. There is no perfect model for funding the BBC but, given the stability it provides and the lack of clear public support for any alternative model, the licence fee remains the most appropriate funding model for the next charter period. The licence fee has been frozen at £145.50 since 2010. We will end this freeze and increase the licence fee in line with inflation until 2021-22, at which point there will be a new settlement. In line with the other reforms to funding announced last July, this means that the BBC will have a flat-cash settlement to 2021-22. This will give the BBC the certainty and funding levels that it needs to deliver its updated mission and purposes. It will ensure that the BBC will remain one of the best-funded public service broadcasters in the world, receiving more than £18 billion from 2017-18 to 2021-22.

Future funding settlements will be made using a new regularised process every five years, giving the BBC greater independence from government. The licence fee concession for over-75s will be protected during this Parliament, although voluntary payments will be allowed. We will give the BBC more freedom to manage its budgets. Protected funding of £150 million a year for broadband and £5 million a year for local television will be phased out. The World Service will be an exception to this, given its enormously important role.

The current licence fee system needs to be fairer, so we will close the iPlayer loophole, meaning that those who watch BBC programmes on demand will now need a TV licence like everyone else. There will be pilots of a more flexible payment system to benefit those on lower incomes and make it fairer for everyone. At the moment, people have to pay for the first year in only six months, meaning six much higher monthly payments. We will also take forward many of the recommendations from David Perry QC's review to make the process of investigating and prosecuting licence fee evasion more effective and fair.

Although the licence fee remains the best way of funding the BBC for this charter period, it is likely to become less sustainable as the media landscape continues to evolve. The Government therefore welcome the BBC's intention to explore whether additional revenue could be raised at home and abroad from additional subscription services sitting alongside the core universal fee. The Government are clear that any new subscription offer would be for additional services beyond what the BBC already offers. It will be for the BBC to set the scope of these plans, but we expect it to review progress and success in order to feed into the next charter review process. We would also like to see BBC content become portable, so that licence fee payers have access when travelling abroad,

The BBC is and must always remain at the very heart of British life. We want the BBC to thrive, make fantastic programmes for audiences, and act as an

engine for growth and creativity. Our reforms give the BBC much greater independence from government in editorial matters, in its governance, in setting budgets, and through a longer charter period. They secure the funding of the BBC and will help it develop new funding models for the future. At the same time, these reforms will assist the BBC in fulfilling its own stated desire to become more distinctive and to better reflect the diverse nature of its audience. They place the BBC at the heart of the creative industries, as a partner of the local and commercial sectors, not a rival.

The BBC will operate in a more robust and more clearly defined governance and regulatory framework. It will be more transparent and accountable to the public it serves and who rely on the BBC to be the very best that it can possibly be, so that it can inform, educate and entertain for many years to come. I commend this Statement to the House”.

12.13 pm

Lord Collins of Highbury (Lab): My Lords, I thank the Minister for repeating the Statement. Yesterday I said that the pre-briefing over the past few weeks had been extremely unhelpful—I wondered whether the strategy was to make the prospective content of the White Paper seem so awful in order that the final, not-so-bad publication became more acceptable. Whatever the motives behind the briefings, this White Paper needs to be assessed against the three tests set by all those who cherish the independence of the BBC. While we can be reassured by the headlines, and particularly the Statement that the Minister repeated, we have to focus on the fine detail. The devil is often in the detail.

On independence, the Government still seem intent on appointing many of the non-executive directors of an all-powerful new board that will be responsible for the day-to-day running of the BBC, unlike the trust and the governors before that. Can the Minister explain how those government appointments will continue to have a duty to the licence fee payer, as is currently the case, rather than to the Minister who gave them their job?

On funding and the future licence fee, the Government seem determined to create a contestable fund for which commercial rivals can bid. This is a dangerous precedent and, coming hard on the heels of the £650 million raid last autumn, will damage the BBC and the interests of viewers. Will the Minister guarantee that the contestable funding is not licence fee money? If she cannot, does she not understand that this erodes the independence of the BBC? What reassurances can she give the House that the contestable fund will not become a growing attack on the licence fee in the future?

On the BBC’s core mission, the Government want to rewrite Reith’s principles to include “distinctiveness”. How will this work in practice? Will it mean that the board can tell the director-general when to schedule programmes? Will it mean that the BBC cannot competitively schedule popular programmes against Sky and ITV? If competitors launch new services in the future, will it mean that the BBC will not be able to match them? These are the sorts of questions the Minister will need to answer, if not today, certainly in

the debate we will have in the future. While I welcome the extension of the charter, everyone in this House will want to fully understand what the mid-term review will consist of. We need a better understanding of the extent to which that will result in changes to the BBC and its services.

We had a short debate on the Urgent Question yesterday, which focused on the process, obviously, because we could not comment too much on the details of the White Paper. The Minister seemed reluctant to reassure the House about how we will be able to properly scrutinise the White Paper and object to some of its contents. I remind the Minister that in 2006 there was an approval Motion in the House, to which the then Opposition tabled an amendment, which resulted in a vote. If it was good enough in 2006, why is it not good enough today? Will the Minister give us the reassurance that my noble friend Lord Alli asked for? She has had 24 hours and I hope she has used that time to reflect on how to ensure that both Houses of Parliament can properly scrutinise these proposals and reach some conclusion on them.

Lord Foster of Bath (LD): My Lords, my noble friend Lady Bonham-Carter is unwell, so it falls to me to respond to the Statement from these Benches. I know that my noble friend shares my view that the BBC is the best broadcaster in the world and one of the best gifts of this nation to the world—a treasured institution, respected and trusted around the world, and playing a central role in the wider creative industries. Nothing should be done to undermine trust in the BBC or the financial and editorial independence, the impartiality, and the scale and scope of the BBC. These are the tests against which the White Paper and the charter should be judged.

I, too, thank the Minister for repeating the Statement but can she confirm whether the one-day debate that she has promised in your Lordships’ House will take place after we have had an opportunity to see the draft charter and agreement?

There is much in the White Paper that we on these Benches welcome: for example, the acceptance of the recommendation from your Lordships’ Communications Committee for an 11-year charter, to decouple the charter review process from the general election cycle and to allow full consultation and dialogue. We also welcome the abolition of the BBC Trust, which had the impossible task of being on the one hand a flag-waver for the BBC and on the other a regulator of the BBC. We support the establishment of the unitary board and an independent regulator. We also welcome the fact that diversity is to be enshrined in the new charter’s public purposes. We, too, are pleased, as the noble Lord, Lord Collins, was, that some of the rumours have proved to be unfounded. Top-slicing the licence fee for a contestable fund would have been extremely damaging. Interfering in the scheduling of programmes would have been unacceptable and forcing the BBC to sell off BBC Worldwide or its stake in UKTV would have been economic madness.

However, there are still areas of concern. The 11-year charter period, which is welcome, helps protect independence and impartiality but also provides security

[LORD FOSTER OF BATH]

in terms of planning and investment for the BBC and stability for the wider creative industries that relate to the BBC. All that would be undermined if the mid-term review allows for the unpicking of bits of the charter itself. I hope that the Minister can give us assurances that this will not be the case.

While we welcome the establishment of the unitary board, we do not believe that the independence of the BBC will be achieved if non-executive members of the board are government appointees. Although the Government currently appoint all members of the BBC Trust, it is a far less powerful body than the proposed unitary board, which will set the BBC's editorial direction, make key decisions on programmes and even have a say on how the BBC manages news. Giving these important powers to government appointees will understandably lead to accusations that we are creating a state broadcaster and not a public service broadcaster. All non-executives on the new board should be appointed by an independent panel, not by the Government. I hope that the Minister can explain clearly to this House why she appears to disagree.

There also needs to be greater clarity about the new role of the NAO. Can the Minister give absolute assurances that the charter and agreement, and the appropriate safeguards to which she referred in her Statement, will ensure that the NAO will not be able to second-guess or interfere in the BBC's editorial or creative judgments? To echo the noble Lord, Lord Collins: can the Minister also give an absolute assurance that when the annual £20 million for the proposed contestable fund from unallocated licence fee money runs out, the BBC will not have to pick up the tab for its continuation? Can she explain to us where the money will come from?

Ensuring the independence of the BBC from government interference will be aided by providing a role for Parliament. Votes in both Houses on the draft charter, or acceptance of my noble friend Lord Lester's proposals for statutory underpinning of the BBC, would be wise and I would welcome hearing the Minister's views on these ideas. The BBC is the best broadcaster in the world. It is vital that the Government do nothing to damage that reputation.

Baroness Neville-Rolfe: My Lords, I wholeheartedly agree that the BBC is the best broadcaster in the world and I am grateful for the guarded welcome that has been given this morning. I should perhaps add that the noble Lord, Lord Hall, who is a Member of this House, has said today that:

"This White Paper delivers a mandate for the strong, creative BBC the public believe in. A BBC that will be good for the creative industries—and most importantly of all, for Britain".

The noble Lord, Lord Collins, made a point that we often agree on, which is that the devil is in the detail. I am sure we will come to discuss detail on this White Paper in the weeks and months ahead, but I will seek to respond briefly to the points that he and the noble Lord, Lord Foster, made.

We have tried to put independence at the heart of the proposals we have set out today. In relation to the executive board itself, I refer the House to page 50 of

the White Paper, because it sets out very clearly exactly how the appointments to the unitary board will be made. A majority of members will of course be appointed by the BBC, and there will be a non-executive chair. As I explained in the Statement, that chair has already been appointed for a transitional term up to 2018, providing valuable continuity. The non-executive deputy chair will also be a public appointment. There will then be public appointments involving the nations—Scotland, Wales, Northern Ireland and England—but all other non-executive members will be BBC board appointments.

It is good to know how the contestable fund will work at last after so much speculation. I set out that we will establish a contestable fund because we want to enhance plurality and provision, for which £20 million a year has been found for three years. It will enable the BBC to look at things such as children's TV more imaginatively and is intended to fund underserved genres. I hope it will reassure noble Lords to know that we will be consulting on the scale of the fund and how it will operate. I do not see it at all as an attack on the fundamentals of the BBC; I see it as a great way of encouraging more creativity in this country.

There were questions about distinctiveness, which is rightly a key focus. We want the BBC to be different. It has other priorities to commercial broadcasters, and can take more risks and can innovate. That has been embraced by the BBC director-general, who has seen it as a driving force. He, of course, will be the editor-in-chief under the new system enshrined in the charter, which I think will help to offer reassurance going forward.

I wanted to say two or three things about a vote. First, we recognise how important the scrutiny of both Houses, including this House, is, and we have demonstrated that. We have had debates here which we have listened to, we have had excellent reports by the committees involved in both Houses and we have made it clear that the White Paper needs careful consideration. We have informed the House that there will be a debate in the coming Session.

I take the point that was made about the draft charter. I am not sure I can give an answer on that today, but I will bear it in mind. We will consider whether there should be a vote in Parliament, but I remind the House that there would be disadvantages in a vote as well as advantages. My noble friend Lord Grade said yesterday that:

"One of the underpinnings of the independence of the BBC is the fact that there is never a vote on the BBC in either House"—poetic licence—

"and that is what has contributed"—

this is the important point—

"the most to its independence".—[*Official Report*, 11/5/16; col. 1741.]

I tend to concur with that view, and would say that the BBC has been enshrined in royal charter for 90 years—a system which has served us well and preserved its independence.

The Earl of Courtown (Con): My Lords, before we have the questions from Back-Bench Peers, I remind your Lordships that 20 minutes are available, so I would be grateful, as I am sure the House would, if they could be as quick as possible.

Noble Lords: Forty minutes.

The Earl of Courtown: My Lords, at one point 40 minutes was on the table, but it has been agreed that there will be 20 minutes of questions. We are having a debate in the next Session. There will be 20 minutes available, so I ask noble Lords to be as brief as they can in their questions, to enable all noble Lords to take part.

12.30 pm

Lord Fowler (Con): It is a great pity that we cannot have 40 minutes. I say to the Minister that not everyone, even on this side, agrees with what the noble Lord, Lord Grade, said yesterday. Surely it is fair to congratulate the Government on dropping some of the more unacceptable proposals that had been floated over the past few weeks and on abolishing the BBC Trust, which should never have been established and which a committee of this House said 10 years ago should not be. At the same time, will the Minister congratulate the director-general of the BBC, the noble Lord, Lord Hall of Birkenhead, on his negotiating skill?

I ask one question. There will now be an 11-year charter, but why do we need another five-year external review in between? Surely that should be left to a strong board of independent directors, whose job it is to run the corporation year by year. Surely that is their job. Above all, can we not resolve now that the BBC should be left to develop its own plans and build on its reputation as one of the world's great broadcasters without interference?

Baroness Neville-Rolfe: I am grateful to my noble friend for his congratulations; the noble Lord, Lord Hall, has indeed been very helpful in the whole process.

It is an 11-year charter. There is a five-year health check—I use those words advisedly. It is a health check. We are setting up a completely new system of governance. As my noble friend said, the BBC Trust has problems—he foresaw them, but not everyone was so able to do so—and it seems right that a health check, which is what it is, should take place.

Lord Alli (Lab): Before I start, I say this to the usual channels. On a day when we are adjourning for pleasure and there is no other business, you should not be time-limiting this debate to 20 minutes for those of us on the Back Benches. We deserve a proper share of time. We are adjourning for pleasure today: there is no other business. From speaking to colleagues around the House, that is the feeling of the Back Benches, and you should listen to us a little more often.

The test today for me is: does the White Paper leave the BBC more independent, or less, than it is today? My fear is that it will be less independent. We know that the Secretary of State is a little less ideologically bent towards the BBC. When I read the White Paper, I worry that there are ticking time-bombs in it in three areas. One, which we have talked about, is the appointment of board members. The second is contestability and whether that money will grow in time and be used as a mechanism to siphon off the licence fee. The third and

probably the most worrying is trying to force the BBC to do distinctive programmes. My fear is that that will be used to make it move off doing popular programmes which, from the consultation, is what the public and licence fee payers want.

Will the Government confirm that nothing in the distinctiveness mandate will limit the BBC's ability to produce the programmes it wants, schedule them when it wants to and introduce the new services it thinks are right? Will the noble Baroness answer that question?

Baroness Neville-Rolfe: I thank the noble Lord for making the point about independence, but I take a different view, as I explained, on the first two items. It is clear to me that the way we have set this up, the BBC, with a stronger, more corporate board, and the editorial independence of the director-general, will be the prime focus to decide exactly on the programming. We will not be able to abolish "EastEnders" or do any of the things that people have been worrying about. It leaves the duties squarely with the BBC. There will be a modern regulator—there will be Ofcom—but it is not my experience that Ofcom interferes all that much with the content of individual commercial companies. There is occasionally the need for an appeal or complaint, and I am sure that that system will be moved across. Our general approach is to enhance independence, which I believe we have done, and make sure that the BBC can continue to make all the programmes it needs to make. I continually emphasise the point about informing, educating and entertaining, while of course serving all audiences. It will need to do that.

Lord Elystan-Morgan (CB): My Lords, I repeat a plea that I have made more than once in this House, with regard to the Welsh language channel, S4C. Will the Government kindly give a binding undertaking to the effect that the independence and financial stability of S4C will be guaranteed and built into the new charter? Will the Minister kindly accept that this stems from an undertaking given 30 years ago by that most splendid of men, Sir William Whitelaw, when the president of Plaid Cymru was involved, very courageously, in a determined and indeed potentially terminal hunger strike. It was a contract made with the Welsh people and something that was binding in perpetuity. I ask, therefore, that that contract should be honourably observed.

Baroness Neville-Rolfe: The Government are committed to S4C and to maintaining minority language broadcasting. As I made clear in my Statement, we want to strengthen and sustain S4C and we have committed to a review in 2017, covering remit, funding and governance once the charter is settled for the BBC as a whole. If the noble Lord looks at page 59 of the document that we have put in the Printed Paper Office today, I hope that he will feel reassured.

Baroness Benjamin (LD): My Lords, it was absolutely wonderful to discover that a BBC children's budget will be maintained so that it can continue to deliver excellence. As it is intended to have funds for more children's productions to address competition, where

[BARONESS BENJAMIN]
will the funds come from? Who will administer the funds and the cost of doing so and, most importantly, how many funds will there be to produce high-quality PSB children's productions?

Baroness Neville-Rolfe: This is our first day of discussion of the charter. I have made it clear that the BBC will have editorial independence, which of course will allow it to continue to make the children's programmes that we all love. I explained that we were introducing a £20 million contestable fund and suggested that that could be used for children's programming. The precise details are yet to be settled. The important point is that the Government will be consulting on the scale of the fund and how it will operate. I look forward to the noble Baroness giving us her assistance.

Lord Sherbourne of Didsbury (Con): My Lords, I warn my noble friend the Minister that in her Statement she came perilously close to achieving consensus with the noble Lords, Lord Collins and Lord Foster. That is a remarkable achievement, in the context of everything in the press beforehand. I welcome the fact that the majority of the new unitary board will be non-government appointed, and therefore independent members, which will enhance the independence of the BBC. On that independence, will the Government consider the possibility of limiting each appointment to one term only so that there can be no suggestion, perceived or not, of any board member currying favour for the renewal of an appointment?

Baroness Neville-Rolfe: I thank my noble friend for his interesting idea. In corporate life, it is very unusual to appoint for one term only, but we have not decided on those details. There will be a transition period while the arrangements for the regulation of the board are set up. I note what he said about a one-term appointment.

Lord Cashman (Lab): My Lords, I thank the Minister for repeating the Statement. Sadly, I am not reassured. I have deep concerns, which have already been raised by the noble Lord, Lord Fowler, and my noble friend Lord Alli. The Statement states that programmes should be made in the public interest. Who defines public interest?

Baroness Neville-Rolfe: I would like to discuss this with the noble Lord. As I have explained, there is a combination of the director-general, who has editorial independence but has to take account of the public interest, the new executive board, which will on a day-to-day basis and strategically try to ensure that that is achieved, and a new regulator. The precise detail of how that will work is set out in some detail in the White Paper that we have just published. We should all have a look at it and return to that point in the debate we will have.

Lord Clement-Jones (LD): My Lords, I must come back to distinctiveness. With great respect, I am afraid the Minister did not answer the question asked by the

noble Lord, Lord Alli, on distinctiveness. Many of us are very concerned that this is the thin edge of the wedge that will prevent the BBC competing with commercial broadcasters in prime time and that it is deliberately designed to do so. What assurance can the Minister give to this House that that is not the intention and that that will not be the case?

Baroness Neville-Rolfe: I think I can assure my noble friend that that is not the intention. It is something that the BBC has fully recognised and embraced. The BBC's director-general has been the driving force here. He has highlighted that he wants to see a system that, "firmly holds our feet to the fire on distinctiveness".

To my mind, that is what the White Paper's proposals will deliver.

Lord Williams of Baglan (CB): My Lords, the register declares my interest as a member of—I was going to say of an endangered species but it is a now a condemned species—the BBC Trust. Knowing the great interest in this House, I first welcome the Government's commitment in the White Paper to ring-fencing the BBC World Service. That is very important. That presents a solid guarantee for the years ahead, as well as the certainty provided by an 11-year charter.

However, my concern is that the proposals to protect the BBC's independence do not go far enough. Will the Minister assure the House that the Government will provide sufficient guarantees that their future decisions about the BBC and, in particular, about funding and appointments to the board are made clearly, transparently and without compromising the BBC's independence? Furthermore, will the Minister explain what the expression "mid-term health check" means? It was never present in any charter in the previous 90 years. All the polling and assessments that have been done indicate that viewers, listeners and licence fee payers believe that the BBC is in rude good health. Is it only the Government who think otherwise?

Baroness Neville-Rolfe: The Government have rightly undertaken a review of the charter and have come up with proposals for a new charter, which to my mind represents a great deal of continuity, for 11 years. Points of detail have already begun to emerge in this debate, and I am sure we will debate them further in the weeks and months ahead. I have already sought to explain that the health check is important because we are setting up a new system, and as a responsible Government we should be looking at how it works. A five-year health check, which is just that and not a major charter review, seems to be a good addition to the toolbox.

Baroness Goldie (Con): My Lords, as someone from Scotland who is a great admirer of the BBC, I have to say that the part I admire most is the title, "British Broadcasting Corporation". Can the Minister reassure me that under the new proposals the British component of news broadcasting across the UK will be protected, and that in determining news coverage for the devolved

countries of the UK the BBC will base any changes on viewer evidence and not on the political desire of a devolved Government?

Baroness Neville-Rolfe: We have made a number of detailed proposals about news, but I very much take the point that my noble friend has made.

Lord Davies of Stamford (Lab): My Lords, I strongly object to the Government deciding at the last minute to reduce the question time from 40 minutes to 20; until the very moment they began, 40 minutes was on the screen. The Statement says that the Government are committed to the BBC thriving in future, but in practice do these proposals not actually reflect an agenda to cut back the BBC's market share? Is that not really what this is all about? When the Government have achieved that in due time, will they not use that as an excuse in a future review of the licence fee to cut back the BBC's income as well?

Baroness Neville-Rolfe: I empathise with the point about timing. I am not sure that I can do anything about that today but of course we will have further discussions on future occasions and, as noble Lords know, my door is always open on any subject. On the question of funding, the licence fee will rise in line with inflation over the next five years, which is highly positive. The BBC is one of the best-funded public broadcasters in the world. It is true that last year there was an agreement under which the BBC made a contribution to the public expenditure problem that the Chancellor faced, but today's charter sets out excellent arrangements that assure the BBC a strong future, for exactly the reasons that the noble Lord, Lord Hall, set out. This is a real era of opportunity for the BBC. Where we were in previous debates is not where we are now.

Baroness Greider (LD): My Lords, when the Minister talks about a health check after five years, does she accept that to this House it sounds like a dose of the bubonic plague rather than anything that is going to be healthy? I shall ask one quick question in order that others can get in. When she talks, in the context of distinctiveness, about "robust incentive structures", should we be worried? What does she mean?

Baroness Neville-Rolfe: In recent years the BBC has done a lot to make itself more efficient. It has worked with us in government on explaining its thinking about the way that studios and competition should develop. I went into some detail in the Statement and I very much stand by that. It will help the BBC to thrive and be more successful. It will help the independent industry; it will help the small companies that the BBC is already using and in fact mean that even more small companies are able to work for the BBC and improve our creative industries in Britain, which of course are worth £84 billion a year.

Lord Cormack (Con): My Lords, I gently say to my noble friend that a health check can sometimes lead to surgery. Would she say a little more about the World Service, which she has already referred to? We are all

delighted that it has been ring-fenced, but can she assure me that if there is a need in this very volatile world for extra languages, such as Middle Eastern languages, to be added to the World Service repertoire, she will be entirely sympathetic and that there will be sufficient flexibility for that to happen?

Baroness Neville-Rolfe: We should reiterate our record on languages today, having confirmed extra money and having brought in extra languages and countries recently. This is a vital contribution to the UK's soft power and an excellent settlement.

Lord Gordon of Strathblane (Lab): My Lords—

Lord Wills (Lab): My Lords, I have been waiting a very long time to get in. I want to return the Minister to one of these devil details: the public service content fund. She addressed the question asked by my noble friend Lord Collins but she did not answer it. I therefore ask her again: will she give a guarantee that that will not be used to salami-slice the licence fee? That guarantee is particularly important in view of the grudging acceptance in the Statement of the licence fee and the fulsome praise she gave for that public service content fund. Does the Minister accept that the licence fee is the foundation for the excellence of the BBC as the world's most outstanding national broadcaster?

Baroness Neville-Rolfe: Did the noble Lord mean the contestable fund?

Lord Wills: Yes.

Baroness Neville-Rolfe: I have now lost the thread of the noble Lord's question.

Lord Wills: Will the Minister give a guarantee that that fund will not be increased in future to salami-slice the licence fee from the BBC?

Baroness Neville-Rolfe: That is certainly not our plan. I have explained that it is a £20 million fund, that we are looking at what it can do and that we are consulting on it.

12.51 pm

Sitting suspended.

Royal Commission

1.11 pm

The Lords Commissioners were: Lord Wallace of Tankerness, Baroness D'Souza, Baroness Stowell of Beeston, Lord Hope of Craighead and Baroness Smith of Basildon.

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): My Lords, it not being convenient for Her Majesty personally to be present here this day, she has been pleased to cause a Commission under the Great Seal to be prepared for proroguing this present Parliament.

When the Commons were present at the Bar, the Lord Privy Seal continued:

[BARONESS STOWELL OF BEESTON]

My Lords and Members of the House of Commons, Her Majesty, not thinking fit personally to be present here at this time, has been pleased to cause a Commission to be issued under the Great Seal, and thereby given Her Royal Assent to divers Acts, the Titles whereof are particularly mentioned, and by the said Commission has commanded us to declare and notify Her Royal Assent to the said several Acts, in the presence of you the Lords and Commons assembled for that purpose; and has also assigned to us and other Lords directed full power and authority in Her Majesty's name to prorogue this present Parliament. Which commission you will now hear read.

A Commission for Royal Assent and Prorogation was read, after which the Lord Privy Seal continued:

My Lords, in obedience to Her Majesty's Commands, and by virtue of the Commission which has now been read, We do declare and notify to you, the Lords Spiritual and Temporal and Commons in Parliament assembled, that Her Majesty has given Her Royal Assent to the several Acts in the Commission mentioned; and the Clerks are required to pass the same in the usual Form and Words.

Royal Assent

1.31 pm

The following Acts were given Royal Assent:

Driving Instructors (Registration) Act,
Criminal Cases Review Commission (Information) Act,
House of Commons Members' Fund Act,
Immigration Act,
Energy Act,
Armed Forces Act,
Housing and Planning Act.

Prorogation: Her Majesty's Speech

1.32 pm

Her Majesty's most gracious Speech was then delivered to both Houses of Parliament by the Lord Privy Seal, in pursuance of Her Majesty's Command, as follows.

My Lords and Members of the House of Commons, my Government's legislative programme has pursued a one-nation approach; helping working people by supporting aspiration and opportunity.

My Ministers have continued in their long-term plan to deliver economic stability and security at every stage of life. To this end, work has continued to bring the public finances under control and to reduce the deficit. To support working people, legislation was passed to guarantee that key taxes would not rise during this Parliament, to ensure that those working 30 hours a week on the national minimum wage will not pay income tax and to increase the provision of free childcare to working families.

To support aspiration and opportunity, legislation was passed to grant housing association tenants the right to own their home. My Ministers have pursued policies to reform the welfare system to modernise and deliver equity to taxpayers, including measures to cap welfare payments. In the first year of this Parliament my Ministers have driven forward important constitutional reforms. Landmark legislation was enacted to enable a referendum on membership of the European Union to be held later this year.

My Government have sought to develop a productive working relationship with the devolved Administrations. In relation to Scotland, legislation was passed to implement the recommendations of the Smith commission, devolving substantial new powers to the Scottish Parliament. A draft Bill was published setting out a new framework for devolution in Wales in accordance with the St David's Day agreement. Legislation was enacted to implement the fresh start agreement and reform the welfare system in Northern Ireland.

With regard to England, ground-breaking legislation was passed which will allow significant powers to be devolved to directly elected mayors, helping to create a northern powerhouse. In the House of Commons, changes have been implemented to create fairer procedures to ensure that decisions affecting England, or England and Wales, can only be taken with the consent of the majority of Members of Parliament representing constituencies in those parts of our United Kingdom.

Modernising the public services continues to be a priority for my Ministers. Newly enacted legislation will deliver transparency to the way in which trade unions operate and will protect essential public services from strike action.

Legislation was passed to improve schools, with new powers to turn around failing and coasting schools and create more academies. This legislation also made provision to establish regional adoption agencies in England to ensure every child can be provided with a stable home.

It has been a key priority for my Government to achieve a strong, sustainable and balanced economy where the benefits are more evenly shared across the country and between industries.

New legislation passed in this Session will ensure that the Bank of England is well equipped to fulfil its vital role of overseeing monetary policy and financial stability. A Small Business Commissioner was established in statute to help small businesses compete and grow. Legislation was also passed to ease the regulatory burden on businesses. To help build a modern competitive workforce, the Institute for Apprenticeships was established as part of the drive to create 3 million high-quality apprenticeships.

In recognition of the vital role charities play, legislation was passed to give the Charity Commission new powers to protect the integrity of such bodies by preventing abuses of charitable status.

The defence of the realm is an utmost priority for my Government. In this Session legislation has been passed to support our gallant Armed Forces. My Ministers will continue with legislation to provide a

new framework to govern the use and oversight of investigatory powers by law enforcement and the security and intelligence agencies.

My Ministers have pursued policies to reform the criminal justice system, including new legislation to improve the integrity and effectiveness of the police, and a comprehensive new framework to ban the new generation of psychoactive substances. The new Immigration Act will provide powers to tackle illegal working and the exploitation of workers, and make it easier to deport those with no legal right to remain.

The Duke of Edinburgh and I were pleased to welcome His Excellency the President of The People's Republic of China and Madame Peng in October, during whose visit my Government launched a new partnership with China. We enjoyed our fifth State Visit to Germany in June, and our visit to Malta in November, for the Commonwealth Heads of Government Meeting.

My Government have continued to play a leading role in world affairs, promoting British interests and values, and protecting British citizens abroad, including in response to terrorist attacks in Tunisia, France, Belgium and elsewhere. My Ministers have been at the forefront of the European Union and international response to Russian aggression in Ukraine, successfully ensuring the maintenance of tough sanctions.

My Government have played a leading role in the global coalition against Daesh and co-hosted the London Syria conference, which secured commitments to help refugees in Jordan, Lebanon and Turkey. With European Union and other international partners, my Ministers have worked to address irregular migration across the Mediterranean and its causes. The United Kingdom played a key role in delivering the Paris climate change agreement.

Members of the House of Commons, I thank you for the provisions which you have made for the work and dignity of the Crown and for the public services.

My Lords and Members of the House of Commons, I pray that the blessing of Almighty God may rest upon your counsels.

The Lord Privy Seal (Baroness Stowell of Beeston)
(Con): My Lords and Members of the House of Commons, by virtue of Her Majesty's Commission which has now been read, we do, in Her Majesty's name, and in obedience to Her Majesty's Commands, prorogue this Parliament to the 18th day of May, to be then here holden, and this Parliament is accordingly prorogued to Wednesday, the 18th day of May.

Parliament was prorogued at 1.41 pm.

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