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PARLIAMENTARY DEBATES  
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# HOUSE OF LORDS

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

Wednesday 19 June 2019

3 pm

Prayers—read by the Lord Bishop of Leeds.

## Schools: Careers Advice Question

3.07 pm

Asked by **Baroness Pidding**

To ask Her Majesty's Government what assessment they have made of the quality of careers advice in schools.

**Viscount Younger of Leckie (Con):** My Lords, there has been good progress since the Government's careers strategy was published in 2017. Schools are using the Gatsby benchmarks to improve their careers programmes. Ofsted has noted that the current picture is much more encouraging than has been the case since 2010. More schools are benefiting from our investment. We are funding training for 1,300 careers leaders and establishing 40 careers hubs across the country.

**Baroness Pidding (Con):** I thank the Minister for that response. Education and providing the widest possible careers advice are key to opening up horizons and increasing social mobility. Network bases and contacts from the world of work—businesses and employers—often come from informal social networks such as families and friends. This is not necessarily so for young people from lower-income families who do not have such links. What can the Government do to ensure that these avenues are available to all?

**Viscount Younger of Leckie:** Activities involving employers such as careers insights, mentoring, work tasters and work experience are crucial to give young people from all backgrounds the skills they need to succeed. The Careers & Enterprise Company was established to work with schools, colleges and employers to link them together and to make sure that every young person has access to inspiring encounters with the world of work, including work experience and other employer-based activities. The career hubs that I mentioned focus on supporting schools and colleges in areas most in need of targeted support.

**Lord Young of Norwood Green (Lab):** My Lords, I declare an interest as an apprenticeship ambassador. I welcome what the Minister said, but we are still not where we should be. Is he aware that employers still complain about some schools denying access to pupils to talk about apprenticeships and other career opportunities, despite the Baker amendment and previous legislation? Those schools see populating their sixth forms as their priority. Is he aware of the number of schools still not meeting their obligations in providing full career-path explanations to their pupils?

**Viscount Younger of Leckie:** Yes, I am, and there has been a question in the House previously on that very point—I think from the noble Baroness, Lady Garden. It is a matter that we are looking at seriously. It is important that each school takes careers management seriously, with the focus particularly on head teachers in doing that. It is also important that schools do not operate on their own; they have to work with careers advisers and the hubs to ensure a co-ordinated response and that every pupil receives the right careers advice.

**Lord Baker of Dorking (Con):** My Lords, the Baker clause came into law last year. It allows apprenticeship providers, university technical colleges and other providers of technical education to go into schools and speak to 14 and 16 year-olds. This is simply not being followed. Providers are being excluded because the schools fear they may lose their pupils to them. Is it not about time that the Government insisted that the law of the land be followed, so that youngsters in our schools can learn of all the alternative careers available to them apart from going to university?

**Viscount Younger of Leckie:** My noble friend is right, and that is why we recently announced an upgrade from 20 to 40 hubs. The whole point is that there is a co-ordinated response, with careers leaders in schools and careers advisers, one to one and in small groups, linked to the enterprise advisers, so that there is a cluster of help for these young people.

**Lord Storey (LD):** My Lords—

**Lord Brookman (Lab):** My Lords—

**Lord Taylor of Holbeach (Con):** My Lords, I think it is the Lib Dems' chance to speak.

**Lord Storey:** My Lords, the Minister may have heard that the Education and Employers Taskforce found that more direct contact between employers and young people from an early age has a direct impact on their ability to make informed choices between the different options and routes available. How can he see that that is embedded in all schools? Should we make money directly available to schools and colleges to make this happen?

**Viscount Younger of Leckie:** The emphasis is on the Careers & Enterprise Company and the careers service to take this forward, which indeed they are doing. We must make sure that employers have the opportunity to go into schools and meet pupils one to one. That is happening: there are some very good statistics, particularly on the back of the pilots we have done up in the north-east, to show that we are making progress.

**Lord Aberdare (CB):** My Lords, one of the Gatsby benchmarks of quality in careers education states that students should have opportunities for personal, face-to-face guidance interviews with fully qualified careers professionals. What are the Government doing to tackle the known shortage of such skilled professionals and the lack of funding available to schools to employ them? Will they consider offering training bursaries for this purpose, for example?

**Viscount Younger of Leckie:** Effective personal guidance can make a significant contribution to social mobility and the economic health of the nation, so the point the noble Lord has made is very important. The eighth of the Gatsby benchmarks requires all young people to have a careers interview by the age of 16 and the opportunity for a further interview by the age of 18. We are investing £2.5 million to support the development of new, cost-effective models to deliver personal guidance.

**Baroness McIntosh of Hudnall (Lab):** My Lords—

**Lord Brookman:** My Lords—

**Lord Taylor of Holbeach:** My Lords, the noble Lord has risen before.

**Lord Brookman:** My Lords, I wanted to say a few words to let people know that I am still alive. In the House of Lords there are a variety of people, many of whom I know, who have made their way in life. Is it necessary to have a strict regime for education to allow children—my children and your children—to get forward in the future with the best interest of themselves and their families in mind? Am I talking daft or am I talking sense?

**Viscount Younger of Leckie:** My Lords, it is important to have a proper, organised approach to this, and I have no doubt that many noble Lords give more than enough of their time to young people—we see them coming into this building the whole time, and I know that I give careers advice whenever I am called upon. What is important is an organised approach that covers the whole country. That is why the Careers & Enterprise Company was established in the first place.

## Extreme Poverty and Human Rights: United Nations Report *Question*

3.14 pm

*Asked by Baroness Janke*

To ask Her Majesty's Government what steps they are taking to address the findings of the report of the United Nations Special Rapporteur on extreme poverty and human rights, published on 22 May.

**The Parliamentary Under-Secretary of State, Department for Work and Pensions (Baroness Buscombe) (Con):** My Lords, we have responded fully to the special rapporteur's recommendations. A sustainable solution to poverty needs a strong economy and a benefits system that works with the tax system and the labour market to support employment and higher pay. Under this Government, employment is at its highest level since the 1970s. Wages are rising at their fastest in a decade. Income inequality has fallen. The number of children in workless households is at a record low.

**Baroness Janke (LD):** The evidence in the report is from widely respected sources: one-third of children are in poverty—the Social Metrics Commission; 50% of children in one-parent families are in poverty—the Joseph Rowntree Foundation; the bottom 20% of earners will have lost 10% of their income by 2021—the Equality and Human Rights Commission. Is it not time that

the Government listened to the poor and their charities and restored a social safety net worthy of the UK in the 21st century?

**Baroness Buscombe:** My Lords, nobody wants to see poverty rising and we treat the issues raised by the special rapporteur seriously. However, we seriously regret the inflammatory and overtly political tone of his report and strongly refute the suggestion that we have failed to listen to stakeholders. As set out in our published response, we have taken action in a number of areas, including the recently announced reduction in the maximum duration for a single sanction from three years to six months.

**Baroness Bryan of Partick (Lab):** My Lords, the rapporteur drew specific attention to the plight of women born in the 1950s, who have been particularly impacted by the “abrupt and poorly” phased in change to the pension age. Does the Minister accept that these women should be compensated for the loss they have experienced?

**Baroness Buscombe:** My Lords, I believe in equality. Some of the rapporteur's recommendations show a rather myopic understanding of universal credit. When I broached the subject of this report while representing Her Majesty's Government at the UN last week, it was clear that everyone who knew about it was keen to distance themselves from it, preferring to compliment this Government on, “Groundbreaking, exemplary and world-leading policies in the area of work and pensions.”

**The Lord Bishop of Leeds:** My Lords, if the success is so great, why are so many schools in my diocese having to feed children, and why does almost every parish contribute to food banks?

**Baroness Buscombe:** My Lords, we have done an enormous amount to tackle poverty since we came into government. We have invested huge sums of additional money into developing a welfare system that encourages people into work and supports them in work and with progression in their jobs, so that they can better provide, because we know that the best way to get out of poverty and save children from it is to work. As the IFS said today:

“Absolute poverty remains at its lowest ever level”.

**Lord Harries of Pentregarth (CB):** Will the Minister comment specifically on Wales? The report says:

“Wales faces the highest relative poverty rate in the United Kingdom, with almost one in four people living in relative income poverty. Twenty-five per cent of jobs pay below minimum wage”.

**Baroness Buscombe:** My Lords, we are tackling poverty across the country. I refer noble Lords to the leader article in the *Times* of 25 May:

“The failings of Mr Alston's report are legion ... it is padded out with such accusations as that the government evinces a ‘punitive, mean-spirited and often callous approach’”.

This is the *Times*. It said, “This is nonsense”. It goes on:

“yet poverty in this sense does not exist in Britain in the 21st century”.



We are responding to reports with care but, in all seriousness, we must say that many things in this report are exaggerated and inflammatory.

**Baroness Sherlock (Lab):** My Lords, perhaps I may offer the Minister a quote about the report:

“we did a fact check of that report. He made a lot of good points. It was factually correct ... in terms of the facts, of austerity, cuts to local government funding, of the reliance that we have on the labour market and the risk that we face if there was a recession, all of those things were really good points that we have taken on board”.

That is a quote from the policy director for children, families and disadvantage at the DWP, giving evidence to the Work and Pensions Select Committee last week.

Given that we have received not just this report but one after another showing that families on low incomes are really struggling, and given the crucial point made by the right reverend Prelate the Bishop of Leeds that families are turning up at food banks all over the country, working parents are going to food banks and schools are feeding hungry children, something is going wrong. Please will the Minister look again at this?

**Baroness Buscombe:** My Lords, we continue to listen and to learn. The Government continue to spend more than £95 billion a year on benefits for people of working age. I say again, as I have said so many times before, that when the party opposite were in government, 20% of all working-age households in the United Kingdom—including Wales—were entirely workless. We have brought that figure down to 13.9% and we want to bring it down much further, but there are many different ways in which we are making a difference, listening and investing more money in real terms into the system to support and encourage people into the world of work and support those who cannot work.

**Baroness Boothroyd (CB):** The right reverend Prelate asked a direct and interesting question. Will the Minister answer it?

**Baroness Buscombe:** I have answered it. We have listened; we have taken the questions and statements of the rapporteur very seriously. We do not accept, in the words of people at the United Nations last week, the political scaremongering, the hyperbole, the inflammatory and scaremongering approach to the whole subject. It is not helpful from someone who was not keen to engage with our officials.

## Brexit: Border Controls *Question*

3.22 pm

*Asked by Lord Harris of Haringey*

To ask Her Majesty's Government what assessment they have made of (1) whether there are sufficient resources at the United Kingdom's borders to prevent illegal arms and illicit drugs entering the country; and (2) whether such resources would need to be increased when the United Kingdom exits the European Union.

**Lord Harris of Haringey (Lab):** My Lords, I draw attention to my interests as declared in the register and beg leave to ask the Question standing in my name on the Order Paper.

**The Minister of State, Home Office (Baroness Williams of Trafford) (Con):** My Lords, the Border Force and other law enforcement organisations are successfully working together with international partners to secure our borders from a range of threats, including firearms and harmful substances, and to disrupt and prosecute organised criminal groups. The Government have been consistently clear that border security will remain our priority now and after the UK leaves the EU.

**Lord Harris of Haringey:** My Lords, I am grateful to the Minister for that Answer, but it sounds rather complacent. For example, Chief Constable Andy Cooke has warned that police and border officials are struggling to stem the rise in illegal guns being smuggled into this country. The National Crime Agency has pointed out that most criminal firearms have not been used before, which suggests that a “fluid supply” of guns is crossing the border. We also know the degree of confusion and chaos that is likely following Brexit. We know that the senior official responsible for this at the Department for Exiting the EU has just resigned. Is the Minister really saying that she has confidence, first, that the system is preventing dangerous and illegal materials entering this country at the moment and, secondly, that it will continue to do so after Brexit?

**Baroness Williams of Trafford:** I am saying that I am confident. A number of the measures that we have taken over the past few months underline my comments. On EU exit, the Border Force has had an additional £91.7 million on top of its gross annual budget.

I turn to the work we are doing in other states, which is incredibly important because drugs and firearms, which the noble Lord raised, are not a UK problem—they are a global problem and require a global response. We liaise and communicate in a number of forums to ensure the global response that we intend to maintain when the UK leaves the European Union. The noble Lord will also know that my right honourable friend the Home Secretary, in his meeting with Monsieur Castaner back in January, boosted and bolstered our response to the juxtaposed controls and the channel.

**Lord Marlesford (Con):** My Lords, is the Minister saying that she is happy with the situation? Is she not well aware that something like 50 Home Office officials, mainly connected with the border agency, have been sent to prison in the last few years? Is she not aware of the case raised by my Written Question and to which she replied, in which, on 16 November last year, one Home Office official, accused of smuggling drugs and firearms, was sent to prison for 23 years? Does that not indicate something pretty awful?

**Baroness Williams of Trafford:** I am well aware of what my noble friend talks about. I pay tribute to the Border Force and the work it has done. He will probably acknowledge that in any organisation, there will be people who seek to break the law and that is what happened here. Nevertheless, the Border Force is an excellent organisation that does great work.

**Lord Paddick (LD):** My Lords, in November 2018, the Independent Chief Inspector of Borders and Immigration was quoted in the *Telegraph* as saying that Britain's borders had been left open to illegal immigrants because of a chronic staff shortage at ports. The Border Force replied that it was recruiting 1,000 officers nationally, "to meet normal staff turnover", as well as an additional 300 front-line officers. More than six months on, how many short of the new 1,300 Border Force officers are we, and what continuing gaps in the UK border does that leave?

**Baroness Williams of Trafford:** I hope the noble Lord will be pleased to know that we have recruited, and are in the process of training and bringing up to speed, 900 Border Force officers. In addition to that, we are preparing for the summer and EU exit. He will also know that, in respect of e-passport gates, we have expanded eligibility to include the B5J plus Singapore and South Korea, increasing e-passport gate capability, which should make travel through the border a lot more streamlined.

**Lord West of Spithead (Lab):** My Lords, 169 illegal immigrants were picked up in the channel over the last week, more than there have been for a considerable time. We do not know how many might have got ashore whom we do not know about; we know that our minor ports up the east coast and around the channel are not properly monitored or covered by shipping assets or drones. Clearly, the system is not working: we do not have a waterproof system to stop people getting into this country. Will the Minister tell us whether we are increasing assets? It is all very well having good intelligence and deals with the French, but we need assets to be able to stop, monitor and cover these areas.

**Baroness Williams of Trafford:** The noble Lord is absolutely right. I talked about my right honourable friend the Home Secretary signing the joint action plan with his French counterpart, Monsieur Castaner. The plan that they agreed built on the existing border security partnership by setting out more than £6 million-worth of investment for new security equipment as well as the intelligence that he talked about and CCTV coverage of ports. On the small ports, we have enhanced our field intelligence and our search capability.

**Lord Anderson of Swansea (Lab):** My Lords, a chain is as strong as its weakest link. What efforts have the Government made to identify and strengthen the smaller ports that are particularly vulnerable?

**Baroness Williams of Trafford:** As I just said, we have strengthened both our field intelligence capabilities and our search capabilities for smaller ports. As the noble Lord said, a chain is only as strong as its weakest link and, of course, as we strengthen some ports, people will try to find inroads into the smaller ones.

**Lord Mackenzie of Framwellgate (Non-Affl):** My Lords, tackling the smuggling of firearms and drugs clearly requires our services, whether the Border Force or the police, to co-operate with our European partners. Does the Minister think that this will be helped if we crash out of Europe without a deal?

**Baroness Williams of Trafford:** My Lords, as I said to the noble Lord, Lord Harris, we intend to keep those lines of co-operation fully open, deal or no deal. The issues he talked about are not UK-wide, or even EU-wide: they are global and need a global response both upstream and among our various partners.

## Immigration and Asylum Applications

### Question

3.29 pm

Asked by **Lord Scriven**

To ask Her Majesty's Government what action they intend to take to address decision-making on initial immigration and asylum applications, following the publication of Home Office data that 52 per cent of immigration and asylum appeals were allowed in the year to March 2019.

**The Minister of State, Home Office (Baroness Williams of Trafford) (Con):** My Lords, the Home Office recognises that there are improvements to be made to the initial decision-making process, but there are various reasons why appeals are allowed, not all of which necessarily relate to the quality of decisions. However, we are not complacent; we continue to focus on improving the quality of decision-making and the customer experience, including learning from the tribunal.

**Lord Scriven (LD):** I thank the Minister for that reply. It is quite clear that there is a systematic and fundamental problem in the Home Office with the initial decision-making process on asylum and immigration. Issues such as basic information not being collected or used, medical reports being ignored and staff feeling a culture of bullying and intimidation have come to light. If that is the case, how do we in six months' time judge success and whether an improvement has been made so that this House and the public can determine whether this systematic failure is improving?

**Baroness Williams of Trafford:** I do not agree with the noble Lord that there is systematic failing. He will appreciate that many of these cases are complex and involve human rights considerations. I agree that we should focus on timeliness but the quality of decision-making, which the noble Lord also points out, is absolutely crucial. We have created a UKVI caseworking unit and caseworker lead; I hope that the quality of initial decision-making will improve—I do not doubt it—but I accept that the longer a decision-making or appeals process goes on, the greater the chance of more information coming to light or fresh appeals ensuing.

**Lord Rosser (Lab):** In a recent letter to me, the Minister said that, in 2017, 1,936 asylum applications were made on grounds of sexual orientation, with 423 grants of asylum, but 487 appeals were allowed—that is, there were more allowed appeals than the number of applications granted in that same year. I accept that, in some cases, more relevant information is provided by the applicant for the appeal than in the initial application. In what percentage of allowed appeals is that the decisive factor? What are the main reasons for

appeals being allowed? Do staff who turned down the initial application get told if there has been a successful appeal and the reasons for it? Have any changes been made to asylum application practices in the light of reasons for allowed appeals, whether in guidance or advice to applicants or questions that should be asked by those assessing an application? I ask these questions since, surely, the Government are trying to maximise the number of correct decisions made on initial applications and minimise the number of allowed appeals. What are the answers to the questions I have posed?

**Baroness Williams of Trafford:** I know that the noble Lord will understand if I do not answer all five questions now. However, I will answer his question on more appeals being allowed than applications being granted as it is a hangover from a question he has asked before. That figure was slightly mystifying at the time. Many of the appeals that are heard are not necessarily from that given year; there may be a lag effect with applications from the previous year—hence, in any given year, more appeals may be allowed than applications granted. I will leave it there but perhaps talk to the noble Lord afterwards about his other questions.

**Lord Hylton (CB):** Does the Minister accept that the quality of the first principal interview is the most important factor, rather than that of the later decision-making? Endless advice was given to successive Governments, so can the Minister assure me that interviewers will, whenever possible, be of the same gender as the applicant, and that there will be no assumption that all applicants are lying?

**Baroness Williams of Trafford:** My Lords, I do not think—in fact I am categorically certain—that no assumption is made that all applicants are lying, but where I would concur with the noble Lord is that the quality of the interview is incredibly important in the initial decision-making process. On the cohorts that we discuss quite often in the House such as LGBT people or people of faith, we have well-trained staff dealing with these applications. For LGBT and faith-based applications—I thank my noble friend Lady Berridge for establishing faith as a basis for an application—the training process for the staff has been much improved.

**Baroness Jones of Moulsecoomb (GP):** My Lords, does the Minister have any suspicion that the hostile environment created by our current immigration system might be contributing to the more overt hate speech that we are seeing on all social media as well as in wider society at the moment?

**Baroness Williams of Trafford:** The noble Baroness will know perfectly well that my right honourable friend the Home Secretary wanted to end the notion of a hostile environment, a term which was of course coined under a previous Labour Government, and move more towards an environment of compliance in the area of immigration. As she knows, hate speech is derived from a number of complex and different factors, so to talk about a hostile environment as the deciding factor for hate speech would be incorrect.

**Lord Cormack (Con):** My Lords, does my noble friend have a record of the number of refused asylum seekers who are claiming asylum because they are persecuted Christians?

**Baroness Williams of Trafford:** I do not have the number with me and I am not sure that the reason for persecution because of faith will be available. However, I will certainly have a look for my noble friend.

**Lord Paddick (LD):** My Lords, human rights appeals and EU free movement appeals are allowed in more than 50% of cases. Despite what the noble Baroness has said, the former suggests a continuation of the hostile environment culture at the Home Office and the latter sheer incompetence. Why is the Home Office not learning from these cases and adjusting its initial decision-making criteria accordingly? Any learning organisation would see a steady decline in the proportion of successful appeals, not an increase.

**Baroness Williams of Trafford:** Human rights appeals are often quite lengthy and those which end up before the tribunal come with new information to be presented, sometimes just a couple of days before the actual hearing, resulting in the higher number of wins on appeal. However, I totally accept the point and I do not think that I have shied away from the fact that our performance could be better. We are doing a number of things to improve our appeal rate win.

## Breathing Space Scheme: Consultation Response Statement

3.37 pm

**Lord Young of Cookham (Con):** My Lords, with the leave of the House, I shall now repeat a Statement made today in the other place by my honourable friend the Economic Secretary to the Treasury. The Statement is as follows:

“With permission, I should like to make a Statement to the House on supporting people in problem debt. This is an issue close to my heart. As a former member of the All-Party Parliamentary Group on Hunger and Food Poverty, I have seen at first hand the hardship that problem debt can cause. Now that I am in a position to bring about change, I am very focused on improving the lives of the most disadvantaged.

Problem debt places a heavy burden on households and can lead to family breakdown, stress and mental health issues. The Government have taken steps to prevent problem debt from occurring and to support those who have fallen into it. We have reformed the regulation of consumer credit and widened access to professional debt advice, and we are helping to build individual financial capability. Today, I can update the House on the Government’s plans to go further, with the introduction of a breathing space and a statutory debt repayment plan. I am very grateful for the support of my honourable friend for Rochester and Strood, whose Private Member’s Bill and ongoing work has made a key contribution to this becoming government policy.



[LORD YOUNG OF COOKHAM]

For people who are just getting by, even a small income shock can provoke a cycle of debt dependence that can be difficult to escape. If then faced with invasive debt enforcement, it is no wonder that many people in problem debt simply disengage. The first step to countering problem debt is to ensure that consumer credit firms are properly regulated; loans should not be made to people who cannot afford to repay them. The Government have empowered the Financial Conduct Authority to ensure that firms lend responsibly, protecting consumers from overborrowing. At Budget 2018, the Government announced new measures to increase access to affordable credit by helping foster a larger, more vibrant social lending sector.

In parallel, we have put in place support to help people make good financial decisions. The new Money and Pensions Service brings together three existing publicly funded money and pensions guidance services into one new organisation, providing free support and guidance on all aspects of people's financial lives. Importantly, it also has a statutory duty to develop and co-ordinate a national strategy to improve people's financial capability.

Despite these preventive measures, I recognise that many still fall into problem debt. For these people, further support is required. Seeking professional advice is a vital step in moving towards a sustainable debt solution. That is why we have increased public funding for free professional debt advice to almost £56 million this year, delivering 560,000 sessions in England. But more needs to be done. The Money and Pensions Service estimates that there are up to 9 million overindebted people in the UK, but only a fraction access free debt advice each year. That is why I can announce today, following consultation, how the Government will deliver their manifesto commitment to introduce a breathing space scheme for people in problem debt.

The scheme has two parts that, together, will protect debtors from creditor action, help them get professional advice on their debt problems and help them pay off their debts in a sustainable way. Breathing Space will provide debtors with a 60-day period in which interest and charges on their debts are frozen and enforcement action from creditors is paused. Creditors must not start new court action; communications with debtors relating to enforcement of their debt must stop; and benefit reductions to claim debt will pause. During this time, debtors will have to seek professional debt advice to find a sustainable solution to their debt problem. These protections will encourage people in problem debt to seek advice earlier and give them the head space to identify the right debt solution for them.

The statutory debt repayment plan is a new debt solution that extends the breathing space protections to debtors who commit to fully repaying their debts to a manageable timeline. Importantly, these payment plans will be flexible to changes in debtors' life circumstances in order to remain sustainable over the long term. If their disposable income decreases, their payments will go down, and vice versa.

The Breathing Space scheme will make a real difference to the most vulnerable families across the country, and I recognise the sense of urgency across the House to deliver this policy quickly. So I am committed to

delivering the scheme swiftly, working closely with key stakeholders to make sure that it works in practice. The Government will lay regulations on the breathing space element of the policy before the end of the year and intend to implement it as soon as possible in early 2021. We will continue to develop the statutory debt repayment plan to a longer timetable.

In addition, I am pleased to announce that the Government will go beyond their manifesto commitment in two areas. As many of us have heard in our constituencies, people's experience of problem debt is changing. As I have seen at first hand, it is wrong to assume that overindebtedness is simply a product of taking out too much credit. Many people struggle to meet essential bills and can end up owing money to multiple creditors in the public and private sectors. For this policy to be successful it must properly reflect the issues that debtors are dealing with, so I can announce today that the Breathing Space scheme will cover a broad range of debts—not just financial services debts but arrears owed to utility companies and to central and local government. Council tax arrears, personal tax debts and benefit overpayments will be included, among others. This broad protection will make the policy effective for debtors and fair to creditors.

The House will recognise also the strong links between mental health issues and problem debt. Sadly, up to 23,000 people in England each year struggle with problem debt while in hospital because of mental health issues. The Breathing Space scheme must work for everyone facing problem debt. In particular, it must be open to the most vulnerable in society. To that end, I can confirm that people receiving treatment in mental health crisis can enter Breathing Space without seeking advice from a debt adviser, which could be a significant barrier for many. These protections will last the entirety of an individual's crisis treatment, followed by a further 30 days to allow them to get back on their feet and decide whether they wish to enter the main Breathing Space scheme or work out another solution for their debts. Given that mental health issues are often recurring, there will be no limit to the number of times an individual can enter via this mechanism.

I thank the honourable Members for Liverpool Wavertree and North Norfolk, and my honourable friend the Member for Plymouth Moor View for their dedicated work on this issue, and the Money and Mental Health Policy Institute for raising this important issue.

Millions of people struggle with problem debt and the burdens it brings. The Government have committed to helping these people take control of their finances and get back on a stable financial footing. The Breathing Space scheme that I have described today will fulfil this commitment. I commend it to the House”.

My Lords, that concludes the Statement.

3.46 pm

**Lord Stevenson of Balmacara (Lab):** My Lords, I declare my previous interest as a former chair of StepChange, the debt charity. I thank the Minister for repeating this Statement, and I am very happy to hear what he had to say. I have campaigned for both these changes in policy for a number of years, and it is astonishing to hear them being announced today. What on earth will I do with my time?



The Minister will recall the discussions we had during the passage of the Financial Guidance and Claims Bill when he was the co-pilot, as he described it. We worked closely with the Government to try to get a breathing space scheme into scope. We did not succeed then, and the worry was that although these two measures were in the Conservative Party manifesto, they might, like so many other good and necessary policies in recent years, fall under the Brexit behemoth, but here we are. I welcome the excellent progress made on this issue.

I was interested to hear that the Minister making the announcement in the other place revealed that this is an issue close to his heart. I think everyone who has seen at first hand the hardship that problem debt can cause realises that it places a heavy burden on households and can lead to family breakdown, stress and mental health issues. It was good to hear the Government accept that it is wrong to assume that overindebtedness is simply a product of feckless people taking out too much credit. Many hard-working families struggle to meet essential bills and can end up owing money to multiple creditors in the public and private sectors. My experience in StepChange was that the majority of the 500,000 or so people who contacted the charity each year had successfully managed their finances for many years before illness or another unexpected factor tipped them into unmanageable debt, which they desperately wanted to repay.

With this announcement today, the Government have taken a significant step which will do a huge amount to encourage people to seek the free professional advice they need timeously when problem debt occurs. The combination of the breathing space and the statutory debt recovery scheme will support those who have the capacity to repay their debts but lack the knowledge and expertise to deal with their multiple creditors. It will allow them to do so in a way that will repay much more to creditors and in a shorter time. This system has worked for many years in Scotland, and it is good to see that pioneering approach being extended to England and Wales, and hopefully to Northern Ireland in due course.

The detail of the government response has only just gone up on the website and there is a lot to take in, but I would like to make a few points. I worry that the breathing space period of 60 days may not be long enough in practice, and I am sure that this will be something we will need to come back to, but I think the best thing is to begin with that length and review it in the light of experience. It is good that the protections include the freezing of further default interest, charges and enforcement action once somebody has taken the first step of seeking debt advice. We are delighted that government debt will be included in both schemes. In particular, this should give some protection to many people against the rather aggressive action that is sometimes taken by bailiffs collecting council tax arrears.

The introduction of a special version of the breathing space for people experiencing a mental health crisis is most welcome. It is good that there is not going to be a public register, with all that that might bring in terms of unsolicited approaches to those on it from unscrupulous third parties. I think the Government have taken the right decision about a private register. We are sad that

we will not see the breathing space scheme until 2020 and will not see the statutory debt management recovery scheme until 2021 or later, but I hope that HMT will do what it can to expedite both schemes. We certainly stand ready to help if that is required.

I have some reservations about the suggested level of the statutory fair share element in the SDRP. The current scheme agreed with large creditors is much higher than the 9% suggested in the Treasury's response. However, I am aware that there is a broader discussion on comprehensive debt advice funding being worked on by the new Money and Pensions Service.

I will conclude by discussing two other issues. Unmanageable personal debt is a by-product of many factors, but most are linked to the health of the economy. Lack of affordable credit, slow wage growth, growth in zero-hours contracts and changes brought in by the gig economy all play a part. In addition, it is incontestable that the introduction of universal credit is causing strain and stress here. While this new policy is welcome—and it is—other issues need to be addressed. Does the Minister agree?

Finally, while it is true that the Government have acted to correct abuses in the consumer credit market, high-interest loans are still being made to people who cannot afford to repay them. Banks are not averse to making punitive charges for temporary overdrafts. Guarantor loans are a current concern, and it is a matter of considerable regret that the Government have not taken action to outlaw logbook loans. In relation to the latter, will the Minister agree to meet me to discuss how we might progress the Law Commission draft Bill on goods mortgages, which would *inter alia* have the effect of repealing the Victorian legislation that gives rise to these bans?

**Lord Sharkey (LD):** My Lords, I thank the Minister for repeating the Statement. We on these Benches very much welcome the introduction of the breathing space and the statutory debt repayment schemes, although we do have a few questions about execution.

To debtors, this reform may seem to have been quite a long time coming: I can recall discussions in Parliament in 2015, as well as outside long before that. The proposal was, of course, included in the Conservative Party's 2017 manifesto. Many people and organisations have played a part in getting us to this stage. I particularly want to mention StepChange and the noble Lord, Lord Stevenson of Balmacara. The critical point in getting the Government to do something arose during the passage through this House of what is now the Financial Guidance and Claims Act 2018. The amendment to the Bill by the noble Lord, Lord Stevenson, about breathing space now appears as Section 6 of the Act. This section encouraged and enabled the Government to do what they have announced today.

Turning to the schemes themselves, we are pleased that the Government have in most cases followed the advice they were given in the consultation—which seemed to be a model of its kind, unlike some of the other consultations that the Minister and I have had to discuss in this Chamber. We believe that the eligibility criteria for the breathing space scheme are broadly right, although we have doubts about the restriction to only once in 12 months. We encourage the Government

[LORD SHARKEY]

to think again about this and—as they say they are minded to—to include provision for joint debts to qualify for inclusion in the scheme.

We are also happy to see that local and central government debts are to be included in the new scheme and very pleased to see the inclusion of small sole-trader debts, which we think is a vital element. We especially welcome the unlimited extension and repeated entry to the scheme for those in mental health crisis.

The Government's very helpful consultation and policy response paper does qualify the inclusion of universal credit advances and third-party deductions from universal credit. The document is very vague about the timing of their eventual inclusion. I ask the Minister to give the House a little more detail and encourage him to speed up the process of including these two elements.

When it comes to which ongoing bills should be paid during the breathing space, I think that the Government have it about right in giving debt advice agencies the discretion over whether to remove people who do not keep up specified ongoing payments from the scheme.

Debt and debt repayment continue to be severe problems for millions of people in this country. As the Minister noted, the Money and Pensions Service has estimated that around 9 million people are overburdened with debt. We also now know that real incomes have started to fall again.

The Government's proposals are a significant step forward in addressing problem debt, and we welcome them. However, we are disappointed with the timetable for the introduction of these measures. Early 2021 seems a very long way off—probably an intolerably long way off if you have unmanageable debt. All the Government's proposed measures can be introduced by SI. Parliament is not currently overpressed with business. Why can we not use some of that time to bring forward the implementation date?

**Lord Young of Cookham:** I thank both noble Lords for their generous welcome to the announcement, in particular the noble Lord, Lord Stevenson. I remember the forceful case he made during the passage of the Financial Guidance and Claims Bill, drawing on his experience in StepChange, which drew on research showing that schemes such as this stop people getting into a cycle of debt and end up with the creditors getting more than they would, had such a scheme not been available. As the noble Lord, Lord Sharkey, said, his amendments to the Bill enable us to make progress. As he said, I was a co-pilot with my noble friend Lord Freud on the Bill—the two intellectuals Freud and Young took that Bill through the House.

I take the point from the noble Lord, Lord Stevenson, about 60 days possibly being not long enough. He will know that that is more than the six weeks pledged in our manifesto and more than the six weeks available in Scotland. We believe we have that right. I agree entirely with what he said about the Insolvency Service's register being private and not public. I take his point, which was also made by the noble Lord, Lord Sharkey, about trying to speed things up.

I take the point that the 9% top slice that the agencies will get is less than the 13% currently available, but by contrast this is guaranteed in a way the 13% might

not be. Also, we believe it will be on a much broader base. Of course we will keep the revenue stream under regular review, but we think we have it about right.

On loans, the FCA has announced a tough new package of measures on high-cost credit. It has the powers to introduce caps, but perhaps I can make more inquiries about that specific point. I have no hesitation in agreeing to a meeting with the noble Lord, Lord Stevenson, which I welcome. Perhaps it would make sense to involve the Economic Secretary to the Treasury, who has prime policy responsibility for the subject matter.

I am grateful to the noble Lord, Lord Sharkey, for his welcome of the scheme. The once-only ability to go into the breathing space does not apply to those with mental health problems. We wanted the first time to have a sustainable, long-term solution to the debt problems and there was an anxiety about the possibility of abuse if people could go on applying. We will look at that. He has a valid point about joint debts. Likewise, often a small trader's personal finances are inextricably involved with the business. It makes sense to have eligibility for small traders up to the VAT limit.

On universal credit, any overpayments will be stopped immediately, although there is an IT issue that prevents the same process being applied to other payments. Perhaps I could write to the noble Lord, but the objective is to address those IT problems as soon as possible.

Finally, the noble Lord mentioned the timetable. This was raised in the other place. He might have followed the exchanges. The Economic Secretary said that he had had discussions with his officials to try to drive the timetable through as quickly as possible. There are some IT issues about making sure the public sector interface with the Insolvency Service can react to people entering and leaving the breathing space. We want to get it right, but I will certainly tell the Economic Secretary that both noble Lords expressed anxiety about the timetable and asked whether it could possibly be accelerated.

3.59 pm

**Lord Boateng (Lab):** My Lords, the scheme is welcome. My early experience as a lawyer helping to run a citizens advice bureau service in north-west London taught me that two particular categories of people are often overlooked on this issue. The first is those who cannot read or write, who can find themselves falling into enormous difficulties as a result of not being able to share that fact with the authorities. The other is those who do not read, write or even understand English. Speaking from experience, I think it is absolutely vital that the scheme provides adequate resources for training facilities that meet the needs of those two special and sometimes overlooked groups.

**Lord Young of Cookham:** The noble Lord makes a valid point. Those who are innumerate or illiterate will have difficulties in this area. The Money and Pensions Service will ensure that there are debt advice agencies available that can meet the needs that the noble Lord has just explained, also ensuring that those who may not have English as their first or second language are also able to access the debt advice agencies. Our objective is to make the breathing space available to everyone who has a debt problem, whatever their background.

**The Lord Bishop of Leeds:** My Lords, I welcome this Statement, and thank the Minister for repeating it. I also want to note the work that the Church of England and the Children's Society have done promoting these matters. I am particularly pleased that public and utilities debt is to be included in this, but—taking advice from Donald Tusk, who said “Don't waste the extension”—can the Minister say who will ensure that plans are put in place for sustainable debt resolution? It was said that debtors will have to seek professional advice. How will that be ensured, so that we do not simply prolong the problem of debt where it will be exacerbated? Secondly—and I am sorry if I missed this in the Statement—when might we expect the new regulations to be published?

**Lord Young of Cookham:** On the latter point, the first regulations will be laid towards the end of this year. I will write to the right reverend Prelate about the timetable for the sustainable development plans. Can I pay tribute to the work that the Church has done in this area? There is the Just Finance Foundation, founded by the most reverend Primate the Archbishop of Canterbury, the Lifesavers financial education programme, very active in primary schools, and Christians Against Poverty, a registered debt advice agency. I pay tribute to the work that they do.

The idea is that those who enter into a breathing space will, after a dialogue with the debt advice agency, then have a sustainable debt plan which takes into account the resources that are available and arrives at something which enables them to meet their debts—but over a period ideally not more than seven years. It is designed to ensure that they have enough to meet their obligations, including their ongoing debts. There may be some cases where the income simply is not available to enter a sustainable debt plan, in which case they may be advised for bankruptcy or IVA. The idea is to give a breathing space of 60 days in which a person can come to terms with their financial circumstances and have professional advice about the best way through, enabling them to get their life back on an even keel.

**Baroness Ford (CB):** My Lords, like other noble Lords I greatly welcome the announcement made today and, in particular, the provisions and support offered to people with mental health difficulties and debt. However, when someone is in a crisis involving their mental health, they are probably at their least able or well-equipped to access the kind of advice that the Minister has described. Can he say whether there are plans in place to train and support health professionals in the NHS—particularly mental health professionals—to give support and advice to those who need to access the breathing space period?

**Lord Young of Cookham:** The noble Baroness makes a very good point. There is a crucial role in this for an approved mental health practitioner, who could be a social worker or a GP with the relevant qualifications. The AMHP can say to the debt advice agency that this person has a debt problem and is unable to go through the whole process of putting together a plan. But they get a buy-in to the next round, in that their debts

are frozen, they enter the breathing space and they do not have to enter into a repayment plan until such time as the crisis is over and they are able to do so.

I take on board the noble Baroness's point that we need to ensure, first, that there are enough approved mental health practitioners; and, secondly, that they know what to do if they meet somebody with a debt problem—to contact one of the debt advice agencies and get the breathing space.

**Lord Mackay of Clashfern (Con):** I thank my noble friend the Minister for mentioning the CAP, a charity established in the north of England which I have known of for quite a while. I get its reports regularly and it seems very successful in dealing with this sort of difficulty. I hope that as the government machinery is developed, we might learn a little from that. I commend the thought that that might be a useful form of co-operation. It may be that such co-operation exists already; if so, so much the better; if not, please do.

**Lord Young of Cookham:** The answer to “please do” is, “Yes, I will”.

**Lord McKenzie of Luton (Lab):** My Lords, like other noble Lords I warmly welcome today's announcement. At the start of his presentation, the Minister talked about progress that was being made other than via these announcements, and he referred to financial capability. Can he update us on what progress has been made in that area? He touched upon the issue of overpayments of social security, whether through universal credit or otherwise. Can he say again how that fits into this scheme and whether the sanctions delivered on people might be covered by it?

**Lord Young of Cookham:** The second part of the noble Lord's question is easier to answer than the first. Any overpayments to the DWP will stop. People will not have their benefits docked if part of their benefit is an overpayment of a previous benefit; that will stop from day one. Likewise, if they have been overpaid universal credit and it is being docked because that is being paid back, that will stop on day one. On financial capability, I remember the noble Lord's interventions during consideration of the Bill referred to by the noble Lord, Lord Stevenson. I mentioned in passing the work of the Church in financial education, but the noble Lord's question deserves a more substantive reply than I can give at the moment. Perhaps I could write to him about progress on developing financial capability.

**Baroness Altmann (Con):** My Lords, I declare my interest as set out in the register, as an adviser to a social enterprise which helps people in debt to manage and consolidate their debt more cheaply in the workplace. I congratulate my noble friend the Minister on this Statement, and in particular I congratulate our honourable friend the Economic Secretary to the Treasury, who has clearly listened carefully to the debates and points made on this issue. The extent of the measures announced today goes a long way towards proving that he is genuine in saying that this issue, which we have worked on extensively across this House, is close to his heart. I pay tribute also to the noble Lords, Lord Stevenson



[BARONESS ALTMANN]

and Lord Sharkey, who were instrumental in this area, and thank the Government for introducing something so necessary. I have one brief question. Will the Minister find out what plans the department has to make sure that these schemes are publicised, so that those who need them are rapidly directed to the help that will be available?

**Lord Young of Cookham:** May I, in turn, compliment my noble friend, who was a Minister at the DWP and can perhaps claim some maternity regarding some of the policies we are now discussing? She made a very valid point about the role of your Lordships' House. I recall the debates on the Bill; it was improved as it went through, partly as a result of the intervention of the noble Lord, Lord Stevenson. My noble friend mentioned publicity, and I entirely agree. When the time is right and we are ready to launch the new scheme, it should of course be well publicised so that those in financial difficulty know that it is available and, crucially, how to access it.

**Lord Young of Norwood Green (Lab):** My Lords, I do not know whether the Minister saw the recent "Panorama" programme that included a section on guarantor loans and the disgraceful activities of a company that was loading an individual up with another £10,000-worth of debt. Not only was she unable to pay; I think her mother was also involved. I recommend that the Minister watch that programme if he has not seen it, because the activities of some of these companies are reprehensible and are putting people in impossible situations. I heard reference to the possibility of the FCA introducing caps. Can he confirm that the FCA will take action?

**Lord Young of Cookham:** I am not sure whether the noble Lord followed the exchanges in the other place, but an honourable Member raised the question of guarantor loans. I think I am right in saying that the Economic Secretary to the Treasury said that he had recently met the FCA about guarantor loans, so perhaps I could write to the noble Lord about the outcome of that exchange.

**Lord Foulkes of Cumnock (Lab Co-op):** My Lords, does the Minister accept that the picture he has painted of millions of people in debt and in poverty is at odds with the rosy picture that the noble Baroness, Lady Buscombe, tried to paint at Question Time earlier today? Could he have a word with his noble friend and explain to her that United Nations rapporteurs have no incentive to tell other than the truth? That is what they are there for. When that Minister comes here, it is to answer questions from the right reverend Prelates and Cross-Benchers, as well as from Members from political parties. It would do her and the House a great deal of service if she would make some attempt to answer them fairly and honestly.

**Lord Young of Cookham:** I am reluctant to rise to the bait that the noble Lord dangles in front of me. My noble friend made a robust defence of government policy.

**Lord Stevenson of Balmacara (Lab):** My Lords, I have probably mistimed this but the Minister, who is well known for his quickness on his feet in debate and for his ability to spin out of absolutely nothing a brilliant joke, may have slightly overstepped himself. When he tried to pay tribute to the work done on the Bill, he got himself to the point where he could use the wonderful phrase, "Young and Freud did it". In fact, it was the noble Baroness, Lady Buscombe, who took the Bill through this House, with his great co-piloting. The dual team was indeed a dream team and we had a great time. The noble Baroness also got the issue that we are trying to get very well. She did a lot of work behind the scenes and I pay tribute to that.

**Lord Young of Cookham:** The noble Lord is absolutely right. There are so many Bills going through the House on which my services are sometimes required that I may have muddled them up. My noble friend Lady Buscombe is not a great philosopher, unlike my noble friend Lord Freud. I am grateful to the noble Lord, Lord Stevenson, for putting the record straight and pay tribute to the work that my noble friend did. I know that she worked extremely hard to get consent and was as generous as she could be—within the constraints, as he will understand—in bending government policy to accept opposition amendments.

## Wild Animals in Circuses (No. 2) Bill

### *Second Reading*

4.13 pm

*Moved by Lord Gardiner of Kimble*

That the Bill be now read a second time.

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Gardiner of Kimble) (Con):** My Lords, this is a straightforward Bill. It seeks to prohibit the use of wild animals, whether in performances or displays, in travelling circuses. There is strong public opinion in support of this and government consultations in England, Wales and Scotland show that well over 90% of respondents are in favour. This reflects the Government's view that seeing wild animals in circuses does nothing to further our understanding or conservation of wild animals.

In 1990, there were 20 travelling circuses using over 250 wild animals between them. Now, there are two travelling circuses with 19 wild animals in total—specifically, six reindeer, four camels, four zebras, two racoons, one fox, one macaw and one zebu.

Consideration of this issue arose during debates on the Animal Welfare Bill in 2006. The Government at the time agreed to consider whether it would be possible to bring forward a ban on the use wild animals in travelling circuses under powers in that Bill, now the Animal Welfare Act 2006.

Matters moved on and, in 2012, the Government announced their intention to introduce primary legislation on ethical grounds, but as an interim measure they introduced a seven-year circus licensing regime to ensure that a high standard of welfare was secured for any



travelling circuses still using wild animals while parliamentary time was found to enact a ban. The regulations were recently reviewed and found to have been successful in safeguarding the welfare of the animals. In their review of the regulations, the Government confirmed that they would not be renewed.

The regulations are due to expire on 20 January 2020, which is why it is critical that we now deliver the commitment in my party's manifesto. The Bill is essentially a tidying-up exercise following the long-term planning on the part of the Government to prohibit the use of wild animals in travelling circuses.

Clause 1 makes it an offence for a circus operator to use a wild animal in a travelling circus in England. The offence applies only to the operator of a travelling circus; that is, the person with overall responsibility for it. The "use" of a wild animal is defined as both performance and exhibition as part of the circus. This should cover those circumstances where wild animals are put on display by the circus, usually just adjacent to the big top, as well as where the animal performs in the ring.

The penalty for a circus operator found guilty of using a wild animal in a travelling circus is an unlimited fine. Where any evidence is found of a wild animal being mistreated, the Animal Welfare Act 2006 will of course apply, as is currently the case. The Act provides powers to seize animals should there be welfare grounds to do so.

Subsection (5) contains definitions for some of the terms used in Clause 1. "Wild animal" is defined as,

"an animal of a kind which is not commonly domesticated in Great Britain".

This is based on the definitions used in the Zoo Licensing Act 1981 and the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012. The guidance to the Zoo Licensing Act 1981 sets out clearly which animals should be regarded as wild or domesticated, and we intend to take a similar approach in guidance.

To clarify, a wild animal is still "wild" if it has been born in captivity. While most of the wild animals currently in English circuses were bred in captivity, usually from several generations of circus animals, they are still wild animals. Although the animals will have been tamed and trained to respond to humans, this does not mean that they have become domesticated. Domestication refers to a genetic selection process that occurs over multiple generations, often over hundreds if not thousands of years, effecting changes in traits across a population of animals. Individual or groups of "tame" wild circus animals are still wild animals for the purposes of the Bill.

The Bill does not include a definition of "travelling circus". The Government's view is that it is better for the term to take its common meaning and that prescribing a definition of "circus" is problematic on two counts: either it would be defined too broadly and thus reach further than intended, capturing other activities involving animals that move from place to place, or it would allow circuses to avoid the legislation by avoiding any features that captured them in the definition.

Clause 2 provides for the powers of inspection in the schedule to the Bill. Inspectors under the Bill would be appointed on a case-by-case basis by the Animal and Plant Health Agency, drawing on our existing list of approximately 50 zoo licensing inspectors. Given the expertise of these inspectors and their experience in working with captive wild animals, we can draw from this existing list of inspectors if there is ever a need to gather evidence to prove the offence in the Bill. If it were necessary for a police constable to be present during an inspection, the powers in the Bill allow for two people to accompany the inspector and use the powers of search and entry under the inspector's supervision.

Clause 3 makes a minor amendment to the Dangerous Wild Animals Act 1976. The 1976 Act requires persons who wish to keep dangerous wild animals as listed in the Act to be licensed; however, the Act currently exempts any dangerous wild animal kept in a circus from that requirement. This amendment would remove that exemption and mean that any dangerous wild animal, as listed in that Act, kept by a circus would need to be licensed by the circus's local authority, with an annual inspection. For example, the zebras and camels would need a licence under that Act. The Scottish Government, who have already introduced a ban on the use of wild animals in travelling circuses in Scotland, have asked to extend our amendment to the 1976 Act to Scotland.

Clause 4 provides that the Act comes into force on 20 January 2020, the day after the interim circus licensing regulations expire. I confirm that we will be producing guidance in good time for 20 January, which will clarify the terms used and the enforcement powers, and will give more detail to aid understanding of the content of the Act.

The Wild Animals in Circuses (No. 2) Bill has come at a time when we increasingly appreciate that the use of wild animals in circuses does nothing to advance either our understanding of animal behaviour or the conservation of wild animals. I believe that people wish to perceive wild animals in their natural state, expressing all the natural attributes of being wild, not performing tricks in the circus ring for our amusement. The promise of this legislation was contained in my party's 2015 manifesto and I know that there is strong support for the Bill across the parties. The timing of the Bill is critical, with the sunset clause on the regulations approaching. It is time to make progress on this legislation and I beg to move.

4.22 pm

**Baroness Mallalieu (Lab):** My Lords, this little Bill will probably reach the statute book, but it does not deserve to do so. It does not pretend to be an animal welfare Bill; the Government accept that. It is not being used to remedy any existing animal welfare problems; that is accepted by the Government. The Government say it is an ethical Bill and in a moment I shall come to the reasons why it is the opposite. It is a Bill without any evidential basis to justify its introduction: in fact, it is pure gesture politics. The Bill has serious implications for the future, which I will come on to a moment.

[BARONESS MALLALIEU]

The circus of my childhood contained lions, tigers and elephants. For myself, I totally accept that they have no place in travelling circuses, but they have long gone in this country because the public did not want to see what they regard as wild animals in such circuses and because of the introduction of a robust licensing system. I think that that was some seven years ago—I will be corrected if I am wrong—and it effectively ruled them out for the future. They are no longer there, nor could they come back, because, under the present legislation, no licence would be granted for them.

The Bill is about just 19 animals in two travelling circuses, most of which members of the public, I suspect, would not even classify as wild. I am thinking of the majority; the four camels and the reindeer, which have been domesticated for generations in other countries but not in this one, so they fall foul of the definition. I believe that the zebu, which I am told is some form of African cattle, is also domesticated in its own areas. We have to accept that the raccoons, the fox, the macaw and the zebras, of which there are but a handful, are wild.

However, this Bill uses the word “wild” in its title rather differently from its usual, generally understood meaning as any animal of a kind which is not commonly domesticated in Great Britain. The camels, reindeer and zebra with which we are concerned this afternoon have been bred by these circus communities and have lived all their lives among them. They could not be returned to the wild; they are effectively domesticated. There are animals of these kinds in zoos and private ownership up and down the country. Those animals and their conditions are not affected by this Bill.

The single fox was handed to the circus to look after as an orphaned cub. Macaws can be bought by any member of the public in a pet shop. These 19 animals are currently inspected three times a year and, by common consent, are looked after immaculately. The herbivores are treated like horses, with extensive grazing at every site to which they go, which is prepared for their arrival. Their stays are usually two to three days in each. Their average journey each week is 50 miles, and the horseboxes used to transport them would not be out of place in the smartest racing yard.

It is also worth saying that these animals are much loved by their owners. Many of them have been bred by them, some over generations. The owners live with them, work among them and regard them as part of their circus family. These two circus communities are part of a long tradition of travelling showmen, which is dying out, who live their lives in very close proximity to animals and work with them. This Bill tells these people, who look after their animals well, that they must get rid of them by 20 January next year—a disruption to their lives and to those of the animals who are in a settled routine and well cared for. I am assured by members of this community, with whom I have had contact, that if this Bill goes through they will do all they can to ensure that their companions are properly cared for. It will of course be expensive and a difficult transition for them all, both people and animals.

The Government say that this is an ethical Bill; that it is not right to have wild, albeit really domesticated, animals in travelling circuses. This raises the question of whether the taste of some people, even a majority, should be imposed on others without evidence of harm. It is surely an ethical tradition in our country, which we still at least claim is a liberal democracy, to limit the rights of Governments and majorities to prohibit or criminalise the activities of others without evidence of significant harm, whether to people or animals. There is no such evidence here, as has been conceded.

Some find animal acts in circuses distasteful. Some do not. It is worth noting that the number of those responding to the call for evidence on this Bill is dwarfed by the numbers attending and enjoying the two remaining circuses each year. On the face of it, this Bill affects only a very small number of people, but I am afraid that its implications go much further. A number of other travelling circuses are operating with domestic animals, and they are well supported. I enjoy visits every year, when I can, to Giffords Circus in Oxfordshire, which has horses and even chickens. Zippos Circus has no wild animals but has some horses and ponies, and among other places it regularly visits is Hove in Sussex, where it is greeted by a small handful of protestors. Posters are torn down; violence is threatened; those who attend, both parents and children, face abuse and even spitting at the entrance. The next step in the campaign is to stop all animals in circuses; that campaign is under way.

Many of us have seen similar demonstrations elsewhere where animals are involved. Last year, my local Dunster Country Fair had a thankfully peaceful one at its entrance. In yesterday's *Daily Telegraph* was an article about the famous chef Raymond Blanc producing vegan dishes for diners at Royal Ascot this year. One would have thought that the Vegan Society would have been pleased, but the reaction of Ms Piasecka, its spokesperson, was that,

“no vegan would attend horse racing”,  
and that it,

“is a romanticised industry that on the surface may seem a harmless sport, but it's cruel and exploitative”.

I add that 300,000 people are expected to attend Ascot this week.

We have all read in the papers about recent protests against the dairy industry with expensive national advertising. I have seen demonstrations outside abattoirs—most recently, perfectly peaceful, on the outskirts of Taunton. There have also been protests about many other things that perhaps one would not expect: sheep and pig racing, sheepdog trials, falconry displays and even, heaven help us, pony painting.

The animal rights movement protests are against any use of animals for entertainment or human pleasure and are increasingly common. No matter how vehemently the noble Lord, Lord Gardiner, protests that the Bill will not lead to further such prohibitive legislation, this very well-funded rights campaign will continue. A Bill such as this, with no evidence to support it, adds fuel to those causes.

There is a much larger problem that we need to confront before we go down this path. As a nation, we are increasingly distant from the countryside, the natural world and animals. Few people today live at close

quarters with animals—apart, perhaps, from a pet dog or cat, which all of us are often guilty of treating as quasi-human. What is right for us to do with animals for our own purposes is an important debate, but any laws that we change as a result must surely be based on evidence that what we allow presently is harmful before we stop it. The views of the animal rights movement deserve a hearing. Some of their arguments may be good and valid on some issues, but we should not change the law to ban things unless there is good evidence that they do harm.

Despite what we keep telling ourselves, I do not believe that we are a nation of animal lovers. We are animal sentimentalists, too often attributing human emotions and characteristics to attractive-looking animals while looking the other way at some of the real abuses and areas where real improvement could be made if we had the will. We need as a nation to make a proper reassessment of our whole approach to animals and their welfare based on evidence. Other countries are way ahead of us and have acted on, for example, non-stun slaughter, which affects millions of farm animals here each year. Last week in London, the Animal Welfare Foundation met to identify the top animal welfare priorities for managing animals in the UK, and the highest priorities for every species were identified. Some of them were obvious to all of us: for cats, neglect and hoarding; for dogs, behavioural problems, often insufficient exercise and isolation; rabbits kept in small cages; for pigs, painful management procedures; for sheep and cattle, untreated pain and ill-health. As president of the Horse Trust, I know that every horse charity in the country is currently full to capacity with rescued, neglected, abandoned or mistreated horses.

On exotic animals, which is the proper description of the animals we are concerned with under the Bill, the Animal Welfare Foundation made no finding because, it said, too little is known to draw a conclusion. They did not even make the list of priorities.

If the Government have time for a gesture measure such as this Bill, which I was told this morning was rejected by a previous Secretary of State as being not right to touch, there could surely have been time for a short, well targeted Bill to increase the penalties under the Animal Welfare Act for the deliberate infliction of unnecessary suffering to an animal, which is currently a derisory six months' imprisonment. Real neglect and cruelty go on, much of it unrecognised and, when it is, scarcely punished, while in the Bill, we are imposing a measure to hit a small group of people who care greatly for their animals and their welfare. What a waste of time.

4.34 pm

**Baroness Byford (Con):** My Lords, I am pleased to follow the noble Baroness, Lady Mallalieu. I totally agree with some of the things she said. There is a movement gathering pace against using livestock for entertainment in a way that has traditionally gone on in the countryside, and I accept that. There is currently a great harassment of our farmers and she raised the whole question of animals not being stunned before slaughter. I share her view on that. Today, however, we are looking at the Bill, which she quite rightly says is a small Bill, and I actually do not follow her logic or her thoughts as to why it should not go ahead.

I thank my noble friend Lord Gardiner for introducing the Bill, which I personally welcome. I see that there are a couple of noble Lords in the Chamber who sat through the Animal Welfare Bill, for which I was shadow Minister back in 2006. In Committee, I introduced an amendment to ban the use of all wild animals. The noble Baroness will probably not agree with me, but that was my view at the time. All these years later, my view has not changed. At the time—it would not have been the noble Baroness, Lady Bakewell of Hardington Mandeville—the Liberals were trying to bring in an amendment alongside mine which would have banned the use of all animals in circuses. Like the noble Baroness, Lady Mallalieu, I do not think that this is right. I think that domesticated animals have a real role to play in circuses and bring a lot of pleasure to those who go to see them, but I am still as strongly committed to the proposal that all wild animals should be banned.

I am grateful for the various briefings that I received from individuals and organisations, some of whom support the ban, while others are opposed. When we reach Committee, we will no doubt have well-argued debates on the practical definitions, which my noble friend the Minister mentioned earlier. We will be looking for unintended consequences, about which the noble Baroness rightly highlighted some of her concerns. Back in 2006, it was argued by some that the care of wild animals in circuses was not a welfare issue. In those days, the majority were well looked-after, as I am sure they are now. I do not think that that is an issue. However, there were some suggestions that the films that were shown at the time—which I have not seen on this occasion—contained some footage that was not necessarily taken in United Kingdom circuses. If that is still true, we should recognise it, because one cannot compare what goes on somewhere else with what goes on in our circuses here today. Having said that, in my view it is still a matter of, “Do we think it is right in this day and age?”

As I said, my views have not changed and I believe that there is much more general support for people wanting to see wild animals in their proper environment. The BBC programmes have helped enormously in that. For most people in this country, if they were not looking at wild animals on television, they would be going to zoos to see some of these animals in as near as one can get to their natural habitat. As I said, mine is a very personal view. I believe that animals are much better seen, where possible, in their natural environment.

I know that the noble Lord, Lord Trees, is going to speak later, but I was particularly pleased to receive the briefing from British Veterinary Association. I declare my interest—and I suspect that several others will do the same—as a long-standing honorary member of the BVA. I quote from its key points:

“BVA strongly supports a ban on wild animals in travelling circuses. The welfare of these animals is emblematic of the way we treat all animals under the care of humans. The welfare needs of non-domesticated, wild animals cannot be met within the environment of a travelling circus; especially in terms of accommodation and ability to express normal behaviour as per the five welfare needs (as outlined in the Animal Welfare Acts)”.

I agree with the noble Baroness, Lady Mallalieu, that the care and love the existing circuses have for those remaining 19 animals is very apparent, but the Bill poses



[BARONESS BYFORD]

the question of whether the animals should be in a circus to perform in the way they have traditionally done.

I know that many others will come forward with their views, but my view is still as strong as it was. As I said, I agree with some of the noble Baroness's concerns about other ways in which wild animals are used for demonstration purposes—for example, at agricultural shows or sheepdog trials or on other occasions—but that is not the same as having wild animals enclosed in travelling circuses. I hope that the Minister can clarify one or two points that have already been made and will be made again as we go through this Second Reading.

4.40 pm

**Baroness Jones of Moulsecoomb (GP):** My Lords, it is a pleasure to follow the noble Baroness, Lady Byford. It is fantastic to be able to agree with a Member from across the House.

The Explanatory Notes set out the policy background with deadpan humour by informing Your Lordships:

“The Bill takes forward the Government's policy in relation to the use of wild animals in travelling circuses as set out in the Written Ministerial Statements on 1 March and 12 July 2012”.

I was not a Member of your Lordships' House in 2012 but, since I became one, I have grilled the Minister on this exact issue. Over the years, he has diligently listed his 19 animals and the promised legislation. I did not realise that the policy went so far back. It may have taken us seven years, three Brexit extensions, two Prime Ministers and an ungovernable House of Commons to get here, but I am glad that the Government have finally got round to this. I see it as a tidying-up exercise and I hope that, in time, it might lead to other things.

I also hope that Defra's other policy announcements do not take quite as long to reach the Floor of this House; there is only so much long grass into which the Government can kick important policies such as the clean air strategy, the 25-year environment plan and dealing with the climate emergency.

The Bill is simple. It marks a small step forward for this country in its relationship with wild animals and the natural world. However, the Government are perhaps taking a bigger jump in recognising that, no matter how well looked after a creature may be, there are limits to the quality of life that can be enjoyed when an animal is denied the ability to express its animal nature as nature intended. I have huge sympathy for, and agree with almost all of the points made by, the noble Baroness, Lady Mallalieu, but we are coming from completely different directions; I would like more, rather than less, legislation.

Others from across the political spectrum will cover these questions. Some of us have questioned why the Bill focuses only on wild animals in circuses. Why does it not cover all animals in circuses, and why not animals in other places as well? Why is a zebra that spends most of its time grazing and a bit of time parading in a circus tent singled out against its unstriped cousins, which are cheered on at Ascot and then unceremoniously shot when they get an injury? I declare an interest in that I have attended Ascot.

These are valid questions. I hope that the Bill is a stepping stone towards questioning the wider relationship between humans and animals in the world that we share. As the noble Baronesses, Lady Mallalieu and Lady Byford, asked, what will happen to the animals affected by the Bill? We are talking about only a small number of animals, but we should not change their lives without foresight of the outcomes. They may continue to be kept as pets by their current owner or some other owner, but are they then living the “wilder life” that is supposedly the ethical purpose of the Bill?

Alternatively, on being rendered economically unviable, will they be redirected to other, non-circus work? I am not sure that a reindeer getting a job as Rudolph in Santa's grotto, or as an extra in TV or film, is any more wild and free than one in circus life. That loops around again to the question of why we are focusing purely on circuses and not on other forms of commercial exploitation.

I hope that future legislation will deal with the wider questions of human domination over nature and take a much more holistic view. For example, does the Minister know the story of the fox who is currently serving as a circus exhibit? I am told that he was rescued as a pup from fox hunters. If foxes could speak, would that particular fox say that he was happier for having run away to a circus or would he rather have been ripped to pieces by a pack of dogs? It is an important issue because it shows how viewing this in isolation does not make any sense. We cannot save animals from the circus on Wednesday and then trot down to the hunt on Saturday.

In tackling the broader issues and to avoid delaying the Bill as it goes through its future stages, would the Minister kindly update the House on the Government's legislative proposals around animal sentience? This is something that has come up and is an issue of concern and interest to many noble Lords. Consideration of animal sentience was promised enthusiastically during the passage of the European Union (Withdrawal) Act 2018, but it seems to have hit a brick wall. Will there be another seven-year hiatus on this or can we hope to see something a little sooner? Animal sentience legislation is needed to fill an important gap in the law caused by our departure from the EU, so we cannot afford to be still debating this in seven years' time.

Although I do not feel that this Bill on wild animals in circuses goes far enough, it does do something important. I feel that we are being held hostage by the parliamentary timetable and the prospect of a Prime Minister in waiting as we try to avoid kicking this Bill back into the long grass. For that reason I will support it and I do not intend to try to amend it in its future stages.

4.46 pm

**Baroness Fookes (Con):** My Lords, I warmly support the introduction of this Bill, and that will come as no surprise to my noble friend the Minister. My beef is that it has taken so long to get to this point. I could have done with the Bill back in the 1960s, when I was a very young councillor faced with the prospect of a travelling circus coming to town seeking a loan of council property to stage the circus. I had misgivings and that was why I had my first contact with the RSPCA, to ask what it thought of this. The reply was unequivocal: the society



felt that circus performing was damaging to wild animals and expressed concerns about two aspects. The first was whether there was cruelty in the training of animals, particularly the very wild ones. I believe that much of the training at that time took place abroad, where there could be no control whatever. The second aspect is still valid today: that travelling from place to place, even if only 15 miles as someone suggested, means that animals are held in close confinement. I do not believe that animals which are probably used to roaming as part of their natural way of life should be confined in that way. The Bill is a great step forward.

There has certainly been a change in public attitudes, a point touched on by my noble friend. He said that programmes made by the BBC Natural History Unit had done a great deal to allow us to see animals in their natural habitats. We owe a lot to Sir David Attenborough for his wonderful work in this regard. These programmes have opened up a completely new world, with the technological advances in film-making such as attaching devices to animals so that they can be tracked. That makes circus animals look so old-fashioned that we really do not need them any more.

I am anxious that the Bill should go through, so I do not want to make too many points that might prevent its progress. However, I want to ask my noble friend about the proposed guidance to be brought forward. As a former chairman of the Delegated Powers Committee, I have slight misgivings the moment that guidance is mentioned because I am anxious that Parliament should retain some control. Very often guidance means that Ministers are free to issue whatever they like, and its precise status is sometimes in doubt. I would much prefer a modest bit of delegated legislation, where we could retain some interest in what was put forward.

Again, I am anxious not to delay the Bill, and I know an element of haste is needed because of the end of the current regulations—we must not have a hiatus—but, as I say, I am somewhat concerned, particularly about the definition of “wild animal” as an animal not normally domestic in Britain. I find that phraseology somewhat woolly and hope we might have much better guidance on precisely what it means. That said, I warmly appreciate the fact that this Bill is at long last going through, and it has my complete support.

4.50 pm

**Lord Trees (CB):** My Lords, I first declare my interest as a veterinary surgeon and a long-time member of the British Veterinary Association and the Royal College of Veterinary Surgeons, of which I was president. I am currently co-chair of the All-Party Parliamentary Group for Animal Welfare. I originally thought the Bill was a simple proposition—in short, a good thing, a no-brainer. But in preparing for this debate, reading and thinking about the issues, I have come to realise that it raises some profound and even far-reaching implications.

I will first consider the welfare aspects. Public opinion supports a ban, presumably because of concern for animal welfare. A report commissioned by the Welsh Government in 2016, *The Welfare of Wild Animals in Travelling Circuses*, concluded that,

“the evidence would ... support a ban on using wild animals in travelling circuses ... on animal welfare grounds”.

So far, so good.

The Bill refers to wild animals and defines them as animals “not commonly domesticated” in the UK. Yet, as we have heard, of the 19 animals currently in the two circuses, six are reindeer and four are camels—both species commonly domesticated in many other places. There is a further animal, a zebu, an African cow that has been domesticated for 10,000 to 30,000 years.

The animals in question in travelling circuses are now subject to licensing and to inspection by Defra-appointed veterinary inspectors. There do not appear to have been any concerns over their care in recent years. While it might be argued that their ability to express some of the five welfare freedoms is compromised—such as freedom from hunger and thirst, freedom from discomfort, pain, injury or disease, freedom from fear and distress, and freedom to express normal behaviour—I contend that that could be said about many not only wild but domesticated animals kept by humans, especially the freedom to express normal behaviour. I am sure that many in this Chamber keep a dog. The dog is a social animal—it lives in packs—but how many people own more than one dog?

Furthermore, a report in 2007 to Defra by a leading animal welfare lawyer, Dr Mike Radford at the University of Aberdeen, concluded that, within the terms of reference of his inquiry:

“There appears to be little evidence to demonstrate that the welfare of animals kept in travelling circuses is any better or worse than that of animals kept in other captive environments”.

Finally, Her Majesty’s Government have not introduced the Bill as a result of welfare concerns. It is introduced on the basis of ethics; it is an ethical decision. In that context, I submit that this leads us on to very contentious ground. I have been impressed by one of the briefings many of us may have received from Professor Ron Beadle, a professor of organisation and business ethics at Northumbria University. He argues that it is difficult on ethical grounds to single out animals in travelling circuses from animals involved in almost any other relationship with humans—such as, among others, zoos, displays of birds of prey and horseracing, through to eating meat and even keeping pets.

At Second Reading of the Bill in the other place, the Parliamentary Under-Secretary of State concluded, with respect to wild animals in circuses, that,

“it is an outdated practice ... and it is demeaning to the wild animals involved”.—[*Official Report*, Commons, 7/5/19; col. 502.]

He spoke for many people and I understand that position. Indeed, it is one with which I may concur, but by using the term “demeaning” we are attributing anthropomorphic feelings to animals. What is really meant is that we are not comfortable with this and we do not like it. The fundamental question is whether that is the basis on which to ban something. If we are thinking about banning things on ethical terms, as Professor Beadle argues, consistency of position necessitates that many human activities involving animals should also be called into question. I hasten to add that that is not a position I would accept and I dare say that many would not welcome it.

I shall give two important examples of demeaning animals. The French bulldog is the most popular breed of dog in Britain today. Thousands are bought and bred by people. It is a brachycephalic dog—it has

[LORD TREES]

a squashed nose. Many of these dogs suffer respiratory problems because of obstructive airway disease that necessitates surgery to allow them to breathe normally. In most cases their pelvic canal is too small to allow normal birth. More than 80% of French bulldogs have to be delivered by C-section. We have bred these dogs and we buy them because they are cute. That is demeaning to animals.

My second example is the Scottish Fold cat. It has a genetic deficit of cartilage formation. Its ears hang down. It looks sweet. I am sure noble Lords know what cartilage does. It is the soft stuff at the end of all our bones that prevents them grinding together. It is the stuff I am short of in my right knee. It is the lack of that stuff that gives many of us in the Chamber osteoarthritis. We breed these cats deliberately and sell them because they look cute. That is demeaning to animals.

The point of this polemic is that when we start making judgments about such matters, it is important to do it on the basis of evidence, rationality and proportionality. I therefore have some difficulty coming to a conclusion on the Bill because I sympathise with much of it. I recognise that there is very strong public opinion on this issue, and that the Government must pay heed to that and to changing societal views, but to what extent should we in Parliament take heed of public opinion when the evidence is at best equivocal? In this case, I suspect public opinion is still thinking of the days when lions, tigers, elephants and chimpanzees were displayed in circuses, but the irony is that society's views have led to those practices ceasing without legislation. I dare say that if we did nothing, in a few years' time we would be unlikely to see any wild animals in a traditional circus.

In conclusion, I recognise that this is a measure on which public opinion has a clear point of view and which the Commons has passed. I also recognise and sincerely commend the positive measures to improve animal welfare brought forward by the Government in the past year or so. Indeed, it is fair to say that the cause of animal welfare has been advanced more in the past two years than in the previous 10, since the excellent Animal Welfare Act 2006, referred to by the noble Baroness, Lady Byford.

I also recognise that, while there are many far more important concerns regarding animals than the current Bill addresses in my opinion, we must not do nothing because we cannot do everything—or, in the cliché of the day, we do not want the perfect to be the enemy of the good. Where have I heard that before?

I will support the Bill, but I am concerned that unintended consequences could flow from it. At the very least, I ask the Minister that a definition of the term “travelling circus” be incorporated into the guidance notes, as the RSPCA has called for. If it is not defined, I fear there is a danger that more extreme animal rights groups and clever lawyers will challenge various other activities under the umbrella term “travelling circus”. Many of these other activities contribute to and enhance people's knowledge and understanding of, and concern for, animals, with a very positive impact on their conservation and welfare. Introducing our increasingly urban population, potentially divorced

from nature, to the wonders of the animal kingdom—subject to the welfare needs of animals always being met—is an important and positive outcome that needs to be considered when debating the ethical pros and cons of keeping animals.

5.01 pm

**Baroness Anelay of St Johns (Con):** My Lords, I thank the Minister for setting out concisely and clearly the objectives of this short but useful Bill which will ban the use of wild animals in travelling circuses in England and Wales from 20 January next year. As others have noted, it received cross-party support in the House of Commons, as well as support from the general public and leading welfare organisations. The actual process of this Bill in the House of Commons demonstrated the usefulness of taking public consultation as part of the committee process.

Like others, I remember my parents taking me to travelling circuses with wild or exotic animals. It was some 60 years ago for me, but I remember it vividly. I thoroughly enjoyed it; it was viewed as innocent entertainment at the time. But times, public opinion and my views have changed. I now think that travelling circuses are not the place for performances by wild animals in the 21st century.

As others have set out, it is true that there are only 19 such animals left in travelling circuses. My noble friend Lady Byford referred to the view of the British Veterinary Association that,

“a ban is emblematic of how we should be treating animals in the modern world”.

That is my approach.

Secondary legislation is deemed inappropriate for this change because the provisions reflect actions taken on what are described as ethical grounds—as the noble Baroness, Lady Mallalieu, challenged in her very strong opening speech—rather than being based on scientific evidence. I am of course keenly aware that there has not been a problem about the welfare of those wild animals being held by the two circus owners who will be affected directly by this legislation. We were advised by the Minister in the other place that any attempt to take forward a ban on welfare grounds under the Animal Welfare Act 2006 would therefore fail the test of proportionality—thus we require primary legislation.

However, this goes to the heart of ethical questions about how we expect wild animals and animals in general to be treated, as well as how the treatment of wild animals may differ from our treatment of domesticated animals, or those in the food production system, transport, sport, education or projects for the preservation of the species, or those animals that perform such valued work as assistance animals.

I support the Bill, but I have some questions for the Minister. Between now and 20 January next year, when the existing licensing regulations expire and, I hope, the Bill comes into force, will permissions be given to the two currently operative travelling circuses—or indeed any other travelling circus—to bring new wild animals into public entertainment? After all, between now and then we have the busy summer and Christmas holiday seasons.

I have a question regarding Northern Ireland. In another place, the Minister, Dr Coffey, said:

“As it stands, the Administration do not believe it is appropriate at this point to join in this Bill, recognising it is a significant policy decision and would need to be devolved”.—[*Official Report*, Commons, 7/5/19; col. 520.]

I know that all of us hope that the disagreements in Northern Ireland will be resolved politically and that we can therefore ensure that action can be taken there, but it does mean that there is a hiatus at the moment. Could the two travelling circuses go to Northern Ireland and set up shop there, pending legislation some time in the future that might happen in Northern Ireland to bring it into line with England and Wales?

My final question concerns paragraph 7(k) of the Schedule, which provides that animals cannot be seized if there is a contravention of provisions in the Bill. Is this because they are already protected by existing legislation? If so, where is that provision to be found? I hope that my noble friend can give me some comfort on that.

The Bill is indeed part of wider government action to improve animal welfare at home and abroad. I was made aware of that wider approach to animal welfare when I was a Minister for Human Rights at the Foreign Office for a few years. While there, I had a brush with the FCO’s animal welfare work when I visited Uganda. The primary purpose of the visit was connected with my role as the Prime Minister’s special representative on the Preventing Sexual Violence in Conflict Initiative. I was therefore rather surprised to be asked by the Foreign Office to ensure that, despite a packed schedule, I should go to a conservation project to see the UK’s work to support the conservation of the white rhino and visit the Ziwa rhino sanctuary. It was certainly different from the rest of my visit, but it taught me a lot about community cohesion and safety.

Ziwa is a private, non-profit animal sanctuary supported by the United Nations Development Programme through its Global Environment Facility Small Grants Programme, which the UK contributes to. Black rhinos and white rhinos are both indigenous to Uganda, but, due to a number of factors—prolonged armed human conflict, poaching, of course, and mismanagement of their natural habitat—both species had been wiped out altogether by 1983. The sanctuary was established in 2005 to reintroduce the white rhino to Uganda. Visiting Ziwa was quite an experience. It is not something that I had ever done as a tourist. The experience was cemented not least because, when I was told in advance that I and my Private Secretary would be walking with rhinos, I had not quite cottoned on that they really did mean walking with the rhinos and their calves, having told me that the mothers might be quite protective. Of course, we had armed rangers with us, and the rhinos ignored us.

The illegal wildlife trade poses a serious long-term risk to the global economy and international security. Tackling this trade is critical both to protecting wildlife and thus improving the lives of the vulnerable communities who live alongside it, and to combatting corruption and international crime. I very much welcome the work that our Government continue to do on that.

As others have mentioned, on the home front this Bill has been a long time coming. The Government first announced in March 2012 that they would introduce a ban on wild animals in circuses and that this would require primary legislation. At that time, I was Government Chief Whip and thus automatically on the Parliamentary Business and Legislation Committee, which,

“manages the Government’s current legislative programme on behalf of Cabinet and advises Cabinet on strategic management of the forthcoming programme. It aims to ensure that the Government’s legislative programme reflects its overall priorities and that the passage of each of those bills through Parliament is as smooth as possible ... PBL Committee usually receives around twice as many bids for legislative slots as there are slots available. Many potential bills are not awarded a place in the programme”.

There is nothing confidential about any of that; I am quoting from the *Guide to Making Legislation*, a document published by the Cabinet Office.

Today’s Bill has spent many years waiting in the wings. As government Chief Whip, perhaps I contributed in a small way to its delay, since it was one of the 50% of Bills that did not find its way into the legislative programme on my watch. Well, mea culpa; I want to put that right with my support for it today. I hope that it makes swift and successful progress to the statute book.

5.10 pm

**Baroness Bakewell of Hardington Mandeville (LD):**

My Lords, I am very grateful to the Minister for setting out the rationale behind this Bill and for his time, and to his officials for providing a briefing. I am also grateful for the Library briefing and the briefings I have received from other organisations and people—three in favour of a ban and five against it.

This is an extremely important Bill, but it is also one over which we must keep a sense of proportion. There are circuses touring the country providing enjoyment to children and adults alike. As we have heard, only two of them contain performing wild animals. There is a world of difference between domesticated animals, such as dogs and horses, and wild animals, such as elephants and large cats.

I remember, as a primary schoolchild, responding to an advert in the local paper for free tickets to the circus in Bristol. I was successful—much to my mother’s horror, as she then had to accompany me. I loved the magical experience and for a long time afterwards secretly harboured an ambition to become a trapeze artist, although the thought of swinging by my teeth did worry me. I do not remember lions or tigers, but I do remember the wonder of the riders galloping around, balancing on the backs of the horses. Some noble Lords may remember the spectacle of lions and tigers performing inside wire cages to the crack of the keeper’s whip. That is certainly not something I would take my granddaughter to see under the guise of entertainment, but circuses—and society—have moved on. As a country, we, like many others, are far more conscious about animal welfare than we were in the past. I was very interested in the contribution from the noble Baroness, Lady Anelay, about the plight of the white rhino. I have watched that on the television and been extremely saddened by it.



[BARONESS BAKEWELL OF HARDINGTON MANDEVILLE]

A travelling circus does just that. It travels around the British countryside from location to location, providing entertainment for families in accessible local venues at a reasonable cost. Travelling circuses allow children access to animals that many of them may never have experienced before. As we all know, animals have distinctive smells; their fur, feathers and manes are distinctive. For those children who live in inner cities and urban areas, and for whom the only experience of animals is from television programmes, the sight and smell of the real thing can be mesmerising. There are thousands of families for whom the cost of a trip to the zoo will be way beyond their means, especially if they have to take into account the travelling costs as well, but for whom the local circus might just be within their means.

I was not expecting to have to defend my party's policy, which the noble Baroness, Lady Byford, referred to. That policy was formulated in 2003. Things have moved on since then. While I am in favour of this Bill and will support it, we need to be careful that we are not setting a precedent which could see all animals banned from circuses. This in turn would have implications for very many legitimate pastimes which involve what we class as domesticated animals. The noble Baronesses, Lady Jones of Moulsecoomb, Lady Mallalieu and Lady Byford, have touched on this issue. We need to be careful about babies and bathwater.

One fairly obvious thing, sadly, is that an enormous amount of misinformation has been circulated by both sides of those lobbying us prior to this debate. When talking to one of my colleagues on the Benches about the Bill, they were under the impression that elephants and wild cats were still performing in UK circuses and that other animals were kept in wire cages. They had got this from YouTube and Facebook. As we have heard from the noble Baroness, Lady Mallalieu, it is not the case. We are dealing with just 19 animals; we have heard that they are six reindeer, four camels, four zebras, two racoons, one fox, one macaw and one zebu. These animals have all been bred in captivity for generations. Those that graze are let out to do so in open paddocks and do not perform tricks. They are led around the circus arena by a halter for the audience to see. The animals are well cared for by their keepers.

As others have said, we need to be absolutely clear that this Bill is not an animal welfare one. It is about the ethics of keeping in travelling circuses animals which are not naturally domesticated in the UK. Just as horses and dogs in the UK are domesticated and trained to be useful to their owners, so zebu, camels and reindeer perform the same function in their indigenous countries, as the noble Lord, Lord Trees, has said. I understand the passion of those on both sides of the argument but believe it is extremely unhelpful to demonise those who run and work in circuses, or for them to be personally intimidated and threatened in the way that the Animal Liberation Front and others have operated. Spreading misinformation and doctored videos also does absolutely nothing for the reputation of those involved. I am grateful to the noble Baroness, Lady Mallalieu, for listing the activities of some of those engaged in these undertakings.

Sensible, reasoned argument has to be the way forward. The noble Lord, Lord Trees, has given us a thoroughly professional view from the veterinary profession, and I too received the briefings to which he referred. We know that the vast majority of the public are behind the thrust of the Bill. When the Bill was in the Commons, concerns were raised about the definitions of a "travelling circus" and a "wild animal"; the powers of enforcement and inspection; and the welfare of the 19 animals after the ban comes into force. I believe the Minister has given reassurance about the term "travelling circus" and the Minister for Animal Welfare in the other place has also given assurance that detailed and clear guidance will be issued alongside this legislation when it comes into effect. I agree with the noble Baroness, Lady Fookes, about the impact of guidance; we need to see that.

I am surprised that previous speakers have not raised the issue of enforcement and inspection. I believe this was raised in the other place. What is currently in place are inspectors drawn from Defra's list of zoo-licensing veterinary inspectors, all of whom are extremely competent and experienced people. The question is whether the police should accompany these inspectors when visiting the two circuses. These circuses, as we have heard, are already inspected on a fairly regular basis to ensure compliance with the current licensing regulations. I am sure that this is something we will return to in Committee. This leaves the very emotive question of what will happen to these 19 animals—bred in captivity, known, well cared for and loved by their owners and keepers—when 20 January 2020 comes along. We know that the other place was given information that the two circuses have retirement plans in place for their animals and that none would be destroyed. The Minister has referred to this, but I ask him also to assure the House that this will actually be the case.

Lastly, I return to the issue of unintended consequences. We heard from the noble Baronesses, Lady Mallalieu and Lady Byford, and the noble Lord, Lord Trees, who spoke so eloquently about this. The Library briefing referred to falconry displays and county shows. I would like to seek the reassurance received by the other place that these matters will be covered in the accompanying guidance to the Act. Can the Minister tell the House when this guidance will be available and whether it is to be circulated to circuses which operate in the UK? Much appears to hang on this guidance. It is vital that it is available long before 20 January 2020 when it will become operational.

That said, I support the Bill.

5.19 pm

**Baroness Jones of Whitchurch (Lab):** My Lords, I am grateful to the Minister for introducing the Bill today and for arranging a helpful briefing with civil servants beforehand. I say at the outset that we support the Bill, which, as several noble Lords have said, has been much delayed in its arrival. Nevertheless, we have it here now. It reflects the ban on wild animals in circuses, which has been our party's policy for some time, and is virtually identical to a Private Member's Bill that was co-sponsored by our shadow Secretary of State in the other place.



While the Bill's arrival is of course welcome, it also highlights the Government's lack of action on the broader issues of increasing penalties for animal cruelty and recognising animal sentience, which seem to be stuck in some sort of legislative limbo despite the cross-party support for urgent action on them which we know exists. While my noble friend Lady Mallalieu will not be surprised that I do not agree with much of what she said, I agree that if we were going to prioritise our activities properly, priority could have been given to a Bill on animal cruelty at this time.

While we pride ourselves on being a nation of animal lovers and having the most advanced animal welfare legislation, the truth is that on this issue we are falling behind many other nations. It is no surprise to hear that at least 30 other countries have already placed a ban on wild animals in circuses. As we heard from the Minister, it seems the main reason the Bill is being prioritised is that the existing Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012 are set to expire on 19 January next year, which would leave a legislative vacuum. We welcome the fact that that vacuum is to be filled but it raises questions about why the Bill was prioritised.

Not only is the Bill the right thing to do but, as noble Lords have said, it has huge public backing. Some 94% of the public supported the ban in the consultation carried out by the Labour Government in 2010. Most people are amazed to discover that wild animal performances are still allowed. The noble Baroness, Lady Bakewell, said that people think that wild animals are long gone, particularly lions and tigers, and therefore feel the issue has been resolved. But when people in this country are confronted with the reality, the vast majority say that they do not want wild animals in circuses. The Bill also has considerable support from animal welfare organisations, which have argued on ethical and welfare grounds that wild animals need a suitable environment to live in, with the ability to express normal patterns of behaviour and associate naturally with others of the same species, particularly if they are herd animals. Again, this was an argument that the Minister made.

It is impossible to imagine how life in a travelling circus, constantly being transported to new venues in cramped conditions, can ever replicate life in the natural world. Most people find it abhorrent that these animals are then expected to do tricks for our enjoyment. It is not surprising that the scientific review of the welfare issues for the Welsh Government in 2016 by Professor Stephen Harris concluded that wild animals in travelling circuses not only suffer poor animal welfare but do not have "a life worth living".

I am of course aware that the circus operators are vehemently opposed to this Bill—several noble Lords referred to this—and I read their evidence to the Commons Committee with some interest. Although some of their statements was rather concerning, I do not doubt that they look after the animals in their care and have some affection for them. Circus owners also sought to complicate the interpretation of the Bill by describing their animals as exotic rather than wild. It is important that we pin down that definition so that no loopholes on that matter can occur. We may need to return to this matter at future stages of the Bill.

However, the circus owners also admitted that standards of animal treatment in circuses around the world vary enormously and that there is still a great deal of bad practice and suffering elsewhere. It is therefore important that we maintain high standards in the UK for any touring circus wishing to come here and display animals in this way. As a number of noble Lords have said, thankfully, we are talking about only a small number of animals in the UK being affected by this Bill—a total of 19 at last count—with no big cats or elephants currently involved, although, as I understand it, as recently as 2015, Chipperfield Circus was touring the UK with two lions and two tigers as part of that show.

My noble friend Lady Mallalieu portrayed the Bill as an attack on a long-standing tradition of travelling showmen. I disagree with her fundamentally; nobody is attempting to do that. The Bill will not affect circus owners' operating model or their economic viability. Domesticated animals will still perform in their circuses. Furthermore, it could be argued that more people would be inclined to go if they felt assured about nature of the spectacle that they were about to see, which might boost attendances.

In the Commons, our colleagues raised a number of concerns that will need to be addressed during the passage of the Bill here—they have been echoed around the Chamber during this debate. First, there was concern that some circus owners would seek licences for a last big tour with wild animals, perhaps including big cats, prior to the implementation date of January 2020. Our proposal was for a moratorium on issuing new licences before that date, but there may be other ways to achieve it. The Minister may be able provide some helpful advice on what measures are in place to prevent this happening.

Secondly, the Bill allows for appointed inspectors to enforce this legislation—again, this issue was raised by the noble Baroness, Lady Bakewell. I seem to recall that during passage of the Ivory Bill a legal difficulty arose in relation to granting civilians the power to enter properties and make arrests. We need to ensure that the same problems do not occur here. Our proposal was for the powers in the Bill to extend explicitly to police constables. I know that the Minister partially addressed this matter in his opening speech, but it was not clear why the proposal for police constables to be written into the Bill has been rejected up until now.

Thirdly, we proposed that if a wild animal was found in a travelling circus in breach of the ban under this legislation, there should be an opportunity to remove the animal immediately to a safe place where it could be cared for properly with a view to rehoming it permanently. We know that a number of animal welfare organisations have already offered to provide such a service. Again, it would be helpful if the Minister could address that.

Finally, we sought to provide more clarity in the definition of a travelling circus to ensure that the common definition, which we would all recognise, could not be misinterpreted. I know that the Minister in the other place said that he planned to address this concern through guidance to back up the Bill. The Minister here has referred to the issue today, so it would be helpful

[BARONESS JONES OF WHITCHURCH]

if he could set out in more detail the timetable for producing the guidance. He mentioned that it would appear “in good time”, but I think we all know that “in good time” in respect of legislative processes could be a long, expanding Elastoplast.

As I said at the outset, we support the Bill and want to aid its passage through your Lordships’ House. It represents a symbol of our ethical commitment to strong animal welfare legislation in the UK and has huge public support. I can see that we are heading for an extended debate on the ethical grounds of this legislation at later stages of the Bill. I am happy to be part of that debate if noble Lords so desire. In his closing remarks, the noble Lord, Lord Trees, began to recognise that this is only a small Bill and addresses only one ethical challenge. Of course, there are wider ethical challenges about how we treat animals to address in the future, but he did not particularly make the point that we should not cut off our nose to spite our face. There is a strong ethical reason for addressing this issue now and we can return to some of those wider issues on other occasions. While I listened to what he said with great interest, and he may well be right about a number of the other ethical challenges, this does not undermine the need for the Bill here and now.

In years to come, people will look back on our practice of subduing these increasingly rare animals and subjecting them to performing tricks for our entertainment with considerable disbelief. The time has come to address this issue, so I look forward to passing the Bill in a very short time. Indeed, I also look forward to passing all the other animal welfare Bills that we are still waiting patiently for priority to be given to. In the meantime, we support the Bill and will encourage its safe passage.

5.30 pm

**Lord Gardiner of Kimble:** My Lords, this has been an extremely thought-provoking debate from the outset. This is a measure which is designed, at this stage, to manage 19 wild animals, but we have gone into a wider debate as well. It is very important from the Government’s point of view to acknowledge the contributions from the noble Baronesses, Lady Mallalieu and Lady Bakewell, the noble Lord, Lord Trees, and my noble friend Lady Byford, with all her farming experience.

There was concern about whether this could in any way be considered the first phase or step towards addressing what were described by the noble Baroness, Lady Bakewell, as “legitimate” activities. As she said that, I thought about “One Man and His Dog”, falconry displays and, as a farmer, the grand parades at county shows, as well as the respect, love and responsibility we have for our animals. As a country person, the distinction I place is that this measure relates to the use of wild animals in travelling circuses. I want to place it on record that I utterly reject the extreme actions of those who believe that intimidation is how to get their way. I am absolutely certain that all noble Lords who spoke in this debate would not for one minute think that intimidation was the right way forward.

We have thought of this as being the right way forward over time. Indeed, it was in my party’s manifesto and I rather think it was in the Labour and Liberal Democrat manifestos. We have reached a time when we have an expression or a feeling that the use of wild animals in travelling circuses for our entertainment is not appropriate for those animals. I have no doubt about what the two circus operators have said, on record, about their regard and love for those animals. As I said, the animals were found to have been well cared for in welfare inspections.

This is about whether we should be thinking much more about wild animals having what I would describe as their natural behaviour and expression. I support this Bill for those reasons. I agree with my noble friend Lady Byford that this is about seeing wild animals in their proper environments. I put on record, in response to the noble Baroness, Lady Mallalieu, that we do not see this Bill as having unintended consequences. This is a measure that we thought should be introduced. We have thought that for some while; indeed, my noble friend Lady Byford referred to her endeavours in the 2006 parliamentary skirmishes. I should say to my noble friend Lady Anelay that this measure relates to England. The Welsh Government are bringing forward their own proposals and the Scottish Government have already gone forward.

The noble Baronesses, Lady Mallalieu and Lady Jones of Whitchurch, referred to the tigers and elephants of yesteryear. Indeed, there are circuses on the continent that still use these types of animals. The point is that without this legislation they could be reintroduced even under the current licensing regime. The Bill does not just stop the use of the 19 wild animals in question, it prevents others being added in the future—that is the point I should make.

The noble Baroness, Lady Mallalieu, asked why the use of wild animals in travelling circuses is to be banned. Again, I ask whether these performances add anything to our understanding of conservation of wild animals. I go back to their natural behaviour. I think that wild animals in circuses, whether they are trained well or not, are trained for our entertainment and amusement. I am interested in what the noble Lord, Lord Trees, said about this and I am conscious of his veterinary expertise and the points made about the BVA, but that is my distinction.

A number of points were made about other legislation in the pipeline and the desire for it. I say to the noble Baronesses, Lady Jones of Whitchurch and Lady Mallalieu, that I am fully seized of our commitment to increase sentences. This is something we wish to attend to and to introduce as soon as possible. I will say, because many of us are engaged, that Finn’s law, which has achieved Royal Assent, has very much strengthened the protection of animals. We are going to have a statutory instrument next week. In truth, we can have a bit of a political knockabout, but the noble Lord, Lord Trees, is right: actually, this Government have brought forward many modernising measures to ensure that animals are better cared for. On the point of sentence raised by the noble Baroness, Lady Jones of Moulsecoomb, we have been clear that we will introduce our animal sentence proposals after we leave the EU.

The fate of the 19 was raised by the noble Baroness, Lady Mallalieu. She used the term “get rid of them”. Actually, that is absolutely not what I understand from the operators of both circuses, who have placed it on record that the animals would either be rehomed, retired to their winter quarters or used in other work—for instance, there is television and film work. That will certainly not be banned by this legislation, which is about the use of wild animals in travelling circuses. It is right to acknowledge, as I do, that circus operators have placed on record their care for these animals: they have even referred to them as part of the family. So their future has been assured and that is important, because some are quite young. I was looking at the ages at some of the animals. Given the length of their captivity, some of them have a very long lifespan left.

I disagree, if I have it right, with the point made by the noble Baroness, Lady Jones of Moulsecoomb, on the use of animals such as dogs and horses in circuses and racing, provided that it is respectful and that animal welfare measures are there. We have, as the noble Baroness, Lady Jones of Whitchurch, said, some of the most impressive animal welfare legislation in the world. If there is no use for animals, they will no longer be bred. As we have unfortunately a much more mechanised world, many of the animals that we used for very heavy-duty work are no longer required—and thank goodness. We need to be thinking about the manner in which we use and respect them.

On the definition of “wild”, I would say to my noble friend Lady Fookes and the noble Baroness, Lady Mallalieu, that we have sought to use an approach that is consistent with other legislation and the definition of the Zoo Licensing Act 1981, as I said in my opening remarks. It is important to be consistent. The noble Lord, Lord Trees, and other noble Lords asked about the definition of “travelling circuses”. We have given this a lot of thought; indeed, the Scottish Government have also chosen not to define “circus” in their Act. We think that prescribing a definition of “circus” would open up the possible risk of future circus operators seeking to avoid prohibition.

Indeed, a contrary but wider view is that we also do not wish to prohibit wider ranges of activity than are strictly intended by the travelling circus. So the common-sense approach is to draw up clear guidance. The noble Baronesses, Lady Jones of Whitchurch and Lady Bakewell, quite rightly said from the Opposition Benches, “Come on, we want a timescale on this”. I can confirm that we will publish guidance to the Bill by 20 November, two months before the ban comes into effect. We are working on that and it is obviously important. My noble friend Lady Fookes, who is experienced in this, raised the point about guidance; as in Scotland, we do not intend the guidance to be statutory, but it must and will provide clarity on the terms used in the Bill and aid enforcement. Obviously, as with all these things, ultimately this will be determined by the courts—but the common-sense approach of our guidance will help.

My noble friend Lady Anelay also raised the question of Northern Ireland. As we all know, this is a devolved matter, and in the absence of a Government

in Northern Ireland Defra officials spoke to officials in the Northern Ireland Administration. Those officials believed that,

“practical, administrative and policy considerations”,

meant that they did not feel that they wanted to participate in the Bill. However, I should say that at this time there are no travelling circuses touring Northern Ireland with wild animals, and the Republic of Ireland banned travelling circuses with wild animals last year. So officials felt that these considerations should wait until Ministers were back in place in Northern Ireland—and, of course, we all very much want the return of devolved arrangements in Northern Ireland.

My noble friend Lady Anelay also queried in a sense whether the two licensed travelling circuses could move to Northern Ireland. For these few months it is obviously a possible suggestion. That said, neither has travelled to Northern Ireland; that may well be to do with the costs involved and the distance from their winter quarters. Of course, animal welfare legislation in Northern Ireland would cover the welfare of any wild mammals there until such time as the Administration took a decision on whether to ban the use of wild animals in circuses. However, we have devolution and must respect that settlement, although the message is clear; the Republic has banned them, Wales is about to and Scotland already has. This is our legislative measure.

There are a number of other points. My noble friend Lady Anelay asked about seizure. The powers of seizure in the Bill are reserved for those powers necessary to prove the offence. We would never need to seize a wild animal to prove the offence, so we think that such a power would be disproportionate. If it were necessary to seize an animal in distress, Sections 18 and 19 of the Animal Welfare Act 2006 already provide the appropriate powers. Indeed, Section 4 of the Dangerous Wild Animals Act 1976 would also allow an unlicensed dangerous animal, as listed in that legislation, to be seized.

My noble friend Lady Anelay and the noble Baroness, Lady Bakewell, referred to international matters. I wish to record that my noble friend did so much during her term at the Foreign and Commonwealth Office to protect the planet’s most iconic species. Last year we hosted the largest ever illegal wildlife trade conference, bring together more than 70 countries. We are spending £26 million to protect and support wildlife across the globe.

The noble Baroness, Lady Bakewell, asked about enforcement powers. Interestingly, it is a small Bill with a big schedule on enforcement. The Bill provides inspectors with powers to search for and gather evidence of an offence. Defra has approximately 50 inspectors appointed for zoo inspections, as I said. Several of them inspect the two circuses currently licensed by Defra to use wild animals. All inspectors are either qualified veterinarians or have extensive experience of working with captive animals. They will be experienced in identifying and, if need be, handling species of wild animal. We can draw on the existing list of inspectors if there is ever any need to gather evidence to prove the offence in the Bill. The offence will apply only to the operator of the circus—that is, the person with overall responsibility for the circus.



[LORD GARDINER OF KIMBLE]

On the question of police constables, again, if an animal is in distress, the Animal Welfare Act already provides powers for the police to respond quickly. The schedule provides powers to search for evidence of the offence contained in Clause 1. This includes taking up to two persons with them on an inspection. Of course, one or both of those persons could be a police constable. Enforcement of Bills such as this often requires a specialism in wild animals—but, as I said, there is every opportunity, if need be, for a police constable to be part of that.

The noble Baroness, Lady Jones of Whitchurch, queried what might happen in these last months. Again, we believe that it is very unlikely that such tours could happen. I shall expand a bit on why. Travelling circuses tour during the summer months and typically return to their winter quarters at the end of October each year. Acquiring new animals and training them to perform a specific routine, which takes time, would normally occur at the winter quarters. It is therefore very unlikely that circuses would change their routine and add new animals to their performances mid-term and mid-tour. Given that a ban will be in place before the next touring season, it would make very little economic sense for circus owners to invest in new animals, enclosures and equipment now. Indeed, if they were to do so, there would have been nothing to stop them doing so before this touring season commenced.

The Government made clear when they published the review of interim licensing regulations that no more licences would be issued after January 2020. I assure the noble Baroness and your Lordships that, since the Bill was introduced on 1 May, we have had no queries from circuses about introducing further wild animals before the end of this touring season.

This debate has been thought provoking. In many cases it has gone beyond what might happen to the 19 animals. It has included issues about the use of animals both wild and domesticated. I again say emphatically that the Government's intent in this legislation is not to embark on further approaches to what we have all said on record are legitimate activities that respect animals. I beg to move.

*Bill read a second time and committed to a Committee of the Whole House.*

## Late Payments Statement

5.50 pm

**Viscount Younger of Leckie (Con):** My Lords, with the leave of the House, I shall now repeat a Statement made in the other place by my honourable friend the Minister for Small Business, Consumers and Corporate Responsibility, about the Government response to *Creating a Responsible Payment Culture: a Call for Evidence in Tackling Late Payment*, which was published today. The Statement is as follows:

“Mr Deputy Speaker, the Government are committed to supporting small and medium-sized enterprises—so-called SMEs—to start well and grow, including through our network of 38 growth hubs across England, providing advice, guidance and support. As part of

our industrial strategy, I have an action plan to unlock more than £20 billion of investment in innovative and high-potential businesses. Where I see practices that unfairly constrain SMEs' finance choices, we are prepared to act. For example, we recently removed a barrier that was preventing some SMEs using invoice finance because of prohibitive contract terms imposed by their customers. This new measure is expected to provide a long-term boost to the UK economy worth almost £1 billion.

Last year, we launched a call for evidence, asking for views on how to create a responsible payment culture for small business. While there are a number of measures already in place to tackle late payment, from the Prompt Payment Code and the ability to charge interest on late payments to increased transparency through the payment practices reporting duty, the call for evidence told us that there is more to do to improve the payment landscape. This is why I have announced today that I will now take further and firmer action to tackle the scourge of late payments, while maintaining a holistic approach to cultural change by using all of the avenues available to us in this space. I will shortly be launching a consultation seeking views on strengthening the Small Business Commissioner's ability to assist and advocate for small business in the area of late payments, through the provision of powers to compel the disclosure of information, and seeking views on the merit of the commissioner potentially issuing penalties for poor payment practices. When finding that large businesses had poor or unfair payment practices, we want to seek views for the Small Businesses Commissioner's ability to apply sanctions such as binding payment plans or financial penalties. I am also announcing that responsibility for the voluntary Prompt Payment Code is to move to the commissioner and be reformed: this will unify prompt payment measures with the commissioner and address weaknesses within the current code's operation.

However, we have seen the impact of the strengthening of the code since our announcement in October, where earlier on in the year we saw five businesses being removed from the code, with 12 being suspended, and the next round of compliance is currently under way. I will take a tough compliance approach to large companies that do not comply with the payment practices reporting duty. The legislation allows for the prosecution of those who do not comply and I will use this enforcement power against those who do not comply where necessary. I can inform the House that we are already writing to those businesses which we have assessed to be within scope to remind them of their duty.

The Government will launch a business basics fund competition with funding of up to £1 million, which will encourage SMEs to utilise payment technology. We have recognised that tech adoption has had a positive impact on the productivity of small businesses. With this competition, coupled with the Small Business Commissioner's strategy to deliver advice and information, it will provide a clear pathway for small businesses when they feel they need support. I also intend to establish a ministerially led group to bring together key government departments to act on improving prompt payment across both the public and private sectors. We are working with UK Financial Investments and the finance sector to review the role supply chain



finance plays in fair and prompt payment, including the potential for an industry-led standard for good practice in supply chain finance. That review will report back to the Business Secretary by the end of the year.

We also want to bring greater transparency to how supply chain finance is reported in company accounts and assessed in audits by working with the Financial Reporting Council to develop guidance and build it into its sampling of companies' accounts. Supply chain finance can provide an affordable finance option for SMEs but they need to be assured that the terms are fair. Our modern industrial strategy aims to make Britain the best place to start and grow a business; removing barriers to growth is key to that. The response to the call for evidence and the package of measures I am announcing today will tackle the continuing issue of late payments to ensure that this happens.

I want to put on record my great thanks to the organisations that campaigned so hard for movement from government—such as the FSB and its Fair Pay campaign—and to the hundreds of businesses that took part and engaged comprehensively with the department to assess the call for evidence.

Finally, I would like to thank the BEIS Select Committee for its significant work on this issue and the work that it continues to do, as I am sure that it will hold us to account on the improvements we are announcing today. I would therefore like to place a copy of the Government's response in the Libraries of the House today".

My Lords, that concludes the Statement.

5.56 pm

**Lord Stevenson of Balmacara (Lab):** My Lords, I am grateful to the noble Viscount for repeating the Statement made in another place.

Do the Government have a problem with SMEs? On the one hand, they say:

"Small businesses are the backbone of our economy. Employing 16.3 million, 60% of total UK private sector employment",

but on the other, they consistently do not provide SMEs with the legislative and regulatory power they need. Earlier this year, in their response to a Select Committee report, they said:

"The Government is undertaking activity across a wide range of policy areas",

but they offer,

"a Small Business Leadership Programme and supporting local peer-to-peer networks".

I do not recall any campaign for that rather *recherché* approach.

The Government also said:

"The Government understands that tackling late payments is a top priority for small and medium-sized enterprises",

but they offer a voluntary Prompt Payment Code, which is regularly and consistently ignored by virtually all the major companies, and a Small Business Commissioner with no substantive powers to banish bad payment practice or to act on behalf of SMEs against the large companies that rip them off time and again. The Small Business Commissioner is doing a great job and is to be congratulated on what he has

achieved, but where in these measures is a policy response to his observation that, since being in the post, he has been,

"struck by the trepidation felt by small businesses when talking about late payment with their large suppliers"?

This is not a new problem. Where are the measures to resolve this long-standing issue? Why do SMEs not escalate the interest on outstanding late payments? The truth is that the SME not being paid cannot risk legal or other action for fear of being blacklisted by the large company it supplies. The Government need to do much more.

It is true that regulations, which we supported, were introduced to ban large companies from preventing their SME suppliers using invoice finance, but this is small beer compared with what SMEs need. Today's announcement is just more of the same, although the very fact that BEIS has to announce some minor changes to the role of the Small Business Commissioner is a clear admission of failure.

The call for evidence told us that,

"there is more to do to improve the payment landscape",

so why not do what is clearly required? Give the Small Business Commissioner not only powers to compel the disclosure of information about late payment but significant powers to fine large companies that do not pay their SME suppliers promptly. Why not go further and make the directors and senior staff of large companies that fail to meet the reasonable terms for prompt payment to SMEs personally liable? Make the Prompt Payment Code statutory, not voluntary. Transfer the responsibility for maintaining the Prompt Payment Code to the Small Business Commissioner—we agree with that—but give him the powers he wants to fine flagrant abuses of the code. Restricting this to compliance is small beer; it should already be a statutory offence.

Although we welcome greater transparency in how supply chain finance is reported in company accounts and in ensuring that it is properly audited—although the FRC may not be around to see it—is that not a case of just falling into the same trap? Is this not an issue of whether payments contracted for and due are being withheld wrongly and to the detriment of SMEs? Is it not time that the Government legislated to ensure that in such cases, a trust fund or a project account is set up with its own bank account, which would ensure that the SMEs supplying a supply chain receive the payments timeously?

This is not an ambitious package of measures as it will not level the playing field for the UK's 5.7 million small businesses. If the department thinks that this will deliver the modern industrial strategy's ambition to make Britain the best place to start and grow a business, it is clearly deluded. As I think Paul Uppal, the Small Business Commissioner, has hinted, BEIS is attacking the wrong problem. He has said:

"Ending the culture of late payments will pave the way to boost SME productivity, remove barriers to growth and improve cash flow".

He added:

"I welcome any additional provisions which will strengthen the influence my Office has in tackling poor payment practice and levelling the existing playing field".

[LORD STEVENSON OF BALMACARA]

What we should be doing is ending a culture through strong, effective legislation and regulation. It is a pity that he is not getting the support that he and his office clearly require.

**Baroness Harris of Richmond (LD):** My Lords, I thank the noble Viscount for repeating the Statement, but I have to tell him that the Liberal Democrats have long campaigned to make the Prompt Payment Code mandatory. Given that, we welcome the new powers that the Government will give to the Small Business Commissioner to tackle late payments through fines and binding payment plans. There are also plans to make company boards accountable for supply chain payment practices, which I understand will be undertaken for the first time. Equally, we support the implementation of a new fund to encourage businesses to use technology to simplify invoicing payments and credit management.

We support these proposals but does the Minister feel that they will be sufficient to mollify the 97% of those who responded to the consultation with SMEs who complained that they had experienced late payments from their suppliers, especially as they felt that the situation had worsened over the past three years? Does he intend to make the Prompt Payment Code compulsory, as has already been suggested, for companies with more than 250 staff, and if not, why not? Will he undertake to ensure that future legislation will be robust and fine large companies that do not pay their suppliers within 30 days? Finally, does he accept that Brexit will cause real damage to SMEs through disruption to supply chains and punitive tariffs?

**Viscount Younger of Leckie:** I thank the noble Lord, Lord Stevenson, and the noble Baroness, Lady Harris, for their questions. I am not sure whether there is broad approval, but I think the answer is that the response is rather mixed. I shall try to answer the questions that have been raised. One of the central points was the question of whether or not to legislate. Perhaps I may answer both noble Lords directly by saying that legislation is not always the answer. The French legislated for maximum payment terms and the unintended consequence of that was that the number of disputed invoices went up. They have also had to amend the legislation subsequently to accommodate the payment practices and complex supply chains of different sectors. It is therefore clear that a one-size-fits-all approach is not necessarily the answer, and sometimes legislating can create perverse incentives in the system. Moreover, legislating in the way noble Lords have suggested could create an incentive which dissuades large companies from contracting with SMEs. If the Government were to set a standard length of time for payment terms—for example, 30 days—companies that pay in seven or 14 days may well extend their payment terms to 30 days.

I turn to the question that was raised about the Prompt Payment Code being mandatory. Again, we believe that more legislation is not the answer here and could lead to unintended consequences in complex supply chains as well as creating perverse incentives. The whole idea is that the Prompt Payment Code is a voluntary code which is administered by the CICM on behalf of BEIS. Signatories to the code sign up to pay

95% of invoices within 60 days. Actually, there is light at the end of the tunnel. In quarter 1 in 2014, according to evidence provided by BACS, the amount of late payment outstanding was £46 billion. That has been reduced through a voluntary process to £13 billion.

Finally, the whole point of these measures is to look to increase the powers of the commissioner and consider the possibility that he could support larger business compliance and better practice in the payment culture, as well as develop greater confidence within the SME community in the Government's commitment to support small businesses in addressing late payments. Going back to what the noble Lord, Lord Stevenson, said at the beginning of his remarks, we do not have a problem with SMEs at all. That is exactly why we want to get behind the commissioner and look at the possibility of giving him more powers, although not draconian powers, to support a very important part of our economy.

6.05 pm

**Lord Berkeley (Lab):** My Lords, this is an old problem and your Lordships have been debating it for years. As I read it, the Government's latest paper is a clear improvement, but while I welcome the fact that five businesses have been removed from the code and 12 are being suspended, that is a very small number as compared with the problems that other businesses have faced. I assume, although perhaps the Minister can confirm this, that the five removed businesses and 12 suspended ones are very large concerns. If they are not, someone has lost track of the large ones which I think are causing many of the problems.

The code needs to be enforced, as mentioned by other noble Lords. Have the Government considered the rather more nuclear option, which may be necessary, of ensuring that companies which are removed from the code are also removed from the tender list for major government contracts for a certain period of time? That would make them sit up and think, because they would lose business. I know that that would need to be worked out and monitored carefully, but it would affect their bottom line. Being named as having been removed from the code may well simply be shrugged off. I will be interested to hear the Minister's response.

**Viscount Younger of Leckie:** To answer the second question, it is the case—although I do not have the figures here—that if a company on a public contract does not pay on time, it will be removed from further contracts; that is already there. He asked me to point out names; I do not have the full list here. As for naming and shaming, he will know that Holland & Barrett and G4S are in the public domain as having been thoroughly reprimanded for their poor payment practices. I also know that some companies, before being named, have realised that they were on the brink of going the wrong side of the line, as it were, and have voluntarily taken action. We believe that this is working and that the voluntary approach is right.

**Lord Shipley (LD):** My Lords, what thought have the Government given to introducing ring-fenced bank accounts for major government projects delivered by the private sector, so that subcontractors are guaranteed

prompt payment and do not have to worry about the main contractor's financial health? I understand that the policy is supported by the Federation of Small Businesses and was recently adopted by the Welsh Government. As an example of the problem, before its collapse Carillion's average payment time was 43 days—with some firms waiting up to 120 days for payment—despite it signing the Prompt Payment Code and being subject to the Public Contracts Regulations.

**Viscount Younger of Leckie:** This takes us into the territory of the sometimes complex ways of financing supply chains or projects. On project bank accounts—this is perhaps more focused on construction, but I hope it helps answer the noble Lord's question—the current policy is to use these types of accounts unless there are compelling reasons not to do so.

**Lord Cope of Berkeley (Con):** My Lords, I agree with those who have said that this is a long-term problem; I was involved in it many years ago and have been since. I welcome the tougher approach signalled by these proposals, particularly the strengthening of the commissioner's powers. But I am not quite clear—perhaps my noble friend could assist—as to the stronger attitude to compliance that will be taken. Is it just a stronger attitude to compel the disclosure of information and that side of it? That is fine, but is it the commissioner or the department that will potentially issue penalties for poor practice among large firms? Those are the ones that will really bite hard, but of course it means you have to define, in ways that will stand up in court, whether it is a poor payment practice.

**Viscount Younger of Leckie:** My noble friend makes a good point, to the extent that the idea behind the announcement today is to look at giving the commissioner more powers. As my noble friend will know, the commissioner has been operationally independent since December 2017, but at this stage it is sensible to assess and re-evaluate powers. The commissioner has recovered over £3.8 million for small businesses since 2017, so there is a head of steam up here. We will have to look carefully at what extra powers we give. To answer the noble Lord's question, that could include issuing penalties, but we are not at that stage quite yet.

**Lord Cotter (LD):** My Lords, I raise a point on an area I hope the Government are currently improving. In the past I was the managing director of a small plastic manufacturing company. We were very pleased to get business contracts and strove hard to get the contracts from the Government themselves. Will the Minister therefore look at the Government's record currently? In the past, the pressure was on small firms to get the contracts but not always on ensuring the payments were made on time.

**Viscount Younger of Leckie:** Yes, a distinction should be made between private enterprise and public contracts. On the public contracts side, the noble Lord may know that, from 1 September, for contracts over £5 million, 95% of the invoices has to be paid within 60 days. The Government are very aware of their obligations on that side. I even have some figures for different government departments, but we will not go down that route just now.

**Baroness McDonagh (Lab):** I ask the Minister for a little more information about the definition of late payments. Small businesses often experience difficulty in the process that leads up to issuing an invoice, such as delays in purchase order numbers or complexity around who to send the invoice to. When I speak to small businesses, they often say they have lost months trying to get through that maze before they can even issue the invoice to the right person. I just want a little more information about how late payments are defined. Some organisations almost have a PhD in this now.

**Viscount Younger of Leckie:** Yes, the noble Baroness can be forgiven for thinking that. I hope I can give a succinct answer, again differentiating between private and public enterprise. Just to clarify, the Prompt Payment Code—which is voluntary, as I have mentioned—is administered by the CICM. Signatories to the code sign up to pay 95% of invoices in 60 days, with an ambition to move towards 30-day payment terms. The code currently has over 2,000 signatories. However, on the public side the payment terms are 30 days. It could well be the case that, depending on the contractual agreement between the two companies, a different arrangement can be made. If both sides are happy with that separate arrangement, that is fine, but I am talking about the default—we lay out the framework and that gives the default. I hope that gives the noble Baroness a basic answer to the question.

## International Widows Day *Question for Short Debate*

6.15 pm

*Asked by Lord Loomba*

To ask Her Majesty's Government what steps they are taking to empower widows in developing countries and to mark International Widows Day 2019.

**Lord Loomba (CB):** My Lords, I am pleased to hold this debate supporting widows ahead of the ninth UN-recognised International Widows Day, and here I declare an interest as founder, chairman and trustee of the Loomba Foundation. International Widows Day is a day of effective action for widows around the world, which was ratified by the United Nations at its 65th General Assembly in 2010. In his message on the first International Widows Day, the then UN Secretary-General Ban Ki-moon said that it was,

“an occasion to call attention to the many ‘firsts’ that women must face when their husbands die. In addition to coping with grief, they may find themselves for the first time since marriage without any social safety net. Far too often, widows lack access to inheritance, land tenure, employment and even the means to survive ... In countries embroiled in conflicts, women are often widowed young and must bear the heavy burden of caring for their children amid fighting and displacement with no help or support ... All widows should be protected by the rights enshrined in the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights treaties ... We must recognize the important contribution of widows, and we must ensure that they enjoy the rights and social protections they deserve. Death is inevitable, but we can reduce the suffering that widows endure by raising their status and helping them in their hour of need. This will contribute to promoting the full and equal participation of all women in society. And that will bring us closer to ending poverty and promoting peace around the world”.



[LORD LOOMBA]

Since then, International Widows Day has gone from strength to strength as a platform on which to advocate for better treatment of widows but, at a time when global acknowledgement of their suffering is gathering pace, awareness of their plight is still very low and they put up with daily injustices. According to the *World Widows Report* by the Loomba Foundation, published in 2015, globally there are 259 million widows with 584 million children. The latest data from UN Women shows that the number of widows is increasing, and with that comes more suffering.

Even while there is greater recognition of inhumane behaviour towards women on the deaths of their husbands, widows still face an uphill struggle for their voices to be heard and for justice and fairness in their lives. Widows endure daily obstacles and are at the forefront of gender discrimination as they face double discrimination. They are liable to have their land and property taken away from them, and they suffer sexual abuse and even rape. Many cultural practices blame widows for the deaths of their husbands, and they face stigma and ostracisation from their communities.

In Africa, issues affecting widows are still widespread despite laws that are meant to protect them. The way they are treated can be described only as inhumane. Sexual cleansing via rape, physical violence and losing their inheritance and possessions is rife throughout the continent. All around the world there are “half widows”, women whose husbands are unaccounted for. Those men are more than likely to be dead, but their bodies have not been recovered. If we do not stop these harmful and degrading cultural practices and human rights abuses against widows, we will fail in our attempts to achieve the sustainable development goals. If these obstacles are not removed, and widows are not empowered to live their lives free from injustice, we cannot possibly hope to accomplish the global mission of 50:50 by 2030.

I am proud that there are more and more organisations fighting to help widows lead a better life. These organisations have steadily grown over the years and, like the Loomba Foundation, they have certainly made inroads, but they need more assistance from Governments as they need access to more funds. For instance, Kenya is organising an event to mark International Widows Day, and the theme is “Skills Training for Widows—Supporting the Sustainable Development Goals”. More than 3,000 widows will be in attendance at the Kenyatta International Convention Centre with the chief guest, the President of Kenya. We have also received information from many other countries including Nigeria, Tanzania, Nepal, Bangladesh, Uganda, Malawi, South Africa, Rwanda, Guatemala, Chile and India, which are marking International Widows Day to raise awareness of this social evil and help widows.

The United Nations sustainable development goals include a number of areas that can have a dramatic effect on helping widows to lead better lives—for example, gender equality, education, eliminating poverty, and peace. DfID’s goals align with those of the United Nations. Tackling poverty is one of its key priorities. Poverty is the root cause of many issues and is certainly a major factor when it comes to widows.

Preventing violence against girls and women is another key area of focus for DfID. Violence against widows, which happens all too often, includes physical abuse and rape. The latter is employed in Africa to “cleanse” widows. Imagine losing your husband and then having to go through this ritual so that any bad omens are removed. These women are also blamed for the deaths of their husbands, so they also have to endure physical violence and verbal abuse.

Many Governments, including the United Kingdom’s, have so far failed to widely acknowledge that widowhood is an urgent human rights issue around the world. Widows barely get a mention by government Ministers, MPs or even DfID. Awareness is one of the areas that we struggle with. We need all the help we can get to let people know what these poor women go through. Marking International Widows Day more prominently every year would certainly aid our work. More importantly, more money would filter down to help widows.

DfID needs to aim more aid and policies at helping widows. Widows are at or near the bottom of the social and economic scale, so helping them helps to reduce extreme poverty, as set out by the United Nations sustainable development goals. The programmes in which I and many widow organisations around the world are involved seek to provide skills training to make widows economically self-sufficient. We try to be as effective as possible with the funds at our disposal. While these programmes do not solve every problem that widows face, they are major stepping stones on their roads to recovery.

How will the Minister increase awareness of International Widows Day? Will the UK Government or DfID organise events like the one in Kenya this year? Will DfID consider setting up a Select Committee on widows? Will the UK Government request the United Nations to set up a special rapporteur for widows? Will DfID consider earmarking funds to help widows in developing countries?

6.25 pm

**Baroness Nicholson of Winterbourne (Con):** Noble Lords, I welcome—on behalf of us all, I am sure—the opening speech by the noble Lord, Lord Loomba, whose deep and enduring love and filial respect for his widowed mother has resulted in his caring for thousands of widows in the latter part of her life and hundreds of thousands of widows following her death. I salute him as a truly noble character with a record of magnificent achievement. I came to know the Loomba Foundation through my own work for widows with the AMAR foundation, which I chair. We have worked together for a little while now. I am so grateful to the noble Lord.

There are over 40 million widows in India, in a population of 1 billion. Widows in Iraq, where I and my AMAR colleagues work, now number 2 million in a population of fewer than 35 million citizens and refugees. Orphans in Iraq number around 5 million. War brings widows and makes children orphans. As Macduff remarked in “Macbeth” as he was approaching the final battle:

“Each new morn  
New widows howl, new orphans cry, new sorrows  
Strike heaven on the face”.

The vulnerability and dependence that widows fear is well expressed by the Countess in “All’s Well That Ends Well” as her son goes off to war:

“In delivering my son from me, I bury a second husband”.

I think that is why the seventh of the acts of mercy states:

“Comfort the fatherless and the widow”.

That is exactly what the noble Lord, Lord Loomba, does.

What are the key requirements he and others have identified for assisting widows and orphans? One, of course, is the law, which fits us very well in this Chamber. I was invited by the US Department of State to go and discuss the Magna Carta. I was the sixth speaker of seven. The remaining speakers were from the USA, and were very eminent and able people. I was invited to talk about the rights of women in the Magna Carta and had a lot of trouble with that. The rights of women are contained in articles 7 and 8 and are entirely about how to stop the King grabbing widows’ inheritances so that the barons could marry them and have the inheritances themselves. It was a tough hurdle. Of course, it reminds one that inheritance for women, particularly widows, is very difficult indeed.

Then there is the question of family health. Of all health service users globally, 80% are women. How do widows and their families get access to that, or to literacy and numeracy education—at least for the children if not the widows—without the funding?

Widows need money: they are not allowed to inherit and cannot work. Here I draw noble Lords’ attention to the great benefits of huge companies practising corporate social responsibility. For example, I worked with BP in Iraq. Corporate social responsibility there is the most amazing thing.

There is the recovery of any family to consider, which matters so deeply to widows and orphans. Bodies—even in mass graves—and knowing what happened are critical after losing family. I am working with the Church of Jesus Christ of Latter-day Saints on its ancestry programme, which it offers to help people in refugee camps and displaced people, particularly the Yazidis. We hope to build up their ancestries again, even those that are lost. It is better to know what the pattern of your family has been.

It is hard to empower widows and orphans. Yes, we can give love and care in the context of value, but we need to value them as citizens and people to be listened to, respected and involved. I therefore suggest that our key topic is how to empower. The first thing must surely be identity in law and in the real population. How do we give the IDPs and the below-the-line population, for example, who might not officially exist at all, an identity and legal persona? In Turkey, together with Mrs Özal, the widow of the great President Özal, I formed the Daisy charity for people just below the line, whose marriages were not recognised by the state. They were purely Muslim marriages and divorces. That meant the children did not exist as people at all. They therefore could not get help or education. Their plight was bad indeed.

The right to vote, the right to stand for election and the right to run for office: all these rights to be a person with full identity in your society are crucial and

give you the right to help and education. I and other noble Lords and noble Baronesses work on the right to physical integrity—in other words, the right not to be raped. One of the great difficulties when you are a widow is the right not to have to go on to the streets to save your life and feed your babies. All these rights should be enshrined in the law of the land, even if it is only by the ratification of the relevant UN conventions. This is what government is for. This is exactly what our Government strive to do and what I urge them to focus on even more—the rights to identity through all these opportunities.

Finally, there are the acts of mercy: comfort the fatherless and the widow. Most wonderfully, I had experience of that this week with BBC South West, with Jon Kay, Andy Alcroft, Kirsty Gardner and Alex Littlewood. They recovered the mother of a young man, to whom I was originally in loco parentis—I was his foster mother—after 30 years. If that can be done by private initiative, by the BBC, what more could we do to bring families together?

6.32 pm

**Lord Parekh (Lab):** My Lords, I am pleased to participate in this debate on widows, intended to mark International Widows Day. The term “widow” has different meanings in different cultures. Broadly, there is a sharp divide between the modern world and the pre-modern world. In the modern world, a widow is simply a woman who has lost her husband—full stop. Nothing changes about her status. She can continue to do the things she used to be able to do. There are no restrictions on what she may or may not do.

In pre-modern society the situation is very different. A widow is not somebody who has merely lost her husband; she has also lost her social status. It is social death. She may not wear colourful clothes, visit a religious temple or eat certain kinds of food. She must be ghettoised and isolated from certain functions. In other words, being a widow in a pre-modern society is a social identity, scripted very heavily by society. The first thing that therefore must be done if we are to do anything about widows in pre-modern societies is to change this notion of widowhood as a status and turn it into a condition of life. It is not one that has to bear the burden of duties and obligations; it is simply a condition of life that one has lost one’s husband.

To deal with the problems of widows in developing countries, the first question is how we deal with the stigma—the violence and isolation the woman suffers. Here, one of the most important things one has to do is think in terms of women’s education so that they begin to think of their own dignity and pride, to demand certain kinds of rights and do not allow them to be taken away. It is also a function when you are fighting a cultural construct—a whole culture bears down on a woman. How do you fight a culture? You transform it. As my noble friend Lord Bragg will bear out, you do that by telling stories, not only about the widow’s suffering but about her talents and the kind of things she can do, so that one begins to see the widow not merely as an object of pity and suffering, but as somebody who has her own hopes and ambitions, and can do the sort of things other women can do.

[LORD PAREKH]

This is the first thing any Government intending to improve the condition of widows should do. Another is to ensure that widows and women in general have equal rights, not only to property but to custody of their children. If they do not, widowhood becomes an occasion when somebody who has a claim on a family property is quietly removed and the property goes to others. The second thing is therefore to insist on equality of rights and of treatment in general.

Thirdly, one should not merely give handouts—that is not the way to do things. Give her employment, because employment is a capacity-building activity. It gives her pride and dignity. It enables her to build up a network of social contacts, and to go out and meet people and share her joys and sorrows. The most important thing, therefore, is to give her employment. This capacity-building activity is far more important than handing out so many pounds or rupees.

Fourthly, one has to help widows secure employment with a kind of preferential treatment in jobs and higher education. It happens in India and in other countries. I do not see why it cannot be generalised. A widow applying for a job ought to be able to get an extra point, just as the Americans do when an applicant is black. If widowhood is taken as a factor in deciding whether someone gets a job—likewise if a woman, after having become a widow, wants to go to university or college—she might be given preferential entry. That makes this task much easier.

Finally, in any society concerned to improve the condition of women, there has to be a state agency—a government agency that takes full responsibility for the condition of women and carries out a kind of “widow impact analysis” to see how government policies and actions impact on a widow. According to UN Women, there are 285 million widows in the world today. Half a million are to be found in Afghanistan. According to the latest report, which came out in India only two days ago, there are 56 million widows in India—7.4% of the population. Out of 285 million widows in the world, 150 million live in deep poverty, and 40% of the 187 countries surveyed do not grant women equal rights. We are talking not about isolated pockets of poverty, but about systemic groups of millions of human beings in acute poverty and suffering. That is the problem we ought to be tackling.

6.38 pm

**Lord Hussain (LD):** My Lords, I join noble Lords in thanking the noble Lord, Lord Loomba, for securing this debate. I very much appreciate his work supporting widows through his charity, the Loomba Foundation.

A widow from any culture, religion or part of the world will see the loss of her partner as the biggest shock and emotional and mental trauma, leaving her with feelings of loneliness and insecurity. In many parts of the world, the loss of a husband makes a woman more vulnerable socially and economically, particularly in cultures where women are not allowed to gain employment or remarry. Hence, it becomes incumbent on Governments to have systems in place to support the widows. Sadly, there is hardly any support available for widows in developing countries, although some countries may have policies on paper.

As we all know, the biggest flocks of widows emerge during wars and in areas of conflict, where the men are more likely to be killed in large numbers, leaving the women to deal with the aftermath. In recent European history, we saw the Balkans conflict, in which men were killed in large numbers. I visited Bosnia a few years ago, and the cemetery of Srebrenica, where more than 8,000 men are buried. Their bodies had been found in mass graves by the United Nations, many years after their deaths. Some of those held responsible, including General Mladic and Dr Karadzic, were tried in the International Criminal Court, and are serving long sentences. During my visit to Srebrenica I met the mothers of those victims. I cannot describe the level of their grief, sorrow and anger. However, one thing that they were content with was that at least some of them had found the remains of their loved ones, and some of those responsible for the atrocities had been brought to justice.

I can draw a parallel with the Srebrenica massacre, one in which tens of thousands of women are still searching for their husbands and looking for justice: it is happening in Kashmir. Over the last three decades, tens of thousands of people, mostly men, have been killed. Many of them are reported to have been picked up from their own homes, or from the streets, by the Indian security forces. Some of them have been released. The bodies of many were found by the roadsides and tens of thousands are still missing. Wives of those missing men in Kashmir, known as “half widows”, have been searching for their husbands in police stations, detention centres and prisons all over India, without any success.

I am drawing a parallel between Kashmir and Srebrenica because thousands of mass graves have been identified in Kashmir which need to be investigated, to find out the identities of those buried there. According to the Amnesty International report of May 2008:

“Amnesty International urges the Government of India to launch urgent investigations into hundreds of unidentified graves discovered since 2006 in Jammu and Kashmir. The investigation must be independent, impartial and follow international standards. The grave sites are believed to contain the remains of victims of unlawful killings, enforced disappearances, torture and other abuses”.

In its report of 2018, the United Nations High Commissioner for Human Rights wanted,

“to consider establishing a Commission of Inquiry to conduct a comprehensive independent international investigation into allegations of human rights violations in Kashmir... Alleged sites of mass graves in the Kashmir Valley and Jammu region should be investigated”.

However, the Indian Government have refused these investigations any access.

Human Rights Watch, in its report on 14 June 2018, said:

“The Indian government should immediately act on the recommendations in the first-ever report by the United Nations on human rights in Kashmir”.

Despite these calls from the international bodies, the Indian Government refuse to give access to the United Nations for an independent investigation into these mass graves.

Can I ask the Minister a specific question? If she is unable to answer it now, I am willing to receive a written reply from her later. Will the British Government



help the United Nations get access to investigate these human rights abuses, including the mass graves in Kashmir?

6.43 pm

**Baroness Hodgson of Abinger (Con):** My Lords, I too thank the noble Lord, Lord Loomba, for bringing forward this debate today, to highlight the important issue of widows in developing countries and to mark International Widows Day this year.

I pay tribute to a friend and colleague, Margaret Owen of Widows for Peace through Democracy, who, through many years of determined work and tireless campaigning, got this issue on to the international agenda. As we have already heard, in most developing countries a strong culture of patriarchy prevails, making it very difficult for women on their own. Widows suffer from multiple discrimination, and are too often victimised and abused. While women are often the poorest in a society, widows are the poorest of the poor, and widowhood is one of the most neglected of all the human rights and gender issues. This hardship can affect future generations as family stability is destroyed. Through resulting poverty, widowhood is a driver for children to be taken out of school and girls to be married at a very early age, thus perpetuating a life of underachievement and a lack of empowerment for the next generation. In these countries there is no mechanism for the voices of widows to be heard, or recognition of their struggles as sole parents and breadwinners.

Here in the UK we tend to think of widows as being older, but all the chaos and turmoil of armed conflicts, civil wars, revolutions and natural disasters of recent years has created millions of widows and wives of the disappeared, who become the most vulnerable in their societies. Like the noble Lord, Lord Hussain, I have visited Srebrenica and walked with the widows in the graveyard. It was absolutely unforgettable; their pain was palpable. The number of widows in countries such as Afghanistan, Iraq, Syria, Sudan and Congo has soared. The widows in these countries are often forced to beg—burka-clad widows on the roads in Afghanistan, or destitute widows in Congo trying to scratch a living, pushed to the side of society, remaining voiceless and invisible.

In some cultures, women cannot own property, land, bank accounts or even a job. How are widows meant to fare then? In some developing countries, where good national laws are introduced to tackle these injustices, the laws are not accessible to many as local justice prevails at the grassroots. So often, in spite of constitutional guarantees of equality, women are deprived of their legal rights to inheritance, land and property, and turned out of their homes because law reforms are not implemented. In some cases widows become victims of forced marriage, made to marry relatives of their deceased husbands.

There are no accurate statistics but, in 2017, UN Women estimated that there were 285 million widows globally. Lack of data, especially in war-torn countries, is a huge obstacle to influencing Governments to address the issue of widowhood and ensure that they receive adequate support. To help focus on this important gendered issue, perhaps we should encourage

the creation of a UN special rapporteur on widowhood, which might bring adequate focus to bear. In the UK, we could consider that our next national action plan on UNSCR 1325 might include issues of widowhood in the targets and indicators.

Conflict, as we have already heard, creates thousands of “disappeared” men and, thus, half-widows. Men go off to fight; some just never return and there is no information about what happened to them or their whereabouts. Wives may wait many years in limbo without adequate support and never know whether their partners are dead or alive. I hope the House will forgive me if I speak from personal experience. My own mother was such a widow here in World War II. At the age of 22, she received a telegram saying that her pilot husband was missing, presumed dead, and she waited 10 years for him to return before giving up hope. It was always something that remained unsolved in her life, until about 15 years ago when she discovered what had happened by somehow managing to get hold of the Luftwaffe records of the pilot who had shot him down out at sea. Even the British Government never helped to find out what had happened to the missing after World War II.

On International Widows Day, we should not forget the situation in the UK where it is estimated that 500 women a day become widows, the majority by the age of 85. Here in the UK, where we have no culture of respect for the elderly, many of these women suffer from traditional discrimination and poverty. Many do not have good pensions; in rural communities, this can lead to widows becoming even more isolated and depressed when they are no longer able to drive, especially where rural bus services have been slashed.

We should not forget the widows of our brave military killed in action. There are still widows alive from World War II, and the recent actions, particularly in Afghanistan and Iraq, have created a significant number of widows. Do we have any idea how they fare and whether they feel adequately looked after? Could some study be carried out in the UK to look at the plight of widows here too?

In conclusion, widowhood is a much ignored issue both in the UK and in developing countries. However, it is more than just a gender issue; it affects all of society and its future since widows’ marginalisation and poverty affects the lives of their children. Will the UK consider asking the UN to appoint a special rapporteur on widowhood as a means of lifting the blanket of silence and invisibility from this very important gender and human rights issue?

6.50 pm

**Baroness Greengross (CB):** My Lords, I congratulate the noble Lord, Lord Loomba, on securing this debate to mark International Widows Day this year, and on the work of his foundation promoting the cause of widows all around the world, especially in developing nations. As we have heard, the number of widows is quite staggering, and it is increasing sadly, largely due to conflict. The UN estimates that there are 285 million widowed women, of whom about a third live in deep poverty. The Loomba Foundation estimates that 585 million children are dependent on widows.

[BARONESS GREENGROSS]

I join the noble Baroness, Lady Hodgson, in paying tribute to the work of Margaret Owen, the brilliant campaigner, through her charity Widows for Peace through Democracy, and also pay tribute to HelpAge International for its development work on behalf of older people, including many widows.

In my brief remarks, I will focus on older and half-widows. I was very moved to hear the noble Lord, Lord Hussain, talking about the terrible situation in Kashmir. Other speakers have said that we should dispel the myth that widows are always older women. Many are of course very young indeed, though the problems faced by far too many—especially after war or any form of conflict—are very similar regardless of age.

Ongoing conflicts around the world cause widows to be deprived, as we have heard, of even their most basic rights to health, education and dignity. Even though they are the most affected by conflict, in almost all situations they still have no role in peacebuilding. They need to be represented at all peace tables. One of our roles is to work to ensure that this happens. Can the Minister reassure us that a huge effort is being made to ensure this is the case?

Widowhood should be addressed by the Government as an urgent human rights issue. The reason is simple: widowhood affects all of society, since unsupported widows become a root cause of poverty across the generations, increasing the inequalities that fuel instability and conflict. A widow whose life is without hope will have children whose lives are likely to be the same, or even worse. As the UN has found, widows' lack of inheritance rights might lead to the loss of their home as well as increased stigma and isolation within their community. Widows often have reduced legal rights as well, especially over property: the UN estimates that 40% of nations do not treat men and women equally. We know that widows can fall victim to detrimental cultural practices, extending to forcible remarriage, rape and allegations of witchcraft.

More recently, WPD has been campaigning on the neglected plight of the uncounted millions of half-widows—the wives of the forcibly disappeared or missing, as the noble Lord, Lord Hussain, told us. The legal status of these women, mainly in conflict-afflicted countries, is ambiguous and they have no legal protection or rights, for example to inheritance, land, or pensions. Very often, they cannot remarry. WPD estimates that in Colombia alone there are 86,000 missing men, while in Sri Lanka there are 40,000. In other fragile and conflict-afflicted states, there are many more and their half-widows encounter insurmountable obstacles in attempting to get the information from the authorities to which they are entitled. They are unable to rebuild their lives or even to grieve properly. I hope the Minister can assure me that the work which the Government have been doing with NGOs, the UN and the World Bank to improve the statistical information available on widows includes all that we can collect on half-widows.

It is right for this House, as we did last year on 28 June, to mark International Widows Day. I add my voice to this debate as a recently widowed woman.

6.55 pm

**Baroness Garden of Frognal (LD):** My Lords, I join in the thanks to the noble Lord, Lord Loomba, for this debate on a topic on which he knows so much and has done so much good work. I know that his particular interest is widows in developing countries, but the inclusion of International Widows Day gives me an opportunity to speak on widows closer to home. I offer my sympathy to the noble Baroness, Lady Greengross. My late husband was an RAF officer for 30 years and I am a vice-president of the War Widows Association of Great Britain; the wonderful noble Baroness, Lady Fookes, is its much-loved president.

Widows in developing countries face challenges which we hope that our widows no longer do, but our widows have not always been treated with compassion and care. I first came face to face with widowhood nearly 50 years ago in RAF Germany with my husband, where a good friend's husband ploughed into the airfield while practising for a display for the families' day that weekend. Her children were four and a few months old. The station commander and his wife duly appeared on her doorstep to break the news, closely followed by the information that, without a serving officer in the house, she would need to move out as soon as possible, since she was no longer entitled to live in a married quarter. The problem was that she had nowhere to go; nor did she have any money, as he had not served quite long enough to have earned a pension. Her life was really tough. These days, the Royal Air Force Benevolent Fund often steps in to help with housing, but not then. She got help from the fund for her children's education at an RAF school, and was always touched that it sent presents which she could not afford for birthdays and Christmas.

These days, things have greatly improved in the military. The newly bereaved have an effects officer allocated to cope with the practicalities and the War Widows Association uses its skill as a pressure group to improve the conditions of widows and their dependants in Great Britain. In answer to the noble Baroness, Lady Hodgson, it is currently conducting a survey of widows to gather experiences and stories, which it hopes will help to inform people about the work. Its work encompasses those who have suffered bereavement as a result of World War II and all conflicts since then, including Iraq and Afghanistan. As the noble Baroness, Lady Greengross, said, many of them are actually very young. Its campaigns have improved the conditions of war widows and war widowers, including ending the situation where widows lost their meagre pensions if they found happiness with someone else. There are regional organisers who offer friendship and support. They organise social events and telephone calls to those who can no longer get to events, because loneliness can feature large in widows' lives.

Remembrance is very important. We have our own Cenotaph service on the Saturday before the national Remembrance Day. At one stage, war widows were not allowed to march on the Sunday; these days they are, and young and old can be seen stepping out proudly with the Sunday parade, but we still value the Saturday ceremony too. Hearing their experiences can be really humbling, while making one quite angry at

the way in which widows can be left to fend for themselves without support or money. To hear of mothers who struggle to return from overseas and find work while caring for small children, or to hear of their efforts in making ends meet with resourcefulness and courage, all the while coping with grief and the loss of a life partner, really makes you stop and count blessings. As I have discovered—to my cost—there is a great camaraderie of widows, which I trust is true in other countries too.

It has taken us a while to support the widows of men serving our country, but even they can be better off than civilian widows, who often have nowhere to turn. When I worked for the citizens advice bureau, I well remember the distraught people with no idea how to arrange a funeral, sort finances or generally cope with life without a partner. The CAB could offer practical advice and point to counsellors or often churchmen, because religious people can be rather wonderful at times of death.

As we have heard, in developing countries there is often a stigma in being a widow, to add to all the practical and emotional problems of losing a breadwinner and partner. But there can be a stigma here too: old friends tend to avoid those bereaved, lest they cause upset. Quite often on social occasions, people do not particularly relish having an odd one out. In some countries, widows lack legal rights, cannot inherit and experience violence and ostracism, as we have heard powerfully from the noble Lords, Lord Loomba and Lord Parekh, and others. Losing a husband can mean losing the wherewithal for life, love and respect, but we hope not here.

What actions have the Government taken since the debate in the name of the noble Lord, Lord Loomba, last year to support and empower widows? Has the violence against women and girls help desk been able to intervene to help widows? As we try to treat our widows with more compassion and support, has the Minister suggestions on how we can reach out to those in other countries whose suffering is more acute than the grief and sorrow which are part of the lot of any widow?

7 pm

**Lord Hylton (CB):** My Lords, I thank the noble Lord, Lord Loomba, for securing this debate. He has been a long-standing and effective champion for all widows.

In most poor and developing countries, widows are found to be worse off than widowers. It is very worrying that some 585 million children are thought to be dependent on widowed mothers, and sometimes grandmothers. Your Lordships will understand that such children are less likely to be in school or to be able to complete their education. This arises because they have often to work to support their mother or grandmother.

I was moved to join in this debate out of concern for widows in war-ravaged countries. The noble Baroness, Lady Nicholson, and the noble Lord, Lord Hussain, mentioned Iraq—but Iran, Afghanistan, Syria, Turkey and Palestine also spring to mind, as they are the countries that I happen to know best. Of course, other countries in Africa and central America have suffered genocide or prolonged civil war. Most widows have

needs for care, retraining and empowerment. Do our aid programmes and those of other major donors have special provision for widows? A number of previous speakers asked for a UN special rapporteur for widowhood. I hope that the Minister will be able to say what the Government's attitude and policy are on that.

Widows for Peace through Democracy has been mentioned. It has provided a worldwide voice for widows ever since the Beijing conference of 1995. It is, however, entirely dependent on voluntary donations. Surely there should be some official funding for the advocates of widows, whose worldwide number has been put at some 285 million by the United Nations.

Mention has been made also of half-widows: that is, people whose status is quite uncertain, such as the former wives of men who have been forcibly disappeared—I give the example of those who have disappeared in the war on drugs in the Philippines. There are others whose husbands have simply gone missing for a whole range of reasons. Widows and half-widows suffer acutely from poverty. This is bound to affect their children, as I mentioned in relation to schooling, and others have mentioned in relation to forced marriage, which we all know to be most undesirable.

The ancient practice of suttee, the burning of widows on the funeral pyres of their husbands, has long been abolished. We live nevertheless in a difficult world. There is still much misogyny. Extreme fundamentalists abound, of all kinds and in many religions. They are the enemies of peace, harmony and co-operation.

We can see that widowhood is a subject that crosses many traditional boundaries. That is why we need a special rapporteur and special programmes of training and empowerment. Widows can be seen as victims, but they also have huge potential, along with all the feminine half of existing humanity. I therefore look forward to a very positive reply from the Minister.

7.05 pm

**Baroness Uddin (Non-Afl):** My Lords, I add my tribute and thanks to my noble friend Lord Loomba for his outstanding service in making a difference to the lives of widows. Over many years, he has campaigned for the rights of widows around the world. It is thanks to the Loomba Foundation's relentless dedication that we have International Widows Day on 23 June. Alongside my colleagues, I also remember the relentless efforts of Margaret Owen, who was a true champion and a friend.

According to a 2018 report from the Office for National Statistics, 6.6% of the population of England and Wales are widows, the majority being female and over the age of 65. The UK is considered to have made substantial progress on the rights of women, but we cannot take comfort that many of those advances have eradicated the endemic inequalities which persist in many sections of our society, including widows, who often experience sudden social ostracism, lack of financial standing and legal discrimination. A number of women I have spoken to say that they have experienced isolation and had no idea about the services available to them on becoming a widow in respect of housing, employment and financial and legal support.



[BARONESS UDDIN]

The legal, social and economic obstacles that widowed women face are prevalent not just in the UK but globally, as reported by the Loomba Foundation. The treatment of widows continues to be gendered and hostile, forcing widowed women into a state of invisibility. It is the unpalatable truth that over many decades, we have engaged in war and division internationally, by partaking in one conflict or another. As a result, millions have experienced displacement and widowhood. Equally, I would like to draw the House's attention to our international efforts in supporting women in the aftermath of wars and conflict. However, humanitarian crises are all too prevalent, as are the numbers of women facing unprecedented hardship, particularly when they have lost their partners and family members.

During the reconstruction phase in a country, it is incumbent on us to show equal conviction in addressing the needs of women-headed families and the widows and children who are suffering as a direct result of conflict and wars, in which we are often a partner. Whether in Iraq, which has been mentioned, or Syria, or Palestine, widows are the end result of these interventions. Therefore, for the sake of both our national credibility and our proclaimed moral responsibility, we must put equal, if not greater force, into rebuilding communities as we do into the wars that destroy these countries.

Personally, I have had the honour of speaking to a number of Bangladeshi women who were raped by the then Pakistani army in 1971, and who were subsequently widowed. Although these events happened more than 40 years ago, the suffering of many of these women did not end until they faced death. For thousands of them, justice never came. I am deeply saddened to hear from noble Lords' contributions today that many hundreds of thousands of women who have experienced rape and torture in wars since then are still waiting for justice and reparation.

We have an incredible passion for international development and are working across the globe. As a woman, I do not wish to see the international community turn a blind eye to Yazidi or Kurdish women, or the women of Palestine, Kashmir, Yemen, Afghanistan, Iraq or Srebrenica in Bosnia-Herzegovina, who are crying out for the justice and support they deserve. Noble Lords are acutely aware that many widows have young children who are dependent on them. Indeed, the children themselves have often witnessed or been subjected to rape, torture and violence.

As has been said, during the 2018 debate, the then Minister said that 9.8 million women and girls had received humanitarian assistance. So I ask the Minister: do we keep statistics on where widowed women fit into the humanitarian framework? I also add my own personal call for a UN rapporteur for widows.

It would be helpful to have some understanding of the humanitarian efforts that Britain makes and whether staff are equipped with the skills and knowledge needed for dealing with the issues of widows, particularly in the aftermath of conflict and war. Debates aside, what will Her Majesty's Government do to assess and evaluate our current policies and services, to see whether they stand up to scrutiny in ensuring the safety, security and economic dignity of widows both in the UK and globally?

7.11 pm

**Lord Collins of Highbury (Lab):** My Lords, I too thank the noble Lord, Lord Loomba, for initiating this debate. It is because of his commitment that we have 23 June as International Widows Day, decided by the UN General Assembly in 2010. I would also like to pay tribute to Margaret Owen, who has done so much work, and add my own condolences to the noble Baroness, Lady Greengross, for her loss.

International Widows Day is a call to action to restore widows' human rights and, through education and real empowerment, help alleviate the poverty and discrimination into which widowhood can plunge them. As the noble Lord, Lord Loomba, highlighted, women whose husbands die often face extensive discrimination and injustice. The consequential social and economic exclusion can lead to poverty for them and their children. I speak from personal experience, as my mother was widowed with four young children. We lived in a tied house, so she lost not only her husband but her home. She had to find work and a new house for us to live in, in very difficult circumstances. This has influenced my views about women's rights and empowerment.

I thank the Loomba Foundation for its *World Widows Report*, which ensures that we are better placed to understand the full scale of the problems faced by women who become widows. There are more than 250 million widows globally and, as we have heard in this debate, the number has grown by 9% since 2010, partly because of conflicts and disease. The denial of the rights of women and girls remains the most widespread driver of inequalities in today's world. Gender-based violence is a major element of this massive and continuing failure of human rights.

Successive UK Governments of different political persuasions have championed women's rights internationally, supporting issues including girls' education, preventing sexual violence in conflict, and family planning. I pay tribute to this Government's role in keeping this issue centre stage internationally.

The Minister highlighted many of the actions taken by the Government in Monday's debate on the Vancouver Women Deliver conference. I shall not go over the areas we covered then, but I want to stress the importance of the forthcoming PSVI conference in November and the need to ensure that we not only commit more resources ourselves but that we ensure that other Governments commit to a similar level of support to prevent sexual violence. I hope the Minister will confirm that there will be time dedicated at the conference to the issue of the violence that widows often face.

The noble Baroness, Lady Greengross, mentioned that widowhood does not affect just older people; but older women are more likely to be widowed. I hope the Minister will be able to tell us how DfID and the Government are responding to the specific needs and rights of older women in their work on widows. How are the Government ensuring that the paid and unpaid work and care that older widows are doing is recognised and supported, as part of their commitment to SDG 8 on decent work and leaving no one behind?

On health, according to research by the World Bank, widowed women are far more likely to live with HIV. Coupled with this is the fact that widowed women

are often isolated, meaning that much-needed healthcare can be inaccessible. What steps are the Government taking to contribute to the global fight against HIV, since the issue disproportionately impacts widows?

We talked about empowerment in this debate. Only 0.1% of the total aid from OECD donors is committed to women's organisations, and only 0.02% to women's organisations based in developing countries. Given the vital role of women's groups in promoting the rights of widows and in empowering women generally, what steps is the Minister's department taking to ensure that we not only increase support but increase funding for these vital organisations that support widows?

7.17 pm

**The Minister of State, Department for International Development (Baroness Sugg) (Con):** My Lords, I am hugely grateful to the noble Lord, Lord Loomba, for tabling this important debate shortly in advance of International Widows Day. It is so important to shine a spotlight on what has for too long been a neglected issue, and I pay tribute to his long record of work in this area, including the great achievement of getting a UN-ratified day to mark its importance. It is challenging to get accurate information, as widows are too often invisible, but the UN estimates that there are a quarter of a billion widows around the world, with more than half living in poverty. As we have heard, many widows face profound hardship and abuse simply because they have lost their husbands, but when given a chance widows can, of course, be powerful agents of change, prosperity and peace.

The noble Lord, Lord Loomba, set out powerfully the case for doing more for widows across the world. He gave us some welcome news of positive action being taken internationally to mark International Widows Day. My noble friend Lady Nicholson explained the myriad issues widows face and the importance of empowering them, ensuring that we recognise and promote their rights in everything we do. The noble Lord, Lord Parekh, highlighted the importance of addressing the stigma that widows can face. I agree with him that one of the very best ways we can do this is through education—for women, of course, but also for men and for society in general.

The noble Lord, Lord Hussain, spoke of the difficulties that widows can face when searching for their husbands, not knowing whether they are dead or alive, as well as having to deal with the issues that all widows face. My noble friend Lady Hodgson spoke of the perpetuation of underachievement and the lack of economic empowerment that widows can face, along with their sons and daughters—and their sons and daughters, for generations—if they do not receive the correct level of support in time. I absolutely agree with her that we need to do more to help widows access the legal rights to which they are entitled.

The noble Baroness, Lady Greengross, spoke of the importance of involving women in peace talks. Conflict and instability affect women and girls differently from men and boys and result in them having different needs and priorities. We are committed to placing women and girls at the centre of efforts to prevent and resolve conflict. That includes tackling women's and girls' different needs and making sure they participate

fully to ensure lasting stability. We are currently focusing our efforts on promoting women's meaningful inclusion in three distinct peace processes—in Yemen, Afghanistan and South Sudan.

The noble Baroness, Lady Garden, highlighted how forces widows and their families in the UK still face issues and can be left to fend for themselves, although it was very good to hear of the improvements she has seen. With many of the issues we face in international development, we still have more work to do in the UK. My noble friend Lady Hodgson asked for a UK study more fully to understand the situation here. The Government Equalities Office is currently working on a new strategy on women's economic empowerment that will set out the Government's ambition to support women across their diverse life courses and I will certainly talk to it after the debate about addressing widows in that.

The noble Lord, Lord Hylton, spoke of the importance of training in empowering widows. He mentioned Widows for Peace through Democracy. I will join many noble Lords in paying tribute to the work of Margaret Owen. We work closely with that organisation, alongside other key NGOs in this area—Widows' Rights International, the Global Fund for Widows and of course the Loomba Foundation.

The noble Baroness, Lady Uddin, is right to say that we have made good strides on women's rights and women's empowerment in general, but there are still too many marginalised groups and too many people left behind, including widows. She mentioned female-headed households. It is sometimes difficult to focus our programme funding on programmes with widows. One of the best ways we find to do that is to focus funding on female-headed households, which of course is likely to include many widows. We work with key implementing partners, such as the World Food Programme and the UN Relief and Works Agency to really target female-headed households as well as other vulnerable groups. Our humanitarian programming in the OPTs, which the noble Lord, Lord Hylton, mentioned, includes the delivery of hygiene kits, and it uses female-headed households as one of the key selection criteria. In Syria, our NGO partners target female-headed households as well, with protection and resilience assistance.

Far too often in the past, work on widows has been considered a niche issue. We really want to challenge that assumption, and supporting widows and female-headed households helps achieve our global goals and addresses the multiple forms of discrimination that they can face. If we want to achieve the global goals, end poverty, achieve gender equality and truly ensure that we leave no one behind, we need to focus on this area.

The cruelties faced by some widows which have been highlighted today are truly shocking. Once widowed, women often confront a denial of inheritance and land rights, degrading and life-threatening mourning and burial rites and other forms of abuse. All that abuse has one key thing in common: it is the product of harmful social norms, symptomatic of a world where women's value can be poorly regarded. It can be about controlling and limiting women's rights.

[BARONESS SUGG]

One of the other assumptions is that widows are passive victims. Many noble Lords have highlighted the importance of proper economic empowerment. It is true that widows face incredible hardships, but they are often the backbone of their families and communities. When protected and empowered, they can be powerful agents for change. We must do all we can to make sure that that power and potential are unleashed, rather than seeing widows trapped in a cage of poverty and stigma. We are committed to tackling those harmful social norms and deep-rooted gender inequality. If we are to achieve gender equality—goal 5 of the global goals—we need to empower all women; not just because it is the right thing to do, but because it is in our national interest and at the heart of tackling all the barriers and discrimination that we see.

Today we mark another important day: the International Day for the Elimination of Sexual Violence in Conflict. The noble Lord, Lord Collins, is right to highlight the opportunity we have at the PSVI conference on this. I will be working very closely on it with my noble friend Lord Ahmad, who is hosting it.

I turn now to what we have achieved since the last International Widows Day. To mark the day, we will be highlighting the issues that widows can face and profiling some of our work on specific projects. This is the first time that DfID has properly marked International Widows Day—that is thanks in no small part to the encouragement of the noble Lord, Lord Loomba, to my predecessor, my noble friend Lord Bates, and his encouragement to me on this issue. I reassure the noble Lord that we will continue to step up our work to shine a spotlight on the vulnerability of widows, including in international forums such as the Commission on the Status of Women, the UN Human Rights Council and of course the G7 and G20. We have seen good progress in the commission on the Status of Women. A couple of years ago widows were mentioned; last year we saw further mention and detail on that, and we will continue to press on that agenda.

We are also doing work through our country programmes. In Ghana, we are providing support to vulnerable women, including elderly widows who have sometimes been banished from their communities into what are essentially witches' camps. We really encourage women to learn about their rights and ensure that they have access to services. Thankfully, we are seeing some women reintegrated into their communities.

The noble Lord, Lord Collins, also raised the importance of proper economic empowerment. We have supported nearly 35,000 widows in urban slums in Bangladesh with grants to start small businesses. That is a good example of capacity building rather than the handouts highlighted by the noble Lord, Lord Parekh. In June last year we announced a new programme to support 8,500 pre-independence Commonwealth veterans and their widows who are living below the poverty line. Again, as with many things we do, our Commonwealth partners are a key part of our success there. We are

also highlighting the small charities challenge fund—in fact, I think this week is Small Charity Week—at DfID to ensure that we properly distribute our international aid to small charities. We are explicitly welcoming applications focused on widows in the new tranche, so I hope to see support for even more work in this area.

The noble Baroness, Lady Greengross, asked about our work on improving statistics. We really need to do more work in that area to know who, where and why people are at risk of being left behind. We are investing in data which can be properly disaggregated on the basis of sex, age, disability status and geography. This will be particularly important for widows, who are too often invisible in our data, as I have said. In answer to the noble Baroness, Lady Uddin, I say that we do not have enough data on it yet. It is a work in progress, but we continue to push on it. We are doing lots of work within our country programmes and internationally to raise the profile of this.

I will turn to some specific questions. The noble Lord, Lord Loomba, asked whether we can earmark funds for helping widows. I entirely agree that we can do more to ensure that our existing portfolio is reaching widows, although rather than spend targets we welcome ideas on what more we can do to support and empower widows; this debate has certainly helped in that. The noble Lord also suggested setting up a Select Committee; that would be up to Parliament to consider, but I will certainly pass that suggestion on. Many noble Lords talked about the request for a special rapporteur for widows. I am afraid that I cannot give a positive response on the Government's position on that, but it really deserves proper consideration, which I will undertake. I would be interested to think more about the potential role of what that rapporteur could do and will continue discussions on this.

The noble Lord, Lord Hussain, raised the issue of Kashmir. Tackling human rights abuses is a central part of all our work overseas, including working in close partnership with the UN in Kashmir and elsewhere. The importance of that work has been powerfully testified to by the noble Lord.

I hope that I have answered the majority of questions, and if I have missed any I will follow up in writing. Over the last year we have been working to build DfID's knowledge and evidence base for our work on widows. We have also focused on raising awareness of the deprivation faced by widows through our international influencing strategy on gender equality, and we will continue that important work.

Once again, I thank the noble Lord, Lord Loomba, for putting this debate on the agenda yet again and pay tribute to his consistency in his decades of work on this issue; this interesting debate has been a testament to him on that. I also thank all other speakers today for contributing to the debate on such an important issue.

*House adjourned at 7.30 pm.*