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PARLIAMENTARY DEBATES
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HOUSE OF LORDS

OFFICIAL REPORT

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Abbreviation	Party/Group
CB	Cross Bench
Con	Conservative
DUP	Democratic Unionist Party
GP	Green Party
Ind Lab	Independent Labour
Ind LD	Independent Liberal Democrat
Ind SD	Independent Social Democrat
Ind UU	Independent Ulster Unionist
Lab	Labour
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 24 July 2019

3 pm

Prayers—read by the Lord Bishop of Ely.

Royal Assent

3.06 pm

The following Acts were given Royal Assent:

Northern Ireland (Executive Formation etc) Act
National Insurance Contributions (Termination
Awards and Sporting Testimonials) Act
Wild Animals in Circuses Act.

FCO Support for Persecuted Christians

Question

3.07 pm

Asked by **Lord Singh of Wimbledon**

To ask Her Majesty's Government what assessment they have made of the recommendations of the Bishop of Truro's Independent Review of the Foreign and Commonwealth Office's support for persecuted Christians.

The Minister of State, Foreign and Commonwealth Office (Lord Ahmad of Wimbledon) (Con): My Lords, the Bishop of Truro's independent review of FCO support for persecuted Christians proposed a series of ambitious recommendations, which the British Government have considered carefully. We accept all the recommendations, and we will take them forward as part of our work to support freedom of religion or belief for all.

Lord Singh of Wimbledon (CB): I thank the Minister for his helpful reply. Sadly the appalling treatment of Christian minorities around the world is mirrored in the persecution of other religious minorities, including the appalling treatment of his Ahmadiyya community in Pakistan. In Afghanistan a once-prosperous Sikh community of more than 20,000 people has been reduced to a few hundred. Does the Minister agree that the underlying cause of religious persecution is the religious bigotry inherent in aggressive assertions that the one god of us all, way above human emotions, favours one group of humans to the exclusion of others?

Lord Ahmad of Wimbledon: I thank the noble Lord. There is the thought for the afternoon. I am grateful for his work in this area and agree with him. I was the Prime Minister's envoy on freedom of religion or belief when it was first suggested that we look at persecuted Christians. Of course, when we look at Christian persecution around the world, the figures and the persecution are horrendous. Equally, where Christians are persecuted we can be sure that, tragically, other religious minorities are also persecuted. It is right that this was done and we look forward to working with all across this House and beyond to ensure that we can implement effectively so we can be a voice for people of all faiths. I have been incredibly heartened and totally humbled by meeting surviving victims of religious violence and religious persecution because in their courage lies inspiration for us all.

Lord Anderson of Swansea (Lab): My Lords, in Syria, Christians are afraid to enter UNHCR camps because of violence against them, and there is also violence in the camps in Germany, yet the Government accept only refugees from those camps, unlike Belgium and Australia. The result is that in the first quarter of 2018, no Christians from Syria were accepted in this country and the Government have steadfastly refused to give any figures since because of the likely embarrassment. Why is that? Is it post-imperial guilt or are the Government discriminating against Christians from Syria?

Lord Ahmad of Wimbledon: On a lighter note, this is the second day running that I have been asked about post-imperial guilt. The irony is not lost on me. On standing up for persecuted Christian minorities around the world, I am proud of the record of this Government and previous Governments, who have done the right thing. The noble Lord raises an important point about granting asylum and refuge to people from persecuted communities, including Christians, and I believe that the Government have focused on that. We have sought to work with the UNHCR to ensure that applications are progressed effectively and efficiently. There has been a suggestion that Christians should be prioritised over others. I believe that, whether you are Christian or of any other faith, or of no faith whatever, common humanity dictates that we stand up for the rights of others, including Christians, as well as our own rights.

Baroness Berridge (Con): My Lords, I am grateful to my noble friend but one factor influencing the persecution of Christians is, unfortunately, that in some contexts they are seen as a leftover from the Empire. Has my noble friend considered whether the UK Government taking on the role of defining anti-Christian hatred could expose victims of persecution to more risk? Surely this is a role for communities—for example, the Jewish community has done this and the Muslim community is doing it—rather than for the UK Government. At the very least we should assess the risk to ensure that we do not inadvertently increase the risk of Christians being persecuted.

Lord Ahmad of Wimbledon: I agree with my noble friend on both her points. In answer to her and to the noble Lord, Lord Anderson, one issue that the Bishop of Truro identified in his report was that singling out Christians for support and for the processing of claims of religious persecution or requests for asylum would, as my noble friend has articulated, put them at greater risk. I also agree with her totally that it is right that community and faith leaders define religious hatred, as has been the case with the IHRA definition of anti-Semitism. We are currently looking at the issue of Islamophobia. It is for communities to do that and it is for Governments to ensure the protection of all faiths and none.

The Lord Bishop of Ely: My Lords, we on this Bench welcome the report and look forward to working with the Government as they take forward its recommendations. With regard to the recommendation to name the phenomenon of Christian discrimination and persecution, does the Minister accept that there is

[THE LORD BISHOP OF ELY]

nothing to be gained and everything to be lost by encouraging a competition for victim status, and that such energy would be better spent in further developing the framework of international human rights protection?

Lord Ahmad of Wimbledon: I totally agree with the right reverend Prelate.

Lord Alderdice (LD): My Lords, I welcome the Minister's undertaking that the Government will accept all the recommendations in the Bishop of Truro's report, and I congratulate him on his work over the last few years in the area of freedom of religion and belief. One of the report's recommendations was that Her Majesty's Government should use the opportunities provided by the international institutions of which they are a part. Regarding the United Nations Human Rights Council, we have had a special rapporteur going right back to the days of the Commission on Human Rights and there have been regular resolutions—I think that the last one was on 21 March this year—with lots of wonderful words. Disappointingly, however, on a daily basis members of the UN Human Rights Council, the Security Council and even the P5 disregard all the fine words in those resolutions as a matter not of accident but of public policy in discriminating against people who have a different religion or belief. How will the Government use their membership of the Security Council and the United Nations Human Rights Council to bring about a change, as identified in the bishop's report?

Lord Ahmad of Wimbledon: On the noble Lord's second point on the UN Human Rights Council, we have made sure, through repeated UPRs on every country, that freedom of religion or belief is a specific question raised with countries of particular concern. I agree with the noble Lord about the institutions of the UN. Currently the issue of freedom of religion or belief sits with an organisation called the Alliance of Civilizations—I must admit, when first raised with me, it took me back to my A-level history on Aztecs and Incas—which exists for that purpose, but I support the noble Lord's view that there is more to be done. I am delighted that the United Kingdom lent support to the resolution that 22 August will be the international day marking freedom of religion or belief, focusing on persecuted minorities, faith minorities and those of other beliefs around the world. We will work on an Arria formula meeting with Poland, which will chair the Security Council in August, to ensure that this issue is given the priority that it deserves.

Bahrain Question

3.15 pm

Asked by **Lord Scriven**

To ask Her Majesty's Government what assessment they have made of the human rights situation in Bahrain over the last two years and whether that assessment was made independently of the government of Bahrain.

The Minister of State, Foreign and Commonwealth Office (Lord Ahmad of Wimbledon) (Con): I took slight licence with the previous Question as I knew I would be answering this Question as well. The UK's position is that Bahrain remains a Foreign and Commonwealth Office human rights priority country, as set out in the 2018 human rights report. This assessment was reached entirely independently but draws on a number of different sources. I assure the noble Lord that we keep this under constant review.

Lord Scriven (LD): Last week, I met the brave Bahraini human rights defender, Ebtisam al-Saegh, who spoke to me about her torture and sexual assault in detention and the ongoing detention of female political prisoners, including Najah Yusuf, who has endured similar abuses. Fawaz al-Hassan is the chief of the security complex where these women were abused, and a beneficiary of a £16,000 UK taxpayer-funded training event in Belfast in 2015. So Ebtisam has asked me to ask the Minister: on what basis is the UK continuing to spend taxpayers' money to train Bahraini officials who are implicated in human rights violations?

Lord Ahmad of Wimbledon: As the noble Lord will know, we regularly raise the cases he has related, as well as other cases, bilaterally with the Bahrainis. On the support we give various bodies, including the oversight bodies in Bahrain, we provide technical assistance in Bahrain to influence and support change. I assure the noble Lord that all training provided is in line with international standards and fully complies with our domestic and international human rights obligations, but I fully accept the point that he has made. Let us not forget that Bahrain is party to the Convention on the Elimination of All Forms of Discrimination against Women and needs to be reminded of its obligations. But Bahrain has made reforms and continues to do so. We believe that, because of our relationship, we are able to have candid conversations with Bahrain on the cases that the noble Lord has raised and, indeed, other cases currently live in that country.

Lord Collins of Highbury (Lab): My Lords, I want to return to the Question because on this occasion I do not think the Minister has given an adequate response. The fact is that the verdict of the UN Committee Against Torture was that UK-funded human rights oversight bodies in Bahrain are not effective. What is the Foreign and Commonwealth Office doing to properly assess and understand what is going on? UK taxpayers' money is being used and leading to more executions than ever before.

Lord Ahmad of Wimbledon: The noble Lord is right to raise the issue of executions and the death penalty. My understanding is that, between 2010 and now, there have been three executions, which are three too many and we continue, of course, to express concern. The noble Lord and I generally find ourselves in agreement on human rights issues, but I differ from him in that I believe the support we give Bahrain is helping to safeguard women's rights. Women's organisations are active in Bahrain and freely run campaigns calling for equality, especially on sexual health rights, but this does not take away from the facts. Do issues and serious

concerns remain? Of course they do, but I believe that our engagement helps address those issues. Engagement and support, particularly in training—ensuring that the training and standards of people responsible for these institutions is at a high level—are a way forward; not doing that training, I believe, would be a step backward.

Lord Lamont of Lerwick (Con): Could my right honourable friend say what progress has been made on improving the rights of the Shia population, who, after all, are the majority? In the past it has always been alleged that the top jobs in the military and the public sector have not been available to the Shia population and that there is in fact discrimination against the group that constitutes the majority of the population.

Lord Ahmad of Wimbledon: I thank my noble friend, who seems to have promoted me to the Privy Council by addressing me as his right honourable friend. He is right to raise the issue of the Shia majority. I assure him that reforms have taken place, including the reinstatement of citizenship for members of the Shia community. However, I share with him the deep concern that the Shia majority remains unequal in its representation and its ability to gain the kind of access that the Sunni minority has. That is an issue that we continue to raise. We will continue to work with Bahrain. Bahrain is a partner and we have many strategic interests. I believe that lends itself to being able to raise these issues of deep concern with the authorities.

Baroness Stern (CB): My Lords, on 10 July the Foreign and Commonwealth Office published an admirable paper, with a marvellous photograph of the Minister on the front. That guidance note, entitled *UK Support for Human Rights Defenders*, makes it clear that through its diplomatic posts the UK should support human rights defenders in a variety of ways. As we have heard, that is not exactly what is happening in Bahrain, and almost all non-violent critical voices have been silenced. A number of those people are now in prison, living in appalling conditions. Could the Minister assure the House that when our new ambassador to Bahrain takes up his post next month he will support human rights defenders, put the admirable guidance note into practice and, perhaps, have more confidence than in the past in raising cases with the Government when necessary?

Lord Ahmad of Wimbledon: I am delighted that the noble Baroness noticed my photograph, so I thank her for that. On the more pertinent and important issue of the guidance, I think it was right that we issued it. To be candid and up front with everyone, it took a bit of time to get to the point where we were able to do so, but we did it hand in glove with human rights organisations, including Amnesty International, and I am grateful for its support in that respect. On specific cases, I agree with the noble Baroness. The new ambassador will raise these cases, as our current ambassador does. We have been very active and we spend much of our resource on this. Quite often we receive inquiries from human rights defenders such as Sayed al-Wadaei and we respond directly to them. There have been numerous

Parliamentary Questions. We have raised specifically the cases of Bahraini nationals, including Hajar Mansoor Hassan, Sayed Nizar al-Wadaei and Mahmoud Marzouk Mansour, at senior levels within the Bahraini Government. The Bahraini Government have also been clear that those convictions are not related to the activities of Mr al-Wadaei himself. We will continue to remain vigilant, and I look forward to working with noble Lords on this important issue.

Sahel: Climate Change *Question*

3.24 pm

Asked by Baroness Sheehan

To ask Her Majesty's Government what assessment they have made of the impact of climate change on the livelihoods of people in the Sahel region of Africa.

The Minister of State, Department for International Development (Baroness Sugg) (Con): My Lords, the countries of the Sahel are on the front line of climate change. About 80% of people in that region are reliant on agriculture or grazing livestock. Rising temperatures and more erratic rainfall pose a serious challenge to their livelihoods. Last year, the Prime Minister committed the UK to significantly scaling up support to the Sahel. Helping farmers and pastoralists to anticipate and adapt to the impacts of climate change will be an important part of our efforts.

Baroness Sheehan (LD): I thank the Minister for her response, which is all well and good. Our Government have committed to deliver the sustainable development goals, including SDG 12 on sustainable consumption and production. Nevertheless, our Government give major subsidies for oil and gas extraction, such as tax allowances, zero-rated petroleum revenue tax and UK Export Finance support. Given that DfID is the department with oversight for delivering the SDGs domestically, what conversations have been had with other departments about the transition of investment and jobs from the fossil fuels sector to renewables?

Baroness Sugg: The noble Baroness is quite right to point out the importance of tackling climate change. Unless we do so there will be 100 million more people living in poverty for the next 15 years. That is why we have put the environment and climate change at the centre of what we do at DfID. The Secretary of State has been clear on our commitment to green our development spending, making sure that everything is Paris-compliant and, indeed, doubling DfID's spending on environment and climate. The priority for UKEF, at home and abroad, is to encourage international opportunities for UK businesses, but as I say, the Government fully recognise the importance of tackling climate change—while also recognising that developing countries will need to use energy from a range of sources while making that important transition to a low-carbon economy—and ensuring that we reach the development goals.

Lord McConnell of Glenscorrodale (Lab): My Lords, under Prime Minister Cameron and the noble Lord, Lord Hague, when he was Foreign Secretary, the UK had a very strategic focus on the Sahel, including a very high-profile special representative. Such focus and strategy were lost under their successors as Prime Minister and Foreign Secretary. Will the Minister make representations to whoever is appointed Secretary of State for DfID and the new Foreign Secretary over the next 24 hours to ensure that that strategic focus comes back into government?

Baroness Sugg: I completely agree with the noble Lord on the importance of having a focus on this area. The Sahel is marked by chronic poverty, instability, high levels of gender inequality, and is one of the world's regions most vulnerable to climate change. We are stepping up our presence there already. It is in all our interests that we bring together the UK's world-class development, diplomacy and defence expertise to help to build a safer, healthier and more prosperous future. Should I have the opportunity, I will certainly raise that with the new Secretary of State.

Lord Alton of Liverpool (CB): My Lords, does the Minister recognise the link between the desertification of areas such as Darfur in Sudan and in Nigeria, where herders and pastoralists are often therefore in conflict because of the reduction in land available for farming, and the growth of groups such as the Fulani militias in Nigeria and the Janjaweed in Darfur? Is this not an issue that the noble Baroness, Lady Sheehan, is right to point us towards, since it directly relates to the levels of conflict in countries where we want to see genuine development?

Baroness Sugg: I agree with the noble Lord. As herders, fishing communities and farmers compete over the dwindling fertile lands, we are, sadly, seeing more intercommunal clashes. We need to address that if we are to achieve peace. As I said, 80% of people are dependent on pastoral and subsistent agriculture, so we are looking carefully at how we can support people to thrive in a region that is so affected by climate change and using our expertise in the UK in technology and scientific innovations, such as early warning systems for shocks. If we are to see an end to conflict we need to ensure that we address the issues of climate change.

Lord Lea of Crondall (Lab): My Lords, there are two aspects to the human impact on climate change. One is the impact per head mainly in the industrial countries and the other is the number of people. I think that the biggest growth rate in Africa is in Niger, where I was, at 7% per annum, doubling in 10 years. How can the Government make more impact, given the imperialism argument and given that we cannot solve the climate change problem unless we decelerate the rate of population growth in sub-Saharan Africa in particular?

Baroness Sugg: The Sahel has one of the fastest growing populations in the world, with some of the world's highest fertility rates. The combined populations of the G5 nations will nearly treble from 71 million today to more than 200 million by 2100. On average, a woman in Niger has a birth rate of 7.4 children and

fewer than one in 10 couples uses modern contraception. We are rolling out the women's integrated sexual health programme, WISH, which will operate in parts of the Sahel to improve access to modern family planning methods and create more choices for women in Africa on how many children they have and when they have them.

Baroness Jones of Moulsecoomb (GP): My Lords, even if we get to our net carbon zero target by 2050, parts of the world will have become uninhabitable. Will the Government publish a climate migration strategy? We have been polluting for 200 years, so we have a duty to take our fair share of climate migrants.

Baroness Sugg: I agree with the noble Baroness about duty. Often, the countries most affected by climate change are those who emit the least. The suggestion about a strategy is interesting; I will take it back to the department for discussion.

HS2: Cost Question

3.30 pm

Asked by **Lord Berkeley**

To ask Her Majesty's Government, further to reports that the cost of the High Speed 2 rail project will not be delivered within its current budget, what steps they are taking to ensure that the costs of that project remain within its budget.

The Parliamentary Under-Secretary of State, Department for Transport (Baroness Vere of Norbiton) (Con): My Lords, we do not comment on speculation. However, we will publish an updated business case by the end of 2019 based on the latest assessment of costs and schedule. We are clear that the project has a funding envelope set in 2015, and HS2 Ltd is in ongoing discussions with its suppliers.

Lord Berkeley (Lab): I am grateful to the Minister. It is hardly speculation: in a letter, the new chair of HS2 says that the capital cost is likely to exceed £86 billion, not the £54 billion that the Minister spoke of. This has been confirmed by up to a dozen senior HS2 staff, who are tweeting—some of them have been sacked for their sins—that this figure is correct. This has been going on for three years. It is inconceivable that Ministers did not know about it, even before the HS2 phase 1 Bill received Royal Assent. I suggest that the Ministers have misled Parliament by not giving this new, higher figure that they have known about for three or four years.

Baroness Vere of Norbiton: My Lords, the new chairman of HS2 has been in place for just over six months. He is undertaking a review of the costs and providing ongoing advice to government. This advice is not news; it is ongoing. We are working with him as he looks at all his supply chains to encourage him to ensure that the costs are appropriate. Various cost control actions are being undertaken at the moment regarding value engineering and challenging standards, and it is only right that they be given the opportunity

to succeed. They also involve optimising commercial models with partnerships and challenging the requirements of the system.

Lord Framlingham (Con): Given the general awareness now of the scandalous nature of this £100 billion vanity project, may I urge the Minister to, in turn, urge the new Prime Minister and the Secretary of State—whoever that may be—to scrap this scheme and spend the money saved on sensible railway projects, particularly in the north of England?

Baroness Vere of Norbiton: My Lords, HS2 has benefits of £92 billion overall; it would be a mistake to scrap it. Also, if that money were suddenly to become available, it would not necessarily be immediately transferrable to the north. My noble friend may be referring to northern powerhouse rail, which is a very important railway project, but it is not an either/or situation. We can have HS2 and we can have northern powerhouse rail; indeed, for both of them to work, they both need to be built.

Baroness Randerson (LD): My Lords, the Minister is very firm in her assurances, and I would like to think that we can be convinced that HS2 will be built. However, the new Prime Minister has cast serious doubt on it and the Minister has referred to HS2 being subject to review. I therefore ask her to explain why £9 million has been given as compensation to Heathrow Airport in preparation for HS2, despite this ongoing review. Can she confirm the press reports that the £9 million will be paid even if HS2 does not go ahead?

Baroness Vere of Norbiton: Work continues on HS2 and that £9 million was part of that work. To date, HS2 has spent £7.4 billion. The review I referred to was done by the current chairman of HS2; it may be that there is a separate, second external review. I welcome the new Prime Minister's reported focus on infrastructure. Infrastructure is critically important to our country and very complex, and sometimes it represents a large and slow-moving target for criticism. It is essential that we get infrastructure right and that it is fit for purpose.

Lord Clarke of Hampstead (Lab): My Lords, does the Minister agree that the disillusionment of most of the public with politicians is only bolstered by this nonsense of putting up billions of pounds for projects when some of their families have to sell their homes for care? Can she please suggest that when people make these cost proposals, they stick to them or lose their job?

Baroness Vere of Norbiton: The noble Lord makes a very important point—many of our infrastructure projects have suffered from this in recent years, under not just this Government but previous Governments. Recently, the Infrastructure and Projects Authority did a report on lessons from transport for the sponsorship of major projects. When we try to cost and schedule projects that may take 15 years to build, we have to schedule into them some sort of flexibility to ensure that people do not misunderstand exactly how much they are going to cost.

Lord Forsyth of Drumlean (Con): My Lords, given that the previous chairman of HS2 said in his evidence to the Economic Affairs Committee inquiry that no one knew what the costs of HS2 would be, and that his successor has now said that there will be a considerable increase in the cost, can my noble friend guarantee that, should the section from London to Birmingham overrun its costs, the proposals for the north of England will remain ring-fenced and that the additional routes in the north will not be cancelled because of the overrun on stage 1?

Baroness Vere of Norbiton: As I have already tried to explain, the costs are still under review and being finalised. I am certainly not able to give the assurance that my noble friend is after as to the routes in the north because complex rail developments such as these are interrelated and the true benefits—the true value for money for the taxpayer—is achieved only when they are built as one system.

Lord Brooke of Alverthorpe (Lab): My Lords, is there not a problem with the way we keep the cost of these projects under review? We had the same difficulty with Crossrail and, as I understand it, people have been raising questions from within the HS2 project since as far back as 2015, complaining about how it has been managed financially. Many of them have left and been required to sign nondisclosure agreements. Why are they being required to sign those agreements, and why can we not find a way for people who raise legitimate complaints about the direction in which projects are going to have their say, so that we can hear it?

Baroness Vere of Norbiton: The noble Lord is correct that a number of people who have left have signed settlements with HS2; these are settlements in the normal course of business, on people taking voluntary redundancy or otherwise. However, we do listen to people when they have concerns, financial or otherwise, about any of our infrastructure projects. I go back to what I said at the outset: that is why we need to give the new chairman of HS2 the time and space to do the work we have asked him to do. We will report later on this year.

Arrangement of Business

Announcement

3.38 pm

Baroness Smith of Basildon (Lab): My Lords, your Lordships' House may recall that on 3 July, this House passed a resolution that there should be a Joint Committee of both Houses of Parliament to look into the issues around a no-deal Brexit occurring on 31 October. The idea was that with a new, incoming Prime Minister—as it turns out, one who is quite enthusiastic about no deal—there should be information available to that Prime Minister before any decision is taken; and that the committee should report to both Houses, and publicly, by 30 September. Val Vaz, the shadow leader of the House of Commons, has raised this several times and the then leader of that House—he might not be leader at this moment—was quite optimistic and encouraging in his response. Are the Government able to say today what progress has been made? We have

[BARONESS SMITH OF BASILDON]

the names ready to submit to the Government because it seems that August is when that committee should meet and do the work that needs to be undertaken.

Lord Taylor of Holbeach (Con): My Lords, the Leader of the Opposition is quite right: on 3 July and following a Division, this House agreed a Motion to appoint such a Joint Committee. I believe that the message that this House sent to the Commons has not yet been considered in the other place. The noble Baroness will readily understand that it is now a matter for the usual channels in the House of Commons. Like the noble Baroness, we stand ready to react to whatever response they may send us.

Baroness Smith of Basildon: I am grateful to the Chief Whip for that response—probably. I can tell him that I had a letter from one of the candidates in the Conservative Party leadership election who was not very happy about the idea of a Joint Committee, but that was Jeremy Hunt and he lost, so I was rather hoping that the new Prime Minister might be a little more sympathetic. In his final hours as Chief Whip, might the noble Lord find the opportunity to take the new Prime Minister to task on this issue?

While I raise that, perhaps I may thank him on behalf of the whole House for his service as Chief Whip and in other ministries.

Noble Lords: Hear, hear!

Baroness Smith of Basildon: He will have heard the response. We are very grateful to him.

Lord Newby (LD): My Lords, I echo the probing question asked by the noble Baroness in respect of the Joint Committee. I also echo her comments about the noble Lord, Lord Taylor, with whom I have worked in both government and opposition. Views differ across the House about the achievements or faults of the coalition, but they were a strong and stable Government. In this House, that was possible in no small measure because of the efforts of the noble Lord and the collaborative spirit in which he worked with me and my colleagues. In opposition, he was always extremely affable—almost always—and, more importantly, absolutely straight to deal with. Far removed from the stereotype of the scheming, unreliable Chief Whip, he would certainly not form a model character for one of his noble friend Lord Dobbs' novels. With those positive sentiments, could I also say: could he just have a word with his colleagues in the Commons and ask them to get a move on?

Lord Hope of Craighead (CB): My Lords, I am a latecomer to these engagements, but I want on behalf of these Benches to pay my own tribute to the noble Lord, Lord Taylor, for his time working with me as Chief Whip. We have had a very straightforward relationship and a position of mutual trust which has been of great benefit to me. As a newcomer to the political scene in this House, it has been of enormous encouragement to me to deal with him and I am most grateful.

The Lord Speaker (Lord Fowler): I simply add on behalf of the deputies and myself that we are very sad to see the Chief Whip go. He has been an impeccable

Chief Whip, who I have worked with over the years for longer than both of us care to remember. I thank him so much for everything that he has done.

British Steel Statement

3.43 pm

The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy (Lord Henley) (Con): My Lords, with the leave of the House, I shall now repeat in the form of a Statement the Answer to an Urgent Question given by my right honourable friend the Secretary of State for Business, Energy and Industrial Strategy. The Statement is as follows:

“As honourable Members will recall, I made a Statement to the House a few hours after British Steel entered insolvency on 22 May. This was and still is an uncertain time for the British Steel workforce, their families and communities, for the customers and suppliers of the business, and for everyone who believes, as I do, in the importance of excellent steel-making and manufacturing in the UK.

In my Statement, I said that, although the independent official receiver is solely responsible for the operation and sale of the British Steel business, I would, personally and on behalf of the Government, do everything I possibly can within my powers to help secure a good future for the whole of British Steel's operations.

Following a visit to the Scunthorpe plant the following day and to Skinningrove and Lackenby on Teesside the day after with local MPs, including the honourable Lady, we formed a British Steel support group to work together immediately and actively to pursue that aim. I chaired that group, with the Industry Minister, and it has included the British Steel management; the trade unions Community, Unite and the GMB; the Mayor of Tees Valley and the leader of North Lincolnshire Council and their officers; the chairs of the Humber, Greater Lincolnshire and Tees Valley LEPS; UK Steel; the national manufacturers' association Make UK, on behalf of suppliers and customers; the Federation of Small Businesses; government officials and other local MPs, including the honourable Member for Redcar, my honourable friends the Member for Middlesbrough South and East Cleveland and the Member for Brigg and Goole, and the honourable Member for Scunthorpe. The support group has met eight times now, usually in Doncaster, and sub-groups on the supply chain have met separately, as have local partners.

I pay tribute to the hard work, dedication and tenacity of the group, and the extraordinary commitment of the workforce who, during this time, have performed magnificently, not only to continue but to increase steel production.

Often in insolvencies, customer orders can dry up, suppliers withdraw their services and the workforce drifts away, precipitating a rapid failure. In this instance, the opposite has been the case. The confidence that the support group has built, coupled with a government indemnity to the official receiver, has allowed trading to continue, orders to be won and production to increase. This is without precedent in my experience.

Although all decisions are for the official receiver, I have been active, as Members know, in visiting prospective buyers in many parts of the world to make it clear that the UK Government will, within our legal powers, work with a good long-term owner of these important assets to help them realise their vision for the company.

I am pleased to say that the official receiver has said that he is encouraged by the level of interest in purchasing British Steel and that his special managers, EY, are currently in further discussions with potential buyers. The official receiver has made it clear that, given the complex nature of the operations, any potential sale will take time to deliver.

I said in May that I was determined to see the proud record of steel-making excellence continue. The world needs steel, and British Steel is among the best in the world. To secure that will require, in my experience, the continued active participation of everyone I mentioned earlier, without interruption, during the critical weeks ahead. In particular, whoever stands at this Dispatch Box will need to devote themselves unstintingly to achieve that great outcome for everyone concerned with British Steel, which I believe, though not certain, is within grasp, and that is the flourishing of British Steel's operations for many years to come".

My Lords, that concludes the Statement.

3.48 pm

Lord Stevenson of Balmacara (Lab): My Lords, I am very grateful to the Minister for repeating the Statement. Everybody will have noticed the very optimistic tone that underlies the words, and I hope very much that that optimism will be delivered in due course. I make it very clear that we support wholeheartedly the efforts being made by the Government and all concerned to make sure that there is a sale of the entirety of British Steel, hopefully to a single purchaser, and that the assets will be allowed to continue to develop. This is not just in general terms but also because, as we have heard before, this is a key element of the industrial strategy. This is our second largest steel-maker and a key supplier to many aspects of what will be required if this country is to flourish.

Will the Minister say a little more about the work that has been done by the British Steel support group, which has been exemplary in bringing together all those concerned to make sure that the best result is achieved? In particular, will he say more about how the confidence that the support group has built has been coupled with the government indemnity to the official receiver? How much and for what purposes has such an indemnity been raised? The Statement goes on to say that this is "without precedent". If it works, why is it without precedent? Can we have an assurance that this might well be the approach taken by the Government in the future?

I have two other questions. First, can we have a commitment from the Government that the priority is to find a buyer for the whole of British Steel, and that the company will not be broken up if at all possible? Secondly, in addition to the cash presumably reflected in the indemnity, one of the key issues here is that the UK's steel producers pay up to 50% more for their electricity than their EU competitors. What steps are the Government taking to resolve that issue?

Lord Henley: My Lords, I am very grateful to the noble Lord for his support. As my right honourable friend made clear, he was grateful for the support from all sides. That was the point behind setting up the support group, which, as I made clear in repeating the Statement, has met eight times and will continue to meet. If he listened to the Statement being made in another place, he will have noticed that those meetings have been taking place in Doncaster. The honourable Member for Doncaster even offered her house as a venue for further meetings of that group, which shows that there has been cross-party support from MPs on all sides, as well as from the unions, local authorities, LEAs and others—I need not repeat what was in the Statement.

The noble Lord also asked about the indemnity. The important point to remember is that my right honourable friend made it quite clear that he will do whatever he legally can. I cannot give the noble Lord the precise figures on how much has been spent, but, while it is possible for him to do that, he will continue to do so because the consequences of a closure are obviously very great. If we close down a steelworks, we cannot just turn it on again the following Monday. It is lost for ever.

Finally, it remains the intention of the official receiver—and we also believe this is the right process—to sell the group as a whole if possible.

Lord Fox (LD): My Lords, I associate myself with the comments of the noble Lord, Lord Stevenson, in that we all hope that some resolution can be found and that this business can be sold as a whole. However, this could not come at a worse time for the workers of British Steel and those companies that supply it, because we are seeing a changing of the guard. In this Statement, the Secretary of State makes very clear the level of ongoing activity that is required from government to secure the happy end we all hope for. It is not clear that those coming into the shoes of the Secretary of State have the same agenda. Can the Minister undertake that the Government will provide that unstinting effort that the Secretary of State said is required, and can he tell us a little bit about what planning is in place in the event that this business is not sold? What do the Government plan in terms of funding and rescue efforts for that business?

Lord Henley: My Lords, I will not at this stage speculate on what might happen if the business goes under. We are doing what we can to keep that business. My right honourable friend made it quite clear that he has put a great deal of effort into making sure that it can continue.

To answer one other question put by the noble Lord, Lord Stevenson, relating to energy, we have put almost £300 million into compensation for the whole steel sector, trying to help it make energy costs more competitive. We have also offered support, as the noble Lord knows, on the extra costs for high-energy-using businesses and will continue to do so.

Going back to the question of the noble Lord, Lord Fox, I cannot speculate on what my right honourable friend's successor might do, should my right honourable friend have a successor—it might still be my right honourable friend; it might still be me. I do not know

[LORD HENLEY]

at this stage, but I think the commitment that the Government have made so far is indicative of the process that we would want to continue.

Lord Morris of Aberavon (Lab): My Lords, the participation of the Secretary of State is most encouraging, and I welcome the news of increased production in these extremely difficult circumstances. On a general point, will the Government bear in mind that one of the hazards of steel production in all parts of the United Kingdom is the high cost of electricity? Will the Government consider what might be done further to ensure that steel is produced economically and on a level playing field?

Lord Henley: My Lords, the noble and learned Lord is quite right to point out that the steel industry and various other industries have high costs relating to energy. That is why I mentioned the almost £300 million that we have offered to the steel sector to try to make energy costs more competitive. It can then look to the future as regards energy reduction, trying to produce the same amount of steel using less energy and—thinking of our zero-carbon targets for 2050—doing it in a greener manner.

Baroness Redfern (Con): I thank the Minister for his response and for the work being done behind the scenes. Does he agree with me that the new Government need to continue the momentum around the national industrial strategy, and that the recovery of British Steel is a top priority, as it is one of the best companies in the world?

Lord Henley: I can agree with every word my noble friend says. The industrial strategy made it clear how we want to provide support in this area, and again, my right honourable friend made it clear that he hopes to see a steel sector deal in due course, in which the steel industry itself can show how it will invest in the future, supported by the Government.

Lord Brookman (Lab): My Lords, many Members of this House have had to live with the fact that in their area of work, and in many instances the jobs they had, closures have taken place in the steel industry. It is a shocking state of affairs that still remains. I am pleased with the comments that have come from the Minister this afternoon. However, for goodness sake, this Government—any Government—must ensure that the country has a steel industry for the future.

Lord Henley: My Lords, we are committed to having a steel industry for the future, and the Government have left no stone unturned in their support for the entire industry. We are working with the sector, the unions and with the devolved Administrations to support the steel sector. I could list a whole range of projects that we are involved with. I mentioned the £300 million or so in support for energy under the industrial energy transformation fund; I could go on. We are committed to ensuring that we have a steel industry for the future.

Earl Attlee (Con): My Lords, I too am grateful for the approach of the Government in this matter. However, does the Minister agree that one of the problems that we are experiencing is that high-volume steel

is manufactured to well-understood, international engineering standards and therefore is a homogeneous product, and that makes the market exceptionally competitive?

Lord Henley: Again, my noble friend is right to point to the competitive nature of the market, and that is true for a great many industries. However, with the industry itself and government working together, we can ensure that we have a competitive part of that industry.

Baroness McIntosh of Pickering (Con): My Lords, my noble friend will be aware that we are currently under the state aid regime of the European Union. What will the position be after 31 October, if we crash out without a deal? When might we expect to see the statutory instrument before this House and the other place?

Lord Henley: My Lords, I cannot speculate on what legislative processes might be necessary. We are committing to get a deal before we leave the Union and we want to make sure that we have a deal that will be good for the whole country, including the steel industry.

Feltham Young Offender Institution *Statement*

3.58 pm

The Advocate-General for Scotland (Lord Keen of Elie) (Con): My Lords, with the leave of the House, I will now repeat in the form of a Statement the Answer to an Urgent Question given by my honourable friend the Member for Charnwood. The Statement is as follows:

“I am grateful to the honourable Lady for tabling this Urgent Question and for the opportunity to respond on this very important subject. I am also grateful to Her Majesty’s Inspectorate of Prisons for its work and the scrutiny its inspections provide. I take the safety of all the young people in our custody very seriously, and clearly this urgent notification letter for Feltham A does not make for comfortable reading. It is clearly a deeply disappointing and concerning report.

Despite the significant efforts of staff at Feltham A, to whom I pay tribute, and the significant support and resources put in by the Youth Custody Service and the Ministry of Justice, it is clear that serious underlying challenges remain. I have been clear that progress to address these issues needs to be swifter to deliver the safe environment that we all wish to see—which, as recent reports acknowledge, we see in other parts of the youth custodial estate.

Therefore, we have already taken a set of immediate steps in addition to work already under way, including placing an immediate temporary stop on the new placement of young people to Feltham A, alongside additional resources and support for staff.

The governor is still relatively new in post, and she is working hard to drive improvements to an establishment that has one of the highest and most concentrated proportions of violent offenders in the country. She and her team are dedicated to turning Feltham A around, and we will continue to support them to do that.

As required by the urgent notification process, we will formally respond with an action plan within the required 28 days”.

4 pm

Lord Beecham (Lab): My Lords, I thank the noble and learned Lord for repeating that Answer. The state of the Prison Service in a country with one of the highest incarceration rates in Europe has long been a matter of concern. The chief inspector’s report on Feltham cites concerns about the safety and care of 15 to 18 year-old prisoners, with very little time spent out of their cells and an alarming increase in self-harm, physical restraint and attacks on staff. What steps will the Government take to remedy this situation and ensure that it is not repeated elsewhere?

Lord Keen of Elie: My Lords, I am grateful for the noble Lord’s observations. We have developed a clear process to respond to urgent notification letters. Senior officials, led by the executive director of the Youth Custody Service, will be directly involved in the work to ensure that immediate action is taken, along with a more in-depth plan to ensure that we see sustained improvement to the establishment in the long term. Of course, as part of the process, the department will publicly respond to the chief executive within 28 days.

Lord Dholakia (LD): My Lords, I listened very carefully to the Minister. He said that steps were being taken to curtail new entrants to Feltham A. Is he aware that many of the people in Feltham A have family in the community who are seriously concerned about what is happening to those individuals? What method is being used to inform the near-enough families of the people in Feltham about what is going on? Has the Minister any plans to disclose for a proper way of establishing control and discipline, so that a proper programme of rehabilitation, education and training can take place?

Lord Keen of Elie: My Lords, education, training and rehabilitation are all critical elements of youth custody. To succeed, they require motivation. When motivation is lacking, it becomes extremely difficult to implement what is required.

We seek to improve the situation at Feltham A, in particular. The staff to prisoner ratio in Feltham A, and across all the youth capacity, is normally one to 12, based on full occupancy. The decision to reduce the operational capacity at Feltham A has meant that that ratio has been improved to one to eight.

As regards communications, families are able to keep in regular contact with inmates in the youth custody regime, and I do not understand that there have been any particular difficulties reported on that front at present.

Lord Ramsbotham (CB): My Lords, this incident reminds me that when I was chief inspector, I used to have to inspect Feltham every year because it was such a troubled organisation. Can the Minister tell the House how many hours the individuals in Feltham A spent out of their cells and how many of them are occupied by day?

Lord Keen of Elie: My Lords, Feltham A has had a progressive regime in place since early May to account for the fact that the prison is able to deploy only about 100 staff against a target of 151, due to temporary absences. Given the limited staff available, the progressive regime is designed to provide young people with greater consistency and predictability by laying down a weekly timetable whereby they are facilitated with a scheduled day and evening each week with a guaranteed minimum commitment from staff to them—that is, time out. However, it is fair to say that the regime has been disrupted, and we are now moving away from the progressive regime, with an increased use of other means of delivering out-of-cell time. I cannot give precise figures because it is in flux at present.

Lord Ponsonby of Shulbrede (Lab): My Lords, I visited Feltham just over a year ago. At that time, I was told by the prison officers who showed me around that the police unit based at Feltham had been withdrawn; as I understand it, the unit was looking at gangs within Feltham and how they relate to the wider community. Was what I was told correct? Was the police unit withdrawn, and might this have had an impact on the deterioration in behaviour that we have seen in recent months?

Lord Keen of Elie: My Lords, I am not aware of the withdrawal of a police unit from Feltham and therefore cannot comment on that point. But I undertake to write to the noble Lord and I will place a copy of the letter in the Library.

Lord Garnier (Con): My Lords, the young offender estate has been troubled for a great many years. It is full of very troubled young people. As others have indicated, the institutions are overcrowded, and inmates are kept in their cells for far too long and are doing insufficient purposeful activity, be it learning to read or write, coming to terms with their offending or finding things to do that they might usefully do when they leave the YOI. Is not the churn of governors, not just prisoners, another problem that the YOI estate suffers from? Far too many senior members of staff at these places are in post for far too short a time; they can never get to grips with the many problems that they face. If we could keep them there a little longer, we might see the young offenders leaving the estate with something purposeful and socially responsible to do.

Lord Keen of Elie: I note the observations of my noble and learned friend. It may not be appropriate to generalise about the state of the youth custody regime. It is clear, and it should be acknowledged, that there have been real operational difficulties at Feltham A over several months—of that we can have no doubt. Indeed, there was a hiatus when a Feltham governor was promoted and, unfortunately, the incoming governor had to work out a period of notice before moving into post. Again, that created real difficulties. But there are also areas of success in the youth custody regime: for example, I will mention in passing Wetherby, where—my noble and learned friend made a good point here—a well-established governor has been in place since October 2016 and has therefore had the time and

[LORD KEEN OF ELIE]

space to settle a once-troubled establishment. So I agree that continuity and consistency are important if we are to deal with these issues.

Lord Carlile of Berriew (CB): My Lords, does not Peter Clarke’s shocking report reveal two things: first, that the Ministry of Justice has been asleep on the job and is not the right department to be running youth custody institutions; and, secondly, that issues concerning children in custody should be part of children’s policy, not penal policy, and should be run by the government department that is responsible for children?

Lord Keen of Elie: I cannot accept either proposition put forward by the noble Lord. The ministry has certainly not been asleep on the job. Our dedicated staff of civil servants and the immediate staff in these establishments apply themselves to the very demanding tasks with regard to the youth custody regime. We must remember that we are dealing with young people in the age group of 15 to 18 who, in some instances, have a tendency towards violence, may be disturbed and do have other problems. Earlier, I mentioned the very real issue of securing motivation before you can effect rehabilitation.

Earl Attlee (Con): My Lords, the Minister will be aware that I recently visited Feltham and saw these young offenders. They are unbelievably difficult to look after. I saw high-quality teachers struggling just to get them to go into the classroom, let alone pay attention to what they were trying to teach—so it is not surprising that we get these difficulties.

Lord Keen of Elie: I acknowledge the point made by my noble friend. The issue very often is not the availability of staff or resources, or the ability to provide education and rehabilitation, but the underlying need to secure the appropriate motivation in what is often a difficult and disturbed cohort.

Lord Swinfen (Con): My Lords, what training is given to the inmates to enable them to get a job when they are released, and what help is given to them to get a job?

Lord Keen of Elie: Again, we attempt to provide a regime of education and rehabilitation. I regret having to repeat the point I made earlier: underlying this is the need to secure motivation. It is a case not just of making training and opportunity available, but of trying to persuade those in this difficult cohort to embrace the opportunity they are given on these occasions.

Birmingham Commonwealth Games Bill [HL] Report

4.11 pm

Clause 1: Financial assistance: the Organising Committee

Amendment 1

Moved by Lord Moynihan

1: Clause 1, page 1, line 6, at end insert—

“() for the purpose of ensuring access for disabled people at all facilities and in the vicinity of all facilities at the Games, or”

Lord Moynihan (Con): My Lords, I shall speak to Amendments 1 and 6 on accessibility, standing in my name on the Marshalled List. I thank noble Lords from all sides of the House for signing these amendments. I will also address Amendment 5 in my name on the social charter and briefly speak to government Amendment 4 on reporting.

It may be helpful to your Lordships if I briefly update the House on progress made on the amendments I have tabled, not least because it could shorten matters and simplify the debate. I am conscious that I have asked for considerable detail on accessibility to be placed in the Bill; I will address this first. My objective is for the Government to take seriously all the issues raised so far on accessibility, both in Committee and at Second Reading before that. It has never been clear to me that, despite good words, previous Commonwealth Games have followed to the letter the modern-day accessibility norms that one would expect, particularly for disabled athletes and spectators, and I think we will hear more of that during the debate today.

If I can persuade the Minister that the issues I have raised can be referred back to the Games committee as part of the report that the Minister has brought into the legislation in a new government amendment, I hope I will be satisfied that that process is the best way forward. At the moment, unless we had a letter or some form of outline detail as to what the House was looking for, the amendment could be interpreted as a little thin and capable of not engendering the sort of detailed analysis that we in your Lordships’ House would be looking for.

This has been an important issue to me for many years. Indeed, back in 1988, as Minister for Sport, I convened a working party that published a report called *Building on Ability*. That was the first—albeit gradual—policy shift by the Sports Council towards the mainstreaming of disability sport. We are now nearly 30 years on from that. It should be at the heart of hosting any mega sporting event in this country that we put the interests of those with disabilities at the forefront of our thinking from the day we begin constructing the various facilities to the end of the closing ceremony.

On accessibility, I appreciate that there are now, fortuitously and rightly, a number of Acts on the statute book, including the Equality Act 2010, and that as a public body the organising committee is already bound to comply with a number of statutory requirements, not least in that Act. However, I hope the organising committee goes further and draws up a comprehensive accessibility strategy, and that in drawing it up it will listen carefully to what noble Lords on all sides of the House have said during the passage of this Bill through Parliament.

4.15 pm

I make reference in Amendment 6 to the International Paralympic Committee’s accessibility guide. It is regularly updated—it was updated for Sochi—and it is important to focus on what it seeks to achieve. The principles,

the solutions and the practices used to make any host city and all Games-related infrastructure and services accessible and inclusive must create a culture of inclusion. That will then influence and change, in the long term, the way the public think and the way in which public facilities and services are designed, operated and delivered. We must strive for a world where universal accessibility is more than a goal—it must be the norm—and sport can have an important role in seeking to achieve that objective.

The key issues that I hope would be in any report presented by the organising committee under the Government's proposed amendment include accessibility standards, Paralympic requirements and the UN Convention on the Rights of Persons with Disabilities and how those rights have been implemented at all stages of the organising committee's work. If your Lordships' House agrees with a report to Parliament that includes those items, I look forward to hearing from my noble friend the Minister whether that will ensure that the report will be both comprehensive and meet the objectives that I have set out in the early stages of the Bill and which other noble Lords will set out today.

I hope that we will also take into account Envision2030. The 17 goals embedded in Envision2030 to transform the world for persons with disabilities are a welcome step forward on the 17 sustainable development goals. While I think I am correct in saying from memory that disability is not expressly stated as a sustainable development goal, building on the principle of leaving no one behind would be a holistic approach to achieving sustainable development for all. I welcome the Envision2030 17 goals and I hope the organising committee will take them into account when it addresses its report to Parliament.

Turning to the rest of this full group of amendments—we will have done most of the work on this Bill by the time we have finished the first two groups—the charter for the Games, to which I have referred and spoken at length about, is in Amendment 5. I take the same approach to that as I have done with regard to the Minister's amendment. That seeks to ensure that those writing the report from the organising committee take into account Commonwealth Games values. It is a generic and broad phrase and I hope that if the Minister accepts that comments made from all sides of the House that are more specific and relevant to a charter for the Games are reported on, we will have made considerable progress and I would support it.

The sport vision of these Games is, effectively, a Commonwealth Games Federation vision—that through sport we can create peaceful, sustainable and prosperous communities across the Commonwealth and that the Games are a catalyst for that action. Beneath that, there is a Commonwealth support impact framework. It established a number of aims: structuring; assessing; communicating; and ultimately driving the positive impact that the Games can have across diverse societies, economies and physical environments. I hope there will be a focus in that report on the work of the charter on sustainability and social, environmental and economic well-being. I shall not go through the details that were covered at greater length at earlier stages of the Bill,

but I believe that it is inherently important in a social charter for the state to have a duty to protect human rights, for there to be a corporate responsibility to respect human rights and for there to be access to remedy. All those are relevant to any mega sporting event which receives significant funding from government. They are values and goals. They are the UN guiding principles on business and human rights, and we should be seeking to embed them in the preparation for the Games and in what I hope will be an outstanding Commonwealth Games.

I have one final point to make on the Government's amendment on the report. One of the issues that came out of the London 2010 Olympic and Paralympic Games—I declare an interest having been chairman of the British Olympic Association at that time and having worked with my noble friend Lord Coe on the London organising committee and the Olympic board—is that legacy does not just happen immediately after the Games. Legacy can take up to 10 years to reach fulfilment. The urban regeneration legacy, which is an important component part, can come into being much quicker than the sports legacy, which takes much longer.

The final report is being requested from the organising committee only a matter of months after the end of the Games. I would much prefer to learn more about the effectiveness of the legacy one year, or even five years, down the road. In the spirit of being extremely helpful, I know what officials will immediately say to the Minister—the organising committee will have been wound up, so who would do this work? However it is worth reflecting, if possible, that we should have an opportunity further down the road to look at these Games to see whether they have met the objectives on legacy, accessibility and all the detail covered in that report. A one-off Select Committee of your Lordships' House did that for London 2012 Olympic and Paralympic Games. Should that trend continue, I hope the Birmingham Commonwealth Games would be a suitable subject for your Lordships' House to study in detail.

When hosting a mega sporting event in this country it is as important to have a wonderful celebration of sport and recreation for able-bodied and disabled athletes as it is to have a legacy from all the investment that is made in the community in infrastructure, the redevelopment of run-down parts of our cities and the wider sporting benefit for the length and breadth of this country, not just in the immediate area of Birmingham. I look forward to hearing what other noble Lords have to say on this, and I beg to move.

Baroness Brinton (LD): My Lords, I have not spoken on the Bill before now, but it is not often that I gasp loudly enough from below Bar for colleagues to turn round to look at me. I was listening to the debate in Committee on the amendments on accessibility tabled by the noble Lord, Lord Moynihan, and he made a remark about specifically mentioning accessibility and disability rather than just scooping things up in “any other purpose”. In his reply, the noble Lord, Lord Ashton—I think he might have missed the point that the noble Lord, Lord Moynihan, was trying to make—said of disability and access:

“The trouble is that that might be what my noble friend—

[BARONESS BRINTON]
the noble Lord, Lord Moynihan—

“thinks is the most important thing to sign but many other noble Lords might have other priorities. The whole point of including the words, ‘any other purpose connected to ... the Games’, is that it covers everything and individuals’ personal priorities are not put on the face of the Bill”.—[*Official Report*, 9/7/19; col. 1742.]

I gasped because, of all the protected characteristics, disability has very special provisions under the Equality Act. That is because people with that protected characteristic—in this case, athletes, spectators or people trying to use services—have the most difficulty in accessing the sports that they want to take part in, in whatever form. The point that the Minister unwittingly made said to me that we needed something specific in the Bill for the exact reason that too many people assume that, if you mainstream it along with other protected characteristics, everybody knows what you mean.

I declare my interest as a former trustee of UNICEF. I was at the opening ceremony of the Glasgow Games and I have also been to a number of Soccer Aid games in recent years. At the Glasgow opening ceremony, Celtic Park met the accessible stadia requirements but was not accessible to this person, who was supposed to be a VIP hosting other guests, because there was no access to the VIP suite for people in wheelchairs. Worse than that, there were no wheelchair spaces in any of the directors’ boxes areas, so my daughter and I had to sit in a completely different area from the one used by the people we had come to host. That seems utterly ridiculous. The Glasgow Commonwealth Games did not quite meet the level of accessibility of the 2012 Games in many ways but it was considerably better than many others.

The noble Baroness, Lady Grey-Thompson, who cannot be in her place today, has also read *Hansard* and is very concerned. She has sent me five pages of bullet points, listing things that could be improved; I will spare your Lordships the details. I am very grateful to the Minister’s office for writing to ask whether there are any particular issues that we would like to take up. Both the noble Baroness, Lady Grey-Thompson, and I would like to do that because we have specific points to raise, although they are not for this Report stage.

To try to illustrate the problems, I have picked three points that the noble Baroness has made about toilets. The first is that there are virtually no Changing Places toilets. There is now a mobile Changing Places toilet that, very unusually, can be hired, but such facilities are absolutely vital for some athletes, as well as for some spectators. She also points out that she cannot remember a time when there have not been accessible toilets for anti-doping purposes. That needs to be considered, because at football stadia you would not expect to have accessible toilets for anti-doping purposes for athletes. There also needs to be consideration of the provision of disabled toilets and whether they are truly accessible for spectators, both close to the seating areas and in the areas where people are likely to eat.

Regarding the accessibility of food outlets, the counters are high—they are designed for people who are standing up. The noble Baroness, Lady Grey-Thompson, says—I agree with her—that you have to hand your card over

to someone to make a payment for you as you cannot see the card reader. You have to place your trust entirely in the hands of a stranger.

The subject of hotels goes well beyond the issue of stadia. It concerns services—in this case, in Birmingham and its surrounding area. A well-known disabled campaigner tweeted fairly recently that she had booked a fully accessible room with a shower seat. She arrived to discover that the hotel did not have a room of that description and she had to borrow a plastic garden chair from the hotel in order to take a shower. There are questions over whether an accessible room is actually accessible. I am usually very complimentary about Premier Inn but half of its accessible rooms have baths with showers over them. Some disabled people can access them but others cannot.

These may seem tedious, detailed points but the important thing about 2012 was that the whole of London, including the tourist industry, got to grips with every single issue, including: dropped kerbs, more ramps, people with visual impairments sitting on the ends of rows, and training the Game Changer volunteers so that if they saw someone with a disability they would ask, “Can I help you? What can I do to make your visit better?”

I am grateful to the noble Lord, Lord Moynihan, for tabling his amendments. I too will listen with care to what the Minister says; I am not yet quite as confident. We need to ensure that the onus is on the organising committee, the city of Birmingham and the transport hubs that people will use; whether you arrive at the Commonwealth Games as an elite athlete, a spectator or a visitor just trying to use services, we must follow the law under the Equality Act and the duty to make reasonable adjustments for disabled people in these Games.

4.30 pm

Lord Hunt of Kings Heath (Lab): My Lords, that was a very valuable intervention by the noble Baroness. I hope that her speech and the Minister’s response will be communicated to the organising committee; clearly, if we are to make a success of these Games, we need to ensure that the sorts of risks identified by the noble Baroness for the city of Birmingham and from other Games are averted.

In supporting the noble Lord, I come back to the point that he raised about the Minister’s Amendment 4 on annual reporting. First, I welcome the amendment, which very much responds to the debate in Committee. Also, to pick up the point made by the noble Lord, Lord Moynihan, the last reporting period ends on 31 December 2022. There is a practical reason for that: I understand that the organising committee will not continue after that date. However, in relation to the legacy, as he pointed out, particularly in relation to sport, physical health and well-being, the work that has to be done will go on for a period of years after the Games. It seems sensible that—whether by invitation or the organising committee formally handing it over—the city council has a responsibility for ensuring that the legacy continues. I do not quite know how that should be done, but a statement from the Minister, today or at Third Reading, ensuring that the city council is expected to continue the work on legacy and to report on a regular basis, would be very helpful.

Lord Addington (LD): My Lords, I come in as a tail-end Charlie on this. On the subject of disability, no matter the Long Title of the Bill, the positive experience of London 2012 hangs over it; it was a great cultural success and, as a result, the level of expectation has risen. To use flower show standards, it got its gold; everything else is expected to be at least a silver gilt. We have raised the bar and we must make sure that this level is maintained. Part of that is making sure that people know what their duties are and that people outside know what they are expected to do. Amendment 4 is a step towards this and makes my Amendment 9 totally superfluous. However, we need to know what comes with it.

When the Minister speaks again, I encourage him to guide us—and make sure that *Hansard* has it—to where we can find out what these duties are, so that people can look them up. If you have responsibilities that nobody knows about, and nobody knows where to check, those responsibilities die. This is the experience with lots of legislation on disability generally: if you do not know that you are supposed to do it, you do not do it; if you do not know that someone should have done it, you do not report them or pull them up on it. It is one of those patterns. There is lots of dust-gathering legislation to which this has happened. I hope the Minister will take this opportunity to let us know what is going on.

The Minister has listened. He has done something that on the face of it makes things better, but how it relates to the regulation and the stuff behind it is the real question here. I hope I am not encouraging him to speak until this time next week, but we need a guide to what is going on and how this will be implemented. If we get that, many of the problems that we are having will probably occur less frequently, although there is no silver bullet.

I too have the information from the noble Baroness, Lady Grey-Thompson. It is probably as good a description of all life's little irritations writ large as you could possibly want. Nothing stops people taking part; it just takes the edge off it every time. We did not do that in London. We should make sure that we try to meet the standard wherever we can. I hope the Minister will tell us the legal situation on that, the penalties for it and how to make sure that if anyone is not coming up to standard, they know about it and so does the rest of the world.

Lord Stevenson of Balmacara (Lab): My Lords, as the noble Lord, Lord Moynihan, said, this is actually the heart of the debate we have been having on the Games, concentrated in one very small group of amendments. As he says, it may well be that we can take all the tricks that are on the table—if that metaphor actually works—at the same time if we get this right. However, as the noble Lord, Lord Addington, said, that will largely depend on the Minister's response because a lot of this is about how we judge the need to ensure that the legislation that goes through this House—and, presumably, very quickly through the other place thereafter—contains the minimum requirements appropriate for Games of this scale and stature. As I have mentioned before, it is important to note that these Games, unlike the others that we have looked at before, are very much in the direct control of the Government because the organising committee will be

a non-departmental public body and the accounting officer of the department will therefore have legal and statutory responsibilities, as well as those that we might want to have placed on the organising committee and its staff in the approach to any other Games.

We want to ensure that the requirements are appropriate but not an undue burden on the organising committee in its main role, which is to produce a brilliant Games for the audience and the participants, to make sure that there is an appropriate and long-lasting urban regeneration programme for the people of Birmingham, and that we have a legacy—a point that has been made by others who have spoken—that is not just immediate but long-lasting and affects the culture and health of everyone in this country as a result of seeing, and possibly experiencing, the Games. That is a big ask for legislation that is just a few words on a piece of paper, but the issue can be addressed.

I turn to Amendment 8, which is in the name of my noble friend Lord Griffiths of Burry Port, but I confess that I had a hand in it. It follows from the point made in Committee that we are not thinking widely enough if we restrict our concern to how the Games are received across the country, and indeed across the world, and do not think about the broadcasting element. This issue came up recently in relation to cricket but it has much wider resonance. The way that this country deals with listed events sometimes runs counter to a common-sense approach to what should be available to people, particularly in this case. I say this without in any sense trying to use it as an excuse. If the Government are taking responsibility for funding a proportion of the Games, they must also take on the responsibility of relating to the people who are paying for them through taxation. One way in which they could discharge that responsibility is by making the Games accessible through free-to-air terrestrial television, but that would require a change to the rules on the listing of events. The amendment therefore seeks to press the Government to look again at the way in which Ofcom deals with that and, if necessary, to amend or impose conditions relating to the broadcasting of the Games on a free-to-air basis. I look forward to the Government's response.

That is the method that I want to use to test whether government Amendment 4, to which the Minister will speak shortly, meets the issues that have been raised throughout the House, including by the noble Lords, Lord Moynihan and Lord Addington, my noble friend Lord Hunt and the noble Baroness, Lady Brinton, in a very moving speech. If we are to place all our hopes on the Government's amendment to ensure that the annual reports are extended or carried on in legacy terms by Birmingham City Council, as my noble friend Lord Hunt said, the annual reporting specified needs to be sufficient to capture the spirit laid out in the amendments from the noble Lord, Lord Moynihan, and others.

Amendment 4 says that the report must include certain elements about the delivery of the Games and details of how they promote the values of the Commonwealth Games Federation, which, as has already been mentioned, includes a huge amount of additional activity. I accept all that; the Commonwealth Games has done a great deal of work on these issues, which is

[LORD STEVENSON OF BALMACARA]
reflected in the values. However, I hope the Minister will recognise that proposed new subsection (2)(c) simply refers to,

“details of what the Organising Committee has done to ensure that Games events are accessible to disabled people”.

The wording used by the noble Lords, Lord Moynihan and Lord Addington, and the noble Baroness, Lady Brinton, in Amendment 5 is much more appropriate. I am not seeking a change to the wording, but I wonder whether the Minister recognises the very obvious point that by not mentioning that the Games participants will include disabled people, and all that implies, the question remains as to why that wording is not used. The simple reference to “accessible” does not pick up the richness of the points made by the noble Baroness, Lady Brinton, in the absence of the noble Baroness, Lady Grey-Thompson. However, the recommendations could be improved if we had more of a sense of what will be in the charter.

On sustainability, the amendment framed by the noble Lord on behalf of the Government refers at subsection (2)(d) to,

“details of what the Organising Committee has done to promote sustainability”.

However, if we read across, the charter refers not just to sustainability but to specific development goals and COP 21. It is therefore much richer and more engaged with what the issues are about.

I will not go through all these points, but I accept, as I think the noble Lord, Lord Moynihan, does, that if we got behind Amendment 4 and it became the main focus of what we are trying to achieve in setting standards for the Games that are not burdensome but will reflect the importance of human rights, the elimination of fraud and corruption, the carrying out of sustainable development activities, and most particularly—because it is the most important aspect—the acceptance that these Games reflect the totality of human existence, whether able or disabled in terms of performance, and that they therefore must be accessible to all, not just in terms of physical presence but on broadcasting media, then I think we would be moving in the right direction. But it is important that we hear from the Minister whether he thinks the amendment, as drafted, does that. If not, might he be prepared to reflect on what has been said during this short debate and bring it back at Third Reading in a slightly better form to reflect the issues raised here?

The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Lord Ashton of Hyde) (Con): My Lords, I am very grateful for the opportunity to discuss these amendments and for noble Lords’ constructive comments. I should say right at the beginning that I have been struck all the way through the passage of the Bill by the fact that there is cross-party consensus that this is a good idea, that the Games will provide a tremendous opportunity for the West Midlands and Birmingham, and that amendments from noble Lords are, as I said at Second Reading, trying to improve the Bill. I am taking this on board seriously. That is why we have made some changes and amendments, and I hope that by the end of my remarks, with some further reassurance, that will be adequate. I am also sorry that I might go on a bit, but it is important to get some things on the record. I will address all the amendments.

We support the intention behind these amendments, as I said, and the paramount importance of delivering Games that are fully accessible to everyone. I turn to the amendments, in the names of the noble Lords, Lord Griffiths, Lord Moynihan and Lord Addington, and the noble Baroness, Lady Brinton, on accessibility first. As accessibility is already at the forefront of Games planning, I do not agree that all the amendments are necessary on the face of this Bill, and I will explain why.

First, however, I want to address the comments that I made in Committee on this issue. The noble Baroness, Lady Brinton, kindly gave me advance notice that I may have suggested that I do not consider accessibility to be of great importance. I want to be clear that that is absolutely not the case. In this vein, I hope now to provide the necessary assurance that accessibility is at the core of these Games. I say to the noble Baroness that, if I gave that misleading impression, it is my fault and that is a lesson learnt—that we have to be very careful in our language, even if we are doing it on spec, as it were. I hope that this will reassure her.

4.45 pm

As several noble Lords have said, the organising committee is already bound to comply with a number of statutory requirements. Most notably, it is subject to the requirements in the Equality Act 2010 not to discriminate on the grounds of disability and to provide reasonable adjustments for disabled people seeking to access Games events. The organising committee is also subject to the public sector equality duty. There are strong enforcement powers in the Equality Act 2010, and a person who has been subject to discrimination, harassment or victimisation can seek redress through the courts and tribunals. Additionally, the Equality and Human Rights Commission has powers to require that employers and service providers cease any discriminatory practices and make changes that are necessary to prevent future discrimination or non-compliance.

However, regardless of statute, the organising committee is committed to delivering an accessible Games and to hosting a fully integrated competition. Indeed, the Commonwealth Games’s unique approach of an integrated parasport programme underscores the Commonwealth Games Federation’s long-standing commitment to inclusivity and accessibility, and the Commonwealth Games Federation’s co-ordination commission reviews accessibility as part of its scrutiny on the planning and delivery of the Games. The organising committee will also develop an accessibility strategy, which will define the guidelines for accessibility across the entire Games to include spectators, athletes, media, broadcasters, the Games workforce and volunteers.

In addressing the concerns raised by the noble Baroness, Lady Brinton, I want to reassure the House that, in developing the strategy, the organising committee will consider the lessons learned from previous Games, including formal knowledge transfer through the Commonwealth Games Federation as well as lessons from other major sporting events.

Lord Moynihan: Before the Minister leaves that point, can he also ask the organising committee, when it is in the process of developing this welcome accessibility strategy, to take fully into account the points made on

the Floor of the House today, and the letter from the noble Baroness, Lady Grey-Thompson, which I am sure will be of assistance to it in developing that strategy?

Lord Ashton of Hyde: Can I come to that later? I certainly will bear that in mind.

My officials have made the Birmingham Organising Committee and the Commonwealth Games Federation aware of the issues raised by the noble Baroness. We take this very seriously. We do not want similar concerns raised about the Birmingham Games and we would be happy to continue engaging with the noble Baroness on this matter. Further, in developing this strategy, the organising committee will establish a disability forum, which will include disability specialists, charities and regional organisations, to ensure that venues and services are designed, operated and delivered so that everyone has a positive Games experience. The organising committee is happy to listen to the views of noble Lords as this strategy is developed. Once it is available, the strategy will be published on the committee's website, and a copy will be placed in the Library.

Recognising the strength of feeling in the House, the Government also wish to place accessibility on the face of the legislation. That is why the Government have brought forward Amendments 3, 4, 10 and 11, which require the organising committee to report annually on the details of what it has done to ensure Games events are accessible to disabled people. This report will be laid before Parliament. I will come to those amendments later.

I turn to subsection (3) of the new clause proposed in Amendment 8, in the name of the noble Lord, Lord Griffiths, on accessibility relating to the list of designated sporting events, as mentioned by the noble Lord, Lord Stevenson. We want as many people as possible to experience the Games. The organising committee is looking to maximise the audience by exploiting a range of platforms. As the Commonwealth Games is a listed event, broadcasting rights must already be offered to the qualifying free-to-air terrestrial broadcasters on fair and reasonable terms. There is nothing to prevent free-to-air channels bidding successfully to show live coverage of group B events, as with the BBC's live coverage of the Gold Coast Games and ITV's forthcoming exclusive coverage of all 48 matches at this year's Rugby World Cup. Indeed, the Commonwealth Games has been in group B since the list was compiled in 1998 and has had excellent live coverage for many years on free-to-air television. We believe that group B is the correct listing for the Games, helping to enable extensive free-to-air coverage for the nation and allowing the organising committee to agree live free-to-air coverage as it sees fit.

Further, reconsidering which group the Commonwealth Games sits in would not be appropriate at this time. The organising committee is already in the middle of a competitive commercial process with potential rights holders. These negotiations may not be concluded until next year. Any changes to the listed events regime during this process could significantly and detrimentally affect those negotiations. Finally, contrary to the drafting of this amendment, Ofcom does not hold the responsibility for amending the listed events regime; that power rests

with the Secretary of State. The organising committee would be very happy to discuss its approach in all these areas with interested Peers. I hope that I have been able to further reassure noble Lords of the organising committee's strong commitment to accessibility and to delivering a truly integrated and inclusive Games in 2022.

I turn to Amendment 5, on a charter for the Games. I make it clear that I agree with the spirit of this amendment, which highlights a range of important matters, but we do not consider it necessary to put the charter on the face of the Bill. As I have said before, the organising committee is merely the custodian of the Games for the next three years. It is the role of the Commonwealth Games Federation to set the level of expectation from a host city. That is why the federation is working with hosts of the Games to support delivery of its vision, mission and values.

As I will come to discuss, the Government will require the organising committee to report on what it has done to ensure that its delivery of the Games promotes the values of the Commonwealth Games Federation. As such, the values of the federation provide an important foundation for the government amendment on reporting and represent a further mechanism to ensure the organising committee upholds and delivers on these important values. In promoting these values, the organising committee is wholly committed to protecting human rights, tackling corruption and promoting sustainability.

Indeed, I am pleased to confirm that the organising committee is developing a Birmingham 2022 Commonwealth Games social values charter, which will be published in due course. The charter will include policies on equality, human rights and anti-corruption, and objectives on legacy delivery, reflecting the values of the Commonwealth Games Federation. Such a charter will underline the committee's commitment to delivering a Games which builds on the matters set out in noble Lords' amendments. I know that the organising committee would again be happy to engage further with Peers on this.

As I mentioned earlier—my noble friend Lord Moynihan also mentioned this, and the noble Lord, Lord Addington, alluded to it as well—the organising committee is already required to comply with the Equality Act 2010, the Bribery Act 2010, the Fraud Act 2006, the Health and Safety at Work etc. Act 1974 and other health and safety legislation, the Human Rights Act and the Public Services (Social Value) Act. In addition, the organising committee will include a requirement in all its contracts for suppliers to comply with its social values charter, once published. Recently, the organising committee also agreed a modern slavery statement, which will be published on its new website. I hope I have demonstrated that many of the issues in Amendment 5 are covered by existing statute or are already being proactively considered by the organising committee.

I hope that my noble friend Lord Moynihan recognises that the organising committee is already taking great strides in this area—for example, with the development of a social value charter. The requirement that I have outlined will ensure that the committee reports on what it has done to promote the values of the Commonwealth Games Federation. Therefore, we think the Government's amendment is a good compromise on the issue. However, I am pleased to give the further

[LORD ASHTON OF HYDE]

reassurance to my noble friend that I shall write to the organising committee to stress the importance of ensuring that it addresses all the issues raised by noble Lords in this debate, including the accessibility guidance issued by the International Paralympic Committee, in preparing its statutory report. Going a little further in that respect speaks also to the issue raised by the noble Lord, Lord Stevenson.

I am grateful also for Amendment 9, in the name of the noble Lord, Lord Addington, which I consider is addressed by the government amendments. I think he alluded to the fact that he agrees with that, so I shall spare the House some words.

The government amendments will place a statutory requirement on the organising committee to report annually on its functions and the progress made towards delivery of the Games, and for the report to be laid before Parliament. This will ensure that there is a single source of information about what the organising committee has done to prepare, addressing the matters raised by the noble Lord, Lord Addington. The amendments also reflect a number of other matters that this House and the Government consider important. I want quickly to mention some of them because they refer to comments made by noble Lords.

As I explained earlier in responding to my noble friend Lord Moynihan on the charter, we will require the organising committee to report on what it has done to ensure delivery of Commonwealth Games Federation values—I gave some additional reassurance on that. As the report will be laid in Parliament, noble Lords will be able to hold the organising committee to account on those values.

On accessibility, to address points raised by noble Lords in their amendments, it will be a statutory requirement of the organising committee to report on what it has done to ensure that Games events are accessible for disabled people, whether competitors, spectators or officials. Having those annual reports will allow noble Lords and others to look at progress made before the Games. It will not just be a question of waiting for the Games to happen and seeing whether something is wrong; proactive steps can be taken.

The Games partners are committed to embedding sustainability. I acknowledge the interest expressed in that—the noble Lord, Lord Stevenson, mentioned it. The organising committee is in the process of developing a Games-wide sustainability plan. When this is published, I will place a copy in the House Library.

On legacy, as I said in the House previously, in delivering this event we must maximise the benefits for the city, the region, the country and the wider Commonwealth. There was agreement across the House that this was extremely important, which is why the Government have brought forward a requirement for the organising committee to report on the steps taken to maximise the Games benefits. However, responsibility does not sit solely with the organising committee. All Games partners will be working together to make sure that there is a lasting legacy from the Games that starts benefiting the people of Birmingham now. Games

partners will develop a cross-partner legacy plan which will be published in due course and a copy will be made available.

The government amendment requires a final report to be produced by the organising committee after the Games. The noble Lord, Lord Hunt, and my noble friend Lord Moynihan asked what we could do in that regard. I can confirm that the Government will carefully consider who will be best placed to report on the impact of the Games, because it is our ambition that the positive effects of the Games are lasting. Both noble Lords were right to point out that the organising committee will not be around to do it. That is a commitment from the Government.

As for keeping the public updated on Games preparations, the organising committee will launch a new website this Saturday, marking three years to go. It will include information on sports and venues, when people can sign up to volunteer at the Games and apply for tickets, and the plans I have outlined. I hope that the noble Lord, Lord Addington, is satisfied that there are considerable plans and mechanisms in place to ensure that the organising committee communicates appropriately and effectively and that he will not press his amendment.

I believe that Amendments 3, 4, 10 and 11 in my name strengthen the Bill and address the House's desire that information on Games delivery is available and accessible. In light of my reassurance to my noble friend Lord Moynihan, I hope he will withdraw his amendment.

5 pm

Lord Moynihan: My Lords, 24 hours ago I was in Smackover, Arkansas, talking to a 10 year-old, Ramsey Wilson, who could not quite understand why I was leaving to go to London to participate in this debate. She parted by saying, "I hope you get some of what you want".

I hope that the House is as grateful to the Minister as I am, because the accessibility strategy is very welcome. The disability forum, of which I was unaware, is an important step towards making that accountable to experts in the field. I am grateful to the noble Baroness, Lady Brinton, for her contribution, both in writing to me immediately after the last debate and this afternoon on the Floor of the House. The commitment the Minister has given that accessibility will be taken into account, particularly in drafting the accessibility strategy, is very welcome.

On the charter, while it would have been my preference to see that in the Bill—it would send a signal to all future mega events—again, the Minister has given significant commitments that the Government place a high priority on human rights, anti-corruption, fighting modern slavery and the legacy to be delivered. I believe that this is not quite the Commonwealth Games Federation's responsibility; I think it is the organising committee's responsibility to translate that into action, as it was in London 2012. To have a 2022 social values charter, however, and for that commitment to be made and supported so strongly by the Government today is another important step in the right direction. I was very pleased to hear the Minister report to the House that all these issues will be considered in detail by the

organising committee. We do not always get quite as much as we seek in responses from government on such important issues in sport, so that is exceptionally welcome.

The noble Lord, Lord Hunt, in nodding his assent to what the Minister was saying, echoes my view that it is appropriate to have some forum that gives due consideration to the success or otherwise of legacy post the winding up of the organising committee. It is a welcome commitment made by the Minister. Perhaps the Commonwealth Games Federation could play a role in assisting the Minister in identifying the most appropriate format for that work to be done in, because that federation has a lot to gain from learning the lessons of Birmingham for future cities that will host the Commonwealth Games.

For all those reasons I am exceptionally grateful to my noble friend the Minister for meeting me and for taking into account and responding so positively to the many issues raised by noble Lords on all sides of the House. I beg leave to withdraw Amendment 1.

Amendment 1 withdrawn.

Amendment 2

Moved by Lord Hunt of Kings Heath

2: Clause 1, page 1, line 11, at end insert—

“(2A) The Secretary of State must provide by regulations for local authorities—

- (a) to raise a hotel occupancy levy for the duration of the Birmingham Commonwealth Games in the United Kingdom; and
- (b) to provide financial assistance equivalent to the proceeds of the levy, after costs of administration, to the Organising Committee for the purpose of delivering the Games.

(2B) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

(2C) If a draft of an instrument containing regulations under this section would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.”

Lord Hunt of Kings Heath: My Lords, in moving Amendment 2, I will also speak to Amendment 7, to which I have added my name. I must apologise for not being able to be here in Committee. I am indebted to my noble friend Lord Rooker for raising a number of very important matters, to which I now wish to return.

Like every other noble Lord who has spoken, I am right behind these Games and feel that they will give huge advantage and impetus to the city of Birmingham and the West Midlands in many ways. However, a financial commitment is clearly involved. The Minister confirmed in Committee an investment of £778 million. This was to be split 75:25 between the Government and Birmingham City Council and a number of its key partners. It is clearly important that the city council pulls off agreements with key partners to defray much of the expenditure. The finances of the city council are, shall we say, fragile, and it would be

disappointing if any resource had to be found from existing services to find the money that the city council needs to contribute.

That is why I have considerable interest in the idea of a hotel levy tax to help fund some aspects of the Games. I understand that Edinburgh is likely to be allowed to go ahead with such a tax, and the Core Cities Group is absolutely behind it. The noble Lord may be aware that we had a very good debate last week in Grand Committee on the report of the noble Lord, Lord Heseltine, on the role of cities in investing and allowing the economy to grow. In his report *Empowering English Cities*, he makes the point that the Government should allow local authorities, or “mayoral authorities”, as he describes them, to

“raise local taxes and charges. These ... include vehicle excise duty, airport passenger duty, tourist tax and local cultural admission charges. With appropriate local exclusions, it is ludicrous for British tourists to pay to visit historic collections and buildings abroad while millions of visitors to this country enjoy free access”.

I will not go into the whole of his argument. The point is that there is some support for allowing local authorities to raise local taxes in the way he describes. Hotel taxes are quite accepted in many parts of the world. As the right reverend Prelate the Bishop of Birmingham said in Committee, a £1 a night tax for a three-year period could be expected to bring in £4.5 million to £5 million a year.

In Committee, the Minister did not exactly embrace this as enthusiastically as I would have wished, but he referred us to a report on tourism tariffs by the all-party parliamentary group, which has expressed some reservations about the likely impact of a long-term tax having a positive impact on tourism infrastructure. That report concluded:

“Further studies need to be commissioned on the economic impact and viability of a tourist tax”.

I fully accept that. We are at the beginning of exploring such a concept. The argument I put to the Minister is that we have a heaven-sent opportunity to try a pilot in Birmingham to see how it works. We hope it would raise resources towards the Games. We would see what impact it had on the hotel market and the economy of the city as a whole. I cannot see what there is to lose in allowing the city council to be a pilot in those circumstances. It does not commit the Government to the principle for all local authorities in the future, but says that they are prepared to see whether a hotel tax is feasible, does not produce negative impacts and would be of immense help to Birmingham. There are two versions, if you like, of this idea: my amendment, which is a requirement on the Secretary of State to essentially bring forward a scheme, and my noble friend’s amendment, which asks the Government to look at the feasibility and come forward with a report.

In the end, it is important for future Commonwealth Games that the financial viability of these Games works out effectively for the host city. One reason why Birmingham had to take this on at short notice was the financial difficulties in the original host city. I know that the Commonwealth Games Federation is very interested in the concept of low-cost Games; indeed, the organisation of these Games is consistent with the federation’s desire to keep costs at the lowest level possible commensurate with a quality Games.

[LORD HUNT OF KINGS HEATH]

All that needs to be supported. All I ask is, to ensure that that undue burden does not fall on the city of Birmingham and local services, the council is given an opportunity, as it wants, to try out a hotel tax and make a contribution to the cost. I beg to move.

Baroness Neville-Rolfe (Con): My Lords, I rise to express some concerns about the amendments tabled by the noble Lords, Lord Hunt of Kings Heath and Lord Griffiths of Burry Port. I am sorry that I was not able to speak at Second Reading, as I am a great supporter of Birmingham, which is a brilliant, vibrant and enterprising city, and a great supporter of the Commonwealth Games. I remember the opening ceremony of the Glasgow Games, which I was lucky enough to attend as a Business Minister, with great nostalgia. We all remember those Scottie dogs. On a more serious point, I remember the benefit the Games brought to Glasgow, and indeed to UK plc. As your Lordships can imagine, I am therefore a huge supporter of the Birmingham Commonwealth Games. We are right to take the plunge, even though we have had less time than usual to prepare, because, as the noble Lord, Lord Rooker, kindly explained in Committee, we are taking over the Games planned for Durban.

Clearly, hosting the Games is a financial challenge, but I believe the Government have gone about this in a sensible way, and that the 75:25 split between central government on the one hand and Birmingham City Council and its partners on the other is fair. The Games will be a huge boost for the local economy and the worldwide reputation of the Midlands, and of Birmingham in particular. I should mention my interest as a director of Secure Trust Bank, which is headquartered in Solihull.

However—this is my concern—I am not a supporter of a hotel occupancy levy, even on an experimental basis, at a low rate, and for a good purpose. It would be a new form of taxation, and new taxes should not be introduced or even mooted without great care and consideration of the financial and administrative costs, any perverse effects and, equally important, the way such a tax can morph into a new piggy bank for the Chancellor or set an unwelcome precedent. I say the same to those looking at the hotel tax in Edinburgh.

The hospitality and hotel sector is already challenged by the changes it will have to deal with post Brexit. Moreover, in the main, it is taxed highly compared with other countries that impose hotel occupancy levies. We have VAT at 20%, employment taxes, costly business rates—which we debate often—together with the joys of vigorous HMRC-style enforcement, which competing European hoteliers often avoid. There is also a level playing field issue: digital operators such as Airbnb take trade from hotels and, ironically, they would appear to benefit relatively from the proposed hotel charge. Our hotel businesses, in Birmingham and elsewhere, are in many cases small businesses, and we should be reducing burdens on them, not increasing them.

Even bigger businesses, such as IHG, which is listed in the UK and, I understand, has 350 hotels, pose a problem. By chance, I met somebody from IHG today

and asked them about the Bill. I understand that the vast majority of its hotels are franchised, often to small business people and family enterprises.

So there is a problem. My noble friend has rightly promised more information on the Games budget, which I look forward to studying. However, I ask him to live up to the principles of fiscal rectitude and resist this new tax, however well argued in the context of the Bill.

5.15 pm

Lord Addington: My Lords, I do not object to the idea of a hotel room tax, providing it is done correctly, but I do not think that the Bill is the right place to do it. The bid was won on certain terms and references, and this was not in there. Also, I would not complain too loudly, because an Answer from the Government that somebody found for me states:

“The government’s other commitments to the Games, including the underwrite of the organisation and delivery of the Games and a number of guarantees, will remain in place until the end of the 2022/23 financial year”.

That is a pretty good deal. Changing the deal you have at the last minute will be a danger. We should discuss the idea further at another time; I do not think that this is the right time.

Also, the Birmingham city plan—let us face it, we are talking about Birmingham City Council—does not mention this at all. I suggest that there will be another time when we can go into this properly, but making sure that this tax stays local is important, if we are going to do it at all. Now is not the time or place. We have a pretty good deal that has been agreed by the people involved. We should stick to it.

Lord Snape (Lab): My Lords, I support my noble friend in these two amendments. I shall try not to repeat anything that I said in Committee, but I want to express my disappointment with the ministerial reply on that occasion, which I thought, for the Minister, was unusually unhelpful on this proposal. I remind noble Lords on both sides that this is not the imposition of a new tax; it is merely a look at whether such a tax is feasible—no more, no less.

I listened to the noble Baroness opposite, who is a former Business Minister, I recollect, plead on behalf of business that there should not be another imposition. I remind her—having said that I would not repeat anything that I said in Committee, I will break what I said pretty early on, but I know that she was not present in Committee—that, coincidentally, I used the example of the Crowne Plaza hotel in Birmingham and how its nightly rate varied in the course of a week. If I recollect rightly—she will correct me if I am wrong—the Crowne Plaza hotel is part of the International Hotel Group to which she referred.

Again, I must say gently to her that if the price of one of its hotel rooms can vary by £130 in the course of a week, those small businessmen, the franchisees on behalf of whom she was making her plaintive cry, will not really go bust if we put another pound or two on our hotel rooms, as do many other cities throughout the world.

I express particular disappointment at the contribution from the Liberal Benches. I understand through the usual channels that this amendment would have been

pressed to a Division had the Liberal Democrats indicated any support. They are always telling us how radical they are: here is a chance not to be particularly radical but merely to support a proposal for an inquiry into a tax that would assist something as worthy as the Commonwealth Games in Birmingham—yet without even hearing the sound of guns, before the guns had been loaded, they have fled the battlefield and said that they do not wish to be involved.

Lord Addington: When you have an underwriting from government in a deal like this, do you want to change the rules after it comes out? I actually think that the Government have done well on this. That is why I first joined these Benches: I am not afraid to agree with people who I normally disagree with. If the noble Lord cannot handle that, well, there we go.

Lord Snape: I think that I can handle most things that the noble Baroness throws at me in this place. Of course, it is not the first time that the noble Lord has defended the Government; indeed, the Liberal Democrats spent some years in alliance with them from 2010—and much good it did them, I might add on the subject of elections. Neither the noble Lord nor the noble Baroness mentioned the fact—I hope that the Minister will—that there is, it is said, a £40 million gap, which must be closed before the Commonwealth Games go ahead. If the gap cannot be closed in this way, how will it be closed?

Perhaps the noble Lord who speaks on behalf of the Liberal party should not knock an idea that seems enormously attractive to me. I fought three elections as a local councillor, only one of which was successful. If I were still a member of my local authority—that would be difficult because it was abolished some years ago—the thought of a tax that did not penalise my voters would be enormously appealing. That is the sort of self-interest that one normally hears from Liberal councillors—although it normally depends, of course, on which end of the village they are and the group of people that they are addressing at the time.

I go back to the question of yield management, as I think it is called—as a former Business Minister, the noble Baroness, Lady Neville-Rolfe, will know that. If it is good enough for hotel chains to vary the prices of their rooms on a nightly basis, surely it is permissible to look at the possibility—no more, no less—of a tax with which, I repeat, we are familiar across the world and which, to give the city credit, Edinburgh hopes to introduce in the near future.

I will repeat one more phrase from my speech in Committee: we all know that the objections are based on the Treasury, because it hates the word “hypothecation” and hates the idea of anybody else applying taxes because that takes away some of its power. Again, I remind the Minister that the Conservative Mayor of the West Midlands—I did not vote for him; I accept that he won against the odds and will have to fight for re-election in 2020—has publicly announced his support for the scheme. Looking at his former partners on the Liberal Benches, it comes to something when a Conservative mayor is more radical in his views on taxation than his former colleagues in the Liberal Democrat party.

So I hope to get a more sympathetic hearing from the Minister on this occasion. Surely we could look at something like this; it is not revolutionary or Marxist or anything like that. Surely it would benefit the city, the region and, most importantly, the funding of the Commonwealth Games.

Baroness McIntosh of Pickering (Con): My Lords, I am delighted to have an opportunity to follow the noble Lord, Lord Snape, who made an interesting contribution. This is my first opportunity to contribute to the Bill. I ought to declare my interests at the outset: I chair the board of PASSCo, the proof of age scheme.

I echo the comments of my noble friend Lady Neville-Rolfe and the noble Lord, Lord Addington. I wonder whether the noble Lord, Lord Snape, has read closely the terms of Amendment 2, moved by his noble friend, the noble Lord, Lord Hunt. It puts enormous obligations on local authorities to raise this levy and,

“provide financial assistance equivalent to the proceeds of the levy, after costs of administration, to the Organising Committee for the purpose of delivering the Games”.

The real reason I counsel my noble friend the Minister against accepting this first-ever imposition of a hotel tax in England is that it would be the thin of the wedge. It would put down a marker for others, as we have seen in Edinburgh, who may wish to go down the same path.

At Question Time, the Liberal Democrat Benches in particular—I think it is the noble Lord, Lord Lee—often raise the spectre of the concerns that the tourism sector currently faces. One of these—I imagine that both hotel rooms and dinner tables face it; this has been one of the tourism sector’s persistent, as-yet-unsuccessful campaigns—is that we impose a 20% VAT rate, which already makes us uncompetitive in the face of our nearest competitors in the European Union and beyond. The States would not dream of putting such a high tax on its own business, particularly as it wants to put America first, as we keep hearing.

We know that hotels and restaurants will face particular challenges as we leave the European Union at the end of October, in the sense that these businesses and the tourism sector generally are heavily dependent on non-British EU citizens. We do not yet know what the supply of labour from EU countries will be, as we do not know whether there will be a transition phase or whether there will be the complete frictionless trade and free movement that we currently enjoy.

I do not wish to rehearse all the arguments that others have made, other than to say that I am convinced that a tourism tax even on the level of a pilot scheme, as proposed here—could have a huge negative impact on businesses that rely on the tourism economy by potentially reducing visitor spending right across the industry. We are talking about hotel rooms today, but it could be restaurants and other businesses tomorrow. I urge my noble friend to look carefully at Amendment 2 and Amendment 7, particularly subsection (2), and advise him against accepting these measures.

Lord Rooker (Lab): My Lords, without repeating anything I have said previously, I support my noble friend. We are in a pretty unique situation at the moment, at 5.30 pm today: the country does not have a Chancellor

[LORD ROOKER]

of the Exchequer, so we can actually crack along. I realise that that is impractical, but the thought did occur to me.

Lord Snape: I point out to my noble friend that not only is there no Chancellor but we have an old Etonian Prime Minister taking office shortly—I think he has taken office. We also have—on his own account; he is frank enough to say it—an old Etonian Minister present, replying. Surely some deal could be done early on to demonstrate how effective this new order is.

Lord Rooker: Notwithstanding my support for the principle, which I have promoted, I fully accept the points made by the noble Baroness, Lady Neville-Rolfe. I see the force of the argument. It looks late in the day and, it is true, I see it as the thin end of the wedge—as I said to the noble Baroness. I made the point that the broader the tax base, the less you have to raise the particular taxes. It has to be a good thing in principle to broaden the tax base. It is not something we have total control over, because it is a devolved issue; it may happen in Edinburgh. It is not as though it does not happen and work elsewhere—that is the point.

My noble friend used the example of that incredible debate last week on the report by the noble Lord, Lord Heseltine. It was packed out; there were twice as many people in the Moses Room as there are here. I got the message that the Lib Dems were far more iffy about the report and recommendations from the noble Lord, Lord Heseltine, than the general thrust in the meeting. I am not picking out any particular points, and I do not single out this one, but a lot of caveats came from Lib Dems. Nevertheless, there is the genesis there of something to take forward for our cities. I fully accept that the timing is probably wrong; there is always an excuse for doing nothing, but I do not accept that. There is an argument here for a pilot scheme. It might fail. We do not use pilots enough and this is a classic example where we could use one. If it fails, we will see the defects in it.

5.30 pm

A long time ago, the late John Smith sent the Front Bench off to Templeton College, Oxford for four days as preparation. I remember the material there and I took two lessons from it: first, always pilot the things you can; and, secondly, it is never too late to avoid making a bad decision. I once said that to Gordon Brown when he was Prime Minister. He thumped the table and pointed out that the decision that was about to be made was not a bad decision. That was during 24 hours of drinking coffee and debating around the table. I had been sent along as the hapless Minister of State by one of my bosses.

It is an example of the Games providing the genesis for it. We know that there is a financial shortfall and that the finances of the city council have been under serious pressure in recent years—hence the commissioners sent in by the Secretary of State for the Environment. Obviously, we will not go to a Division on it but the issue will come back.

I am sure it is not the idea that it would apply to every bed—we are talking about the big chains, not B&Bs. I fully accept there are new forms of competition

to the catering, hotel and hospitality industry, such as Airbnb, but those kinds of pressures have come from new technology. We have to be careful how we do this, which is why the opportunity for a pilot scheme should have been grabbed with both hands.

Lord Redesdale (LD): My Lords, it was not my intention to speak today but obviously there has been a great deal of speculation about Lib Dem policy, to which I am not going to add. My view is that localised taxation would be a good idea if we devolved decision-making a great deal further down the chain.

I like the idea of taxation for certain areas of development. However, we have to be careful because this could be a blunt tool. As the owner of a hotel—a particularly fine hotel on the A68, the Redesdale Arms, a pub with great food and beer if you are heading to Scotland—I declare a personal interest.

Lord Snape: Do we get a discount?

Lord Redesdale: The noble Lord will be first in the queue. I understand it is hard in the hospitality sector at the moment and we should not underestimate the problems that many hotels which have pubs are facing. A number of pubs are going out of business at the moment. It is a seasonal trade and you have to put prices up in the summer—especially in my pub because for two weeks the year before last it was cut off by snow and there was no income whatever.

While the idea of localised taxation is good in principle, we have to be careful that it is not seen as a blunt tool. Small providers who might find a few pounds the difference between making a profit, breaking even or making a loss should be considered carefully.

Lord Griffiths of Burry Port (Lab): My Lords, it has been an interesting debate that has been not without its entertainment, as we have enjoyed over the past few minutes. I shall speak to Amendment 7.

In Michael Heseltine's recent report *Empowering English Cities*, I say to the noble Lord, Lord Addington, reference was made to the West Midlands joint authority, and the Birmingham Games of 2022 figure as a part of what will generate economic activity in the next five years in that area. It is on the list of the authority and I am glad to refer to it.

Lord Addington: My Lords, I was merely referring to the fact that this tax was not mentioned in the report.

Lord Griffiths of Burry Port: I am glad to have that intervention, which does not affect what I want to say in the slightest.

The thin-end-of-the-wedge argument interests me. I was once an academic. I do not know who remembers *Microcosmographia Academica* by FM Cornford. In academic circles, the thin-end-of-the-wedge argument was one sure way that nothing would be done. Let us remind ourselves that the wedge is not always a bad thing. In my house it does considerable work with uneven floors. So, let us take things as we find them. I heard the proper arguments made by the noble Baroness, Lady Neville-Rolfe, and from the Liberal Benches,

and I also heard the proper arguments from our Benches. We have been debating this for 31 minutes and 17 seconds. The report to the All-Party Parliamentary Group for Hospitality took its time—considerably more than 31 minutes and 17 seconds—and all the arguments that have been rehearsed on behalf of the business community were heard and are properly registered. All the arguments that were put for the possibility of such a tax have been rehearsed and are part of the argument. Having heard both sides in detail, we get to the recommendation that has already been mentioned—forgive the poor cataract-less ancient Peer putting his glasses on:

“The All-Party Parliamentary Group for Hospitality is calling for greater examination of the potential impact of a tourist tax on consumers, businesses and the economy before taking any decisions on the principle of introducing one”.

The question is open; evidence is needed. A project to find some evidence would not be a bad thing so that we can take 32 minutes and 24 seconds in a year’s time to say that the study has been done, the respective arguments have been seen and weighed and we can now with some confidence recommend either that this goes forward for a two-year period so that we can see what happens and evaluate it carefully, or that the evidence is conclusive and we had better drop it. That is where the APPG left things after a lot of consideration. I have listened to it very carefully. The arguments against and for are valid, and the conclusion is uncertain. Something is needed to give us more certainty when we look at the matter again. I suggest that Amendment 7, which I tabled, might do that. It is provisional, time-limited, place-limited and linked to the Commonwealth Games. Where is the wedge in that? It is specific. It has a shape. It is not pointed to be rammed in further later, but has a definite geometrical shape.

I have heard from the council in Birmingham. It tells me that it has had discussions with DCMS during the bidding process and since about alternative funding streams, including a hotel occupancy tax. It was given assurances by DCMS that it would assist the council in talking to the Government about those alternative funding streams. The council’s argument goes on to the points we have heard already. So, the DCMS Minister is facing me and DCMS has had some discussions and made a commitment to talk to the Government about the possibility of achieving an object rather like the one we are putting forward now. Perhaps the Minister can tell us what the substantive remarks and commitments referred to in the document were. I cannot see what we have to lose.

Baroness McIntosh of Pickering: I am following the noble Lord’s argument as carefully as I can, and I shall go away and read the book he recommended, with gusto, I am sure. Will he address the point I made about imposing a tax, even in the circumstances of Birmingham, making us less competitive and the fact that hotels are potentially facing staff shortages and 20% VAT, which they mention every time I see them?

Lord Griffiths of Burry Port: I am grateful for that intervention. It allows me simply to give the assurance that in the findings of the committee to which I have referred those specific points have been considered, with figures identical to those that have been mentioned.

The business side of things needs to be heard. VAT at 20% in this country compares with 12%, 6% or 7% in other European countries, and it loads the tax base here much more than there. It puts this country’s hotels at a disadvantage compared with those overseas. I am not denying these important considerations at all; I am simply saying that, by approving this measure, we could have a specific, properly looked-at piece of work that would allow us to take all these factors into consideration and come to a conclusion that would be justified evidentially rather than simply being based on a feeling at this particular moment—on the last day but one of a Session, when, as noble Lords can see, sartorially I am dressed for other occasions.

Lord Ashton of Hyde: My Lords, I did not expect to enjoy a debate on raising tax but it was very entertaining. I thought that the noble Lords, Lord Hunt and Lord Griffiths, put their case very persuasively. I was going to mention the thin edge of the wedge but it has already been mentioned several times. The noble Lord, Lord Rooker, made a new suggestion about taking advantage of the absence of a Chancellor of the Exchequer. There might not be a Minister soon, and it would guarantee that there would not be a Minister if I did that. I am also grateful for the support of my noble friends.

Perhaps I might say something about the state of Birmingham’s finances and what Birmingham City Council is doing. As I mentioned in Committee, Birmingham and the West Midlands region will benefit, as the noble Lord, Lord Hunt, said, from a £778 million investment to stage the 2022 Commonwealth Games, with Birmingham City Council and a number of its key partners providing funding of £184 million—25%—of the Games budget.

Birmingham City Council has publicly committed to meet its financial obligations for the Games, and approved a four-year council budget at a full council meeting on 26 February this year, stating that there are sufficient reserves to cover the city’s share of the costs. It has already explained how it will meet its obligations without impacting on existing services. I refer noble Lords to Birmingham City Council’s publicly available *Financial Plan 2019-2023*. This states that,

“resources have been identified for this purpose that will be sufficient to meet these funding liabilities as they fall due”.

It might interest noble Lords to know that the Government have already committed to working constructively with Birmingham City Council, to the extent that there was correspondence on 7 December 2017 from the Chief Secretary to the Treasury to Birmingham City Council on reviewing existing legislative powers and listening to requests for new powers, should the case for additional funding be made.

As the noble Lord, Lord Griffiths, said, we are in frequent dialogue with Birmingham City Council but, to date, no detailed case has been put forward to evidence the need for an additional power. However, I understand that Birmingham City Council is now undertaking detailed work, with expert advice, on various options for revenue-raising to offset the costs of the Games, including the use of existing powers or the introduction of a new tax, such as a hotel tax. We and Her Majesty’s

[LORD ASHTON OF HYDE]

Treasury await the conclusion of that analysis and stand ready to look at the details of any proposals put forward by the council.

My honourable friend the Minister for Sport and Civil Society—I have her full title right this time—has spoken to the Chief Secretary to the Treasury about this. As I stated previously, matters of taxation are for HM Treasury to consider, with appropriate evidence, consultation and assessment of impact—for example, on tourism—as my noble friends Lady McIntosh and Lady Neville-Rolfe mentioned. I am grateful to my noble friends for their support.

We consider that these amendments are not an appropriate measure for the Bill, which, I remind your Lordships, is focused on providing the temporary operational powers required to deliver a successful Games, and they would pre-empt the outcome of the work already being undertaken by Birmingham City Council.

5.45 pm

Amendment 7 in the name of the noble Lord, Lord Griffiths, also emphasises the value of the Government supporting Birmingham City Council to maximise the impact of legacy projects following the completion of the Games. Birmingham City Council is already doing that; for example, it has secured a number of commitments from the lead contractor, including on-site training, a training package and pre-employment training places. But maximising the legacy of the Games, as I mentioned in the last group of amendments, is not just for Birmingham City Council but for other Games partners, working together, to achieve. The legacy of the Games will be felt in the broader West Midlands region and, in some cases, the UK more widely, so support for legacy planning will come from a variety of organisations, not just central government.

Finally, the Government have already committed to providing Parliament with regular updates on expenditure against the budget throughout the life cycle of the project. These reports will cover the whole Games budget, as delivered by all Games partners, and will not be limited to the Government's contribution. I therefore hope that noble Lords are reassured that the Government remain committed to working with the city council on its plans to deliver its required financial contribution to the Games.

To sum up, Birmingham City Council and its cosignatories have made a commitment that they can fund the Games. They have subsequently explained publicly how they will meet their obligations without impacting on local services. In spite of that, the Treasury has offered to consider any requests they make in terms of new powers and I am glad that Birmingham City Council is now undertaking that work.

Although I understand the attraction, I must reiterate the Government's position that these powers are not necessary and—here I agree with the noble Lord, Lord Addington—not appropriate for this Bill. That position will not change, so I hope that noble Lords will feel able to withdraw or not move their amendments, rather than testing the opinion of the House. If they want to do that, they should do so now.

Lord Hunt of Kings Heath: My Lords, I am grateful to all noble Lords who have taken part in what has proved to be a spirited debate. We have taken quite a tour around the issues. The right reverend Prelate the Bishop of Birmingham said in Committee that a £1 charge might raise £4 million to £5 million per year; I do not think that a £1 tax will impact hugely on the economics of the hotel trade in Birmingham and, indeed, the West Midlands. To take my noble friend's example of the Crowne Plaza, every day brings a new rate according to how the market operates; hotels are quite used to flexing the prices they charge.

Regarding uncompetitiveness, I suppose that one should acknowledge the Government's efforts on behalf of the tourist trade in allowing the pound to collapse in the wake of their disastrous policies on Brexit. There are many factors, but the point made by my noble friend Lord Griffiths is that we know there are arguments both for and against a hotel tax. I do not seek to run away from that; my idea was simply that we have a great opportunity to try this out, not so much as the thin end of the wedge but as a pilot, so that we get, for once, some evidence-based policy. It would have been a good opportunity. The finances of Birmingham City Council show clearly that it has a difficult balance to strike. It wanted to run the Games, so it has had to give guarantees around budgetary control and having enough money. But, frankly, given the state of its finances, I would be concerned if it had to take money from reserves; I am not sure whether by 2020 there will be many reserves left in the kitty. It would be wrong for money to be taken out of service provision in order to fund it.

I am grateful to the Minister for what he said about the Treasury and the Government being prepared to listen to any arguments that the city council puts. The city council is now undertaking some detailed work, and that takes us quite some steps forward.

We should end on a constructive note, whereby, as I hear it, if the city council comes up with a really good argument about this, it will be listened to sympathetically. That is probably as far as I can take this, so I beg leave to withdraw the amendment.

Amendment 2 withdrawn.

Amendment 3

Moved by Lord Ashton of Hyde

3: Clause 1, page 1, line 14, at end insert—

““Games event” means—

- (a) an event forming part of the Games (whether or not a sporting event), or
- (b) any other event arranged by, or on behalf of, the Organising Committee;”

Amendment 3 agreed.

Amendment 4

Moved by Lord Ashton of Hyde

4: After Clause 1, insert the following new Clause—
“Annual reporting: the Organising Committee

- (1) As soon as is reasonably practicable after the end of each reporting period, the Organising Committee must send to the Secretary of State a report on the exercise of the Organising Committee's functions during the period.
- (2) The report must include—
 - (a) an assessment of the Organising Committee's progress towards delivery of the Games;
 - (b) details of what the Organising Committee has done to ensure that its delivery of the Games promotes the values of the Commonwealth Games Federation;
 - (c) details of what the Organising Committee has done to ensure that Games events are accessible to disabled people;
 - (d) details of what the Organising Committee has done to promote sustainability in its delivery of the Games;
 - (e) details of what the Organising Committee has done to maximise the benefits to be derived from the Games.
- (3) The reference in subsection (2)(b) to the values of the Commonwealth Games Federation is a reference to the values expressed in the constitution of the Commonwealth Games Federation, as amended from time to time.
- (4) The Secretary of State must lay before Parliament a copy of each report received by the Secretary of State under this section.
- (5) In this section “reporting period” means—
 - (a) the period beginning with the day on which this section comes into force and ending with 31 March 2020,
 - (b) the period beginning with 1 April 2020 and ending with 31 March 2021,
 - (c) the period beginning with 1 April 2021 and ending with 31 March 2022, and
 - (d) the period beginning with 1 April 2022 and ending with 31 December 2022.”

Amendment 4 agreed.

Amendments 5 to 9 not moved.

Clause 8: Interpretation of Part 2

Amendment 10

Moved by Lord Ashton of Hyde

10: Clause 8, page 5, line 23, leave out from “event” to end of line 27 and insert—

“has the meaning given by section 1(3);”

Amendment 10 agreed.

Clause 23: Interpretation of Part 3

Amendment 11

Moved by Lord Ashton of Hyde

11: Clause 23, page 14, line 37, leave out from “event” to end of line 41 and insert—

“has the meaning given by section 1(3);”

Amendment 11 agreed.

Clause 24: Games transport plan

Amendment 12

Moved by Lord Ashton of Hyde

12: Clause 24, page 15, line 32, leave out “person” and insert “local authority in England or a combined authority”

Lord Ashton of Hyde: My Lords, the Government have listened carefully to the issues regarding Clause 24 raised by noble Lords during previous stages of the Bill and to the comments of the DPRRC. I am pleased that the House is in agreement on the need for a well-understood and supported Games transport plan. By giving this plan a statutory footing, we are ensuring that it has the appropriate authority and weight to deliver on the transport measures required for an event on the scale of the Commonwealth Games.

While it has always been our intention that the body directed to prepare a plan would be a local authority or combined authority, we recognise that simply providing for “a person” may not offer the assurance needed. That is why we have brought forward amendments setting out that only a local authority in England or a combined authority may be directed to prepare the plan. The House can be assured that an appropriate body will receive this direction and can be held accountable. To ensure that Parliament is appropriately sighted, we will make a Written Ministerial Statement when the direction has been made by the Secretary of State. Further, once the draft transport plan has been made available, we will deposit a copy in the House Library.

I would like to highlight the importance of placing the Games transport plan on a statutory footing. This, alongside a requirement on local traffic authorities to implement the plan, provides the clear framework needed for the effective delivery of Games transport operations. It will facilitate co-operation between transport partners, minimise the risk of disruption and disagreement and give the Government the assurance that they need. I beg to move.

Lord Addington: My Lords, I would just like to thank the Minister for listening when these issues were raised, I think by me. The Delegated Powers committee report on that raised a real point and the Government have responded, so thank you.

Lord Moynihan: My Lords, in echoing the comments of the noble Lord, Lord Addington, I want to say as a former member of the DPRRC that I particularly welcome the Written Ministerial Statement that the Minister has offered today. I thank him for listening so carefully to the arguments made in Committee.

Amendment 12 agreed.

The Deputy Speaker (Baroness Fookes) (Con): It may be convenient to take Amendments 13 to 29 formally en bloc.

Amendments 13 to 19

Moved by Lord Ashton of Hyde

13: Clause 24, page 15, line 35, leave out “A person” and insert “An authority”

14: Clause 24, page 15, line 38, leave out “person” and insert “authority”

15: Clause 24, page 15, line 39, leave out “person” and insert “authority”

16: Clause 24, page 15, line 41, leave out “person” and insert “authority”

17: Clause 24, page 16, line 6, leave out “person” and insert “authority”

18: Clause 24, page 16, line 8, leave out “person” and insert “authority”

19: Clause 24, page 16, line 10, leave out second “person” and insert “authority”

Amendments 13 to 19 agreed.

Clause 26: Concurrent exercise of powers of a local traffic authority

Amendments 20 to 25

Moved by Lord Ashton of Hyde

20: Clause 26, page 17, line 2, leave out “A person” and insert “An authority”

21: Clause 26, page 17, line 3, leave out “person” and insert “authority”

22: Clause 26, page 17, line 5, leave out “a person” and insert “an authority”

23: Clause 26, page 17, line 7, before “authority” insert “local traffic”

24: Clause 26, page 17, line 12, leave out “A person” and insert “An authority”

25: Clause 26, page 17, line 16, before “authority” insert “local traffic”

Amendments 20 to 25 agreed.

Clause 27: Power to direct a local traffic authority

Amendments 26 to 28

Moved by Lord Ashton of Hyde

26: Clause 27, page 17, line 31, leave out “a person” and insert “if different, an authority”

27: Clause 27, page 18, line 4, leave out “A person” and insert “An authority”

28: Clause 27, page 18, line 5, leave out “person” and insert “authority”

Amendments 26 to 28 agreed.

Clause 28: Interpretation of Part 4

Amendment 29

Moved by Lord Ashton of Hyde

29: Clause 28, page 18, line 16, at end insert—

““combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;”

Amendment 29 agreed.

Clause 30: Regulations

Amendment 30

Moved by Lord Ashton of Hyde

30: Clause 30, page 19, line 3, leave out subsection (3) and insert—

- () A statutory instrument containing regulations under paragraph 16 of Schedule 2 (whether alone or with other provision) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- () Any other statutory instrument containing regulations under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.”

Lord Ashton of Hyde: My Lords, we had an interesting debate in Committee regarding the delegated powers in this Bill and whether certain powers should be subject to the draft affirmative procedure rather than the negative procedure. I have carefully considered the arguments raised in Committee and the recommendations made in the Delegated Powers and Regulatory Reform Committee’s report, which also formed part of the last group. I issued a written response to the chair of the DPRRC last Wednesday, and a copy is available in the Library.

After reflecting on suggestions made, I am pleased to move government Amendment 30. The amendment applies the draft affirmative procedure, instead of the negative procedure, to the regulations under paragraph 16 of Schedule 2. This means that the draft affirmative process will apply to the regulations regarding the procedures for compensation claims in certain circumstances following enforcement action.

As far as compensation is concerned, the amendment is in line with Amendment 31 tabled by the noble Lord, Lord Addington, and the recommendations in the DPRRC report concerning the compensation power, and will offer Parliament the opportunity to debate the Government’s proposals. I hope noble Lords will welcome the amendment. At this point, it may help the House if I let the noble Lord, Lord Addington, speak to his amendment, or I could carry on. He has said that I should carry on.

I still believe that the negative procedure is appropriate for the other regulation-making powers in the Bill. This includes powers to make regulations to specify the Games locations and the time periods when the temporary advertising and trading restrictions will be in place, and will make provision about the vicinity of Games locations. I have been clear before that we have looked carefully at the approach taken in London and Glasgow and have subsequently ensured that the powers taken in the Bill are not as broad. As such, I maintain that the differences in approach mean that the negative procedure is appropriate here.

I reiterate the important point that these restrictions will be proportionate and temporary; they will last for a maximum of 38 days, and many for considerably less time than that. I reassure the House that we are focused on proportionality here. I anticipate taking a similar approach to Glasgow regarding time periods, Games locations and their vicinity. We are talking not about blanket restrictions across the region but about an area that in most cases may extend a few hundred metres beyond a Games location. In particular, this will ensure a celebratory look and feel around Games locations and create a welcoming environment for spectators. I remind noble Lords that the offences can be further narrowed in regulations through the provision of additional exceptions to the offence. The Government will run a public consultation on those exceptions.

Given government Amendment 30 and the reassurances that I have provided to the House on the proportionality of these measures, I respectfully ask the noble Lord, Lord Addington, not to move his amendment. I beg to move.

Lord Addington: My Lords, I thank the Minister for his speech. Of course, I am slightly disappointed that I could not get everything, but half a loaf is better than no bread, and there is some validity in the noble Lord's statement about some of the other powers in the Bill. I would have preferred the affirmative procedure, but on this occasion we might let it go.

Lord Moynihan: My Lords, I also welcome the Minister's announcement on the affirmative procedure for compensation claims. We looked at this in some detail in Committee and I am very grateful to him for responding so positively. I am disappointed that the negative procedure will continue to apply for Games locations and advertising. Will the Minister's department continue to engage with the Advertising Association? It has been proactive in having constructive discussions with the department on this Bill, and I know it is disappointed about the negative procedure continuing in this context. However, it has made some useful points and it would be useful for those discussions to continue in another place.

6 pm

Lord Ashton of Hyde: My Lords, I am grateful to my noble friend. Of course, we will continue to have discussions with advertising stakeholders. As I think I have made clear throughout the passage of this Bill, we and the organising committee are very willing to talk to people about any concerns they have on it. I have made that point before and I repeat it now.

Lord Foulkes of Cumnock (Lab Co-op): Could the Minister help me? He mentioned the Commonwealth Games in Glasgow and the Commonwealth Games in London. I had the great privilege of attending the Commonwealth Games in Edinburgh in 1970, which were very different from the Games in Glasgow and London. I know the noble Lord, Lord Campbell of Pittenweem, did not participate in the Edinburgh Games, but it was not long after he had participated. Has the Minister taken account of anything that happened with the Edinburgh Games?

Lord Ashton of Hyde: I ought to correct the noble Lord for the record. Glasgow certainly hosted the Commonwealth Games, but London had the Olympic Games. I am not trying to show him up; it is important because they are very different. One of the interesting things about this proposal, and one of the reasons why we are dealing with it in a shortened timescale, is that the costs of putting on the Commonwealth Games are considerable, as has been mentioned. The Commonwealth Games Federation had to look at how to make it possible for them to be put on around the world, not just in the richest nations of the Commonwealth.

On lessons from previous Games, we have looked at financing and the other issues we discussed earlier. We can learn lessons from Glasgow and Edinburgh, and I hope the noble Lord enjoys watching the Games in Birmingham—I assume he is not participating—as much as he did those in Edinburgh.

Lord Campbell of Pittenweem (LD): To add briefly to what the noble Lord, Lord Foulkes, said, Edinburgh has hosted the Commonwealth Games twice: once in 1970, which was a complete success, and again in 1986,

which was, frankly, a total failure in many respects. The organising committee ran out of money and the Government of the day—Lady Thatcher was Prime Minister at the time—declined to offer any additional assistance. It is a measure of the comparative costs of 1986 and now that the total deficit from the 1986 Games was £4 million. That is but a drop in the ocean of the cost of the Games with which we are concerned.

To some extent, I am retreading remarks I have made before, but Birmingham has made an enormous contribution to the Commonwealth Games movement through its willingness to undertake the responsibility for these Games at relatively short notice. I am not sure how often that is acknowledged. I suspect we are about to end Report and it is worth reminding people that, without that willingness, there is every possibility that the Commonwealth Games movement might have found itself in very deep embarrassment. On other occasions, people have referred to the fact that the cost of these Games is now such that the number of cities—remember, the Games are awarded to cities, not countries—able to undertake that responsibility is declining. I think we are all conscious that it would be a great pity if the Games became something for what is sometimes called the white Commonwealth—I use the term with some delicacy—rather than being part of the whole Commonwealth story. On that basis, with respect, it seems Report has improved this legislation greatly. For that, all those who have participated, among whom I cannot number myself for various reasons, deserve great credit.

Lord Ashton of Hyde: I am very grateful to the noble Lord, and I agree with everything he said. It is important that we get this right for Birmingham and the West Midlands. It is also important for the Commonwealth, for the reasons he suggested. The Games have been expensive in the past, but Birmingham will cost considerably less than the last Commonwealth Games. We are introducing the partnership model in addition to the host city, as he rightly says, to enable us to do that. It is more complicated in some ways and there is risk involved in doing it at short notice. However, I am sure that if we show the constructive, helpful attitude that has been the hallmark of Report, it will be a great success.

Amendment 30 agreed.

Amendment 31 not moved.

Council of Europe: House of Lords Members' Contribution *Question for Short Debate*

6.07 pm

Asked by Lord Balfre

To ask Her Majesty's Government what assessment they have made of the contribution of Members of the House of Lords to the work of the Council of Europe.

Lord Balfe (Con): My Lords, I am delighted to have secured this Question for Short Debate and to welcome so many fellow Council delegates here. There was a similar debate in the House of Commons recently and there is something to be said for the delegations that travel from this House to the three international bodies, namely the Council of Europe, the NATO Parliamentary Assembly and the OSCE, bringing their activities to the attention of the House from time to time.

All three bodies play a valuable role in projecting Britain's image overseas. We have been a member of all of them from more or less their foundation and this House has always had representation. We are supposed to make up one-third of the delegation but, having carefully analysed the figures, we generally fall somewhat short of that, although not by a huge amount. However, we do not fall short of one-third of the financial contribution to the delegation. If we had a Whip on our Benches, I would ask him to look very carefully at whether we could get value for money.

The size and composition of the delegations are based on the size and balance of parties in the House of Commons, not Parliament as a whole. I am sure we will hear a bit about that from a speaker from one of the Benches not represented in the Council of Europe.

My first point is that the cost of the parliamentary assembly is incredibly low. The whole annual budget of the Council of Europe costs less than the European Union spends in one day, to keep the sizes in perspective. Also, the cost of the parliamentary assembly has now gone down from €17.5 million in 2017 to €14.7 million this year. It is projected to stay at that level for the next three years.

The fact is that there is now no allowance for inflation. I am told that the two main opponents of inflation are the United Kingdom and the far-right Government of the republic of Italy. I would very much welcome the Minister's comments on what Britain is achieving in extending its reach and influence by joining the Government of Italy in seemingly blocking the ability of the Council of Europe to expand even in line with inflation.

Since 2010, the parliamentary assembly and the Council have consistently been cut back. Some 230 posts have disappeared over that period. This means that the European Court of Human Rights will inevitably be one of the sufferers, because you cannot spread all the cuts in just one department. I would like to ask Her Majesty's Government what exactly they are trying to do with the Council of Europe. What is their vision for its future? It seems it is part of the eternal cutting back and resentment of anything called "foreign". That is my first question.

The second matter I want to turn to is Russia. Russia was probably rightly excluded from a number of international institutions after its intervention in Crimea and various other actions that put it somewhat beyond the pale of acceptable behaviour. It is worth remembering that the dismemberment of the Soviet Union was an extremely messy affair. It left behind a number of problems, most of which are now to be found in the frozen conflicts we are trying to unravel.

If Russia was expelled from the Council of Europe, or chose to leave, it would mean that all Russian citizens would lose their right of access to the European Court of Human Rights. That was probably why, having weighed everything up, including the importance of the Council of Europe, there was an agreement in Helsinki to let Russia back into the parliamentary assembly. The British Government did not oppose that agreement; it is important to remember that. But almost as soon as it had been agreed, the Government started lobbying against the very agreement they had let through. At the last session we had the sight, which I found very unsatisfying, of the UK delegation leading the attempt to get Russia's suspension continued. A group of members, led by Ukraine and the UK, with, as I put it, sundry disaffected members from former communist bloc countries, put down a large number of unhelpful amendments, all of which were defeated by margins of either 2:1 or 3:1, but rather than seeing sense and saying, after the first half a dozen or even 10, "Let's accept that we'll lose all of these", we kept the Council of Europe sitting until after 1 am voting hopelessly on amendments. Virtually every member of every other western European delegation, including the Germans, the French, the Spanish and the Italians, were voting against the United Kingdom. We were in extraordinarily odd company.

I understand that we have now been invited to a meeting in Riga on Friday 6 September, described in the invitation letter as,

"the first like-minded meeting on further actions concerning the return of the Russian delegation to the PACE".

In other words, this is a meeting designed to make life as difficult as possible. Rather than stretching out an olive branch, it is stretching out a rather harsh whip. We will be represented there by three MPs—two Conservative and one Labour. All I can say for the two Conservatives is that they were the leaders of all the resolutions that were defeated 2:1 in Strasbourg.

I put it to the Minister that it is not acceptable for him to say that it is up to parliamentarians to decide what to do. I am delighted to see the noble Viscount, Lord Waverley, in his place, because I recall that when he and I tentatively proposed that it might be appropriate to visit the Russian Duma a few months ago, the Foreign Office came down on us like a ton of bricks. Do not start saying that there is any freedom for Members and that the Foreign Office is not interested.

How does the Minister propose to put our relations with Russia on a better footing? Frankly, we are all on the same continent. I am not sure I would go as far as Gorbachev and say that we all live in the common European home, but we certainly are in a situation where Britain needs friends. When we leave the European Union we will be in an absolutely ideal situation for people to have a pop at us and decide, "Well, Britain won't really have the solidarity of Brussels. We can cause them a bit of trouble with a bit of cyberwarfare or the like". I put it to the Minister that it is in our interests to get together with our western European colleagues and try to get a modus vivendi with the Russians. This is a huge challenge facing PACE today.

Those are my two main points. I congratulate the Minister on still being part of the Government at 6.15 pm; I hope he will still be there at 10 pm. In the meantime, I look forward to him explaining how we will relate to Russia and how we will get a better accord with people for whom we can change history, but cannot change their geography. They are there and they will stay.

6.17 pm

Lord Anderson of Swansea (Lab): My Lords, the noble Lord has drafted the Question very narrowly indeed. I shall follow him in not confining myself to the narrow part of it. I recall a programme on BBC Wales called "Wales at Westminster". Every three months or so, every single Welsh MP had the opportunity to sum up the work of his or her colleagues. Woe betide any Member who omitted the name of one of his colleagues at the time. I fear this will be another parade of all the good work that the noble Lords, Lord Balfe, Lord Russell and Lord Blencathra, my noble friend, Lady Massey and Lord Foulkes, the noble Earl, Lord Dundee, and others do there. I do not believe that the noble Lord, Lord Balfe, wanted us to parade the work of our colleagues or, it is fair to say, make an important contribution from mature experience in the Venice Commission for democracy-building. We all in the assembly have one great advantage: the English language.

In 2008 I had the honour to return to the Council of Europe after a gap of 50 years. I was the FCO adviser to the delegation in the early 1960s. Much has changed in the meantime. The assembly was no longer the consultative assembly but the parliamentary assembly. I hope that name change has some significance. New members from central and eastern Europe had joined, including, of course, Russia, but the core business of the council remained human rights, democracy and the rule of law.

We in the UK have a good record, blemished only slightly in terms of the court by the Hirst case on prisoner voting, where the House of Commons rejected a compromise. Happily, a compromise was at last reached. It is fair to say that the Conservative Government—at least the ERG—flirted with the idea of leaving the Council, partly because of the Abu Qatada case. However, had that taken place, leaving the convention would have meant leaving the Council.

Turning to some of the future challenges, one is the temptation of all parliamentarians to empire-build; another is relations with the European Union. When the Council was formed, Ernest Bevin, as Foreign Secretary, said: "I don't like it when you open that Pandora's box. All sorts of Trojan horses will come out of it"; one of his more famous quotes. From the start, the Council has been one of interstate intergovernment, not integration, in the stream which culminated in the European Union. Now, we need co-operation, and I hope that the European Union will join the convention, so far blocked by the European Court of Justice. We need to work together on democracy-building and partner with the European Union across the board on election monitoring and so on.

The other major problem is Russia. I disagree with the noble Lord on this—against the opposition of the UK delegation, but I am not so sure about the UK

Government. We voted in June to readmit Russia, giving the benefit of many doubts, despite 17 record in Georgia, Crimea, Syria, of interfering in democratic elections and, of course, the poisoning in Salisbury. I suspect that it was Russia's financial contribution which played a substantial part, but it does harm the credibility of the Council of Europe as a forum for human rights.

My final question for us all is: how do we in the UK maximise our role in Europe, post-Brexit? Clearly, we must seek to use all institutions which bring us closer to Europe. This means NATO, and it also means bilateral relations and relations with cultural institutions such as the Council of Europe. We were there at the start and have played a major role. Surely, now we must examine how we can make our contribution to the Council of Europe more positive. For example, we can make a voluntary contribution to the work, because of the budgetary problems. We can drop, with the Italian ultra-right, the objection mentioned by the noble Lord, Lord Balfe. I hope that the Government are already examining how best we can take the Council of Europe more seriously and enhance the UK's role in Europe more generally.

6.22 pm

Baroness Smith of Newnham (LD): My Lords, I am grateful to the noble Lord, Lord Balfe, for initiating this debate. As he pointed out, many of the contributors to this debate are delegates to the Assembly. I rise as one of the few contributors who is not a delegate, and I will come back to that point in a moment.

As the noble Lord, Lord Anderson, pointed out, the Parliamentary Assembly of the Council of Europe goes back 70 years. It is a precursor to the European Parliament. Unlike the European Parliament, it is not directly elected, although it is very much the reason why the European Parliament was established—that goes back to the idea of Pandora's box letting out Trojan horses. The view when the European Coal and Steel Community was set up was that if the Council of Europe was to have an assembly, there needed to be a democratic element to this new European community as well.

Almost immediately, the European Parliament—or the common assembly, as it was known—saw delegates sitting together not as representatives of their own member states in national groups, but in parliamentary groups working on a cross-national basis. Gradually, the Parliamentary Assembly of the Council of Europe did the same. Therefore, the British delegates do not sit as British delegates but as members of cross-party or parliamentary groups. This is important, because it enables representatives of the British Parliament to talk to fellow parliamentarians from other member states as parliamentarians. At the time of leaving the European Union—assuming that we do—the UK will remain part of the Council of Europe and the Parliamentary Assembly of the Council of Europe, Brexit or no Brexit, deal or no deal. This will be one of the fora that places greater emphasis and importance on parliamentarians speaking to their opposite numbers: to fellow European parliamentarians.

Clearly, the appointment and the role of parliamentarians is a matter for Parliament, not for Her Majesty's Government per se. We have a new Prime

[BARONESS SMITH OF NEWNHAM]

Minister, and I am delighted that the Minister is still in his place at the moment—it is 6.25pm. We very much hope that he will remain there, not only because he is an excellent Minister but because we would, I suspect, like to conclude this debate today. However, I have some questions for him to send back to the Prime Minister and the other place. If our contribution to the Parliamentary Assembly of the Council of Europe is to be important, may I suggest that the Minister point out to the Prime Minister and his colleagues in the other place that representation is important and that in order to continue having the sort of influence the Prime Minister suggested this afternoon on the steps of No. 10 that he wants to have for global Britain, it will be important to send the right people to participate in the assembly. That is important for parliamentary reasons and party reasons—but far be it from me to suggest who the Tories ought to send.

The noble Lord, Lord Balfe, pointed out that some parties are not represented in the Parliamentary Assembly of the Council of Europe. The first party in the European Parliament to come together with its fellow parliamentarians was the Liberal family. At present there are no Liberal Democrats in the assembly because the appointments are made on the basis not of the election results per se or the composition of Parliament, but of the composition of the House of Commons. I wonder whether the Minister might consider this. After the next general election, which we are led to believe might be quite soon, the composition could be designed not on the basis of the number of MPs a party has but on its percentage vote in the most recent general election. That would perhaps be a little more representative. There may not be a Liberal Democrat representative in the Parliamentary Assembly of the Council of Europe at present, but, we will be back.

6.27 pm

Viscount Waverley (CB): My Lords, I concur in paying tribute to the Minister. His professionalism is illustrative of the finest traditions of this House, and we thank him.

The United Kingdom faces a raft of challenges globally. Engagement on mutual interests while confronting disagreements and upholding our values in a changing world order, where our ability to impact was once greater than it is today, is essential. Therefore, access, and keeping channels open, are critical. The UK does not agree with Russia in multiple areas. Events last year made political dialogue challenging. However, there are opportunities to advance co-operation: in the sciences, the arts, in education and in business-to-business discourse, with Prince Michael of Kent shortly to lead a British delegation to Moscow, to name but a few.

The effectiveness of sanctions is sometimes questioned. While I am an optimist by nature, I do not foresee Russia leaving Crimea any time soon, and eastern Ukraine remains an open wound. The respective chairs of the All-Party Parliamentary Group on Russia and the UK inter-parliamentary group—the IPU—unequivocally countenance no dialogue between parliamentarians at Westminster and in the Duma. Late last week I received

an unexpected call from Moscow, informing me that the head of the Duma is poised to extend an invitation. Joint membership with Russia of the Council of Europe is an enabler, thus removing impediments of a practical nature, as costs would be covered.

I note that thus far in 2018-19, the German Bundestag, Italian Senate, Finnish Parliament, Irish Parliament and French Assemblée Nationale have held inter-parliamentary discourse. The time has therefore come when a missing component of the relationship, that of parliamentarians broader than the Council of Europe, should be part of an engagement and possible reset process, while remembering that a bilateral relationship is not a single preserve but the sum of all its parts.

6.30 pm

The Earl of Dundee (Con): My Lords, I join others in thanking my noble friend Lord Balfe for introducing this debate. I will touch briefly on three points: the type of pattern which is evident when we look at the contributions of House of Lords Members to the Council of Europe; why this work has been of such high value; and the ways in which it should now be sustained and continued.

After the collapse of the Iron Curtain, a key challenge was how to assimilate the states previously within the Warsaw Pact. After 1990, all of these states were keen to join the Council of Europe. The pragmatic formula for it was put in place by Lord Finsberg when he became president of the Council of Europe's parliamentary assembly from 1991 to 1992. Straight away, ex-communist European states could be guest members without voting rights. However, to become full members they would have to be monitored over time. This ensured that before becoming so, they would have sufficiently met Council of Europe standards for human rights, democracy and the rule of law. It was a huge achievement.

Assisted by that achievement during the 1990s, the affiliation was able to grow to its present number of 47 states espousing Council of Europe values. Thus, while it includes the EU's affiliation of 28 states, the council still outnumbers the latter by a further 19. In the 1990s, groups of three parliamentarians monitored the status of applicant states; in my case that of Croatia, whose current Foreign Minister many of us were delighted to witness being elected last month as the Council of Europe's first Secretary-General from its post-1990 member states. Along with Lord Finsberg, Lord Russell-Johnston, who was parliamentary president from 1999 to 2002, is also now recalled with much gratitude by all new member states for his encouragement to them to play an active part.

The first Earl of Kilmuir, David Maxwell Fyfe—best known as Lord Chancellor from 1954 to 1962 yet also for his earlier skilful and even-handed conducting of the Nuremberg trials—in 1950 chaired the committee which drafted the Council of Europe's central document: the European Convention on Human Rights. Over the 70 years since 1949, Members of this House have consistently made significant impacts. Today, limited time allows me to mention only a few examples concerning present and recent colleagues. The noble Lord, Lord Judd, visited Grozny several times and prepared until 2003 a number of reports on the war in Chechnya for the political affairs committee, which as a result was able

to determine the parliamentary assembly's position towards Russia at that time. The late Lord McIntosh of Haringey was the assembly's first rapporteur on media freedom and created the Council of Europe's platform for the protection of journalists. The position of general rapporteur on media freedom is now ably held by the noble Lord, Lord Foulkes.

There is probably a corollary: that the Council of Europe's consensual priorities of democracy, human rights and the rule of law will in any case tend to guide in a certain direction the energies and attitude of mind of its parliamentarians towards their work. Such priorities, transcending party politics as they do, instead inspire a collegiate and constructive approach. To a large extent, this applies at three levels: between Council of Europe parliamentarians internationally; within the Commons' and Lords' UK delegation itself; then cross-party between Members here, not least since working together cross-party and effectively is one of the proven qualities of your Lordships' House in the first place.

Finally, in view of Brexit, the United Kingdom should be very grateful that our membership of the Council of Europe will nevertheless continue. However, as the noble Lord, Lord Anderson, has already observed, in that connection does my noble friend the Minister agree that we must become much more proactive in understanding what the Council of Europe has to offer, then in identifying new opportunities and carrying them out?

6.35 pm

Baroness Massey of Darwen (Lab): My Lords, I thank the noble Lord, Lord Balfe, for initiating this debate. I hope that at some point we will have a much longer one, as this is an important issue for the past, the present and the future. The UK was significant in the creation of the Council of Europe and continues to make a significant impression. Of course, whatever happens with Brexit, we shall continue as a member of an organisation which has been called the "democratic conscience" of Europe.

I am proud, along with notable colleagues, including many here today, to be a delegate to the Parliamentary Assembly of the Council of Europe. My experience, and that of colleagues, is that this is a two-way process. We give a lot to the Council of Europe and also gain a lot from it. Many of us have expertise and experience in particular fields, such as international affairs, equality of opportunity, health, disability, culture, freedom of the press, and so on. My own contribution comes from a passion for the rights and welfare of children. I have been fortunate enough to use this experience in producing recent reports on adolescent health and violence against children, which I presented last week at the UN in New York as part of discussions on the sustainable development goals. I now have two ongoing reports: on the abuse of children in sport, and on developing an initiative to promote the participation of children in the Parliamentary Assembly of the Council of Europe.

What is the importance of all that we do in the Council of Europe? As regards children—I mean those up to the age of 18—this year is the 30th anniversary of the UN Convention on the Rights of the Child, which has been almost universally ratified, including in the UK. It is important for us to be connected to international

organisations, in Europe and globally, including at the UN. We have a very active all-party parliamentary group on the sustainable development goals, but conventions and declarations are an inspiration: a means by which nations can translate such declarations into local action in their own countries and communities. Local action must follow national and international action for it to be of any use, and so that it can be supported and evaluated.

Violence against children, as we know, continues to be a scourge across the world. Continued vigilance is necessary to protect children from this appalling threat. It is destructive and dehumanising. The Council of Europe has led campaigns and produced reports and decrees. Nations in Europe and in the UK have done the same, and we have contributed to those Council of Europe declarations and reports. The participation of children in our democratic societies and institutions is becoming standard practice in many strategies; for example, in our own NHS long-term plan, and in the panels of voluntary organisations and local authority panels. Many schools have school councils. I want to expand this participation in the Council of Europe, which already has an active youth division. This is why I want the participation of children to be common in the Parliamentary Assembly.

We work hard on the Council of Europe; it is not a holiday. We sometimes work from 8 am until 11 pm or later. I think that we are respected for our dedication and our contribution to discussion and decisions. I hope that this is recognised by the Minister and his colleagues. The Council of Europe is not well-known enough, either in your Lordships' House or in another place. Can the Minister explain the mechanisms by which the Government keep in touch with the activity of the Council of Europe? I ask this for clarification not for those Members here today but for the information of this House and, perhaps, as a precursor to another debate.

6.40 pm

Lord Blencathra (Con): My Lords, I congratulate my noble friend Lord Balfe on securing this important debate on a great British success story; namely, the creation of the Council of Europe and the contribution made by UK Members of both Houses of Parliament. The whole United Kingdom delegation is highly respected in Strasbourg.

I want first to thank two noble friends: my noble friend Lady Wilcox, who suggested that I apply to join the Council in the first place, and my noble friend the Chief Whip, who had the courage, if not the wisdom, to appoint me.

I can assure the House that every noble Lord on the Council serves on at least one committee and they more than pull their weight—I am amazed at the work they do. All the committees spend an awful lot of time drafting reports—far too many, in my opinion—and those reports get a fair bit of coverage, but they are not the most important thing that colleagues do.

The noble Lord, Lord Foulkes, works on the Venice commission. The noble Lord, Lord Anderson, is on the committee which selects judges for the Court of Human Rights—I am a part-time substitute for him

[LORD BLENCATHRA]

on that committee. The noble Earl, Lord Dundee, had a role in a seminal report on culture and the noble Lord, Lord Russell of Liverpool, was selected to lead the delegation to monitor the elections in Ukraine last weekend. Of course, Ukrainians had walked out of the assembly in rightful outrage at the wrongful decision to readmit Russia, but it was the first time that a Peer had been selected to lead an election monitoring mission. These tasks are much more important than the reports, although not many people know that, as Michael Caine might say.

Having a great interest in elections and how they are run led me to apply for election monitoring. Last year, facilitated by the wonderful staff who organise election monitoring, the Council allowed me to travel to many countries. I was part of the team which monitored elections in Azerbaijan, then Turkey, then the stunning Georgia, then that failing state Bosnia-Herzegovina, and then the presidential elections in Ukraine in March this year. I could not manage to do Armenia and I did not think that my other, little dinky wheelchair could cope with the snow in Moldova in February—so I chickened out of that one.

In all these missions, we published our findings on whether elections were free and fair using international standards. In nearly all cases they were not, Turkey being a perfect example of a stolen election. The irregularities on the day were minor, but the dirty work had been done in the two to three years beforehand: locking up without trial one's main opponent, owning or controlling 90% of the media, abusing all state resources for the political campaign, and banning any candidate, except Erdoğan, from appearing in a photograph with the Turkish flag. Other countries monitored also had rich oligarchs using their wealth and power to sway the results.

Such election monitoring missions are a crucial part of the work of the Council of Europe. The missions help to ensure that the universal values upheld by the Council of Europe are more widely known and that European states are committed to democracy, the rule of law and human rights. I understand that, since 1989, the assembly has observed more than 140 parliamentary and presidential elections in Europe and sent more than 1,800 parliamentarians to monitor them.

Let me thank the brilliant team in Strasbourg who organise the election monitoring missions: Daniele Gastl, Anne Godfrey, Franck Daeschler, Chemavon Chahbazian, Bogdan Torcatoriu and Sonia Sirtori—and there may be others. Not only do they draft reports for us but they organise all the teams to visit polling stations, and I am particularly grateful that they go out of their way to find accessible polling stations for me to get to in my little wheelchair. There is one other person whom I should mention. A brilliant number-cruncher from Sweden, Anders Eriksson, stays up all night of an election and number-crunches the hundreds of reports that we send in during the day. By 8 am next morning, he has a detailed analysis of every single thing which went right and wrong. That is what makes our reports so authoritative.

Finally, let me thank Nick Wright, the long-suffering secretary of the UK delegation, and his team for their fantastic work in getting all 28 of us—not just Peers—to

more than 100 meetings all over Europe, with all of us travelling at different times in different ways. That is another great British success story. I laud the work they do in helping us make the Council of Europe so successful.

6.45 pm

Lord Adonis (Lab): My Lords, the Foreign Secretary has been dismissed and a new one has not yet been appointed, so I think that, at this moment in time, the noble Lord, Lord Ahmad, is the Foreign Minister of the country. He has supreme power. I hope that he uses it wisely in whatever statements he chooses to make at the end of the debate. Perhaps I may say also that I hope that he is not a member of the next Administration because I am told that, to become so, one has to give a pledge of willingness to contemplate no deal, and I am sure that the noble Lord, whom we respect deeply, would not do anything quite as misguided as that.

I begin with a confession. I have never served on a committee or delegation of the House; I have always taken GK Chesterton's view:

"I've searched all the parks in all the cities—and found no statues of Committees".

However, I pay tribute to those noble Lords who have taken on this work, which I think is important. The speech of the noble Lord, Lord Blencathra, alone demonstrates that, because the work of the Council of Europe in monitoring elections and seeing that they are free and fair across Europe is at the bedrock of what it means to have a Europe of civilisation and democracy.

The issue which it is worth us addressing in this debate, and on which I would welcome the Minister's views, is what benefits we get from the Council of Europe. I am all in favour of its existence, being of the view that the best leader that this country has had by far in the past century was Winston Churchill, who saved Europe and inspired a democratic and free Europe by his own example. Of course, one of the great ways in which he did so was through the foundation of the Council of Europe, and he was its first chairman in 1948. In preparing for this debate, I read his speeches as chairman and they are phenomenal. However, the question as to what we gain is a big one. In two respects, the Council of Europe's record is ambivalent. The challenge for us—I do not think that anybody thinks that it should end—is how we improve on it.

The first respect in which the Council's record is ambivalent is that it is clear that it has not played much part in reconciling Britain to Europe in any meaningful way. Given what is happening to the country, with us leaving the European Union and having a greater *froideur* in our relations with Europe than at any time since 1945, we cannot honestly say that the Council of Europe has played much part in making us, or even our political class, more European. I am afraid that I have not read the reports to which the noble Lord, Lord Blencathra, referred; all I can say is that they impinge hardly at all on the public debate in this country. As I listened to noble Lords, I wondered whether I could think of any contribution which the Council of Europe has made recently to the public debate in this country, and I can think only of one—which I will come to in a moment.

In his great first speech as chairman of the Council of Europe, Churchill said:

“It is impossible to separate economics and defence from the general political structure. Mutual aid in the economic field and joint military defence must inevitably be accompanied step by step with a parallel policy of closer political unity”.

That is the prospectus for the European Union, and it is the European Union which Britain is in the act of seeking to leave. Churchill's own legacy and own injunction to the Council of Europe is not being honoured in Britain's relationship either with the Council or with the other European institutions. That side is clearly very depressing.

It is therefore clear that the Council of Europe has had almost no impact whatever in reconciling Britain to Europe; it has enabled some British politicians to play a role, such as that of the noble Lord, Lord Blencathra, in election monitoring and so on, but it has not had a more fundamental impact. A further question is whether it has played a role in instilling wider human rights, respect for human rights and democratic rights in the wider Europe. That question hangs on whether Turkey and Russia, which are the two most problematic members of the Council of Europe in terms of their respect for human rights and democracy, have a better record and whether we are able to make a more constructive contribution to engaging them in democracy and human rights as members of the Council of Europe than would be the case if they were outside and we were therefore able to be more critical. Listening to this debate, I am not sure what the answer is, and I do not think that noble Lords are sure. We have heard some noble Lords who think that we should engage more closely with Russia and others who think we should not. I am not sure. All I can say is that things are pretty desperate in both cases. We have near-dictatorships in both Turkey and Russia; there is only a figleaf of respect for democracy and human rights in both countries. However, the cause has not yet been completely lost, so maybe one can argue that it is worth continuing with the dialogue as members.

The one undoubted benefit in both cases, it seems to me, is the abolition of the death penalty. My understanding is that it is not possible to be a member of the Council of Europe and have the death penalty. If Turkey and Russia were not members of the Council of Europe, given what has happened to their politics in the last 10 and 20 years, they probably would now have the death penalty. If it is our judgment that that has been an achievement, then all the work of noble Lords in attending these endless committees from 8 am until midnight will have been worth while.

6.50 pm

Lord Foulkes of Cumnock (Lab Co-op): My Lords, I join in the universal thanks to the noble Lord, Lord Balfe, for securing this debate today. I declare an interest as a member of the parliamentary assembly. It is my third time. I was there in the 1980s and the early 2000s and here I am again. In fact, every time I get kicked off the Front Bench, the Government or whatever, I seem to find my way to Strasbourg.

The history and the role of the Council of Europe are not always understood—certainly not by the public and not by Parliament, as was said earlier. Nor by

some of our colleagues either: I shall try to work on my noble friend Lord Adonis. The Council of Europe represents this great post-war vision, which placed such value on human rights, democracy and the rule of law. It is not widely known that we in the parliamentary assembly, Members of Parliament from these 47 countries, elect the judges to the European Court of Human Rights. Would it not be good if we in the United Kingdom elected our judges? It is a democratic organisation—people are a bit doubtful about that, but it might be—and we elect the human rights commissioner as well. These three things are still the priorities of the Council of Europe.

I say to my noble friend Lord Adonis that the Council of Europe is the Carlsberg of European institutions—it reaches the parts of Europe that other organisations do not, such as Russia and Turkey. He did not mention Azerbaijan. The reason that Belarus is not a member is that it has the death penalty, so that is something, as my noble friend admitted. It also helps member states to recognise the steps they have to take, not just when they apply for membership of the European Union—which is important and we should remain; my noble friend and I agree on that—but it also presses them in the right direction. Its founding purpose is as relevant today as it was in 1949. The 47 countries still there spread all the way from Iceland to Turkey, from Portugal to Russia, including Switzerland and a range of different countries.

I shall talk briefly about what some members are doing. I have the pleasure of sitting on the culture, science, education and media committee—it was mentioned earlier—and I am the general rapporteur on media freedom and the safety of journalists. I am producing a report that will be published by the end of December and I can tell the noble Lord, Lord Ahmad, that I had the great pleasure and privilege of attending a global conference organised by the Foreign and Commonwealth Office. It was the inspiration of Jeremy Hunt. It is a pity he is gone; he was a great Foreign Secretary. It was a fantastic conference, attended by 1,000 people down at Canada Water. I went along to explain the work of the Council of Europe and more than 250 people came to the session I spoke at. I explained to them that under Article 30 of our human rights charter, media freedom and the safety of journalists are essential. We have this platform, as described earlier, where 12 trade unions and human rights organisations put their information and it is publicised by the Council of Europe. It puts pressure on the countries imprisoning journalists to do something about it. It names and shames those countries.

We are doing something, but we recognise that we have more to do. My socialist colleagues are working hard. As someone said, my noble friend Lord Anderson has done a great deal of work on the legal affairs committee. My noble friend Lady Massey has done a great deal of work on violence against children, helped by my noble friend Lord Touhig. We must not forget my noble friend Lord Prescott, who was our leader with great distinction for many years. He recently completed a report on climate change, which included recommendations on how member states should oversee the implementation of the Paris agreement. I also acknowledge the work of the noble Lords, Lord Balfe,

[LORD FOULKES OF CUMNOCK]

Lord Blencathra and Lord Russell, the noble Earl, Lord Dundee, and the noble Baroness, Lady Eccles. She cannot be here today, but I can testify that she does an excellent job on the committee with me. They make great contributions and the great contributions of the British delegation are really respected by the other countries. The way they react to us is very impressive. I have had the great pleasure of making contact with senators and members of parliament from all over. In fact, I am going to Italy tomorrow, as the guest of Senatore Roberto Rampi, to look at the working of the Italian Senate. Lots of things come out of this.

I hope we are not leaving the European Union—I hope we can stop that—but, although we anticipate leaving it, I want to ask the acting Foreign Secretary, as we understand he is now, to take this opportunity to make a commitment from the Dispatch Box that, whatever happens, we will stay in the Council of Europe. The work we are doing there will be even more important if we, sadly, come out of the European Union. It would be an absolute tragedy if the United Kingdom were not to participate fully in the work of the parliamentary assembly and the Council of Europe as a whole.

Finally, I echo the thanks of the noble Lord, Lord Blencathra, to Nick Wright and the staff for the work they do to get us there and back safely. I also pay tribute to Sir Roger Gale. I never usually pay tribute to Tories, but he conducts and leads our delegation with tact and skill and involves all the parties. I thank my colleague Martin Whitfield, who is now leader of the Labour group and who works, as I do, with the noble Baroness, Lady Goldie, who is about to ask me to do what I am about to do, which is to sit down.

6.57 pm

Baroness Hooper (Con): My Lords, it is important to have this debate at a time when we as parliamentarians need, more than ever, a forum to meet and discuss issues with colleagues from other European countries. It is also important to point out that the Council of Europe has always represented the wider Europe, that it is good value for money and that we were founder members way back in 1948 when we were emerging from the Second World War. Incidentally, Turkey was also a founding member. When people question the appropriateness of Turkey being part of Europe, it is important to remember that.

There has always been confusion because the Palais de l'Europe, the seat of the assembly, is in Strasbourg. Subsequently, of course, that is why the European Economic Community decided to have its assembly, which eventually became the directly elected Parliament, in that city, which is so significant of the past divergence of Europe, and the wars fought in Europe. There was a lot of urging from Monsieur Pflimlin, whom many of us will remember as the very effective Mayor of Strasbourg. So we must thank my noble friend Lord Balfe for giving us this opportunity to clarify the role and the value of the Council of Europe.

I am no longer a member, but I served for 10 years in the Council of Europe—two five-year terms in fact. The first started in 1992, a very significant moment when most of the new democracies from eastern and central Europe were able to join the first international

organisation it had ever been possible for them to join. I remember having a meeting in those early days in the Parliament in Budapest, which of course is very similar to our Parliament in its history and architecture. At that time, we had an additional role as members of the WEU, the Western European Union, which looked at the defence aspects of our relationships with other European countries.

I was fortunate to be asked to serve on the committee for education and cultural heritage, and eventually became its vice-chairman. We played a very useful role in tackling various issues affecting cultural heritage—the trafficking of stolen objects after war and so on. I also firmly believe that there is no better way to understand the point of view of someone from another country than to understand and appreciate their culture. It is worth mentioning that all members of the European Union first had to be signatories to the European convention on cultural heritage, as well as the European Convention on Human Rights.

I also served on the then economic affairs committee. It was valuable that that committee reported annually on the OECD, the World Bank and the European Bank for Reconstruction and Development. It was the only public forum in which these international organisations could be monitored and their leaders questioned and called to account. I understand that that has been discontinued. That is a great shame; maybe it could be reconsidered.

The main focus has always been human rights. I was there when Russia was originally admitted as a member of the Council of Europe, and much the same considerations as have applied recently to its readmittance as a member were considered then. It was felt that it would be more useful and possible for Russia to right its human rights situation within the Council of Europe than outside it.

The other roles that have been mentioned, such as monitoring of elections, are vital. The Brits have always made a good contribution. All in all, I hope my noble friend will be able to reassure us that the United Kingdom will continue to make the most of our membership of the Council of Europe.

7.02 pm

Lord Russell of Liverpool (CB): My Lords, I also thank the noble Lord, Lord Balfe, for making this evening's discussion possible.

I have had the pleasure and privilege of being a member of PACE since January 2018. This has been my first experience in my working life of working in cohabitation with professional politicians, and I would describe it as very educational. I am the only member of the UK delegation who is politically unaffiliated—I am the only representative of the 180-odd Cross-Benchers. I sit with the European Conservatives Group because that happens to be the political grouping of the Government of today. Should there be a general election and our new Prime Minister gets it wrong, as he is quite capable of doing, I will move across to whichever political grouping the next Government of the day happen to belong to. All I would say about sitting with the European Conservatives is that it is even more educational.

The UK, as has been said, was a founding member of the Council, and its work over the years has been and is highly regarded. However, it would be fair to say—the noble Lord, Lord Adonis, referred to this—that Brexit has caused a considerable amount of baffled and rather genuine concern about our current democratic well-being. I now introduce myself in Strasbourg as Simon Russell from the “Dis-United Kingdom”, which breaks the ice diplomatically; people then feel free to ask the questions they are dying to ask, such as, “What on earth is really going on in your country?” I tend to respond, “How long have you got?”

I have the privilege of being a member of the Committee on Migration, Refugees and Displaced Persons, where it is an enormous privilege to work alongside other colleagues of very diverse political hues, ranging from extreme internationalist left to hard-line, and frankly slightly unpleasant, anti-immigrant nationalist right. The committee was able to visit Jordan in March last year, together with the noble Earl, Lord Dundee—or, as he is known in the Council of Europe, Mr Dundee, since our international colleagues find dealing with our titles somewhat challenging. We went to the largest refugee camp in Jordan, which contains no less than 80,000 Syrians. We also had an interesting experience when we met His Majesty the King of Jordan and our slightly overwrought and overcome chair kept addressing him as “Her Majesty”. The benefits of a British boarding school education followed by Sandhurst meant that he kept a completely stiff upper lip.

Helping emerging democracies evolve and mature, as the noble Lord, Lord Blencathra, has mentioned, is a key element in our work, particularly since the break-up of the USSR. I had the privilege, along with the noble Lord, Lord Blencathra, of being part of the PACE monitoring team for the 2019 Ukrainian presidential election. They elected a comedian. Our Conservative Party has followed suit. In both cases, it is too early to tell whether this will be a successful strategy.

To return to the question of the noble Lord, Lord Adonis, about what the Council of Europe is for and what we get out of it, I was reminded when he was speaking of John Fitzgerald Kennedy’s famous phrase: “Ask not what your country can do for you but what you can do for your country”. With our long traditions in this country of democracy, human rights, freedom and habeas corpus, one of the gifts we try to give to countries that have been less privileged in their history is the insight and benefit of the ups and downs of our journey in trying to establish that sort of democracy.

It is vital to maintain a focused and international dialogue above and beyond the mindlessness and sheer ill will that seem to feature in our often-intemperate political discourse. The Council reminds us of a higher purpose and enduring values and is a salutary antidote to the atomisation of the international order and the raucous sounds of testosterone-rich nation states. Standing up for and seeking to reinforce and extend human rights provides a moral compass and a universal theme which our continent and—goodness knows—our country, in its current rather febrile state, sorely need.

7.07 pm

Lord Collins of Highbury (Lab): My Lords, I too thank the noble Lord, Lord Balfe, for initiating this debate. The news this evening is that the three key departments of state dealing with international relations all have new Secretaries of State. Dominic Raab is now the new Foreign Secretary. I am confident that the noble Lord the Minister will continue with his duties; I know that he is considered a very effective Minister not only by his own party but by all sides of the House. The changes that we have heard tonight are massive: 16 Cabinet members are going, with those three key international departments dealing with diplomacy—the FCO, DfID and defence—all changing at a very critical time for our country.

Tonight’s debate highlights the importance of parliamentarians in international relations, an often-forgotten but important ingredient in creating a much safer world. It is certainly more effective in establishing a dialogue. It has been really important to hear from everyone tonight the significant contributions that our representatives make on a range of issues. That was particularly evidenced by the noble Lord, Lord Blencathra, with regard to how we secure, defend and extend democracy. However, I was particularly glad to hear my noble friend Lady Massey refer to the sustainable development goals, which are an important element in making a safe and secure world. They are the responsibility of all countries, not just developing countries, and certainly the voluntary national review we have just undertaken was a key ingredient in showing the world that we take our responsibilities seriously and are not just preaching to others—it is something we have to do ourselves. Whatever happens in the next few months, we will continue to be members of what my noble friend referred to as the democratic conscience of Europe.

Noble Lords have focused this evening on the readmission of Russia. As my noble friend Lord Anderson reminded us, Russia has fomented conflict in Ukraine, illegally annexed Crimea, repeatedly violated the national airspace of several European countries and mounted a sustained campaign of cyberespionage and election interference. We should not forget the Litvinenko public inquiry, which concluded that in all probability his assassination had been carried out at the direct orders of Mr Putin. We also had the investigation into the Salisbury chemical weapons attack, which concluded that the Russian state was responsible. Since 2014, we have participated in sanctions to deliver a cost to Russia, to ensure that it realises the need to change its aggressive actions. However, as the Commons Foreign Affairs Committee said, some interaction with Russia is preferable to none, or, as the former Prime Minister Theresa May put it, “Engage but beware”.

My noble friend Lord Adonis asked an extremely pertinent question about effectiveness and impact, which I will repeat. I have no doubt about our effectiveness and impact as regards building sustainable development and democracy. However, does the Minister believe that the strategy of engaging with Russia will be aided or damaged by expelling it from the Council of Europe?

7.12 pm

The Minister of State, Foreign and Commonwealth Office (Lord Ahmad of Wimbledon) (Con): My Lords, I join all noble Lords in thanking my noble friend Lord Balfe for securing this timely debate. Let us not forget that, in the year that the Council of Europe marks its 70th anniversary—amid celebration but also concern—there has rarely been a time so appropriate for such forthright questions, discussions and debate as we have had this evening. I also welcome this opportunity right from the start to reiterate the UK Government's commitment to the Council of Europe, and to put on record my appreciation of your Lordships—the Members here this evening as well as other noble Lords—and their contribution to the Council of Europe.

I declare an interest as a former member of the delegation to the Council of Europe—one of the first roles I took on back in 2011. I value the incredible work that is done in the Council of Europe, which was excellently articulated by my noble friend Lord Blencathra.

It would be remiss of me not also to express my heartfelt thanks to noble Lords for their kind remarks on my role and my position. There was a moment, as the noble Lord, Lord Adonis, suggested, when I may have moved into a transitional position as acting Foreign Secretary. However, as we have just heard from the noble Lord, Lord Collins, that transition has now ended and a new Foreign Secretary is in place. We wish him well in his future role and endeavours. In doing so, I put on record my thanks to my right honourable friend Jeremy Hunt for the work he did as Foreign Secretary.

I also thank many Members here, not least my noble friend Lord Balfe and other noble Lords, who offer principled efforts as part of the UK delegation to the Council of Europe. They uphold the UK's proud tradition as co-founder and a vocal proponent.

The noble Baroness, Lady Smith of Newnham, asked: do we believe in the Council of Europe? Absolutely. To the question asked by the noble Lord, Lord Foulkes, on whether we will continue to be a member of the Council of Europe, the answer, simply and in short, is yes. As the Minister for Human Rights I have been proud to see the work that is undertaken, particularly in that important area, but I will also be candid and honest and say that much more can be done. I hope that the Foreign and Commonwealth Office continues to strengthen its work with the members of the delegation to see what more focus we can bring, and indeed how we can hold countries which are members of the Council of Europe to account with regard to any failings.

The noble Baroness, Lady Smith, also asked about participation within the Council of Europe as regards the nominations. As she articulated, the internal process of selecting members of the UK delegation is very much a matter for Parliament. She will also know that, while the UK delegation is appointed by the Prime Minister, that is with the agreement of the political parties. This procedure was agreed by the House on 22 May 1992. In 2010, the UK changed the UK's "competent authority" from the Minister for Europe at the Foreign and Commonwealth Office to the Speaker

of the House of Commons. This followed a direct request from the PACE secretariat, and that is the process that is currently followed.

Noble Lords also rightly asked about the Government's belief in the importance of the Council of Europe. I say to the noble Lord, Lord Adonis, that it is important to the freedom of 830 million people, across 47 member states, and it is important for the future of the rules-based international order. We believe in the Council of Europe, because too often we witness a disregard for democratic structures that, while sometimes imperfect, provide incredible anchors to fundamental principles of human rights and the rule of law.

We have seen the wider work of the Council of Europe, which was articulated excellently by my noble friend Lord Blencathra, on the great example of the different missions that are undertaken. I am sure that the noble Lord, Lord Adonis, also heard the various contributions made by other noble Lords about the benefits of our membership. Last year, during the ministerial meeting in Elsinore, Denmark, I was pleased to see freedom of religion or belief and modern slavery become fastened to the organisation's mandate quite directly. As the Minister responsible for those two issues as part of my responsibilities at the Foreign Office, that is the right additional focus for the council. Other current priorities are the defence of freedom of expression, tackling the threat of disinformation, and ending the barbarity of sexual violence in conflict. Indeed, for the new Secretary-General of the Council of Europe, this was a particular priority in her previous role as Foreign Minister of Croatia. I am sure that, among other noble Lords, the noble Baroness, Lady Massey, will be interested to know that the secretary-general will be focused on this issue of preventing sexual violence in conflict zones, particularly against young girls and children.

My noble friend Lady Hooper also rightly mentioned the importance of understanding culture. She put it aptly: to understand people, you have to understand culture, and the Council of Europe plays an important role in this respect. These demanding human rights objectives necessitate an organisation that works determinedly towards a more peaceful existence for us all.

The UK delegation to the Parliamentary Assembly plays an influential part in its work. The delegation itself is a rich example of cross-party co-operation. If I may take a moment, my noble friend Lord Balfe has worked with steadfast attention on the rule of law and the crucial question of the relationship between the European Union and the Council of Europe. I follow closely and have great admiration and gratitude for the work of the noble Lord, Lord Anderson, on member states' adherence to the Magnitsky sanctions—certainly an important area of focus as the UK seeks to legislate in this important area. I also pay tribute to the tireless endeavours of the noble Baroness, Lady Massey, to end violence against children; my noble friend Lord Dundee's scrutiny of the Council of Europe's executive body; the important work that is being done on migration, as we heard from the noble Lord, Lord Russell; and the incredible work that is being done in the area of media freedom and the safety of journalists, which is certainly a priority at the Foreign Office—I pay tribute

to the work of the noble Lord, Lord Foulkes, on this, and I appreciate his kind remarks about the recent media freedom conference.

I hope that that has underlined that the organisation is of paramount priority for the Government, demonstrated this month by the hosting of that conference. These efforts, and those of other noble Lords, are admirable.

The issue of Russia was rightly raised. The UK Government are clear that the recent return of the Russian delegation to the parliamentary assembly in no way legitimises Russia's illegal annexation of Crimea or its destabilising impact in the Donbass—and let us not forget that it was Russia that was responsible for the chemical attack in our own country, in Salisbury. While the issue of Russia's membership remains for the Parliamentary Assembly, it in no way legitimises the issues that we will raise with Russia. The noble Viscount, Lord Waverley, and my noble friend Lord Balfe talked of engagement. Yes, it is important to engage. As Minister for the United Nations, I know that Russia is a P5 member. We engage with Russia on important issues of security and will continue to do so.

Wishing the new Prime Minister well, let us not forget that in his tenure as Foreign Secretary, my right honourable friend visited Russia to try to engage directly and strengthen ties. The actions of Russia on our continent are extremely unfortunate and disappointing. We believe that Russia needs to be held to account, and we will continue to do that through international fora.

The Council of Europe's budget was raised. For many years, the Council of Europe has struggled to focus its budget on corporate priorities. I tell my noble friend Lord Balfe that the zero nominal growth budget that we have applied is not unique to the Council of Europe; it is the policy that we apply to all international organisations to ensure greater financial discipline. However, let me be clear: we are only one of five major contributors to the Council of Europe and currently support the organisation's work with an annual contribution of €33 million. This year, through both the Foreign and Commonwealth Office and the broader UK Government, we have provided additional funds to promote an important focus on issues of terrorism, reduce radicalisation—these have been particular priorities for me at the Foreign Office—dismantle cybercrime, strengthen civil society in Turkey and promote equality in Armenia and beyond.

The noble Lord, Lord Adonis, made an important point about the death penalty. This remains something that we propagate against, ensuring that we retain a focus on all countries around the world who continue to impose the death penalty. It is not humane and we will continue to campaign against it. Yes, the Council of Europe provides another forum to focus on that issue. This work must continue, but continuity demands that the Council of Europe is structured appropriately and continues to strive for positive reform. Therefore, I join my noble friend Lord Dundee, among others, in congratulating the new secretary-general, Marija Pejčinović Burić, on her recent election success. As many noble Lords have urged, the UK Government stand ready to help the new secretary-general stabilise the organisation and implement astute reform of its fiscal policy, operational procedures and the European Court of Human Rights caseload.

As I said, this debate has been both timely and appropriate. The noble Lord, Lord, Lord Foulkes, asked about the British Government's policy. In my view, the Council of Europe has been and will continue to be important to the UK human rights and foreign policy agenda. Our exit from the EU will not diminish the UK's engagement with the Council of Europe. Indeed, I share the view expressed by several noble Lords, including the noble Baroness, Lady Smith, that now is the time to further strengthen our work in this area. Equally, the UK is committed through the European Convention on Human Rights to improving the effectiveness of the court.

Since its founding statute—the Treaty of London here in 1949—our membership has provided a platform for government, parliamentarians, citizens and civil society to ensure that democracy thrives. As the Council of Europe reaches the age of 70, I assure noble Lords that we are again at a time of new beginnings: a time when we can and should ask questions about what more we can do in the Council of Europe; a time when we must stand unshaken in our belief in the universal and indivisible rights that underwrite our freedoms and democracies.

Kew Gardens (Leases) (No. 3) Bill [HL] *Returned from the Commons*

The Bill was returned from the Commons agreed to.

House adjourned at 7.24 pm.

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