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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

Monday 3 February 2020

2.30 pm

Prayers—read by the Lord Bishop of Southwark.

Operation Midland

Question

2.37 pm

Asked by Lord Lexden

To ask Her Majesty's Government when they expect the review of Operation Midland by Her Majesty's Chief Inspector of Constabulary to be completed.

The Minister of State, Home Office (Baroness Williams of Trafford) (Con): My Lords, HMICFRS is not reviewing Operation Midland. On 3 October last year, the Home Secretary directed Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services to undertake an inspection to determine the extent to which the Metropolitan Police service had learned the lessons of Operation Midland. Fieldwork has now been completed and the report is expected to be finalised and published by the end of March.

Lord Lexden (Con): Is it not shocking that not a single police officer has been called to account for the catalogue of errors laid bare in Sir Richard Henriques's report on Operation Midland, while some of those involved have been promoted to high rank? Why do the Government persist in rejecting the Wiltshire police and crime commissioner's calls for an inquiry into Operation Conifer, the botched investigation of allegations against Sir Edward Heath—largely financed by the Home Office—whose shortcomings so closely resemble those of Operation Midland?

Baroness Williams of Trafford: My Lords, Operation Conifer has been scrutinised and it followed absolutely the procedures it would have been required to undertake. Its outcome, while not satisfactory at all to some of Sir Edward Heath's friends and family, has certainly been fully and rigorously tested.

Lord Campbell-Savours (Lab): My Lords, in addition to Carl Beech, two other people who have not been named publicly lied to the Midland inquiry. Why were those two people not named and did either of them make accusations against Lord Janner that were unjustified allegations?

Baroness Williams of Trafford: My Lords, those who have not been charged are rightly anonymous; your Lordships' House is very clear that we should not name people before charge. Whether people are named after they have been through a court process would be a matter for the courts.

Lord Beith (LD): My Lords, in these two cases there was a catalogue of errors and a lack of judgment. While it is important that Governments do not interfere in the investigation and prosecution of crime—anyone who needed reminding of that had only to watch the TV drama about the Stephen Ward case, which illustrated it vividly—what we do expect from government is to ensure that a procedure is in place to learn lessons from monumental failure, so that we know what those lessons are, and then to ensure that they are acted on.

Baroness Williams of Trafford: My Lords, that is precisely why the Home Secretary asked HMICFRS to carry out an inspection to determine the extent to which the Met had learned the lessons of Midland.

Lord Howell of Guildford (Con): My Lords, could my noble friend explain the nature of the further review that the Home Secretary has ordered? Is it for Sir Thomas Winsor to carry out, or for some other body? It is not entirely clear at what it will be aimed and what the purposes are.

Baroness Williams of Trafford: I can tell my noble friend that it is an HMICFRS review. I do not have the name of the individual who might carry it out, but I can certainly find that out for him.

Lord Rosser (Lab): My Lords, I think that many will be puzzled by the Government's Answer to the issue raised by the noble Lord, Lord Lexden. All information from Carl Beech—serving 18 years for perverting the course of justice—regarding Operation Conifer, into Sir Edward Heath, was provided to Wiltshire Police by the Metropolitan Police's investigation, Operation Midland. That is now the subject of a second report, review or investigation—whatever it may be—initiated by the Home Secretary. Bearing in mind the alacrity with which investigations into Operation Midland are initiated, and the similarity and close links between the subject matter and some key figures covered in both Operation Midland and Operation Conifer, why do the Government refuse to do what they have the power to do and set up a proper inquiry into Operation Conifer? Who is someone trying to protect, or trying to damn, by not holding such an inquiry?

Baroness Williams of Trafford: I have said many times at this Dispatch Box that the Government would not set up an inquiry, and that Wiltshire Police could do so if it wished—it has decided not to. On Carl Beech and Conifer, I should clarify that his allegations about Sir Edward were considered at the time by the senior investigating officer in Operation Conifer to have undermining evidence, and a decision was taken not to pursue them further in that case.

Lord Cormack (Con): My Lords, my noble friend the Minister has repeatedly said on the Floor of this House that the Government will not set up the sort of inquiry for which the noble Lord opposite has just asked yet again, but never has my noble friend been able to convince this House why.

Baroness Williams of Trafford: I have explained it many times and I know that I have not convinced this House why. It would be a matter for the police, who are operationally independent of government. It would be up to them if they wanted to carry out an inquiry. As I have said, Operation Conifer has been scrutinised over several layers, and it seemed a very robust and thorough inquiry.

Lord Watts (Lab): My Lords, what is the point of having powers if the Government refuse to use them?

Baroness Williams of Trafford: As I have just explained, the Government would not usually instigate an inquiry in this sort of situation. It would be up to the police to do so, should that be appropriate.

Lord Pannick (CB): The Minister has said several times that lessons have been learned. What are those lessons and how have they been implemented?

Baroness Williams of Trafford: I said at the beginning that HMICFRS was undertaking an inspection to see whether lessons had been learned from Operation Midland. That report is due out at the end of March.

Lord Marlesford (Con): My Lords, do the Government not realise that it is not acceptable to this House or to the country that Sir Edward Heath's reputation should be trashed and no attempt made to have a judicial review, which would be independent and respected, into the circumstances of Operation Conifer, bearing in mind that the chief constable who was responsible for it was subsequently retired in disgrace from another force?

Baroness Williams of Trafford: Where I think I can agree with my noble friend—with the whole House, in fact—is that if false allegations are made against someone, it not only damages their reputation but undermines public confidence. In an instance of false accusation, it may be appropriate to support a prosecution for attempting to pervert the course of justice.

Children in Care *Question*

2.45 pm

Asked by Lord Laming

To ask Her Majesty's Government what action they are taking to prevent children in care being placed in unregistered accommodation far away from their home local authority.

The Parliamentary Under-Secretary of State, Department for Education (Lord Agnew of Oulton) (Con): My Lords, where local authorities place children in independent and semi-independent settings, they must ensure that these are suitable and meet the needs of young people. Ministers have also reminded local authorities of their duty to keep children safe. This is even more important if they are placed out of area. The Secretary of State

made this expectation clear in his letter to local authorities last year. We continue to consider where further action is needed.

Lord Laming (CB): My Lords, I am very grateful to the Minister. I know that he shares my concern about the increased number of children who are being taken into public care, and the effect that that is having on their well-being and development. It is especially worrying that an increased number of these children are being placed in unregistered accommodation, often many miles from the local authority that is responsible for them, simply to put a roof over their head. Will the Minister assure the House that this new Government will give priority to the well-being, safety, care and education of these very vulnerable children?

Lord Agnew of Oulton: My Lords, I assure the House that this is a priority area for the Government. We committed in our manifesto to a review of the care system, which will cover key issues facing vulnerable children and young people. The Government have invested £5 million from our innovation programme to develop new approaches to care placements. This includes supporting local authorities to increase their capacity in residential care and to improve their commissioning practices.

Lord Anderson of Swansea (Lab): My Lords, what priority is given in the guidance to placing children near their homes?

Lord Agnew of Oulton: My Lords, it is always a priority to ensure that children are placed as near to their home as possible. However, there are certain circumstances where this is not wise, such as getting them away from the impact of gangs or where there are deep disputes in their family—but the emphasis is very much on keeping them locally. We have two initiatives, Staying Put and Staying Close, which are both aimed at keeping children locally. Staying Close encourages foster parents to keep the children in care beyond the statutory age, and that is starting to work.

Lord Lexden (Con): My Lords, I commend my noble friend and the Government for their continuing efforts to enable more looked-after children suited to boarding education to obtain places in our state and independent boarding schools. How does the cost of a place in a boarding school compare with other types of provision for looked-after children?

Lord Agnew of Oulton: My Lords, this is an area of particular focus for me. I have made a lot of effort over the last two years to encourage local authorities to be more open-minded about the possibility of boarding school places for children who are being—or who are at risk of being—looked after. The independent sector has offered 40% bursaries for children in these categories. If that is taken into account, it is substantially less expensive than the normal routes that a local authority might take. We have also seen indicative evidence that the educational outcomes are far stronger for many of the children who go down that route.

Baroness Thornhill (LD): My Lords, half of England's £8.6 billion children's services budget is spent on the 73,000 children in care. Surely the two key questions are: why are there so many youngsters in care; and why are cash-strapped local authorities and hard-pressed social workers being driven to take this course of action, which, in my experience, none of them wants to do?

Lord Agnew of Oulton: On the noble Baroness's issue about funding, we have made the tremendous commitment of an extra £1 billion a year to adult and children's social care for every year of this Parliament. We have also invested a further £84 million in targeted and evidence-based interventions to improve the support provided to vulnerable children. The decision on when to take a child from his or her birth parents and put them into the care system is enormously difficult and complex, but it often has to be the case because of disintegrating family circumstances. I assure the House that the decision is never taken lightly.

Baroness Meacher (CB): My Lords, what action are the Government taking to assess the mental health consequences of placing a child in care outside their home local authority area?

Lord Agnew of Oulton: My Lords, the mental health of these children is extremely important. One recent initiative we have introduced is the role of virtual school heads, who become the overseeing official for a child who is looked after in his or her school setting. We are seeing that that is starting to work. They have control over the enhanced pupil premium, which allows funds to be spent on such things as additional tutoring and mentoring, summer and weekend schools and additional support to schools for these vulnerable children.

Lord Watson of Invergowrie (Lab): My Lords, I am not sure that the Minister has grasped the seriousness of this issue. He referred euphemistically to independent or semi-independent homes. These are homes that are unregistered, in some cases illegal, and beyond the purview of Ofsted. It cannot be right that thousands of children are sent there each year, with minimal checks on who is providing the accommodation. Ofsted reported two weeks ago that it had discovered organisations that were, in its words, "gaming the system" by setting up short-term arrangements to avoid registering as a children's home. That cannot be right. I have a simple question that the Minister will not have to refer to his trusty ring-binder for: how can it ever be acceptable for a vulnerable child to be placed in an unregistered home?

Lord Agnew of Oulton: My Lords, I am afraid it is not quite as simple as the noble Lord would like to suggest. He is quite correct that Ofsted has carried out 150 investigations in the last year, and alongside this it has tightened up requirements under its inspection regime for local authorities to share how they monitor children in unregulated provision. However, the reality is that we have an increasing number of older children

in the care system who do not want to be in a traditional fostering situation and want semi-independent living. That is one of the reasons for the increase in this category.

Public Libraries

Question

2.52 pm

Asked by **Lord Bird**

To ask Her Majesty's Government, following the publication of the report by the Chartered Institute of Library and Information Professionals and The Big Issue, *Public Libraries: The Case for Support*, on 15 October 2019, what plans they have to invest in England's public libraries.

Lord Bird (CB): My Lords, I beg leave to ask the Question in my name on the Order Paper, and I bring to the attention of the House my interest in this product.

The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Baroness Barran) (Con): My Lords, the Government are committed to supporting a sustainable, long-term future for libraries in England. We want libraries to be resilient and equipped to meet local challenges—to thrive, not just to survive. The Government announced proposals in December 2019 to increase local government resources by £2.9 billion, meaning spending power will rise by 4.4% in real terms in the year 2020-21. The Government are also investing £125 million, through the cultural investment fund, in regional museums and libraries over five years, starting in 2021.

Lord Bird: I thank the Minister for that reply. Might there be a cross-government problem whereby the Minister for the creative industries is in charge of promoting libraries while the local government Minister actually spends the money? In recent times, 6,000 people have lost their jobs in libraries and we have had 10% shrinkage in libraries, and there has been no intervention by the ministry of culture.

Baroness Barran: I start by thanking the noble Lord for the work he does in this area and for his beautiful blue report, which I have a copy of with me and which makes good reading. He makes a good point about the need for close working between government departments and I would like to think that we have made real progress on that, with the establishment of the Libraries Taskforce, together with the Local Government Association, and the establishment of a clear five-year strategy up to 2021, the *Libraries Deliver* strategy, which the noble Lord will know. For the first time, we have some clear data about libraries; not so long ago, we did not even know how many libraries we had. We are now building a dataset that will allow both departments to make good decisions.

Lord Howarth of Newport (Lab): My Lords, does the Minister recognise that people go to public libraries not only to find books but sometimes to learn digital skills, to access their social security benefits and perhaps even just to keep warm and find some human kindness? Have not the wholesale closures of public libraries over the last 10 years been an assault not only on the concept that reading and learning are precious in themselves but on the very principle of community?

Baroness Barran: The noble Lord is absolutely right that these are invaluable institutions, which often represent a real anchor within communities and are often used by the young, those not in employment and those from black and minority communities. However, I disagree with the blanket picture of gloom that he paints. About 25% of libraries have seen their visits grow since 2010—in fact, since 2006. There is a real divergence in how libraries are responding to the needs of their communities, and we need to learn from those which are most successful.

Lord Tope (LD): My Lords, I must declare an interest as co-chair of the Libraries All Party Parliamentary Group. I have the noble Lord's report as well. The Minister has referred to the cultural investment fund. While it is very welcome, I think only 10% of that fund has actually been allocated to libraries, and it is all capital. The problem libraries have, which is leading to the closures that have already been referred to, is the lack of revenue funding. Arts Council England has recently published its 10-year strategy, which highlights the transformative work of local libraries in their communities. How will the Government ensure that enough revenue funding is available for libraries to sustain this work and ensure that it reaches all parts of the community?

Baroness Barran: The noble Lord is ahead of me if he is confident that 10% of the fund will be allocated to libraries; my understanding is that the split between museums and libraries has not yet been determined. On revenue funding, both elements are important and we are seeing that the successful libraries are the ones that are being most innovative in responding to the needs of their communities, including in digital literacy and other services that they offer. The funding settlement for local authorities this year will help contribute to sustaining that.

Lord Griffiths of Burry Port (Lab): My Lords, I have some confusion in interpreting the figures that are constantly put by one Minister after another giving an indication of the Government's commitment to the Question currently under discussion. They sound like huge amounts, but I have no way of conceptualising them as percentages of or trends towards the kind of progress that we must surely all want. I heard the figures, but can the Minister guess—or, perhaps, do even better—whether the five-year plan she announced a moment ago will undo the losses of the 10-year lack of a plan that is just ending?

Baroness Barran: I do not want to guess at the Dispatch Box, as ministerial careers get cut short if one makes a habit of that, but it is clear that there is

massive divergence between the top-performing libraries—the 25% which are seeing their footfall grow—and those which are seeing their footfall decline. We are trying to understand from those very successful libraries how to replicate that more broadly across the country. One thing that certainly comes out of this is that commissioned libraries appear to be disproportionately represented in that rapidly growing element, so perhaps there is also something about visibility of funding which helps in planning.

Net Migration

Question

2.59 pm

Asked by **Lord Green of Deddington**

To ask Her Majesty's Government how they plan to reduce net migration in the current Parliament.

The Minister of State, Home Office (Baroness Williams of Trafford) (Con): My Lords, as outlined in the Government's manifesto, we will shortly set out plans for a new immigration system that will give us full control over who comes in and goes out of the UK and will lead to an overall reduction in numbers.

Lord Green of Deddington (CB): My Lords, I thank the Minister for her response. I declare my interest as president of Migration Watch UK. I am afraid that I do not have a booklet to wave, but I speak for 30 million UK adults who wish to see immigration reduced.

Noble Lords: Oh!

Lord Green of Deddington: Read all about it on our website, and you will see how we got that figure. Last week, the Migration Advisory Committee made some recommendations that, on its own admission, would result in 16 million jobs becoming open to worldwide competition. Clearly a rapid increase in immigration is a considerable risk, as indeed has happened on a number of occasions, so will the Government, as a precaution, take powers to introduce a cap should that prove necessary?

Baroness Williams of Trafford: My Lords, we will introduce a new, points-based immigration system, and of course we will have the immigration and social security co-ordination Bill later this year. Noble Lords will know that reviewing legislation, having introduced it, will be at the top of the Government's mind when they look at their overall priority of bringing the numbers down.

Baroness Lister of Burtersett (Lab): My Lords, what assessment has been made on provision of care if net migration is reduced? There is real concern in the care sector, as well as in the health sector, that it could cause problems if the noble Lord's aim of reducing net migration were achieved in that sector.

Baroness Williams of Trafford: It is fair to say that the Government want to import the skills needed for the gaps in the market. We are looking to reduce

low-skilled migration overall but will introduce a points-based system focused on skills and talents. That combination will mean that overall numbers will come down, I hope.

Baroness Hamwee (LD): What assumptions have the Government made about people leaving the UK—in other words, emigration, which is a component of net migration?

Baroness Williams of Trafford: There is now net positive migration, which has been pretty much steady over the last few years, so we are not currently seeing net emigration.

Lord Singh of Wimbledon (CB): My Lords, does the Minister agree that a sure way to reduce potential immigration is to consider refugees fleeing from local conflicts, which is made horrendously worse by the intervention and bombing carried out by Russia and the western powers?

Baroness Williams of Trafford: The noble Lord will agree that, as a country, we are absolutely committed to giving people our safety and refuge where they need it and are fleeing war-torn countries. That goes to our values as citizens, and it will continue.

The Lord Bishop of Durham: My Lords, while the MAC's recommendation to reduce the salary cap to £26,500 is welcome, does the Minister agree that there has been a failure to recognise regional differentiation and areas of employment like social care where the levels of pay are much lower? That has not been taken adequately seriously by the MAC.

Baroness Williams of Trafford: There have been several looks at the shortage occupation list. In fact, there does not tend to be a terribly big regional variation between the needs of Scotland, England, Northern Ireland and Wales: the list is pretty similar across the nations. Of course, someone taking up a job in Scotland through a regional shortage occupation list could then just migrate further south if such a system were introduced.

Lord Lansley (Con): My Lords, what conclusion do the Government draw from the fact that my home city of Cambridge is one of the places in the country with the highest level of inward migration and the city with the highest level of employment in Europe?

Baroness Williams of Trafford: As my noble friend will agree, Cambridge is a city with a huge number of people doing research and innovation, and with the best university in the country, I would say—apart from Oxford; I do not want to irritate anyone from Oxford. That is why Cambridge attracts such inward migration within the UK.

Lord Rosser (Lab): Despite the Minister's assiduously giving an impression to the contrary, will she confirm that the only reason the net migration figure has not

been much lower since 2010 has been a—many would say correct—government policy not to reduce net migration from non-EU countries, over which the Government have had control, which has been higher than net migration from EU countries? Will she also confirm that the only reason that net migration might not be lower in future is exactly the same as has applied to net migration over the past decade: a de facto government policy decision that it would not be in Britain's interests to go down that road?

Baroness Williams of Trafford: The Government are absolutely clear that we want the brightest and best to come to work and live in this country. Following our exit from the European Union, non-EU citizens will be treated just the same as EU citizens.

Lord Roberts of Llandudno (LD): My Lords, if we want a cap on net triggers, what about a cap on what is happening in Syria, in Afghanistan and in terms of climate change? These are things we must respond to, if we have any heart at all. Will the Minister go along with this: we must prepare for increased numbers instead of reduced numbers?

Baroness Williams of Trafford: I do not know to which cap the noble Lord refers. We certainly have some very ambitious targets for the people who need our refuge and support from that region. The Prime Minister has already pledged that the UK will take 5,000 refugees from the broader region than just Syria, in this year alone, which is a very generous offer.

Workforce Information Bill [HL]

First Reading

3.07 pm

A Bill to make provision for certain employers to be required to publish information about differences in pay relative to protected characteristics.

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

Public Contracts (Modern Slavery) Bill [HL]

First Reading

3.08 pm

A Bill to make provision for the avoidance of modern slavery in the procurement of public contracts; and for connected purposes.

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

**Duty to Plan for Terrorism
(Consultation) Bill [HL]**
First Reading

3.08 pm

A Bill to provide for a consultation on the introduction of a Duty to Plan requiring Category 1 responders to plan for terrorist threats and requiring those responsible for places to which the public have access to consider the vulnerability of those places to attack and take measures to mitigate any such vulnerability.

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

Marriage Act 1949 (Amendment) Bill [HL]
First Reading

3.09 pm

A Bill to amend the Marriage Act 1949 to create an offence of purporting to solemnize an unregistered marriage.

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

**Fixed-term Parliaments Act 2011
(Repeal) Bill [HL]**
First Reading

3.09 pm

A Bill to repeal the Fixed-term Parliaments Act 2011; to make provision about the dissolution of Parliament and the determination of polling days for parliamentary general elections; and for connected purposes.

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

**Air Traffic Management and Unmanned
Aircraft Bill [HL]**
Order of Consideration Motion

3.10 pm

Moved by Baroness Vere of Norbiton

That it be an instruction to the Committee of the Whole House to which the Air Traffic Management and Unmanned Aircraft Bill [HL] has been committed that they consider the Bill in the following order: Clauses 1 to 7, Schedules 1 and 2, Clauses 8 and 9, Schedules 3 and 4, Clause 10, Schedules 5 and 6, Clause 11, Schedule 7, Clause 12, Schedule 8, Clause 13, Schedule 9, Clause 14, Schedule 10, Clause 15, Schedule 11, Clauses 16 to 21, Title.

Motion agreed.

**Birmingham Commonwealth
Games Bill [HL]**
Second Reading

3.10 pm

Moved by Baroness Barran

That the Bill be now read a second time.

The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Baroness Barran) (Con): My Lords, when this Bill was introduced in this House in the last Session by my noble friend Lord Ashton of Hyde, he began by setting out his hope that it would be welcomed across the House. I need not set out the same wish; the constructive and helpful engagement and support the Bill enjoyed previously shows that to be the case. The scrutiny that this House brought to bear has had a material impact on the work of the Games partnership. Transparency, openness and a commitment to realising lasting Games benefits were all examined in this House.

I am pleased that Games partners listened to concerns about subjecting Games planning and delivery to constructive scrutiny. I know that the organising committee has since spoken with a number of your Lordships and recently wrote to a number of Peers to provide an update on the Games. These preparations are progressing at pace. The organising committee now has more than 100 staff and will continue to recruit right up to the Games in 2022. Work is well under way on each of the major capital projects being delivered for the Games.

Noble Lords, understandably, also focused on the benefits that the Games will bring to the people of Birmingham and the West Midlands. A thriving Midlands is essential to our national economic success and levelling up economic regional growth. These Games will put the city and the region on a global stage, create new jobs and provide improved transport and new community sports facilities. Recently, I saw at first hand early construction of the brand new Aquatics Centre in Sandwell and heard how, following the Games, it will bring important benefits to the local community as a state-of-the-art leisure centre.

Accessibility is another area that rightly saw a great deal of interest and where the organising committee has listened and responded. I know that it is very grateful to the noble Baronesses, Lady Brinton and Lady Grey-Thompson, for their valuable insights. The organising committee has appointed a full-time accessibility manager and established its accessibility forum to inform its strategic approach to accessibility. The forum is growing in size and represents disability specialists, charities and organisations from across the region, meeting on a quarterly basis. This work will inform the creation of the Birmingham inclusive Games standard: an ever-evolving set of principles to define and measure Birmingham 2022's accessibility standards. The organising committee's ambition is that this will be used as a benchmark for future Games.

Another area of interest was sustainability, which Games partners are committed to embedding as a key pillar in the planning and delivery of the Games. The organising committee's commitment to sustainability will be based on the four Cs of certification, carbon, circular economy and conservation, which will be aligned

with the UN sustainable development goals. The organising committee has signed up to the UN Sports for Climate Action framework, which is another first for a Commonwealth Games, and it will look to procure sustainably and locally as far as is possible, thus reducing and limiting waste.

Underpinning these commitments to legacy, accessibility and sustainability is the Birmingham 2022 social values charter. This was published in October and focuses on the five key areas of sustainability, health and well-being, inclusivity, human rights and local benefit. It is now at the heart of the delivery of the Games and is an integral part of the procurement process. More information on these areas can be found on the Birmingham 2022 website and I can confirm that there is a dedicated liaison officer in the organising committee for parliamentary engagement.

While I enjoy setting out all the excellent progress made to date, I would not have fully discharged my duties here if I did not briefly remind noble Lords of the Bill before us. Passing this legislation in short order will help to establish protections around sponsors' rights and provide planning certainty to the Games partners. The Bill brings forward a small number of temporary measures which are essential to the successful operation of the Games.

Part 1 deals with financial assistance and reporting. The former ensures that financial assistance given to the organising committee continues to comply with financial propriety rules set out by Her Majesty's Treasury. The latter, introduced in light of the feedback from noble Lords, requires the organising committee to produce an annual report to be laid before Parliament setting out the details of what it has done in a number of important areas raised by the House.

Part 2 concerns association with the Games and introduces measures to protect against unauthorised association. As noble Lords will know, securing commercial sponsorship is critical to staging a world-class event and to managing public investment in the Games. This can be achieved only when the rights of sponsors are protected and that is what this measure is intended to do.

Part 3 sets out the criminal offences brought forward in this legislation which, as with most other measures, have precedence in previous Games legislation. Under Part 3, the touting of Games tickets will be prohibited; this is aimed at helping the organising committee to ensure that tickets are accessible and affordable. Part 3 also creates offences for unauthorised advertising and trading in and around Games locations. These restrictions will be in place only when and where they are necessary and for no longer than 38 days, ensuring that trading does not obstruct easy movement in the vicinity of Games locations and to provide a consistent look at each venue.

Part 4 concerns the transport powers needed to deliver a Games of this size and complexity. For the Games to be a success, transport in the host city and region must work effectively, both for those living and working around Games locations and the region, and for those involved in the Games. The measures in the Bill are aimed at securing this.

While the substance of the Bill's measures are largely unchanged, there are a small number of changes which have been made since the last Session, some of which I should draw to the attention of noble Lords. The reporting requirement set out in Clause 2 requires the organising committee to report on the exercise of its functions during each reporting period. The Bill as amended on Report provided for the first such period to end on 31 March 2020. As it is now unlikely that the Bill will have achieved Royal Assent by this date, the date has been amended to 31 March 2021. Additionally, Clause 33 has been amended to ensure that alongside the financial assistance provision, the annual reporting provision will be commenced upon Royal Assent.

Part 2 of the Bill prohibits unauthorised association with the Games, and Clause 5 already sets out exceptions to this prohibition. As introduced last Session, the Bill covered exceptions such as where there are pre-existing registered trademarks, fair use or use in literary, dramatic or artistic works, among others. We are of the view that an additional exception for certain providers of information society services is required. This change simply ensures that the Bill fully takes account of the protections, in line with the e-commerce directive, intended to apply to online intermediaries.

In Clause 24 there has also been a small change to the interpretations provision for trading. This is to ensure that a person is considered as carrying out Games location trading if, for example, a seller is inside a Games location but selling to a buyer outside a Games location. Therefore, if an ice cream was sold from a kiosk inside a Games location to a customer outside a Games location, it could still be a trading offence—unless the activity was otherwise authorised by the organising committee or excepted. This aligns with our approach to trading in a relevant public place, where the same principle applies.

In conclusion, I remind your Lordships of the exciting prospect ahead. The chair of the Commonwealth Games Federation Coordination Commission, through which the federation monitors progress against delivery of the Games, late last year reflected that

“Birmingham 2022 will stage a fantastic Games and ... people across the West Midlands, the UK, the entire Commonwealth and beyond should start getting excited about this event.”

This is a fantastic and deserved endorsement of the work of everybody involved. He also touched on the “unprecedented” level of collaboration across the Games partnership and the

“commitment to legacy and benefits.”

I look forward very much to noble Lords' contributions to this debate and thank your Lordships once again for their continued support. It is now 906 days until the Games start, which is why I look forward to seeing this important Bill pass quickly through this House and on to the other place. I beg to move.

3.22 pm

Lord Snape (Lab): My Lords, it is a pleasure to follow the Minister. I welcome her comments, as I am sure they will be much welcomed in Birmingham and the surrounding areas. We spent considerable time in a previous Session of Parliament on this Bill. I do not

[LORD SNAPE]

wish to detain the House by repeating any of the questions I put to Ministers or any of the exchanges that took place on these and other Benches at that time, but there are a couple of points that I wish to raise with the Minister, and I would be grateful if she considers them when she comes to wind up the debate.

She mentioned the aquatic aspects of the Games and rightly paid tribute to Sandwell Council, in whose area the new aquatic centre will be built. I join her in paying tribute. It is an area I know reasonably well. I had the privilege of representing the constituency of West Bromwich East in the borough of Sandwell in the other place for more years than I care to recollect—possibly more years than they care to recollect as well. It was almost 30 years, so I am familiar with the area.

The Minister also talked about the transport aspects of the Games. I wonder whether later she could amplify exactly what provision will be made, particularly for road transport. I do not really have an interest to declare, although I was heavily involved in the transportation aspects of Birmingham and its surrounding areas in the past. I had the honour of chairing the major bus company in the area, Travel West Midlands, before and after it became part of the National Express Group. I know about the difficulty with congestion in the area. It is not only cities such as London or Manchester that struggle, not just in the rush hour but for much of the day. Problems with timekeeping were fairly great during my time as chairman 15 years ago; I am fairly certain that the transport congestion in the city has not improved any in those 15 years. Indeed, I live in Birmingham; I know full well how much worse it has become.

I wonder exactly what the Minister has in mind and what lies behind the clause that says that assistance will be given as far as transport of spectators, as well as competitors, is concerned. The House will be aware of the success of the Olympic Games in London in 2012, when certain roads in London were reserved entirely for traffic going to the Games. I do not know whether that is advocated at present. Travelling by bus from the centre of Birmingham, for example, to the aquatics centre at Londonderry in the borough of Sandwell is by no means straightforward for much of the day. As I understand it, there is also provision in the Bill for the organising committee to issue tickets not just for entry into the Games; perhaps include public transport as well. Would the Minister like to comment on that? It seems sensible and progressive.

The other aspect of transport to which I wish to draw the attention of the Minister and the House attention is Birmingham New Street station. I have in the past possibly overegged the fact that I used to work in the railway industry.

Lord Grocott (Lab): No, we would like to hear about it.

Lord Snape: Fine, I promise not to overegg it too much in the future, although I am sorely tempted if my noble friend will be as complimentary as he appears to be.

Birmingham New Street station is a pretty baffling place to someone with railway experience. The signage there is appalling. For those not familiar with it, the station's platforms are divided into "A" and "B" areas. For someone not particularly experienced with it, particularly someone from abroad, getting from one platform to another is a fairly difficult task. It is not a railway station with some commercial properties; I am afraid it is a shopping centre with a station attached, perhaps as an afterthought. It is the busiest railway station outside London, yet the bus and Metro stops outside are labelled not "Birmingham New Street" but "Grand Central", which is the shopping centre.

Someone coming from abroad will not be too impressed by the signage within New Street station, which says "red lounge", "green lounge" and "blue lounge"—all meaningless phrases. Whoever decided to sign Birmingham New Street in that way obviously got their experience from airports. When the station was being redeveloped, it was expected that passengers would wait in a lounge until their train was called. That is not a habit most railway users are familiar with here or, I suspect, abroad. They are not lounges anyway, but merely different coloured seats—pretty uncomfortable ones, I might add—in various parts of the station. Most people, particularly those going to the Games, will want to know how to get to the various districts in which the different sports are being held. "Red lounge" and "blue lounge" will not be particularly helpful. They will not particularly want to get on a Metro tram or bus labelled "Grand Central" if they are coming back to New Street station. These areas are all up for discussion. I hope something can be done to ease the passage of people arriving and departing by train before the Games themselves.

The Minister rightly praised the city council and the organising committee for the work they have done. Although, as I said, I live in Birmingham, I am not entitled to speak the whole city, but I feel that many of us in the city are very much looking forward to the Games in 2022 and I am pretty sure they will be successful. There are still one or two naysayers in our party on the city council who complain about the cost of the Games, ignoring the fact that they bring enormous benefits to the city in which they are held. In Glasgow, for example, in 2014, more than £740 million was generated for Scotland's economy, while the 2018 Games, on the Gold Coast in Queensland, were expected to deliver a \$1.3 billion boost to the economy in that part of Australia.

We look forward to the 2022 Games in Birmingham. Thanks to the work being done locally, and the support from the Government, they will be as successful as their predecessors in other parts of the world.

3.30 pm

Lord Foster of Bath (LD): My Lords, I am delighted to follow the noble Lord, Lord Snape, who has intimate knowledge of Birmingham. He has raised issues which I am sure the organising committee and the Minister will be taking up.

I am standing in for my noble friend Lord Addington, who is, as we speak, rushing back from Paris. I suspect that he did not enjoy the 24-17 defeat of England by

the French, but I know that he would share the desire of the Minister and everyone on these Benches for the Bill to have a speedy passage. Already the organising committee has been playing catch-up. It took over after Durban pulled out, and things have not been helped by the number of false starts the Bill has already had. Such delays cause significant problems for property deals and in creating the overall development timetable referred to by the noble Lord, Lord Snape. We want to get on with it as quickly as possible.

Reference was made to the Gold Coast. I was there in 2018, and saw the excitement, and the large involvement of local people in the Games, which brought significant benefits to the area, including, as the noble Lord, Lord Snape, said, a £1.3 billion boost to the local economy. I am certain that Birmingham, Solihull and the West Midlands in general will benefit hugely from the Games. As has already been said, those activities will be showcased to 1.5 billion people around the world. There will be jobs created, skills uplifted, improved sporting facilities, and so on. Local people will have the chance to see some fantastic sporting and—I am pleased to say—cultural activities but, critically, we must not forget that a large number of local people will be involved as volunteers, helping ensure that all the people who come to these friendly Games will have the best time possible. I am sure that we all remember the fantastic contribution to the 2012 Olympic Games and Paralympic Games in London made by those games makers. They made such an incredible addition to the enjoyment that we all got.

I was in Singapore when Great Britain learned that it would be hosting the 2012 Games. I then served in the other place on the London Olympic Games and Paralympic Games Bill Committee; I went on to serve on the organising committee. My greatest joy was being appointed deputy mayor of the Paralympic Village. I saw first-hand the enormous contribution that this country has given to Paralympic sports. Many noble Lords may be unaware that during our Paralympic Games, we provided the most amazing facility whereby Paralympic athletes could have any broken equipment repaired. I have checked in the last couple of days with the organising committee for Birmingham 2022, and am delighted that it will be replicating that brilliant facility. Perhaps noble Lords do not understand the full import of something like that, but an athlete from a third-world country came in with a broken running blade and asked to have it repaired. It was a very old, cheap, running blade. When he went to pick up his repaired blade, he said, “This can’t possibly be mine,” because it was a brand new, state-of-the-art blade, but he was persuaded to take it away at no cost. We should never forget that those sorts of things are going on behind the scenes and will be the sorts of things that the organising committee in Birmingham will be working on.

I have seen the highs and lows of planning a major sporting event. I am well aware that the Bill before us has the benefit of similar legislation for other multisport events, including of course the 2012 Games and the 2014 Glasgow Games. That said, as the Minister knows, a number of concerns have been raised and I want to pick up one or two to give the Minister a chance to respond to them. We are well aware that Birmingham

City Council and its partners are going to raise 25% of the estimated cost of the Games—£184 million. Given some of the problems that have already occurred, such as the need to relocate the bus station, which I understand is now going to cost eight times the original estimate—so that is already an additional £15 million to be found—I know that the council has proposed that it should be allowed to introduce a hotel tax of £1 per bed per night, which, over three years, would bring in £15 million. I know there are concerns about that on all sides of the House and within the Government, but it would be helpful if the Minister could bring us up to date with that situation.

However, I suggest an alternative way that the Minister could help Birmingham and others find money in terms of tourism. She may be aware that the UK is one of only three EU member countries that have not reduced the rate for VAT on accommodation and attractions. We have nearly double the 10.8% average rate of VAT across the European Union. No doubt that contributes to the fact that we are now 135th out of 136 in the World Economic Forum’s price competitiveness ranking. The Minister might like to go and discuss with her right honourable friend at the Treasury a reduction in VAT for tourism, because the figures show that after five years over £1 billion a year would be raised by that reduction—after 10 years that would be over £5 billion a year—which would go a long way to paying for very many multisport events in this country in the future.

Another concern has been raised by some elements within the media about the parts of the Bill dealing with the power of the organising committee to authorise and charge businesses to be associated with the Games and gain commercial benefit from so doing. I absolutely support all the measures in the Bill, but the News Media Association has recently written:

“The Bill’s provisions could have a particular detrimental impact upon local newspapers, print and online, serving the communities hosting the Games and most concerned in promoting and celebrating their success.”

I am well aware of the exemptions already in the Bill for reporting and editorial content and the trading exemption for selling newspapers, but is the Minister at least willing to have further consultations with the news media industry to ensure that its concerns have either already been addressed, as I believe they have, or could be with appropriate changes to the legislation?

Like the Minister, I welcome the excellent social value charter, referring to the importance of inclusivity, and she will be well aware that the sporting world has made huge strides in recent years; for instance, in terms of gender equality, the Gold Coast Games was the first major multisport event to have an equal number of medal events for men and women, and there have been huge strides, as I have already mentioned, in terms of competition for athletes with disabilities. We have much to be proud of in the UK, having started the Paralympic Games, and a lot of exciting things have gone on since that time.

Perhaps the biggest innovation was at the 2002 Commonwealth Games in Manchester, where para-athletes were fully integrated into their national teams, making those Games the first fully inclusive, international multisport event. I am delighted to say that Birmingham

[LORD FOSTER OF BATH]

is doing exactly the same. However, while we have made huge strides in terms of para-athletes, I am not entirely convinced that we have made enough strides in terms of spectators with disabilities. While I very much welcome the setting up of the accessibility forum, I hope the Minister will ensure that, for instance, inclusivity is fully covered in the transport plan; for example, the 2012 Olympics were in many ways excellent, but it was very difficult for people with a disability to get a suitably adapted taxi. The other important issue is seating arrangements. It is accepted that there will be sufficient seats or seating spaces for people with disabilities, but the question is whether there will be sufficient flexibility in the seating arrangements to ensure that people with disabilities will be able to sit with their family and friends. I hope the Minister will keep an eye on that issue and have discussions with the organising committee about it.

There is continuing uncertainty about archery and shooting and we need to wait for the outcome of the consideration by the Commonwealth Games Federation. So that there is absolutely certainty, can the Minister confirm that if the federation agrees to allow archery and shooting events to take place in India, the Indian Olympic Association will have full responsibility for all the costs and no additional costs will have to be borne by the Birmingham 2022 committee?

Finally, will the Minister take a particular interest in the important issue of legacy? Every single Games around the world has said that legacy is central to its planning. Legacy has very often been successful in terms of venues that have been left and other developments; for instance, not only will we have a wonderful athletes' village for Birmingham, but it will subsequently create 1,400 homes and, eventually, more than 5,000 homes. I am well aware that there will be structural legacy benefits as a result of the Games. There will be some welcome upskilling and some jobs may continue, but there are a number of areas where there has been real disappointment, not least in sporting legacy. At a time when we are desperately concerned to deal with obesity, type 2 diabetes and so on, it is important that we have robust plans that are followed through with government support after these Games.

I shall end as I started: we hope that the Bill will have a swift passage through both Houses.

3.43 pm

Baroness Young of Hornsey (CB): Lords, first let me restate that, as a fan of most sports, I am delighted and excited that we are hosting this festival celebrating dedication to sporting prowess. Once again, I congratulate Birmingham on having landed this major sporting event and on delivering a credible submission in such a short space of time. I hope the Games will in turn deliver for the West Midlands, especially in terms of incentivising sporting activity at a grass-roots level and economic success.

Although I did not participate in Second Reading of the first iteration of this Bill, I supported the amendments in Committee of the noble Lord, Lord Moynihan, concerning human rights and what might be properly considered as belonging in the Bill. I realise that the

Government's position on this is unlikely to change. However, I want to place on record some of the key issues that deserve fuller recognition as notable challenges for any authority staging large-scale events. I am grateful to Mission 89 for a briefing on some of these issues, particularly those relating to modern slavery and trafficking in and through sport.

I think I am right in saying that the Birmingham Commonwealth Games is the first major international sporting event to take place in the UK since the Modern Slavery Act 2015. The multiple ways in which sport might be implicated in the various forms of modern slavery are beginning to be recognised in the sporting world, but there is still a huge amount of awareness-raising and policy-making to be done, as well as implementation and training to be followed through, as indeed there is across all industrial and business sectors.

In a major advance in thinking and action on modern forms of slavery and sport, the Commonwealth Games Federation has committed to addressing the risk of modern slavery in its workforce and supply chain, and among its athletes, through its human rights policy and modern slavery statement. However, the Birmingham Commonwealth Games Bill currently considers only the financial, logistical and operational aspects of the Games, along with a general commitment to implement the CGF values.

Following on from the noble Lord, Lord Moynihan, and the subsequent discussions that we have had, I argue that this Bill represents an opportunity to bring the commitments to address human rights and modern slavery to the forefront of authorities' planning of major sporting events in the future by putting those commitments into law, thereby setting a precedent for organisers of future major sports events, such as the men's and women's European Football Championships that will be held in the next year or so. Indeed, this Bill could be seen as the start of a process that would ensure that countries and cities bidding to host major sporting events had a statutory obligation to consider and develop strategies to address human rights and modern slavery risks before such events were even awarded. I think that that view is shared by many within the sector, especially by the CGF.

It is important that the Birmingham Games are not seen as an isolated event. They are the culmination of the Transformation 2022 agenda, which the Commonwealth Games Federation has been working on for several years. Transformation 2022 is supported unanimously by all 71 nations and territories of the Commonwealth, so this is very much about the movement and not just about this event in 2022 in the UK. Furthermore, the CGF will be applying these standards to all future Commonwealth events, not just Birmingham. Likewise, the UK might want to consider whether those standards should be applied to any event hosted on UK soil, whether it be rugby, cricket, football, the Olympics, athletics or whatever.

The Commonwealth Games Federation should be recognised for its work in raising the bar in that respect. The 2014 Glasgow Commonwealth Games had a human rights policy, as well as a sustainable sourcing code and grievance mechanism. Furthermore,

Birmingham 2022 is the result of its own Commonwealth movement, which, again, is supported by every nation of the Commonwealth.

Although we might like to feel confident that activities around modern slavery and trafficking will not blight the Birmingham Games, none the less we still need to be vigilant, as Birmingham 2022 acknowledges. Although these Games might have a low risk of modern slavery according to its modern slavery statement, it is important that such risks are considered. The Birmingham 2022 modern slavery statement points out that

“no part of our business is immune to the risks of modern slavery”.

That lesson has been learned in a very hard way by many businesses and industries.

I am pleased to note that the Games statement is more thorough than many of the statements we have seen and analysed from the wider business community. Anyone who has done that task will be in despair about some of the transparency and supply chain statements that have been made in other businesses. However, this one goes through the issues in some detail. That is necessary because instances abound of mega sporting events being used in a variety of ways to lure unsuspecting adults and/or their children into being trafficked, especially young people from poorer backgrounds. I have an example from the men’s World Cup, which, as noble Lords may recall, was held in June 2018. Fifteen children were prevented from boarding planes in Lagos, Nigeria, after authorities noticed that they had only one-way tickets. It is suspected that these children had been supplied with World Cup supporter ID cards by their traffickers and that a corrupt police and immigration officer had been part of the scheme. These unaccompanied children were mostly girls. It is suspected that the traffickers had persuaded the parents that this was a once-in-a-lifetime opportunity to take them out of poverty and to take advantage of the alleged riches on offer in Russia and elsewhere. This is not just an isolated incident.

Although we may feel that such incidents will not be a feature of the Birmingham Games, it is worth thinking about the opportunities offered by the Games to raise awareness among participating athletes and their colleagues. For example, there could be materials that reference how to protect athletes from trafficking, and promotional activities concerning the potential signs of human trafficking and fake agents at the grass-roots level, as well as in supply chains relating directly to athletes. All this could be hugely beneficial to participating athletes. There needs to be much better access to information about the ways in which various interested and criminal parties lure athletes and their entourages into these awful situations. Indeed, the risk of human trafficking in sport should be considered in all measures on child safeguarding.

Moving on from modern slavery, I want to consider the mental well-being of athletes. It is an important human right that athletes should have access to resources and therapeutic measures to address mental health disorders. These disorders are quite common among elite athletes, manifesting themselves in a variety of distressing symptoms.

Although the Bill is designed to fulfil a specific and quite limited function, I feel it would be a missed opportunity not to include more specific reference to the issues that I have outlined. This could build on the excellent work already being promoted by the Commonwealth Games Federation and raise the standards we expect from such events to an even higher level, thus making Birmingham 2022 the new benchmark.

3.51 pm

Lord Moynihan (Con): My Lords, it is a privilege to follow the noble Baroness, Lady Young of Hornsey. She highlights issues that I have had the opportunity to discuss with her—key issues of concern shared by all members of the All-Party Parliamentary Group on Sport, Modern Slavery and Human Rights, on which I have the privilege to be her vice-chair.

The Commonwealth Games Federation—under the inspired leadership of Dame Louise Martin, who in my view numbers among the finest of the world’s leading sports administrators and from whom this House will hopefully one day benefit—has developed its Transformation 2022 agenda, as my noble friend mentioned. It is an ambitious programme with the values of humanity, equality and destiny at its heart. Having been ongoing for a number of years, this agenda will culminate in the hosting of the 2022 Games in Birmingham. We all hope this will be a “best in class” example of stringent human rights protections and responsibilities.

The Commonwealth Games Federation has already shown leadership with the Gold Coast 2018 Games being the first to offer equal medal opportunities for men and women, and is catalysing an entire movement around sport and human rights, redefining the Commonwealth brand. I hope that the Commonwealth will also use its influence to bring all participating countries into fully respecting the LGBTQ+ agenda.

So, what can we do? I hope that in Committee we can review the excellent social values charter mentioned by my noble friend the Minister, as well as the delivering social value legacy of the Birmingham 2022 Commonwealth Games, and see whether we have in place the right legislative framework to promote the objectives of the Games, as raised by the noble Baroness. Sport is an enabler of rights, including the rights of women and of sportsmen and women with disabilities, which should be promoted in any legislation that refers to sport—indeed, in all legislation.

I hope that we will explore what further opportunities we can take to support Transformation 2022, to consider how human rights fit in, what is significant about Birmingham 2022 and whether there are ways in which we as parliamentarians can provide the legislative framework to advance this vitally important, ground-breaking work. I have nothing but respect for the noble Lord, Lord Foster, and the remarkable contribution he has made, not least in the world of the Paralympics; he has spoken very ably about the Birmingham Games and raised many important points. I think he would agree that the Commonwealth Games deserves recognition in the area we have just been talking about, because a lot of the rhetoric in this debate over the years has

[LORD MOYNIHAN]

cited London 2012 as the best example for the Olympic movement. However, the Glasgow Commonwealth Games in 2014, for example, went a step further and had a human rights policy, not just a sustainable sourcing code and grievance mechanism. Birmingham 2022 should be the new benchmark, not least for the Olympic Games in Paris.

I also wish the Commonwealth Games Federation and the organising committee every success with their aim to deliver one of the greatest events ever to be hosted in the West Midlands and a real catalyst for creating a lasting legacy, not just in bricks and mortar but in sport, for the whole of the United Kingdom. It is an opportunity to improve the health and well-being of local communities and deliver the greatest festival of sport this country has seen since the Olympic and Paralympic Games in London 2012. Above all, we need a sports legacy plan for the region, building on the excitement of sporting activity and offering a legacy which can provide so many benefits for the young people of this country—and not just them, however critical, important and centric that is to the whole event.

On 25 June last year, we considered the legislative framework under which the Commonwealth Games would take place. The reintroduction of this important legislation provides Parliament with the opportunity to review progress, learn from the work undertaken since then and establish whether further improvements can be made. It also gives us the opportunity to ask the Minister how close we are to the original budget and whether preparations for the Games are currently on time.

At this point, I will focus on what I consider to be some of the most critical and important issues that we debated at Second Reading last time around: access for disabled people and the sustainability plan. It is a great privilege to follow the noble Lord, Lord Foster, who I have mentioned already. He contributed so much on the Paralympic side of the Games, but not just that; his speech showed that his knowledge of all sports politics is extensive. Good progress was made for disabled people during the parliamentary stages of the Bill when we discussed it the first time around. However, we did not start from an ideal position, as the Minister opposed my intervention for a specific focus on disability and access. The responses from the noble Baroness, Lady Grey-Thompson, in writing and from the noble Baroness, Lady Brinton, to the comments made from the Front Bench at the time were what one might best describe as political apoplexy.

I welcome the fact that the Government made significant changes and rescinded their original position, coming forward with specific amendments—another area of good progress made. However, on 24 July 2019, the Minister confirmed that further proactive steps would be taken. In particular, I think the House had in mind steps along the lines of what the noble Lord, Lord Foster, outlined. The Games are about not just providing opportunities for those with disabilities but, critically, ensuring that anyone with a disability is not discriminated against in any way, whether in the facilities, access, their positioning in the stadia when they are watching the Games, or in areas where this does not

necessarily come as high on the agenda as it should. Frankly, that means everything to do with the preparation of the Games, but particularly travel arrangements. I hope the Minister will today confirm the status of the accessibility strategy under the leadership of the accessibility manager, Emma Clueit, who was not in post when we last debated this, and when we might expect the first detailed annual report to be published. I hope she will report at the same time on progress made through the work of the admirable and important disability forum.

On a related subject, could the Minister confirm when the organising committee's Games-wide sustainability plan can be considered in detail by your Lordships? This is vital and welcome work, with the Games' sustainability commitment and the four Cs to which the Minister referred.

Lord Foster of Bath: Can the noble Lord check with the Minister in reference to the report being produced by the accessibility forum team? My understanding is that it will now not come until 31 March next year, in which case it will be far too late for action to be taken on issues raised that have not been addressed.

Lord Moynihan: I hear what the noble Lord—my noble friend in sport, as I always call him—says on that subject, because of that interpretation of what was said. However, I believe that the Minister may have better news for us on that front. I ask her to address that question when she comes to wind up.

Then there are the issues relating to match fixing and the secondary ticket market, which I know have concerned many noble Lords from across the House. The situation has got worse. The corrupting influence of some secondary ticketing websites, which are now under investigation by the Competition and Markets Authority for suspected breaches of consumer protection law, not least StubHub and the pariah viagogo, has no role in profiteering at the expense of true sports fans at the Commonwealth Games. I hope that we can review progress on that front in Committee and look at ways of eliminating match fixing and applying suitable controls to betting—and, at the same time, make sure that we take action against any illicit profiteering approaches to the use of the secondary market.

Considerable time was spent during Committee, when we last looked at the Bill, on secondary legislation. My noble friend made significant concessions regarding the delegated powers in that Bill. I hope that we can look at the residual concerns regarding locations and advertising when we address the subject again in Committee. They are still there and, I think, have yet to be fully considered by government in a way that would carry the support of the House.

On the subject of ticket touting, advertising and trading, I am grateful to the Advertising Association for continuing its characteristically deep-dive assessments of important legislation affecting the promotion of the role, rights and responsibilities of advertisers. It has been in discussion with government and remains concerned about the length of time that the vicinity and trading restrictions are in place, the need for affirmative procedure, to which I have just referred, to

apply to the Secretary of State's regulations as proposed by the Delegated Powers Committee, so that there may be public scrutiny of the regulations, and about suitable, comprehensive exemptions for the sale and distribution of newspapers and magazines.

The Minister has commented, not least in a Written Answer to me recently, on the important question of including shooting disciplines in the Commonwealth Games programme; or, as I understand it, in a separate event which will be duly recognised as an associated event. I understand that it will be fully paid for by the Indians but again, the noble Lord, Lord Foster, and I would appreciate clarity on that point. The important issue is that the medals in archery and shooting will contribute towards the Commonwealth Games medal tally. The formal proposal is with the Commonwealth Games Federation and I understand that it will be considered on 20 or 21 February, if I am not mistaken. If that is the case, it will give us time in Committee to look at its outcome.

For all those among your Lordships who have lobbied hard, however, it is vital to solve the possibility of what was then on the table: an Indian boycott. Coming as it does from a nation which is a close member of the Commonwealth Games family, a likely host country of future Games and, in the wider post-Brexit world, a key trading partner of the United Kingdom in the future, this absolutely should not happen. I hope that my noble friend the Minister can place on record in the strongest terms her support for a solution to this problem—above all, a solution for the athletes. If I recollect rightly, shooting has been at every Games since 1974. I may be wrong, but it has certainly been there throughout most of my recollection of the Commonwealth Games. It is great to see T20 cricket, para table tennis and beach volleyball as the three optional sports, but we need to sort out the challenge we face on the absence of shooting and archery. I hope that we can persuade those who make the final decision to accept and fully endorse the Indian recommendation to the Commonwealth Games Federation.

The questions of gene editing and doping in sport are perennial; I speak regularly on both subjects. I think that gene editing will become one of the greatest challenges to sport in 20 years' time. It is highly risky, early-stage science, but the reality is that, if we can apply gene editing to relieve the burden of heritable diseases, we can also expect it to be put to the benefit of the multibillion-dollar commercialisation of sport worldwide, coupled with a toxic mix of pariah nation states seeing global leadership through sporting success—the only field where they can so succeed—leading them to invest in gene editing research to engineer offspring for specific traits, including athleticism. The House had the opportunity to debate this in detail at the end of last week. It is a critically important area, and it will be even more important in future than performance-enhancing drugs are today. I hope that the organising committee and the Commonwealth Games Federation not only take this seriously but can influence where possible the World Anti-Doping Agency and others who will have final responsibility to ensure that the Commonwealth Games Federation, where sport is concerned, takes a lead.

I come finally to physical well-being. It was announced to the House last June that the Government have the lead on the legacy and benefits steering group. I am grateful to the Minister for her reply to my Written Question on the subject. The legacy work will draw on other major Olympic and Commonwealth experiences but will draw also

“on the evidence from Sport England's £10m Local Delivery Pilot investment to promote physical activity in hard to reach groups in Birmingham and Solihull.”

I commend Sport England for its work in this area. While this project is ambitious, an aim of maximising community involvement was set out at Second Reading. At the time, there were just 850 members of “the crowd”—which is the title for this excellent programme—but it was linked to an objective of reaching 10,000 members over the next 16 months. That has now been reached.

I hope that the excellent progress made in the past six months provides the opportunity to turn what is silver medal legislation into gold medal legislation.

4.06 pm

Baroness Crawley (Lab): My Lords, it is always a delight to follow the noble Lord, Lord Moynihan, with all the experience he brings to these matters.

I am relieved that my noble friend Lord Snape has been brave enough to open a discourse on that Rubik's Cube that is the layout and signage of New Street station. I am relieved that I am not the only one who always gives myself 10 minutes extra in case I am sitting the red lounge thinking that I am going to Banbury when in fact I am sitting in the blue lounge on my way to Stoke. As my noble friend said, it is important that, for our foreign visitors to these Games, someone has a look at it. I am looking at the Minister—I am sure that she personally will not be having a look at it, but she may know somebody who can.

We are once again under starter's orders with this important Bill to enable Birmingham and the West Midlands to be the best possible host for the 2022 Commonwealth Games. Showcasing the whole West Midlands region is a crucial part of the Games experience, for our visitors and for West Midlanders.

As a former MEP representing Birmingham in the European Parliament for most of the 1980s and 1990s, I have a lifelong affection for the city. I am also aware, as are all noble Lords, of the unique opportunity that the £778 million of sports investment will mean for the city and for the region. Birmingham will not turn its back on such investment given that, 12 years after the financial crash, the city is still recovering in terms of employment, wages and productivity. Leaving the EU has also brought uncertainty to a region and a city that enjoyed the economic benefits of our connectivity with Europe over several decades.

Speaking of connectivity, I will add my voice to the rising call to keep HS2, with all its benefits for the West Midlands and the north?

Lord Adonis (Lab): Hear, hear.

Baroness Crawley: The noble Lord only came in to hear that.

[BARONESS CRAWLEY]

Going back to the Bill, the Games will see a brand new aquatic centre, a redeveloped athletics stadium and 1,400 new homes. Some 71 Commonwealth nations and territories will take part, with 6,500 athletes and officials expected to attend. The global audience for these Games will be 1.5 billion, which is astounding. Birmingham and the West Midlands will be showcased to the rest of the world.

As we understand it, more than 1 million tickets will be made available. As a former chair of the West Midlands regional cultural consortium, I am particularly glad to see that an important cultural, trade, tourism and investment programme will be part of the Games experience. I hope that as many local children and young people as possible will be involved in both the sporting and cultural sides of the Games, so that they feel that they own the Games, rather than having the Games imposed on them. What more can the Minister tell us about the engagement of local schools, colleges and youth organisations in the Games?

I was particularly interested to read about the role of community champions; I know how important they were in the Olympics. They are essential if there are to be long-term benefits for local people. I also understand that Birmingham 2022 will have the first integrated—and biggest ever—parasports offering, which is fantastic. Alongside that, there is a potential for more female medals than male, for the first time ever—not that we feminists are at all competitive.

As the noble Lord, Lord Foster, and other noble Lords said, 19 sports across 11 days at venues across the West Midlands presents a tremendous opportunity to seal a sustainable legacy for local sport in the region well into the 2020s and 2030s. Local SMEs will see 4,000 contracts on offer, worth up to £300 million. Let us hope that this will enable a broad and diverse range of businesses to bid for, and secure, work around the Games.

We now need to get on with it, as time is running short. As the noble Lord, Lord Foster, said, the Government must deal constructively with concerns about the Bill, such as those of the News Media Association, representing local, regional and international media, on issues such as unimpeded, lawful newspaper reporting, advertising, sales and distribution during the Games. The Bill has cross-party support and we are told that progress is already being made in areas such as accessibility, sustainability, ticketing and business engagement. That all sounds very positive, but previous calls by this House for continual scrutiny need to be taken seriously, especially on issues such as human rights and modern slavery, which were brought up so effectively by the noble Baroness, Lady Young.

As a vice-president of the Chartered Trading Standards Institute, I am drawn to Part 3 of the Bill, which aims to prohibit: the unauthorised sale of Games tickets; the promotion of non-sponsor products, services and businesses; and trading at or near Games locations at certain times. I ask the Minister to ensure that government support is continuously available to Birmingham and to West Midlands local authorities, especially their trading standards departments, which will be at the forefront of ensuring fair trading and minimising ticket

touting. The Minister will be aware of the very difficult cuts that have been made over the last 12 years to trading standards departments, and of how important these local authority departments are to the smooth running of the Games.

With these caveats, I wish the Bill well. Birmingham and West Midlands are really up for it. I have even joined a gym. I have not actually been yet, but I have joined—one step in the right direction. We can all share in the excitement that the Games will bring to our region and to our country.

4.15 pm

Baroness Brinton (LD): My Lords, I declare a recently expired interest as a trustee of UNICEF for six years until July 2019. I want to incorporate in my comments some comments from the noble Baroness, Lady Grey-Thompson, who is unable to be in her place today.

I think it is worthy of note that yesterday was Groundhog Day, because the Bill has become extremely familiar to this House. I thank the Minister for the progress that has been made since we last considered the Bill. I will of course challenge that on behalf of those of us in the disabled community—the noble Baroness, Lady Grey-Thompson, very much representing para-sportspeople and myself representing spectators—but I hope that the groundwork we will cover, following Groundhog Day, will take us a long way. Along with the noble Lord, Lord Moynihán, and the noble Baroness, Lady Crawley, I echo concerns about the briefing we had from the News Media Association. I will not repeat those points, but I hope that its very specific concerns are addressed speedily.

I think it is worth rehearsing two or three of the issues on disability that are not reflected in the Bill, but first I thank the Government for including a report back to the Secretary of State on access for disabled people, helpfully stated as loosely as that to cover the experience both of athletes and of those participating in other ways, whether as champions or as spectators. In my role at UNICEF I went to the launch of the Commonwealth Games in Glasgow and had one of the more unfortunate experiences I have had in a wheelchair in a sports stadium. Despite the fact that we were main sponsors of the Commonwealth Games, I could not sit with my director and trustee colleagues and VIP sportspeople from around the world because there was no wheelchair access to the VIP area. My daughter and I had to go and sit in the designated wheelchair space, completely away from any other spectators, in the gap between the front row and the boundary, and my daughter, “as your carer”, had to sit behind me, as if she were not entitled to sit beside me as family.

One of the problems that that raises may be something that Birmingham needs to be aware of: when stadia are reused, particularly football stadia that have existing rules, they use those rules rather than rethinking them. The point about families wanting to go and see sports together is a real one. I remember the noble Baroness, Lady Grey-Thompson, raising the issue of a certain Premier League football club—I will not name it since it has now remedied its behaviour—that wrote to a young father who had one disabled child and one

non-disabled child, and could not get tickets to take both to see the same football match together because he was not permitted to have two people sitting beside his son in a wheelchair. At the time I found that disappointing. Such issues are important to the legacy of encouraging participation by families in activities including sport.

I want to pick up on the comments of the noble Lord, Lord Snape, about Birmingham New Street. I echo his concerns—as a disabled person I found the signage totally and utterly appalling. The access to taxis for disabled people is dreadful. It is bad enough for wheelchairs, but if you are ambulant disabled and using sticks, it is even worse: you have to go a very long way to get access. I am reminded that, for the Olympics, you could book a minibus from Stratford station to take you to whichever location you needed to get to, thereby guaranteeing you could have access and not causing problems with taxis. This was the other problem in Glasgow: they met the quota for having taxis that could take disabled people, but those were the same ones that could take able-bodied people so, when there was a rush, disabled people were completely stuck. I really hope that Birmingham will take those lessons on board.

I will make one more comment about Birmingham New Street, because it is easy to find things that are wrong. I use it quite a lot and the attitude of the staff on the station to helping assist disabled passengers is excellent. In my entire experience there I have found staff helpful, particularly when things have gone wrong. Unfortunately, you have to leave them at the barrier and, frankly, once you are out into the new shopping centre problems may begin.

Briefly on accommodation, the noble Baroness, Lady Grey-Thompson, asks whether there will be a sufficient number of accessible rooms in Birmingham. There were certainly not enough accessible rooms for spectators in Glasgow—we booked three months ahead but still could not get a fully accessible hotel room. It has certainly been an unaddressed problem in the planning for Tokyo. Also, is the lifetime homes standard being used in the athletes' village? It may not mean that every unit is fully wheelchair accessible, but there are other forms of accessibility which it can address. That will make that whole unit of 1,400 homes outstanding and unparalleled in this country. Lifetime standards are incredibly important, not just for people who are disabled and participating in sport but to make places that people can live in until the end of their days and do not need to make expensive changes to—the doors are slightly wider and kitchens and bathrooms are designed to make things very easy for someone with a disability. It is a standard that has been approved at lots of levels. It would be good to know whether it is being used in the athletes' village.

On legacy, we always focus on sport—it is interesting to hear that the noble Baroness, Lady Crawley, has joined a gym. My favourite story from the Olympics was from a young friend in a wheelchair who decided that he wanted to start wheelchair dancing. He got in touch with Cecil Sharp House—the English Folk Dance and Song Society—and asked whether it was doing anything. You can do wheelchair country dancing,

and he did that for some years. That is the sort of legacy that we do not think about because we are very blinkered in our view; you can have legacy in lots of different forms. The absolute strength of 2012 was that many organisations thought outside the box to provide access for not just the local community but disabled people in the surrounding area, who are inevitably part of that community. I do not know whether the Minister can answer this, but I hope that there will be champions for the Birmingham Games who are themselves disabled. It is extremely important that they have that chance.

The noble Baroness, Lady Grey-Thompson, wanted to raise Games lanes. I know that the Bill makes provision for transport in that way. She reminded us that athletes missed events in Atlanta 1996 because the drivers did not know where the venues were and there was no separate provision. It is extremely important in the very narrow timeframe and heavy programme of the Birmingham Commonwealth Games that there is speedy access.

I end by going back to Groundhog Day, but not in the way one might think, even though the Canadians would certainly understand it. We are now in the United Kingdom getting enough experience with major sporting events to become exemplars, but there are small things that we need to make sure do not just relate to these big sporting events. I still go to football matches and I had problems last week when my son was trying to book tickets for him and me. What is the legacy in our current stadia and sporting grounds to make sure that disabled access for spectators improves and is consistent?

4.24 pm

Lord Hunt of Kings Heath (Lab): My Lords, I too welcome the Bill; it is a great day for Birmingham to have been selected to organise the Commonwealth Games, which will be the biggest sporting event we have ever had. It goes wider than simply sport, because it is a great opportunity for Birmingham and the West Midlands to show themselves at their best, and there will be a wealth of opportunity in terms of business, culture, volunteering, physical activity, and jobs that go with having the Commonwealth Games. I will come back to culture in a moment; in that regard I declare my patronage of both the City of Birmingham Symphony Orchestra and the Birmingham Contemporary Music Group.

A number of noble Lords have already mentioned some of the sports we will see. I particularly welcome wheelchair basketball, as well as the inclusion of women's cricket for the first time. That is fantastic for the sport itself but also as an opportunity to bring many more communities to watch from the city itself, so it is an important decision.

Clearly, the Games will leave a lasting legacy—we hope so—certainly in terms of physical infrastructure, and, we hope, transport. Both my noble friends Lady Crawley and Lord Snape mentioned New Street station. That is not a small issue. A magnificent retail outlet was built on top of New Street station, and it is very successful; it has John Lewis, lots of restaurants, and it is used by many people. However, to make it work financially, the station itself has simply been

[LORD HUNT OF KINGS HEATH]

squeezed into four little bits of the huge atrium. I am glad that my noble friends and the noble Baroness, Lady Brinton, owned up to the fact that it is impossible to find your way round. I worry that when visitors come, they too will find it impossible to find a way out. It is just bizarre that both taxi ranks are out in the open, so that if you are waiting for a taxi and it is raining, there is no protection at all. To be honest, it seems quite extraordinary that we now have had the station for a couple of years, if not more, and no solution has been found. I will come back with an amendment on this in Committee, because we need some answers about how New Street station will operate.

My noble friend Lord Snape, who knows railways like no one else, did not mention—I do not know whether he forgot or did not think it was important enough—that one of the advantages of having the Commonwealth Games is to enable investment in our transport infrastructure. We are seeing the extension of the tram system up Broad Street into the Hagley Road, and the reopening of the New Street to Kings Norton railway line, including of course the opening of Kings Heath station. I ask the Government to reassure me—as I did the last time we debated this—that by the time the Commonwealth Games start, Kings Heath station will be truly up and running.

The noble Baroness, Lady Young, and the noble Lord, Lord Moynihan, made some important points about modern slavery, and there is good progress to report. We have already seen good work on the social value charter, and on accessibility and sustainability. I truly believe that the organisers have got the message that has been given in our previous debates and again today. If we can pull off a Games which really grips these issues, we will learn important lessons that we can feed in to the future.

Challenges remain, and I will mention three. First, on finance, the funding of the Games is complex. It certainly includes a substantial contribution for commercial revenues, and the budget is split 75%/25% between central government and Birmingham City Council and its partners. However, the funding for the city remains a challenge.

Birmingham City Council's funding is very challenging. Noble Lords will have seen the analysis published last week by the Local Government Association showing the impact of the Government's proposed review of the local government funding formula, which showed that Birmingham would lose, if that formula was adopted, £48 million a year—the largest loss of any local authority in the country. Can the Minister update us on that, because it is extremely relevant to the city council's ability to find its contribution to the fund?

That financial challenge is one reason why Birmingham City Council has been very interested in a tourist levy to help pay some of the cost. It has already reviewed but discounted the possibility of a volunteer system because of its unworkability. The Core Cities UK group, which brings together lots of cities in the UK, is in favour of such a levy, and Scotland is close to implementing it. Edinburgh City Council has conducted a consultation, which showed high levels of support for such a levy, with 85% of respondents backing it.

We debated this on the previous Bill. All I ask the Minister at this stage is whether a pilot could be adopted to, first, provide funds to help with the cost of the Games and, secondly, to test out how it will work in practice, to look at the impact on hotel costs, user charges and the like. I know that this decision rests with the Treasury, rather than with her department, but I hope that she will at least open the door to a discussion about the feasibility of such a prospect.

Tourism levies go beyond the Commonwealth Games, of course. Birmingham has an amazing cultural scene. Just think of the CBSO, the Birmingham Royal Ballet, the Birmingham Contemporary Music Group, the Birmingham Opera Company, the Royal Birmingham Conservatoire, the Birmingham Repertory Theatre, the Birmingham Museum and Art Gallery, the Ikon Gallery, and the Barber Institute of Fine Arts, to mention just a few.

The city council has been a wonderful supporter of the arts in the past. A strategic decision was taken in the 1980s and 1990s that regeneration would come partly through regenerating our arts, and it has been wonderfully successful in that. I have no doubt that, when we have the Commonwealth Games, those arts organisations will be providing fantastic entertainment to our visitors, but the precariousness of the city council's funding position has meant that resources have been cut back from the arts grants and many of those organisations are finding it very tough indeed.

The Minister may be aware that Professor Julian Lloyd Webber, principal of the Royal Birmingham Conservatoire, had spoken out about the disparity in funding between, say, the Royal Academy of Music in Birmingham—the conservatoire—and other royal schools of music. That is a DCMS responsibility, and I hope that the Minister is willing to meet me to discuss it.

Secondly, the noble Lord, Lord Foster, and others mentioned the briefing by the News Media Association on behalf of the UK's media publishers. When one hears about Downing Street's attempts to exclude certain media outlets from Downing Street briefings, following the Trump Administration's practice, the issue of public bodies trying to control media access is very serious. We will be looking for a comprehensive answer from the Minister about that during later stages of the Bill.

The third and final challenge relates to legacy, which several noble Lords spoke about. Birmingham has one of the highest levels of obesity among year 6 children in the country. NHS Digital figures show that one in four children who finished primary school in Birmingham in 2017-18 was obese, and 6.5% were severely obese; additionally, 15% of year 6 children were overweight. That means that 41% of Birmingham's youngsters are unhealthily overweight when they finish primary school. I really hope that we can use the legacy as a way to kick-start a new and bold approach to encourage physical activity, health and well-being, particularly among our young people.

Hopes were raised in the London Olympics; the noble Lord, Lord Moynihan, referred to that. He went on to talk about the Glasgow experience, which was rather more encouraging, but we must use the Games as a way of leaving a long-term legacy in the health

and well-being of young people in the city. I hope that the Minister will be able to respond with enthusiasm and confidence that this is being planned for.

This is a wonderful occasion. It is great that so many noble Lords have spoken. It is a huge opportunity for a wonderful city. Let us all take that opportunity with both hands.

4.35 pm

Lord Bilimoria (CB): My Lords, the Commonwealth is a wonderful voluntary organisation. It is an institution now made up of 54 countries following the great news that the Maldives rejoined the Commonwealth on 1 February, one hour after we left the European Union.

Of course, CHOGM—the Commonwealth Heads of Government Meeting, which takes place regularly—is a big event in the Commonwealth calendar, as are the Commonwealth Games, which take place every four years and bring together the community, or family, of the 72 nations and territories of the Commonwealth. They are hugely important to the host city, which is Birmingham in this case, the host country, which is the UK in this case, and the whole Commonwealth, which is made up of 2.4 billion people—more than a third of the world’s population. Let us put this in perspective: trade with the Commonwealth makes up less than 10% of the UK’s trade; 50% of it is with the EU and 18% is with the United States.

The Commonwealth Games Federation and its chief executive, David Grevemberg, produced an excellent report, entitled *Commonwealth Sport: Transformation 2022 Refresh*. It talks about the federation’s “refreshed vision, mission, values and strategic priorities” for the Commonwealth Games leading up to 2022. It talks about a “refresh process” and states:

“This has to be more about a Movement than a Federation ... It’s our commitment to inclusion and equality that sets us apart.” It talks about progress to date, as has been mentioned, and states:

“Gold Coast 2018 provided a \$2.5 billion economic boost to the state”.

It talks about the federation’s strengths and states:

“Commonwealth Sport builds upon its history: 21 Games and 6 Youth Games since 1930”.

That is tremendous. It states that this is the federation’s mission:

“Delivering inspirational sporting moments ... Nurturing a powerful sporting movement ... Activating transformational partnerships ... Realising our collective impact”.

The work done in these Games goes far beyond the values of “humanity, equality and destiny” referred to in the report. It is about delivering on that mission. That is what these Games are all about.

The most important thing is that the Commonwealth athletes who will participate—as has been mentioned, there are more than 6,000 of them—are, as the report states,

“Inspiring Leaders ... Agents of Change ... Advocates for Integrity ... Ambassadors for Respect, Impartiality and Non-Discrimination”.

The report states:

“To Commonwealth Athletes, sport is more than just competition. Sport is just the beginning. Sport connects them – and all of us – with dreams, goals and aspirations for ourselves, our families and our communities.”

A Birmingham 2022 report states the key facts, some of which we have heard:

“Birmingham and the West Midlands region will benefit from”

almost £800 million—more than \$1 billion—

“of sport investment - the biggest investment since London 2012 ... A brand new aquatics centre, a redeveloped athletics stadium and 1,400 new homes ... a global audience of 1.5 billion to showcase Birmingham and the West Midlands to the rest of the world ... Over 1 million tickets ... 19 sports”,

which we will come on to later. It also states that

“8 fully integrated para events will feature across 11 days ... the first integrated and biggest ever para sports offering.”

It also states, as the noble Baroness, Lady Crawley, said, that the Games have potential

“for more female medals than male, this would be a first for any major multi sports event”

in history. It also refers to approximately

“41,000 Games-time roles, including 10,000 trained volunteers”.

It goes on. A Birmingham City Council members’ update reports that the council is putting in huge work with the

“Perry Barr Interchange ... Sandwell Aquatics Centre ... Alexander Stadium ... Community Engagement”.

Again, as the noble Baroness, Lady Crawley, mentioned, the community champions will also be engaged.

I am the proud chancellor of the University of Birmingham, and we are delighted to be playing a major role in these Games. In 2017, Princess Anne, the Princess Royal, opened our state-of-the-art £55 million sports centre with Birmingham’s first 50-metre swimming pool. The University of Birmingham will host the squash and hockey events, as well as providing volunteers, while the facilities will be used by athletes from around the world. Birmingham is the country’s first civic university, and we have a civic university agreement which will make us the West Midlands’ go-to centre.

The West Midlands Growth Company has been tasked by the West Midlands Combined Authority to develop a programme of tourism, trade and investment activity to maximise the benefits of the Commonwealth Games for the region and the UK.

As well as the squash and hockey events, the Commonwealth Games will also use Birmingham University’s facilities, including the pool and the track, for pre-Games training in the camp. As I say, our students will volunteer and there will be education and academic programmes as well as career engagements for student work experience, industry placements, summer internships and volunteering activities. All of this is phenomenal. Of course, there is the whole cultural aspect, including a 22-day festival of sport and culture made up of 11 days of sport followed by 11 days of culture.

Let us not forget the academic powerhouse of the UK as a country, with 1% of the world’s population producing 16% of the world’s leading research papers. This will mark a huge opportunity for the university research effort, headed by Professor Tim Softley, who will be engaged to identify further research opportunities to link up our academic strengths with interests in the Games.

[LORD BILIMORIA]

I welcome the Bill. The original version was welcomed by the chair of the Birmingham 2022 organising committee, John Crabtree, by the Labour leader of Birmingham City Council, Ian Ward, my friend Andy Street, the Conservative Mayor of the West Midlands, and by the chief executive of the Commonwealth Games Federation, David Grevemberg.

We must remember that the Commonwealth Games Federation is responsible for this multi-sport event. In 2015, it awarded the 2022 Games to Durban in South Africa, which would have been the first time that the Games had taken place in Africa, but that was withdrawn in March 2017. In December 2017, the Games were awarded to Birmingham. Birmingham has won the Games, but it has a shorter time to prepare for them than would normally be given to a country, so it is a huge challenge. Given the public investment which we have heard about in the debate, with 75% of the funding coming from central government and 25% from Birmingham, I am grateful to them both for that support.

However, there is one issue which has been touched on by the noble Lord, Lord Moynihan. Most people do not realise this, but shooting is an optional sport which can be included in the Commonwealth Games. Birmingham has decided to leave shooting and archery out, making this only the second time ever that shooting has been left out. Shooting is very important to countries like India, which makes up more than half of the population of the Commonwealth—at 1.3 billion out of 2.4 billion. India has now overtaken the United Kingdom as the fifth largest economy in the world. It is an emerging and growing global economic superpower and is now by far the biggest economy in the Commonwealth as well as being one of the biggest economies in the world.

India's participation in the Commonwealth at every level is fundamental, and yet for a long time there was the potential that, if shooting was excluded, India would boycott the Games. I have been in regular touch with the chief executive officer for the organising committee, Ian Reid, as well as with the chairman, John Crabtree. Last November, a delegation from the Commonwealth Games Federation headed by Dame Louise Martin, already mentioned by the noble Lord, Lord Moynihan, and the chief executive, David Grevemberg, made a hugely constructive visit to India. As a result, the federation members could see at first hand the legacy of the Commonwealth Games which were held in Delhi in 2010 and they were able to prevent India from boycotting these Games, so India will be participating in 2022.

However, a solution for the shooting events still needs to be found. This is supported by the Minister for Youth Affairs and Sports in India, Kiren Rijiju, the president of the National Rifle Association of India and the vice-president of the International Shooting Sport Federation, His Highness Crown Prince Raninder Singh of Patiala, the secretary of the India Olympic Association, Rajeev Mehta, and the IOA president, Narinder Batra, who are all very keen to see shooting be included in the Games. The host country, the UK—comprising England, Scotland, Wales and Northern Ireland—wins lots of medals in shooting events. The

sport enables smaller countries and territories such as the Falkland Islands to participate in the Games at all. Moreover, shooting is a sport that encompasses all ages, from teenagers to senior middle-aged people, and it is gender inclusive.

In December 2019, a meeting took place between the Commonwealth Games Federation and the ISSF in Berlin at which a very innovative solution was put forward by India. This was based on the vision statement of the Commonwealth Games, among other things, desiring the future of the Games to be inclusive, cost effective and empowering local communities through the power of sport—a truly friendly Games. The Indian bid meets the demand of all these points by suggesting an innovative and what it considers path-breaking proposal that, I hope the Minister will agree, will ensure that shooting—a major Olympic sport—can be effectively, technically and cost-effectively held in another country in future if a host country cannot hold it. I am delighted with this innovative and creative solution, which was officially put forward in Munich, whereby India will host shooting and archery and the actual Games will be in Birmingham. These events would take place in association with the Commonwealth Games as part of the overall Commonwealth Games, with—as the noble Lord, Lord Moynihan, said—the medals included in the total tally. I have seen the detailed proposal put forward by India, whereby India will organise a shooting competition conforming strictly to the rules, with all the results officially recognised globally, and will fund the competition, including bringing the athletes from all over the Commonwealth and hosting them.

Shooting is important to India—more than 25% of medals won by India in previous Commonwealth Games have been in shooting—but, as I have mentioned, it is similarly important, for a number of reasons, for the medal tallies of many other countries, including us here in the United Kingdom. From an accessibility point of view, shooting is one of the handful of highest-participation sports in the Commonwealth Games. As I said earlier, it enables tiny countries such as the Falkland Islands to participate in the Games and is also inclusive in that men and women compete in mixed competitions and in the age spectrum, from teenagers to middle-aged participants.

Beyond these advantages of including shooting, holding the competition in India has huge additional advantages. As I said, India is by far the largest country in the Commonwealth; its 1.3 billion people make up more than half the population of the Commonwealth. The Indian economy continues to grow and is predicted to be the third largest in the world very soon. India's importance for the Commonwealth is therefore hugely disproportionate to other countries' and to have India outside in future as a committed member of the Commonwealth family is paramount. In my opinion, if India had boycotted the Games, it could have threatened the very existence of the Commonwealth. Given that the Games are being hosted in the UK, the fact that it is India coming to the rescue when it comes to shooting will only help build the bridges that already exist between the UK and India.

From my various roles, including as founding chairman of the UK India Business Council, I would say that Britain has a special relationship with the United States and India more than with any other countries in the world. The excellent *Transformation 2022 Refresh* report says the impact of the Commonwealth Games goes well beyond sport itself:

“Sport is just the beginning.”

So many positive messages would be sent out by holding the shooting and archery competitions in India. It shows the Commonwealth family coming together in a positive way to resolve a predicament. It shows how Commonwealth countries work in partnership. It sets the precedent of a flexible approach in which host countries that may not have the ability to fund the full range of sports can hold the vast majority of the Games but partner with other Commonwealth countries to host sports they cannot afford or practically host.

It gives a huge opportunity for the Games to be an anchor and catalyst for many other bilateral engagements between the UK and India, including in education. With Birmingham one of the five largest universities in the UK and in the top 100 in the world, we will not only be proud to host part of the Games but will be at the centre of the Games. The Midlands is the home of one of the largest Indian-origin populations in the UK, with large numbers coming from north India and Punjab. If the shooting competitions were held in Delhi or Chandigarh, this would build on the living bridge that exists between our two countries—including between the two specific regions in the two countries. The University of the Punjab collaborates with the University of Birmingham on research. The statistics show that the field-weighted impact for collaborative research between the universities of Birmingham and the Punjab is more than double the universities’ individual scores and almost equal to the field-weighted impact of research conducted between the University of Birmingham and Harvard University. Holding shooting will also be a huge help to businesses.

These events would be held in association with the Games, but the medals must be included within the Games. Given technology and social media, shooting competitions can be broadcast live on the internet, and there could be a venue in Birmingham with people watching the competitions live. I know India will put on very impressive opening and closing ceremonies for the shooting part of the Games as well.

This is a truly win-win solution to what was a potentially disastrous situation. Will the Minister please confirm that the Government will support this Indian solution to this predicament? The meeting of the CGF taking place on 21 and 22 February will make that final decision. Will the Government support this? As the *Transformation 2022 Refresh* report said:

“Sport is just the beginning.”

4.49 pm

Lord Grocott: My Lords, this is pretty much the same Bill that we gave a Second Reading to last June, which makes things a little easier for me because it means I can make pretty much the same speech I made then. At least it enables me to say once again with enthusiasm that I support the Bill, which will bring the

Commonwealth Games to the West Midlands. Noble Lords would expect me to say that because I live there, but perhaps I can make a wider national and, indeed, international point, which was very much echoed by the noble Lord, Lord Bilimoria.

These are Commonwealth Games, with 71 competing countries from all parts of the globe. During the past three years we have been talking a great deal about Britain’s place in the world and the extent to which we engage beyond our shores. Perhaps it is a good time to mention just what a remarkable, successful and, indeed, unique institution the Commonwealth has become. And it is growing: among the countries competing this time are two recent entrants to the Commonwealth, Rwanda and Mozambique. There are more at various stages waiting to join. By the way, the new ones, unlike the rest of the Commonwealth, do not have a history of being parts of the former British Empire. Its appeal now goes much wider than that.

I have no doubt that these Games will further strengthen the friendships and relationships between these 71 nations and the people who live in them. That is something to celebrate, and what better place for a Commonwealth celebration than Birmingham and the West Midlands? There cannot be many countries of the Commonwealth, if any, that do not have direct contact—family and friends—with people in our region. That is, again, something to celebrate.

The Commonwealth Games will be a showcase for the West Midlands. I saw a figure that 1.5 billion people will watch these Games on television. I do not have the faintest idea how anyone calculates such a figure, but it sounds like an awful lot of people. I very much hope that the various TV production companies will give some nice shots of the region in their opening titles, not just of the sports stadiums where the Games will be held, but of Birmingham’s vibrant city centre and the Canalside, which has been mentioned, as well as of views and landmarks from the wider region. I will put in an early bid, which I am sure the whole House will agree with, that they should include a picture of the world-famous Iron Bridge.

I of course welcome the investment in jobs that the Games will bring. I have seen estimates of up to 4,000 jobs. Another really heartening figure is the expected community involvement. We are told that the Games will need the assistance of some 10,000 volunteers. No wonder there is support for the Games not just in Birmingham, but across the region and across the political divide, with Ian Ward, the Labour leader of Birmingham City Council, and the Conservative Mayor of the West Midlands, Andy Street, both emphasising the benefits to business and tourism from the Games being located in our region. I add by proxy the supporting voice of my noble friend Lord Rooker—Jeff. As the House will know, he contributed at pretty well every stage of the previous Bill’s consideration. He is convalescing after a period in hospital. He would undoubtedly agree with pretty well everything that has been said. We all look forward to his authentic West Midlands voice being here with us again very soon.

Things have not been standing still since we last considered the Bill in November. One of the key developments was announced only last week, with the

[LORD GROCOTT]

approval of planning permission for the development of the Alexander Stadium, which, when completed, will house more than 30,000 people. It will be not only a world-class stadium for the Games, but part of the legacy that we will have long after the athletes have gone home.

This is not exactly a sour note, but I am allowed to be grumpy occasionally at my age. The previous Bill first came before the House in June last year. It probably deserves a footnote in *Erskine May*. It is a House of Lords Bill, introduced in one Session of Parliament last June, then—quite unusually for a House of Lords Bill—carried over to another Session in October and reintroduced in yet another Session this January. That is three Sessions of Parliament to deal with one relatively small, simple, uncontroversial Bill. Why on earth it was not dealt with in the wash-up last October, as it would have been in the old days, I do not know, but the House knows well enough that we did things much better in the old days. Far beyond a procedural point, it would have had the benefit of everything being completed last October. Two or three months is not a lifetime, but we already have a truncated period in which to prepare for these Games. At least the Bill is here, with very few minor changes. The most important, albeit short, part of it remains the section on finance, which, as ever, is a complicated matter, involving, as it does, a 75:25 split between national and local government. We are told that the final Games budget will soon be published; I hope the Minister can tell us when that is likely to be.

On the subject of finance, I add my support to all my noble friend Lord Hunt said about a tourist levy and the possibility of a pilot scheme being authorised. This was debated in Committee last year. At that time, a different Minister replied that such a proposal would not be appropriate for this Bill, which is what Ministers often say. I hope that this Minister's reply will be a little more forthcoming—although I am not too optimistic—or at the very least that she will tell us whether anything can be learned from similar proposals elsewhere, and whether it is something that the Government will be looking at.

Another, perhaps minor—though not for people trying to get around the city—query that I have is about transport. I echo everything said about Birmingham New Street station. Part 4 of the Bill says that road and pavement closures can be made up to 21 days before the opening ceremony. Anyone who travels regularly to the centre of Birmingham—as most noble Lords who have spoken in this debate do—knows that in recent years, with the redevelopment of the city centre, there have been numerous road closures and diverted traffic signs; they are all too frequent. Why are powers needed for road closures up to three weeks before the Games begin? Three weeks is a long time in road-closure terms.

In conclusion, I emphasise that these are minor points, which in no way detract from my enthusiasm for the Bill. In 18 months, people from a third of all the countries in the world will come to Birmingham for the friendly Games, which thousands will watch in the venues and millions will view on television. The Bill further facilitates these Games; that is good enough for me.

4.58 pm

Lord Holmes of Richmond (Con): My Lords, it is a pleasure to take part in this debate. I declare my interests, as set out in the register.

I cannot see any of the signage at Birmingham New Street Station. I am at absolutely no disadvantage whatever. It is a delight that Birmingham has been awarded the Commonwealth Games. I am delighted, but I also share the sadness for South Africa, and the hope that soon the Commonwealth Games will take place on the continent of Africa.

I feel incredibly fortunate to have grown up in the shadow of Birmingham. I swam for nine years in the city of Birmingham swimming squad, where, from a 25-yard pool with a roof held up with scaffolding, we got four swimmers on to the Paralympic team and five on to the Olympic team for the Seoul Olympic Games and Paralympic Games of 1988. That was under the excellent coach Rick Bailey, who went on to do so much in leisure across the city. However, it is not only about sport, but also about culture. We have already heard about so many of the cultural high points from the noble Lord, Lord Hunt of Kings Heath. There are also fabulous culinary opportunities for people to experience such as the table naan bread and the Balti Triangle, possibly washing much of it down with a glass or two of the Cobra beer of the noble Lord, Lord Bilimoria.

I was delighted to be part of the West Midlands. It shaped me as I grew up before going away to higher education. Having mentioned Cobra beer, I should also echo the comments of the noble Lord, Lord Bilimoria, and those of my noble friend Lord Moynihan and others on shooting and archery. What further efforts are the Government making to ensure an optimum solution to the problem and include shooting and archery? It is quite right that the Commonwealth Games Federation should look at new sports that attract the young people of the West Midlands, this country and the Commonwealth, but these are Games for the Commonwealth, and as the noble Lord, Lord Bilimoria said, shooting is such an integral sport across the Commonwealth. It has one of the highest levels of participation, not least in the home country itself.

Building on that, Birmingham is also, as we have heard, an incredibly diverse city—187 nationalities are represented. Whichever corner of the Commonwealth athletes come from, they will have spectators not just from their home country but home-grown from the city of Birmingham. Some 40% of the population of Birmingham is under the age of 25. It is a diverse, vibrant city, so I ask my noble friend, what percentage of the organising committee and what percentage of senior roles within that organising committee are currently held by disabled people, BAME people and people from all the different protected characteristics in the broadest sense of diversity? Crucially, what percentage is aimed at for Games time, and across the volunteer workforce as well?

I was lucky enough to be a member of the organising committee for London 2012 and as well as many of its key targets one of my informal targets for measuring the success of the Games was that in autumn 2012 and

beyond we should be able to say that attitudes towards and opportunities for disabled people had fundamentally changed as a result of those Games. I think that we saw that, as we also did in Glasgow 2014.

The opportunities are potentially even greater for the Commonwealth Games in Birmingham in 2022 where we see the increased inclusion of para athletes in full medal events in the sporting programme. What an incredible journey the Commonwealth Games has been on since there were demonstrations in Canada in 1994 when certain coaches asked why we had these people in the Commonwealth Games because it was an embarrassment. It was no embarrassment in Glasgow 2014 or on the Gold Coast and para athletes are now fully embedded and an excellent example of inclusion and integration in the Commonwealth Games programme.

As something to be built on, will my noble friend or her department consider writing to all of the international sports federations, not least FINA and the IAAF, to ask them where their current thinking is in terms of looking at integrated, inclusive sports programmes for the European and World Championships to have disabled and non-disabled competitors at the same competition?

We mentioned swimming and I agree with the noble Lord, Lord Snape, about the sensational venue being constructed in Smethwick, not just for Games time but, significantly, for that community moving forward. What an incredible distance we have travelled since the 25-yard pool that I trained in in 1988.

This legislation is necessary and proportionate. It does not necessarily go to the great heights of sporting cultural achievement, but it forms the brilliant, critical basics that enable the magic to come through. It is quite right to protect all the commercial sponsors who are putting their brands and their money on the line to ensure a successful Games.

It is crucial to ensure that you know when you present your ticket that it is a bona fide ticket. Will my noble friend say whether all the learning from the 2012 ticket care programme has been taken on board? If you were partially sighted, you got a ticket right at the front of the seating bowl. If you were hearing impaired, you got a ticket with direct line of sight to the video boards. If you had mobility impairment, you got a seat at the end of the row and, building on what the noble Baroness, Lady Brinton, said, if you were a wheelchair user, you could sit with your family and friends and enjoy the sporting occasion together and were not forced to sit with other people whose only connection to you was that they were also wheelchair users.

At Birmingham New Street you may find yourself in the blue lounge or the red lounge. In your Lordships' House some of us find ourselves in the red lounge or the blue lounge and some noble Lords may perhaps, inexplicably, find themselves in the yellow lounge. When it comes to this Bill and the 2022 project, speakers in this debate have been loud and clear that it is critical that we are all in the Commonwealth Games lounge. We should never underestimate how important it is to have cross-party support for these mega sporting events.

Transport is the lubricant of the Games. Is the Minister satisfied with the plans not just for transport connectivity to all the venues but, crucially, for the last

mile—the bit from the transport hub to the gates of the venue? Is she happy with the Games mobility service which will enable that access in the venues? As we have already heard, access and mobility go much further than just athletes. For disabled and non-disabled spectators, one of the best nights of the Paralympic Games was when we had people from all parts of society in the stadium. We stored 1,500 pushchairs that evening because so many families came, disabled people and non-disabled people. Everybody was represented in that stadium in the seating bowl as much as on the track.

On construction, will the Minister say whether we are taking advantage of the potential training opportunities and driving apprenticeship money into every opportunity from the Games? So much can be done through procurement pathways to drive everything we want in terms of the kind of society we want to be, not just inclusion and diversity, but fighting modern slavery. Procurement amplifies the power the Games can have.

The difference between a good Games and a great Games is putting athletes at the heart of every decision. Alongside that, one of the most important groups is the local community. We must enable them right from the outset to feel part of this celebration of sport, culture and their city. We cannot possibly overcommunicate that narrative of possibility and empowerment that can come through the Games. Does my noble friend believe that that narrative is in the place it needs to be and that local people feel connected to the Games and to the possibilities for them, their families, their children and their grandchildren? One of the key ways that local communities can get involved is through the volunteer programme. At London 2012, we had Games makers: people who for no remuneration made the Games. Through being Games makers they became change makers. It is such a fabulous legacy from 2012, and a fabulous legacy from 2022 will be what the volunteers go on to do for the rest of their lives as a result of being part of that volunteer programme at the Games.

There is an extraordinary opportunity but nothing is inevitable. We can have such a moment in time in 2022 but, as we have already heard, it is not just about one sensational summer of sport—it is about the legacy that is driven. If we get this Bill right, it will be a key part of that legacy and the standards set by 2022 will roll forward into future sporting occasions, not least Paris and LA, and Paralympic Games, Olympic Games and Commonwealth Games to come.

This might seem a small Bill but it is incredibly important. Counterfeiting and corruption will be out, rogue trading and ticket touting will be out, and world-class athletes and local communities will be absolutely in. The Commonwealth, the country and the world will be invited to experience these Games in the flesh, across the country and via broadcast right around the world. What a beacon they will be for Birmingham, for Britain and for the 70th anniversary of Her Majesty's remarkable, unrivalled reign—2022, happy and glorious.

Global Britain

Statement

5.11 pm

The Lord Privy Seal (Baroness Evans of Bowes Park) (Con): My Lords, with the leave of the House, I will now repeat a Statement made by my right honourable friend the Foreign Secretary in another place:

“Mr Speaker, with your permission, I would like to make a Statement on global Britain, following the Prime Minister’s Written Ministerial Statement today.

Last Friday, 31 January, the United Kingdom left the European Union. Before then, for three long years we had debated the European question. On all sides of this Chamber we were weary and out in the country people were tired of the wrangling, so there is relief on all sides that the question is now settled.

I know that this point of departure will be very difficult for many people—decent people who love their country and who did not want us to leave—so it is incumbent on this Government to show that leaving the EU marks not an ending but rather a bold new beginning. We take that responsibility very seriously.

When we ratified the withdrawal agreement, this Government and this Parliament finally delivered on the promise made to the British people over three years ago. We did that as a matter of democratic principle, and we did it to keep faith with, and retain the confidence of, the British people. In doing so, we sent a strong signal to the EU and to the world about our ambition and resolve as we chart the course ahead.

As one United Kingdom, we are now free to determine our own future as masters of our own destiny. We are free to reinvigorate our ties with old allies and we are free to forge new friendships around the world. As we seek new relationships with friends and partners, the interests of the British people and the integrity of our union will be the foundation stones of everything we do.

The Prime Minister’s speech this morning and the Written Statement to the House start us out on this journey by setting out the Government’s proposed approach to our relations with the EU in 2020. The most important thing about 2020 is that, having left the EU at the start of it, at the end of it we will fully, and with complete certainty, regain complete economic and political independence. That is when the transition period ends, and it will not be extended. We will have a new relationship with the EU, as sovereign equals, based on free trade.

Between now and the end of the year, we will work with the EU to try to negotiate a free trade agreement, drawing on other recent agreements such as the one between the EU and Canada. That should be the core of our future relationship. We will look to reach agreement on other priorities, including fisheries, internal security and aviation. These will be backed up by governance and dispute settlement arrangements appropriate to a free trade agreement, with no alignment and no role for the ECJ, and respectful of our democratic prerogatives.

We hope that we can agree. If we cannot, we will of course carry on trading with the EU in the same way as do Australia and many other countries in the world, as a free country, collaborating where we can and setting our own rules that work for us.

Of course, the EU is not our only trading partner. At the same time, we will be seeking to get agreements with other great trading countries around the world. We are delighted that, in the words of US Secretary of State Mike Pompeo when he was here last week, the UK is now front of the queue for a free trade deal with the US. We expect to open negotiations with the US, and other countries, very soon. That way, we can broaden our horizons to embrace the huge opportunities in the rising economies of the future, where 90% of the world’s growth comes from. My right honourable friend the Secretary of State for International Trade will set out more detail in a Statement later this week, and I will be visiting Australia, Japan, Singapore and Malaysia over the next two weeks.

At such a crossroads moment, it is fitting and timely that this Government will engage in a thorough and careful review of the UK’s place in the world, including through the integrated security, defence and foreign policy review. This review is an opportunity for us to reassess the ways we engage on the global stage, including in defence, diplomacy and our approach to development, to ensure we have a fully integrated strategy, because now is the moment to look ahead with confidence and ambition, to signal to future partners the outward-facing, trail-blazing country we will be.

We have a vision of a truly global Britain and, as the first pillar of our global Britain strategy, we will continue to prove that we are the best possible allies, partners and friends with our European neighbours. We are working closely with our European partners to find a political solution in Libya. We will continue to stand together to hold Iran to account for its systemic non-compliance with the JCPOA, the nuclear deal. We will work together to tackle shared threats and global challenges, whether it is Russian aggression, terrorism, rising authoritarianism, climate change or, indeed, health crises such as the coronavirus.

It was our honour on Friday to bring home 29 other Europeans on the UK-commissioned charter flight from Wuhan, along with the 97 Britons, because we will always look out for our European friends with whom we share so many interests. I am grateful to the Spanish Foreign Minister for Spain’s help in co-ordinating that effort and, indeed, to the French Foreign Minister for the flight that came home on Sunday.

The next pillar of our global Britain strategy will be, as an energetic champion of free and open trade, to boost small businesses, to cut the cost of living, to create the well-paid jobs of the future for the next generation, to provide more consumer choice, and to raise UK productivity, which is so important for our levelling-up agenda across the country.

The pursuit of shared prosperity has an essential role to play in our approach to development policy too. As we maintain our 0.7% commitment on development spending, we need to find better ways of making sure that it contributes to long-term and

sustainable economic growth. As we demonstrated at the UK-Africa Investment Summit, we believe the UK has a unique and competitive offer to tackle poverty and help poorer nations benefit in a way that benefits us all over the longer term.

Finally, the third pillar of the global Britain strategy will be the UK as an even stronger force for good in the world. Our guiding lights will remain the values of democracy, human rights and the international rule of law. We will show global leadership on issues that really matter such as climate change. That is why, this year, we will host the UN climate change summit, COP 26, in Glasgow. We will lead by example. We will rise to the challenge by harnessing all the British talents in tech, innovation and entrepreneurialism to find creative solutions to global problems. We will champion the great causes of our day, such as our campaign to give every girl access to 12 years of quality education. We will defend journalists from attack. We will stand up for freedom of religion and conscience, and we will develop our own independent sanctions regime to tackle human rights abusers head on. Together, united, we can show that this country is so much bigger than the sum of its parts.

The 31st of January was a day that will be etched in our history. It has been hard going, and I know that many good people on all sides of this House, and indeed on all sides of this totemic debate, still bear the scars of the last three years. Now is the time to put our differences aside. Now is the time to come together. So, let us join together and embrace a new chapter for our country. Let us move forward united, and unleash the enormous potential of the British people. Let us show the world that our finest achievements and our greatest contributions lie ahead. I commend this Statement to the House.”

5.19 pm

Baroness Smith of Basildon (Lab): My Lords, I think there was some confusion before the start of the Statement today, as the noble Lord, Lord Newby, and I were told that the Leader was available at 5 pm only and that the debate would be interrupted. We came in to be told that that was not the case and that the Statement would be repeated at the end of the debate, and it was then brought back on. I apologise to those who have been in and out of the Chamber waiting for the Statement, as it was not quite clear what was happening.

There have been three years of debate and discussion since the referendum and, as a country, we now have to adjust to the new political and economic reality outside the EU, for the first time in almost 50 years. For me, Friday marked a very long time in the dentist's chair and, as the anaesthetic gradually started to wear off, the reality of the 11 pm Brexit marked a turning point for the UK.

When the Prime Minister said this morning that the UK has now embarked on a great voyage, his language finally showed the recognition that getting Brexit done is a process rather than a moment. Given the tight timescales involved in negotiating the future relationship, I welcome that both the Government and the European Commission have outlined objectives today. However,

I am sure noble Lords can imagine my disappointment when I tuned in to the Sunday shows and heard Cabinet Ministers stress that any form of alignment with the EU would defeat the entire point of Brexit.

The Government publicly insist that there will be no lowering of standards. Indeed, in his speech this morning, the Prime Minister cited numerous examples of UK standards which already exceed EU ones. He specifically referenced animal welfare. I think the Leader will know of and understand the concerns of animal welfare groups and farmers who are concerned that the Government's pursuit of a trade deal with the US threatens to erode standards here. It would be helpful if she could tell the House what categorical reassurances she can give to farmers and animal welfare groups.

Before reading the Prime Minister's speech and the Foreign Secretary's Statement, I had hoped for three things: first, that they would heed the long-standing calls from business to negotiate a deal maintaining frictionless trade; secondly, that the various commitments in the political declaration—a document signed off by this Prime Minister—would stand; and, thirdly, that the days of arbitrary red lines, rambling speeches and, shall we say, unconventional diplomacy were behind us, with the Government adopting a more grown-up approach. Those hopes were short-lived.

What we have seen today—I stress that it gives significantly less detail than the equivalent proposals in the European Commission's document, so I hope there is more to come—is not dissimilar to the approach adopted by the previous Prime Minister. We have the desire for a Canada-style free trade agreement, with the veiled threat that the UK can and will pursue alternative arrangements if a deal cannot be reached with the EU 27. There is the usual red line on the CJEU, even if this could drastically reduce the scope for future co-operation in areas such as policing and security. Surely those should be at the forefront of all our minds given the weekend's events in Streatham.

We are also told that, consistent with international best practice and the EU's own trade agreements, we will not maintain regulatory alignment with the EU but instead seek regulatory equivalence in key fields. It would be helpful if the Leader could explain her understanding of the difference between the two.

We also have a commitment to negotiate on behalf of the whole UK family, despite the EU's position on Gibraltar being very clear. Its position is that, unless the Government can secure the quick and explicit agreement of Spain, any new agreement would exclude Gibraltar. Can the Leader confirm when and how the Prime Minister intends to engage with counterparts in Madrid? Has that process started yet?

With the Prime Minister adopting his predecessor's approach to the treatment of civil servants, it appears that nothing has changed. In his speech at Greenwich, the Prime Minister claimed that the UK has the economists and the trade policy experts needed to negotiate a deal but also warned that

“if we don't have enough, or if they don't perform, believe me we will hire some more.”

I am not sure that civil servants will appreciate comments such as that, especially at a time when those in the Brexit department are being redeployed. I am not sure

[BARONESS SMITH OF BASILDON]

that it is helpful either that our diplomats are being told not to sit alongside their EU member state counterparts, as if that is really going to help to smooth the negotiations and make them easier. It seems very petty.

Noble Lords might wonder why any of this matters when the Government have committed to make further details of the negotiations

“available to Parliament as the process develops.”

I ask the Leader: how? The measures relating to parliamentary oversight were stripped out of the WAB entirely, having been included in the previously agreed version of the Bill. We may receive, and certainly welcome, Statements from members of the Cabinet but they cannot replace a formal role for Parliament or effective and efficient engagement. If the Prime Minister has no prospect of negotiating a comprehensive deal before his self-imposed deadline of December, which in reality probably means October given the ratification required, we will fall back on either the withdrawal agreement or an Australian-style barebones deal. We appear to be back in the realm of the “managed no deal”, an idea which has already been comprehensively discredited.

Last week, the National Audit Office reported that the Government’s previous preparations for a no-deal outcome were far from successful. Despite the expense, the NAO judged that

“it is not clear that the campaign resulted in the public being significantly better prepared.”

It would be helpful if the Leader could share her views on why the NAO made that judgment, but it would be more helpful if she could tell this House who was instrumental in helping the Government draw up the plans for that engagement; clearly, they failed comprehensively. If she does not have the information, I am happy for her to write to me on that point. Can she also confirm whether the Government will initiate a new scheme—possibly Yellowhammer 2—should negotiations not progress as we hope they will? If so, when will the Government start those consultations with the organisations and groups affected? They will need to have information because we need to learn from the mistakes made this time.

I also hope that the Leader can offer some words of comfort to my noble friend Lord Dubs. Although he is not here this evening, many others who supported and voted for his amendment to the withdrawal agreement Bill are. Ministers repeated time and again that the policy relating to family reunification has not changed, and that the UK wishes to negotiate reciprocal arrangements at the earliest opportunity. So why does the Written Ministerial Statement from the Prime Minister claim only that:

“The UK is ready to discuss”

this co-operation? It is not the same as the claim we have heard from Ministers on previous occasions: that the UK has already sought talks on the issue and that it is a genuine priority. The Prime Minister says just that we are ready to discuss it, which seems a step back from what we have previously been told by Ministers.

As I said at the beginning of my response, Friday was a turning point. The debate about leaving or remaining is over and it is incumbent on all sides to work together to achieve the best possible deal for

Britain. We are going to scrutinise the Government’s approach to the talks but we also stand ready, as we always have, to be constructive. I hope that Ministers will now be more open-minded, given that we have passed that 31 January deadline.

Lord Newby (LD): My Lords, I thank the Leader of the House for repeating the Statement. I am of course delighted that she has, because in doing so she has shown herself willing to be subjected to parliamentary scrutiny where the Prime Minister has not, despite the fact that the meat of this Statement is his Written Statement to Parliament today on the UK’s approach to the Brexit negotiations. I hope that this will set a precedent, and one which she will commend to her leader in another place.

It is very instructive to compare the Prime Minister’s Statement to that issued by the EU, also today, on its approach to the negotiations. The EU document runs to some 30 pages; the Prime Minister’s to one and a half, albeit in small type. It is still pretty thin. In a number of respects, the two sets of proposals are complementary, and the tone is certainly conciliatory, which is to be welcomed. The Government are now perfectly explicit that they want a Canada-type trade agreement. In terms of the degree of closeness to the EU, that is the height of their ambitions and they accept that if they fail to get such a deal, they will revert to normal third-country arrangements. The latter option would clearly be extremely damaging, as this House has discussed many times, but so in my view would be a Canada-type agreement.

Such an agreement will require customs checks and controls, sanitary and phytosanitary controls, and much form-filling. It will not be the frictionless trade of which Mrs May was such a proponent; nor “unfettered” trade, which was the terminology of the Conservative election manifesto. For the sake of clarity, can the Leader of the House confirm that a Canada-type agreement would inevitably lead to such controls? In respect of trade between the UK and the Republic of Ireland, can she confirm that the permanent customs border will now be down the middle of the Irish Sea rather than on the UK-Irish land border? Can she also explain how a Canada-type deal would cover agricultural products given that the real Canada agreement involves tariffs and quotas on agricultural products such as poultry, eggs, beef, pork and wheat? What discussions have taken place between the Government and the NFU to ascertain how British farm production would be affected by the imposition of such Canada-type tariffs and quotas?

One area where there is clearly no current agreement between the UK and EU position is fishing. The EU document talks of aiming

“to avoid economic dislocation for Union fishermen”

and to

“build on existing reciprocal access conditions, quota shares and the traditional activity of the Union fleet”.

How do the Government square this with their aim of extending the scope of exclusive UK fishery rights? Can the Leader confirm that, when it comes to services, the Government stand by their assessment of two years ago that a Canada-style agreement would involve more than 550 restrictions in services trade?

On security, the EU document discusses co-operation between law enforcement and judicial authorities, which will be in line with arrangements for co-operation with third countries. This is a million miles short of the co-operation which now protects the UK through the Prüm and European arrest warrant systems. How do the Government, whose own document talks only about putting in place a “pragmatic agreement”, envisage replicating the benefits for the security of our citizens which the present arrangements provide?

Moving on to the section in the Statement headed “Global Britain”, I am afraid that we now enter a zone of almost entirely windy rhetoric, culminating in the hyperbolic statement that Global Britain will be “an even stronger force for good in the world.”

To exemplify this new reality, the Statement refers to the COP 26 climate change summit that is to take place in Glasgow—our chairing of which, of course, has nothing to do with EU membership and long predates Brexit. The Government say that their approach to COP 26 is to lead by example, but the truth is that the only example they seem to be setting is of chaos and confusion. Following the sacking of Claire Perry O’Neill, can the Leader say who will now be in charge of preparing for this summit, when she expects the Cabinet sub-committee set up to manage it to have its first ever meeting, and when the Government will begin to publish their plans for the summit? The only thing that we know about it is that the costs have gone up from £250 million to £450 million, but we are no closer to knowing what the Government plan the summit to achieve.

For all the talk of global Britain, most of the rest of the globe thinks that, in pursuing Brexit, we have taken leave of our senses. Nothing in this Statement is likely to persuade them that they are wrong.

Baroness Evans of Bowes Park: I thank the noble Baroness, Lady Smith, and noble Lord, Lord Newby, for their comments and questions. I apologise for the confusion around the timing of this Statement. I also heard “I was in, I was out, I was in”, so I apologise for that.

The noble Baroness asked about our commitment to environmental and animal welfare standards. I can only reiterate what we have made clear time and again—not only me at the Dispatch Box but all my Front-Bench team covering these areas: that we remain firmly committed to upholding our standards and that, without exception, imports to the UK will meet our stringent food safety standards.

The noble Baroness asked about the political declaration, which makes it clear that the future relationship will be based on a free trade agreement. It also describes the future EU-UK relationship as a core economic partnership based on a free trade agreement supported by other agreements where appropriate. As both the noble Lord and the noble Baroness said, the Prime Minister has made it clear that we are looking for a Canada-style deal.

The noble Lord asked about customs and friction at the border. Yes, we recognise that leaving the EU will result in change. We are leaving the customs union

and single market and do not seek alignment with EU rules. That means that exporters and importers will have to comply with new processes, but we will do everything we can to mitigate any practical effects. We will seek to minimise friction through customs facilitation and co-operation between regulators, for example. A huge amount of work goes on around the world to minimise the cost of trade, including in the WTO, so there is plenty of work to build on. The noble Lord will also be aware that customs processes nowadays are electronic and done away from the border, so, again, we believe that we can mitigate many of the issues that may—I say only “may”—arise. Around the world, there are plenty of supply chains that do not depend on being part of a customs union, most obviously between the US, Canada and Mexico.

The noble Baroness asked about scrutiny and keeping Parliament informed. I reiterate our commitment to doing that. She also mentioned the length of the WMS that we published in comparison to the EU’s negotiating mandate. We anticipate that we will publish a further, detailed document towards the end of February in parallel to the EU’s finalisation of its own mandate. We will of course provide regular updates to the House and look forward to the continuing scrutiny of our excellent EU Committee and other committees as the work goes on. We will do all we can to make sure that this House remains informed. The latest situation is that discussions with the EU on the structure and frequency of negotiations have begun. We expect negotiations to begin in the first week of March, once the EU’s mandate process is complete, although we would be happy to begin them sooner if it so desired.

The noble Baroness asked about Gibraltar. I reiterate that we will be negotiating for the whole UK family, which includes Gibraltar. As with the withdrawal agreement, we will negotiate with the EU as a whole. There are clearly some circumstances which are specific to Gibraltar and we have discussed these with the Governments of Gibraltar and Spain. We had constructive conversations in the course of the withdrawal agreement, and we will continue to do so.

The noble Baroness also mentioned the Department for International Trade. DIT now has a full complement of trade negotiators. We have scaled up to be roughly similar in size to the US trade representation. Since 2016, the number of trade policy officials has grown significantly, from around 45 to some 575. Trade policy groups are supported by around 70 lawyers and 90 analysts. A lot of work has gone in to upping the skill set in that department, which will be critical in the months ahead.

The noble Lord, Lord Newby, asked about fisheries. I repeat that, when we leave the EU, we are committed to working closely with our partners, including the EU, Norway and Faroe Islands, to manage shared stocks in a sustainable way and to share fishing opportunities on a fair and scientific basis. The noble Lord also talked about internal security. As he knows, the political declaration provides the basis for our future security relationship, covering practical operational co-operation, data-driven law enforcement and multilateral co-operation through EU agencies. The detail of this will be a matter for further discussion. We are absolutely

[BARONESS EVANS OF BOWES PARK]

keen and open to discussing options for maintaining co-operation on the exchange of criminal records, DNA, fingerprints and vehicle registration data. The EU currently has agreements with third parties, including ones providing co-operation, through tools such as SIS II and Prüm. None of these agreements involves CJEU jurisdiction in those countries.

The noble Baroness asked about the noble Lord, Lord Dubs. We made a manifesto commitment to continue to grant asylum and support to refugees fleeing persecution. The Government demonstrated their intentions by writing to the EU Commission on 22 October last year to commence negotiations on this issue. We are seeking a reciprocal post-exit agreement with the EU on this matter.

Finally, the noble Lord, Lord Newby, touched on COP 26 and climate change. I assure him that this is a priority for the Government. We are delighted to be hosting this important global event. It looks like it will be bringing together over 30,000 delegates from around the world to tackle climate change. Our record on action on climate change is second to none. We are the first major economy to enshrine a commitment to reach net zero carbon emissions by 2050. We are doubling our international climate finance to £11.6 billion. We are absolutely committed and determined to make COP 26 a resounding success; we are sure it will be.

5.40 pm

Lord Howell of Guildford (Con): My Lords, I know that this Statement of the Prime Minister's vision is mostly about our future alliances and foreign policy. As he said, the rising economies are where 90% of the world's growth is going to come from. He also said that the International Trade Secretary is going to give a more detailed Statement next week. Can the House be assured that, in that Statement, there will be more specifics about the great new trade networks we are going to join, such as the Trans-Pacific Partnership, COMESA, the Pacific Alliance and the Commonwealth network, which is the biggest network in the world and where we have peculiar advantages? Oddly, there is absolutely nothing about the Commonwealth in this Statement. I find that rather surprising.

Baroness Evans of Bowes Park: I thank my noble friend. I can assure him that the Commonwealth is at the forefront of our mind and we will be working closely with Commonwealth countries. I am sure that the Statement later this week will cover some of the issues he would like covered. We intend to launch negotiations with the United States, Japan, Australia and New Zealand as soon as possible. It is our ambition to secure 80% of our total trade through new deals over the next three years. We have already had conversations with Japan and Australia. As the Statement said, my right honourable friend the Foreign Secretary will be visiting a number of countries over the next couple of weeks. As I also mentioned in my response to the noble Baroness and noble Lord, we have built up capacity in the Department for International Trade to make sure that we can hit the ground running.

Lord Morrow (DUP): Will the Minister clarify a matter which the noble Lord, Lord Newby, touched on? Does she take the position of the Prime Minister when he says that there will be no border down the Irish Sea, or that of Mr Barnier, who says that there will be?

Baroness Evans of Bowes Park: I take the position of the Prime Minister.

Lord Wood of Anfield (Lab): My Lords, I thank the noble Baroness for the Statement and for making herself available for these questions. Did she notice that there is a clause in the EU's draft negotiating mandate, issued this morning, which states that any judicial co-operation with the UK would be automatically terminated if we departed from the European Convention on Human Rights or if we failed to make access to ECHR rights available in UK courts? Given the record of the Prime Minister and his predecessor of occasionally referring to possible departure from the ECHR, will the Minister assure the House that there are no plans in this Parliament to abrogate, depart from, or restrict access to the ECHR in any way?

Baroness Evans of Bowes Park: The noble Lord obviously knows that the EU published its negotiating mandate only this morning. We will, of course, look in great detail at everything set out in it, as I am sure it will look at ours. I am sure that all negotiations will be done in good faith. We have an excellent international record: we are proud of our standing in human rights across the piece, both in the work that we do and in our support for the international rule of law. We would not want to do anything to put that in jeopardy.

Baroness Ludford (LD): My Lords, will the Minister tell us how the categorical rejection of any regulatory alignment in the Statement squares with the robust commitments the Government signed up to in the political declaration to ensure a level playing field? Secondly, and related to it, the assertion that the UK will have separate and independent policies in areas such as data protection seems to contradict the assertion at the end of the Written Ministerial Statement that seems to expect an easy agreement for data adequacy assessment, because

"the UK will be operating exactly the same regulatory frameworks as the EU at the point of exit."

Surely that is not the point. If the Government are saying that we have no intention of aligning dynamically in the longer term after we leave, surely that completely undermines any trust that the EU can have in our regulatory standards and means it is impossible for it to work on the basis of a level playing field.

Baroness Evans of Bowes Park: There is no requirement for alignment under the withdrawal agreement, and the political declaration sets out our commitment to discuss open and fair competition as part of negotiations on an ambitious future relationship. As the noble Baroness rightly says, we already start from a place of exceptionally high standards and we intend to maintain our standards in all these areas. In many instances we

actually have higher standards than the EU and we do not need a treaty in order to do that. We are absolutely committed—we have made commitments time and again and have said repeatedly that we do not intend to lower our high standards; we intend to lead the world.

Lord Pearson of Rannoch (Non-Aff): My Lords, the Statement says:

“We will have a new relationship with the EU, as sovereign equals, based on free trade.”

May I repeat an Oral Question I put to the Government last Thursday, 30 January, which I fear they did not understand? It was whether they would

“offer the European Union a new treaty, subject to World Trade Organization jurisdiction, which would continue the United Kingdom’s existing trading arrangements with the European Union”.—[*Official Report*, 30/1/20; col. 1506.]

What better free trade could we have than that? I suggested then that this offer would be generous to the European Union, if accepted, and would get rid of the Irish border problem, the need for much of Operation Yellowhammer and the endless lengthy trade negotiations which lie ahead. Can the noble Baroness explain why we do not do that?

Baroness Evans of Bowes Park: We have set out our negotiating mandate and what we intend to discuss with the EU in this WMS. That is the basis upon which we will be taking forward our discussions. What the Prime Minister has made very clear is that we are looking to negotiate an FTA like Canada’s, covering goods, services and co-operation in other areas. That is what we have set out, that is the position we will be starting with, and we look forward to engaging with the EU over the coming months in order to make sure that we have an excellent deal for both sides.

Lord Hannay of Chiswick (CB): My Lords, will the Minister answer the question she has already been asked but did not answer, which is why we signed up on Friday to a level playing field and on Monday we seem to find it pretty rebarbative? Which is the real position of the Government: what was in the political declaration or what is being stated now? Secondly, if the fallback position, as I understand it from the Statement, will be to trade on what are, somewhat misleadingly, called Australian terms, why is Australia now trying to negotiate a free trade agreement with the European Union when being without one is such a spiffing deal?

Baroness Evans of Bowes Park: As I responded to the noble Baroness, there is no requirement for alignment under the withdrawal agreement, and the political declaration sets out our commitment to discuss open and fair competition as part of negotiations on an ambitious future relationship. As we have also made clear, we want to negotiate a free trade agreement like Canada’s. If that is not possible we will look to have a trading relationship based on the 2019 deal on the lines of Australia’s, but our ambition is higher.

Viscount Hailsham (Con): My Lords, Ministers constantly say that we are not going to align. Would it not be wise for the Government and, indeed, all Ministers to remind businesses seeking to trade into the European Union that they are going to have to comply with regulations set by the European Union, regulations which now, post Brexit, we will have no hand in setting?

Baroness Evans of Bowes Park: The noble Viscount is quite right. Obviously, whenever you import or export you are subject to the rules of the country you are doing trade with but, as we have said, we believe that we can come to an agreement with the European Union. We already have high standards, we are already very closely aligned and we want to make sure that we have a good deal. That is what we will be talking to the EU about. We are ready to go and both sides have now set out their negotiating mandates. Previously, we have been criticised for not being clear about our position: we have been clear; the EU has put forward its proposals and we look forward to constructive discussions over the coming months so that we can come to a deal that works for both sides.

Baroness Ritchie of Downpatrick (Non-Aff): My Lords, will the Minister indicate, further to the question from the noble Lord, Lord Morrow, when the statutory instruments dealing with unfettered access for the export of goods and services between Northern Ireland and Britain and vice versa will be published, as was promised by the noble Lord, Lord Duncan, during the debate on Report on the EU withdrawal Bill some two weeks ago?

Baroness Evans of Bowes Park: I fear that I do not have that information to hand but I am very happy to go back to the department and check on the timings. I would also say that that we are considering the best way to implement the protocol and will be discussing this with the EU in a Joint Committee and specialised committees created under the withdrawal agreement. I will go back and check and if I can provide some further information to the noble Baroness, I will do so.

Lord Purvis of Tweed (LD): My Lords, that protocol highlights 371 laws and regulations that will not apply to Great Britain but will automatically apply in perpetuity to Northern Ireland. Their origin will be from the European Union. In October I asked the noble Lord, Lord Callanan, what representation UK citizens and businesses will have over rules set by a foreign entity in a trade agreement that they will have to comply with. He replied:

“Of course they will not have direct representation”.—[*Official Report*, 19/10/19; col. 361.]

What is the position of the Leader of the House on UK businesses and citizens who will have to comply with European Union rules over which they will have no representation? If that is the case, all the language about “one United Kingdom family” and the “whole UK family—fully and complete” will have to be scratched. It is either Great Britain and Northern Ireland or Northern Ireland alone under these EU rules.

Baroness Evans of Bowes Park: I am afraid that I do not agree with the noble Lord. I think he is alluding to the issue of consent. As I have said, we have set out our position: we do not want alignment and will discuss and negotiate on that basis. We believe that we can come to an agreement with the EU that works in the interests of the entire United Kingdom family.

Lord Cormack (Con): My Lords, as many of the problems of the last three years were caused by a less than constructive relationship between Government and Parliament, will my noble friend discuss with the Prime Minister the establishment of a Joint Committee of both Houses on global Britain?

Baroness Evans of Bowes Park: I thank my noble friend for his comment. Things can be considered, but we have an excellent Select Committee system, with excellent EU committees, the Constitution Committee and others which I think all noble Lords will agree did a fantastic job on scrutinising and holding the Government to account during the last phase of our discussions with the EU. I have no doubt that they will continue to do so going forward. We will listen to their advice and reports very carefully.

Baroness Bennett of Manor Castle (GP): My Lords, in a speech this morning the Prime Minister said that a free trade agreement should be

“governed by science and not by mumbo-jumbo”.

In the spirit of good science, the precautionary principle is critical to preventing environmental harm and maintaining food safety. Will the Minister guarantee that this precautionary principle will be at the centre of any free trade agreement, as it is at the centre of the EU’s negotiating position? Also, drawing on the contribution of the noble Lord, Lord Newby, on the COP talks, will she acknowledge that this is not something that happens at the end of the year but a full 12-month process on which we are already behind, having to start again with the new president?

Baroness Evans of Bowes Park: As I have said, we have a clear timetable for negotiations going forward and look forward to them beginning. We remain committed to world-class environmental, product and labour standards. Our reputation for quality, safety and performance is what drives demand for UK goods. We have absolutely no intention of harming this reputation in pursuit of any trade deal.

Lord Kerr of Kinlochard (CB): Would the Minister go a little further in answering the question of the noble Lord, Lord Wood? I too was struck that the Commission mandate shows that there is very real concern over there that we may be about to abrogate the European Convention on Human Rights. Can she confirm that we have no intention of doing so?

Baroness Evans of Bowes Park: I can confirm what I have said previously: we are very proud of our international reputation in this area and will not put it under threat during any negotiations.

Lord Lilley (Con): My Lords, will my noble friend reassure those noble Lords who seem to think that a customs union arrangement would be superior to the free trade agreement that we seek because it would avoid, among other things, the need for customs declarations, that this is not a view shared by most other countries, including the main partners of the European Union? Switzerland does not seek a customs union; its traders have to fill in customs declarations. Norway and the other EFTA members do not seek a customs union; they have to fill in customs declarations. Canada and Mexico do not seek a customs union with America; they have to fill in customs declarations. Why are they all assumed to be wrong and self-harming when we are not?

Baroness Evans of Bowes Park: I thank my noble friend for his observations. As I have said, in parallel with the negotiations we will be having with the EU, we intend to launch negotiations with other global partners so that we can end up having strong, positive trade deals with the EU and across the globe and make sure that we continue to play a role as the global Britain we all know we are.

Lord Dobbs (Con): My Lords, I am very worried about chickens in global Britain. I understand that, under global Britain, I might have to be offered chickens that have been washed in chlorine. I have been washing my kids—or at least allowing them to swim—in chlorine for years. Does this mean that I have been mistreating my children or that I might have to cook the chicken before I eat it?

Baroness Evans of Bowes Park: As I have made clear, we have extremely high standards in environmental protection, food safety, hygiene standards and labour laws. We intend to continue with those high standards. We are world-leading and we want, where we feel it is appropriate and necessary—as we have done for instance in our offer of maternity, paternity and annual leave and a number of actions we have taken in relation to the environment—to lead the world in standards. We have a proud history of doing that and will continue to do so. We will not lower our standards.

Baroness Wheatcroft (Non-Aff): My Lords, the financial services industry makes a vital contribution to the economy of this country. I note that in the Written Ministerial Statement the Prime Minister says that there should be enhanced provision for regulatory and supervisory co-operation arrangements with the EU for the financial services industry. For decades, Frankfurt and Paris have tried to take business away from the City of London. Will the Minister explain why she thinks that the EU will now want to make it easy for the City of London to continue to take business from Frankfurt and Paris?

Baroness Evans of Bowes Park: We seek to provide a predictable, transparent and business-friendly environment for firms to undertake cross-border financial services business. We propose that this can be done by agreeing comprehensive obligations on market access

and fair competition. We are also willing to look at regulatory and supervisory co-operation arrangements that reflect the level of access between our markets and seek to establish processes for dialogue on equivalence.

Lord Shipley (LD): My Lords, the Written Statement defines a huge number of areas for negotiation. Can the Minister confirm that the Government have sufficient civil servants across all departments to deliver agreements within a few months, which is what their intention seems to be?

Baroness Evans of Bowes Park: I can confirm that civil servants are being moved within the unit. David Frost, No. 10's Europe adviser, will be the UK's chief negotiator, reporting directly to the Prime Minister. He will lead the future negotiations with a team based out of No. 10, and will work with departments across Whitehall. As I hope was shown by my comments about the Department for International Trade, the Government are focusing on these priority areas. We are of course making sure that we are properly resourced to ensure that we can deliver the outcome that we all want, which is a good deal between the EU and the UK by the end of the year.

Lord McCrea of Magherafelt and Cookstown (DUP): My Lords, the Prime Minister promised businesses in Northern Ireland that if they were requested to fill in any forms to bring goods into Northern Ireland from mainland Britain, they should send the forms to him. Is that offer still available?

Baroness Evans of Bowes Park: I have to confess that I have not had a conversation with him about that recently. However, if that is what he said, that is what he said.

Baroness Neville-Rolfe (Con): Does my noble friend agree that we also bring many advantages to the EU-UK relationship? Four-fifths of capital for other member states is raised in London, and we provide an amazing food market for the French, and an even better car market for the British.

Baroness Evans of Bowes Park: My noble friend is absolutely right. That is why we want a relationship with the EU based on friendly co-operation between sovereign equals and centred on free trade. That will be the basis of our approach, and we look forward to discussing these important issues with the European Union over the coming months.

Birmingham Commonwealth Games Bill [HL] *Second Reading (Continued)*

6.01 pm

Lord Griffiths of Burry Port (Lab): My Lords, we resume the momentous Second Reading of the Birmingham Commonwealth Games Bill. The delay we have experienced has allowed me to find and display a badge indicating my support for this extraordinary event that will take place in two and a half years' time, which has been echoed and portrayed from all the Benches.

My noble friend Lord Grocott said that because the Bill had already been discussed last June it made it easy for him, since he already had his speech done. It is much easier for me; not only is it done but I can refer all Members of the House to *Hansard*, where they can read it for themselves.

The one advantage of the delay—not the delay immediately before this moment but the months that have passed since we first considered these matters—is all the measurable progress that we can see has been achieved by the organising committee, the city of Birmingham and related regions, to take everything forward and be ready in time. It has been an astounding effort. Senior people for the organising committee have been appointed; I have spoken to them and sensed their energy and commitment, and many of the issues that we raised last time are being and will be addressed. I have to say that I am now much more familiar with the difficulties of New Street station and, indeed, with the nature of shooting in India. These are new areas for me to have explored in such detail.

The range of things that have been discussed is truly across the spectrum. We have heard about legacy, accessibility, sustainability—wise words about the needs of disabled people as competitors and spectators, their families and all the rest of it. We have had some pretty picturesque although galling examples to consider on that point.

The noble Lord, Lord Foster, put words in the Minister's mouth when he suggested that she would say that we would not have to wait until after 31 March next year to get the first reporting done. If the Bill had passed when it should have passed, we would be ready to get some reports pretty soon. To wait a whole year in the light of the amount of work that has been done seems excessive, so I hope that the Minister will live up to the prophecy uttered by the noble Lord.

The sporting legacy was referred to by the noble Lord, Lord Moynihan, and others. Of course, we hope that there will be such a legacy. I have to say that recent experience does not suggest that it will happen just because we want it to happen or because we can find noble words to express our desire for it to happen. Let us hope that Birmingham does what other places have not done regarding the national need to address obesity, participation, community action and so on.

Therefore, with that said, and with my confidence about what has been said about human rights, the need to equip our grounds appropriately and to use the community, and all the rest of it—and of course with reference to the speech I made a year ago, to which I refer your Lordships once more—I am happy to leave matters there. I look forward to Committee, where some of these things will be looked at in greater detail.

6.06 pm

The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Baroness Barran) (Con): My Lords, I thank your Lordships for your valuable contributions to the debate today. I will try to address some of the points raised during the debate

[BARONESS BARRAN]

but if I am unable to respond fully, I will ensure that I will follow up with a letter on any points that I have not covered.

I echo the comments of the noble Lord, Lord Griffiths, about the progress, energy and commitment that we have seen since we last met in this place to discuss the Bill. That energy also relates to reporting to both Houses and keeping them up to date with progress. I am also happy to discuss issues raised today in further detail ahead of Committee, if noble Lords feel that that would be helpful.

I start by addressing some of the transport issues raised, as I now understand, by the world's leading train expert, the noble Lord, Lord Snape. He will understand that transport for an event of this scale and profile requires a huge amount of planning and co-ordination, which is why a detailed transport plan is being developed. Given the shrunken timetable for delivering the Games, local partners have already started work on the transport preparations in the absence of the legislation. The transport plan underwent a 12-week period of engagement; partners are now looking at the findings and will report back in due course.

A number of noble Lords, including the noble Baroness, Lady Crawley, were obviously traumatised by their experiences of Birmingham New Street station. I must say, it is vastly better than it used to be, but as part of the detailed operational planning, the Games partners are looking at the signage and wayfinding for all users, including spectators.

The noble Lord, Lord Grocott, asked why the Games traffic measures need to be in place 21 days in advance of the Games. That is a purely precautionary measure. In relation to Kings Heath station, I assume that we will need to agree a date when the noble Lord, Lord Hunt, will be there to open it, because clearly it is his divine right.

The noble Lords, Lord Foster and Lord Hunt, and others mentioned funding and a hotel tax. Noble Lords will remember that, as part of the process of being awarded the 2022 Commonwealth Games, the Government committed to underwrite their organisation and delivery, providing suppliers and contractors with the confidence they need that there is a robust financial framework behind the Games. The Government and the council have developed robust financial governance and change control processes to monitor and manage the spend against the Games budget, and control access to the contingency. I am pleased to confirm to my noble friend Lord Moynihan that the Games delivery is on time and on budget.

A number of noble Lords suggested that a local statutory hotel occupancy tax be supported to generate income to make a financial contribution to Birmingham's share of the cost of the Games. My understanding is that Birmingham City Council said that this would provide only a small contribution—perhaps £5 million—to the £40 million revenue requirement. It also said that such a tax is not necessary for the city to meet its share of the costs. I think I disappoint several noble Lords by saying again that the decision for a new tax sits with Her Majesty's Treasury, which has confirmed that local authorities already have a range of income streams

from which to deliver local services and that it has no current plans to support increased local fundraising through this type of taxation. It would be up to Birmingham City Council to present a case to Her Majesty's Treasury if it wished to proceed with this. On the point made by the noble Lord, Lord Foster, about reviewing the rate of VAT, all taxes are kept under review but there are no current plans to review VAT.

The noble Lords, Lord Foster and Lord Hunt, the noble Baroness, Lady Crawley, and my noble friends Lord Moynihan and Lord Holmes talked about the hugely important Games legacy. Clearly there are many aspects to legacy but a number of your Lordships' comments focused on the health legacy. As was mentioned, Sport England has already invested £10 million in Birmingham and Solihull to tackle physical inactivity; recently, the Department for Education also announced funding for a programme to encourage more young people to volunteer for grass-roots sport and in the wider community ahead of the Games.

The noble Lord, Lord Bilimoria, mentioned the links between universities and the Alexander Stadium, as well as the commitment to Birmingham City University being a tenant, if that is the right word, of the stadium going forward. There are plans for usage of the major facilities for 365 days a year. Similarly, plans for how the facility at Sandwell will be available for community use are well advanced; we can all agree that that is hugely important.

The noble Baroness, Lady Young, reminded us of the need to stay vigilant on human rights, modern slavery and trafficking risks around any event of this type. I am glad that she recognises the thought around modern slavery that has gone into the plans for the Games. The organising committee is absolutely committed to protecting human rights in the delivery of the Games. The charter was published in December and has been made public on the Games website. It looks at the working and procurement practices that will go to make up the Games, and human rights are at the heart of that. The committee will report annually on its progress and obviously noble Lords will have a chance to review that, as I am sure they will.

The noble Baroness, Lady Brinton, in absentia the noble Baroness, Lady Grey-Thompson, my noble friends Lord Moynihan and Lord Holmes and the noble Lord, Lord Foster, all talked about the critical issues around accessibility to the Games. The accessibility strategy has been set up with spectators, athletes, the broadcast media, the local workforce and the volunteers in mind, so that all groups should be able to access the Games. As was noted, the organising committee has appointed an accessibility manager and established a forum, and the accessibility strategy will be published this year.

I will need to write to the noble Baroness, Lady Brinton, on the number of homes in the athletes' village that meet the lifetime homes standard. She also asked about accessible venues and stadia. The aim for all the Games partners is that the venues and the services around them are designed, operated and delivered to ensure that everyone has a positive Games experience, which by definition means that you are not parked

somewhere on the outfield. Similarly, we expect all sports clubs to take the necessary action to fulfil their duties under the Equality Act.

Baroness Brinton (LD): Is the noble Baroness aware that all those aims and good words are exactly the same as they were for Glasgow, and therein lies the problem? My question was about the standards that would be expected. It would be helpful to know whether there will be specific arrangements in place, for example, for people in wheelchairs to sit with their families, as opposed to having to sit separately.

Baroness Barran: I shall write to the noble Baroness with the detail on that, but I absolutely hear what she is saying. Although I am not familiar with what was done for Glasgow, I know that in a number of areas, such as the recruitment of volunteers and the workforce for these Games, disability is central to the standards that have been set. There is a clear intention to meet that, but her critique would be welcome.

I turn to the question of Games lanes for use by athletes. At this stage, it is too early to say what temporary measures, such as a Games lane, will be needed, but obviously any such measures implemented will seek to minimise disruption for transport users, local residents and businesses. The noble Baroness, Lady Brinton, and my noble friend Lord Holmes talked about transport between hubs and Games venues. The draft Games transport plan states that

“for persons with specific accessibility requirements, and; accessible bus shuttle services will be provided from key transport hubs and Park & Ride sites.”

I hope that goes some way to reassuring both noble Lords.

I turn to the specific questions about seating. I do not know whether this will go some way to responding to the question asked earlier by the noble Baroness, Lady Brinton, but the organising committee has committed to meet the requirements of the International Paralympic Committee for accessible venue seating. At the risk of repeating myself, noble Lords will be able to scrutinise the organising committee’s approach to accessibility when it publishes its accessibility strategy in the spring. The committee particularly welcomes any feedback or input from noble Lords. The sustainability strategy will also be published in the spring.

My noble friend Lord Holmes asked about diversity in the organising committee. As I mentioned, a diversity recruitment plan has been developed and work is going on towards a “leaders in diversity” accreditation, which we hope will be achieved by the summer. While I do not have the exact figures on the breakdown, I am happy to write to my noble friend. I think I have already touched on the volunteer recruitment programme, where there is a campaign to recruit and engage a workforce that reflects the diversity of Birmingham as a city as well as the diversity of the UK.

The noble Lords, Lord Bilimoria and Lord Foster, and my noble friend Lord Moynihan talked about shooting as part of the Commonwealth Games. The Government very much welcome the confirmation from the Indian Olympic Association that India will be taking part in the Games. We also welcome India’s

proposal to the Commonwealth Games Federation to host the additional events for shooting and archery. The federation is currently considering the proposal with its member associations and will confirm its response to India.

Lord Bilimoria (CB): I thank the noble Baroness for that positive response from the Government to support India hosting the shooting and archery events. What I did not make clear in my speech was my request that, for future Commonwealth Games, the Government should support shooting being a compulsory sport, rather than an optional one.

Baroness Barran: I will be happy to raise that with my honourable friend the Minister for Sport in the other place and make sure that he is aware of that suggestion. In fact, he is meeting representatives of the Commonwealth Games Federation as we speak to discuss this very point. I can also confirm that the costs for the events will be met by the Indian Olympic Association.

A number of noble Lords asked about the News Media Association. The Government welcome the engagement of the association on the development of the Bill. It places on the Secretary of State a duty to consult specific people before making the exceptions regulations for advertising and trading. We are keen to continue working with the News Media Association and others as work on potential exceptions develops.

The noble Baroness, Lady Crawley, asked about government support for enforcement and trading standards. The Government are working with local authorities, the organising committee and West Midlands Police to create a co-ordinated approach, but the restrictions placed on ticket sales, advertising and trading are designated primarily as a deterrent. Obviously, we very much hope that is effective.

The noble Baroness also asked about community involvement, as did my noble friend Lord Holmes. I think it was my noble friend Lord Coe who, at Second Reading last time, talked about the critical importance of involving the community when launching an event of this type. There is already a programme to link schools with the Games. There is a programme of creating community champions and, if noble Lords have suggestions for who those might be and would like to nominate anyone, the opening date is 14 February. This is an absolutely critical part, and a lot of work has already gone into the community programme, thinking about skills, volunteering opportunities and the environmental implications of the Games.

As I said in the opening sentences of my speech, I would be delighted to meet noble Lords ahead of Committee to discuss any points they would like to raise. As we bring this debate to a close, I again thank all noble Lords for their contributions. I am delighted by the continued support for the Games, and listening to your Lordships gives me a sense of the real enthusiasm that this House has for playing its part in delivering this important legislation.

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

Coronavirus Statement

6.25 pm

The Parliamentary Under-Secretary of State, Department of Health and Social Care (Baroness Blackwood of North Oxford) (Con): My Lords, with permission, I will now repeat a Statement made by my right honourable friend the Health Secretary regarding the ongoing situation with the Wuhan coronavirus:

“On Friday, the Chief Medical Officer announced that two patients in England who are members of the same family tested positive for coronavirus. They were transferred to a specialist unit in Newcastle, where they are being cared for by expert staff. Public Health England is now contacting people who had close contact with these two confirmed cases. Close contacts will be given health advice about symptoms and emergency contact details to use, should they become unwell in the next 14 days. These tried and tested methods of infection control will ensure that we minimise the risk to the public.

On Friday, a Foreign Office-chartered aircraft carrying 83 British nationals left Wuhan for the United Kingdom, and I thank all those involved in this operation, including staff at my own department, the Foreign Office, Border Force, the Ministry of Defence and military medics, as well as all the NHS staff, officials at Public Health England and many more who have worked 24/7 on our response so far.

Yesterday, we brought back a further 11 people via France, and returned UK nationals have been transferred to off-site accommodation within the NHS at Arrowe Park Hospital on the Wirral, where they will spend 14 days in supported quarantine as a precautionary measure. I thank all the staff there who have done so much to make this possible. There, they will have access to a specialist medical team who will regularly assess their symptoms. In addition, one British national has been taken to a separate NHS facility for testing.

We will take a belt-and-braces approach that puts public protection as the absolute top priority for a virus that is increasingly spreading across the world. As of today, there are more than 17,000 diagnosed cases in mainland China, with a further 185 in other countries, including France, Germany and the United States. There have been 362 fatalities so far. The World Health Organization has now declared the situation a public health emergency of international concern, and the UK Chief Medical Officers have raised the risk in the UK from low to moderate. We are working closely with the WHO and international partners to ensure that we are ready for all eventualities.

Health Ministers from G7 countries spoke this afternoon, and we agreed to co-ordinate our evidence and response wherever possible. The number of cases is currently doubling around every five days, and it is clear that the virus will be with us for at least some months to come; this is a marathon, not a sprint. On existing evidence, most cases are mild and most people recover. Nevertheless, anyone who has travelled from Wuhan or Hubei province in the last 14 days should immediately contact NHS 111 to inform it of recent

travel, and should stay indoors and avoid contact with other people, just as they would with flu, even if there are no symptoms. Anyone who has travelled to the UK from mainland China in the last 14 days and is experiencing a cough, fever or shortness of breath should self-isolate and call NHS 111, even if symptoms are mild.

We will do all we can to tackle this virus. We are one of the first countries in the world to develop a new test for the virus. Testing worldwide is being done on equipment designed right here in the UK, in Oxford, and today I am making £20 million available to the Coalition for Epidemic Preparedness Innovations to speed up development of a vaccine. I can also announce that Public Health England has sequenced the viral genome from the first two positive cases in the UK and is today making that sequence available to the scientific community. Its findings suggest that the virus has not evolved in the last month. We have also launched a public information campaign, setting out how every member of the public, including Members of this House, can help by taking simple steps to minimise the risk to themselves and their families: washing hands and using tissues when they sneeze, just as they would with flu. That goes for all of us.

We remain vigilant and determined to tackle this virus, with well-developed plans in place. I commend this Statement to the House.”

6.30 pm

Baroness Wheeler (Lab): My Lords, I thank the Minister for repeating the Statement and once again pay tribute to the medical, public health and NHS staff who are working so hard to deal with this crisis, both in the UK and internationally. Last week, the Minister underlined the importance of all public health authorities and the NHS working closely together to ensure clear co-ordination. Now that the World Health Organization has declared the virus a public health emergency of international concern, this is more important than ever.

As we have heard, 93 British nationals have now been repatriated to the UK and transferred to a dedicated NHS facility in the Wirral as a precautionary measure. Can the Minister update us on the health and well-being of those people in quarantine? There have also been reports that 15 health workers have been diagnosed in China. We know that the virus mainly spreads through contact with an infected person. Can the Minister outline what protections are in place for health workers, particularly for those in the Wirral and in Newcastle, who are in close contact with those in incubation?

One of the disturbing findings from the early stages of the virus so far has been reports that a number of the people who have sadly died had pre-existing conditions. Does the Minister have any further information on this, including on the particular types of pre-existing conditions and what steps will be taken here to advise and support these very vulnerable people in the UK?

On vaccine development, there have been suggestions that human trials of a vaccine could start soon and be progressed with unprecedented speed. I welcome the reference to this in the Statement. The *Times* today reports that the head of the Coalition for Epidemic

Preparedness Innovations has mentioned that an investigational vaccine from gene sequencing of the pathogen through to clinical testing could happen in 16 weeks, with the earliest stages of clinical trials taking two to four months. We welcome the Government's £20 million contribution to the coalition's research to speed up development of a vaccine. Has the Minister any specific further information on how quickly they expect the vaccine to be available and ready to distribute?

The Minister will be aware that many east Asian people living in the UK have reported being the target of racist abuse linked to the outbreak, while Chinese businesses are suffering from bogus claims that Chinese culture is to blame for the coronavirus. Their community leaders have expressed concern about repercussions, as Chinese students, workers and tourists in Europe become a focus of fear and confusion about the virus. What steps are the Government taking to combat racism, stereotyping and making assumptions during the outbreak of the virus?

Finally, we fully support the Government's public information campaign centred on simple preventive measures to minimise the risk of the virus spreading, such as by washing hands and using tissues when you sneeze. Can the Minister reassure the House that the campaign will be proportionate to the risk currently faced by the general UK population? While we need to alert the public, we all want to avoid causing unnecessary stress or creating a panic.

Baroness Brinton (LD): I echo the thanks to medics, staff involved in logistics and especially the scientists working so rapidly to sequence the genome of the coronavirus. I support many of the points made by the noble Baroness, Lady Wheeler.

Our concerns are more about some of the very practical arrangements and the fact that the UK seems to be responding 24 or 48 hours behind some other countries. I note the Statement says that

"anyone who has travelled from Wuhan or Hubei province in the last 14 days should immediately contact NHS 111 to inform it of recent travel."

It also says:

"Anyone who has travelled to the UK from mainland China in the past 14 days and is experiencing a cough, fever or shortness of breath should self-isolate".

It is interesting that the Philippines, New Zealand, the USA, Singapore and Australia are now barring all foreign nationals from mainland China from entering their countries at all. I know that the World Health Organization is not yet saying that we should follow that, but I noticed that a report at the weekend said that about 340-odd people had come in from Wuhan just before the arrangements were put in place and that the Department of Health was now trying to track these people. Given that we now know that the disease can infect people prior to symptoms emerging, has the Department of Health been able to identify those people who arrived prior to the Government's arrangements being put in place? Do the Government now have absolutely clear procedures to identify people coming not just from Wuhan and Hubei province but from mainland China so that they can contact them urgently if there are issues? Is everyone travelling in from China getting specific advice about who to contact and what to do?

Finally, what are the numbers of cases in regions outside Hubei? The press is reporting that at least 24 provinces, municipalities and regions in China have now told businesses not to resume work before 10 February at the very earliest. These account for 90% of exports from China. Given that many of our businesses rely on just-in-time manufacturing, I wondered whether the Government were assessing what the impact on our businesses would be if there was a gap in production and exports from China.

Baroness Blackwood of North Oxford: I thank the noble Baronesses for their comments and very relevant questions. The UK is of course very well prepared for these types of outbreaks. We have responded extremely well on previous occasions, so we should have confidence not only in the capability of Public Health England and the NHS to respond, but in the ability of our chief medical officers to assess the level of risk, which speaks to the point the noble Baroness, Lady Brinton, made about the pace and types of responses being put in place. This is clear medical advice based on the evidence and data available.

The advice available for travellers is obviously being kept under constant review and it has changed. Currently, there is advice against all travel to Hubei province and all but essential travel to mainland China. Essential monitoring has been put in place for all incoming flights from Hubei province, and for wider travel too. Public health officials are meeting all those flights and advice is being given as outlined in the Statement.

Rightly, a question was raised about the risk to the health workers who respond, as this is a virus that is spread by contact. Obviously, this speaks to the capabilities of NHS expert teams, who are accustomed to responding to any risk. As well as the expertise they already have, advice is being communicated from the CMO and others. The NHS expert teams are with every ambulance service and are in a number of specialist hospital units, where equipment and highly trained staff are ready to receive and care for patients with any highly infectious diseases. We have also provided an extra service on NHS 111, for public health advisers to triage people with specific queries or symptoms who have travelled from the region, so that they get to the right point. I hope that answers the question.

On the question of information to NHS staff across the system, a tripartite letter has been issued by the CMO, the NHS medical director and the director for the National Infection Service and PHE to all front-line clinical staff, so that they are aware how to respond and what steps to take when encountering patients arrived from overseas with respiratory infections. This was updated on 31 January in the light of the WHO's declaration of PHEIC. I think we can be reassured on that point.

It is absolutely right that the evidence shows that the mortality rate of between 2% and 3% is mostly for older patients and those with pre-existing conditions. That is part of the data and the evidence which has been given to the NHS so that it knows how to provide appropriate care.

I would like to respond to the questions raised regarding the care provided for the confirmed cases. Public Health England is making good progress in

[**BARONESS BLACKWOOD OF NORTH OXFORD**] identifying and contacting anyone who has been in close contact with those two confirmed cases. Thorough investigations will continue, to ensure that we take all possible actions to identify anyone who has come into close contact with them. They will be given health advice about symptoms, and emergency contact details to use if they become unwell within the 14 days. This is based on the CMO's advice about tried and tested methods. Additionally, we are pursuing wider contact tracing across the country for all who have come in from Wuhan. We are confident in the progress that we are making.

Finally, I turn to the questions regarding vaccines. As I noted in the Statement, the Government have pledged £20 million to develop new vaccines to help to combat the world's deadliest diseases. This will support work developing new vaccines for epidemics and includes three new programmes to develop vaccines against novel coronavirus. The project aims to advance vaccine candidates into clinical testing as quickly as possible. I cannot give an exact timeline to the noble Baroness today, but I shall endeavour to get her as much information as possible. I am sure that we shall have more discussion on these issues as we go through this, but I hope that I have answered her main questions. If I have missed anything, I will be very happy to write.

6.42 pm

Lord Birt (CB): My Lords, the Minister said that we were well prepared for this outbreak, but quite honestly it does not altogether appear so. We saw reports in the media of the first flights arriving from Wuhan. The passengers reported that there was no medical intervention and no advice offered of the kind that is in the Minister's Statement. We are now asking people who have arrived in the last 14 days to contact the NHS immediately to inform them of recent travel, to stay indoors and to avoid contact. That advice was not offered to the first people who arrived. The delayed FCO chartered flight this week has quarantined people for 14 days, as we all know. These actions appear inconsistent. Can the Minister assure us that they are consistent and that there is some coherence and rationale behind them? There does not appear to be.

Baroness Blackwood of North Oxford: There is indeed. The first Urgent Question I replied to a few days ago was when we introduced the enhanced monitoring on planes, meeting each flight coming into Heathrow from Wuhan; they come in three times a week. That information and advice was given to individuals on those flights and public health officials met them from that day. If individuals came in before that day, they would not have received advice; contact tracing has been under way for those people. Subsequently, British nationals wishing to return home have been in contact with the Foreign Office and flights have been arranged to bring them home. I think that is the flight which the noble Lord is referring to. As a precautionary measure, quarantine has been arranged for those individuals for 14 days, to ensure that we manage any potential risk as effectively as possible. This is based on the advice of

the Chief Medical Officer, from the data which has subsequently become available, since evidence is evolving regarding the risks associated with the Wuhan coronavirus.

Lord Lea of Crondall (Non-Aff): It may seem rather indelicate at this stage to talk about the wider economic impact within China and on Chinese trade with the rest of the world, but, as was mentioned in Questions earlier, might it be useful if that dimension was included in future reports? A lot of businesspeople will be putting off trips and so on. There may need to be new lines of credit, especially at the present juncture. Of course, in China everything is coming to a halt in terms of internal transport and so forth. To show our interest in what we might call the economic and social developments in China, would it be useful to have some reporting on how the rest of the world is dealing with all these other non-medical dimensions? I think the Chinese and a lot of our businesspeople would appreciate that so that we do not jump the gun. People will be desperate to get back to business, which is not yet timely.

Baroness Blackwood of North Oxford: The noble Lord will not be surprised to hear that it is important to put the public health response first and foremost when it comes to a risk of this kind, and that is exactly what is happening in this case. The actions that the UK has taken in this regard have been appropriate, proportionate and commensurate with the data and evidence that have come forward, and they are based on clinical evidence. Having said that, he is absolutely right that an economic impact as a result of quarantine measures taken by China and others cannot be avoided, and it is right that we should consider the impact for UK businesses. I am sure that consideration will be given to what can be done about that.

Baroness Watkins of Tavistock (CB): My Lords, can the Minister define what she means by mainland China? I asked a question about Hong Kong last week and I note from the Foreign Office website that the Hong Kong Government have announced that all border crossings with mainland China will close at midnight tonight, Hong Kong time, which is an excellent idea in terms of containment. I am also aware that people who work for international companies in Hong Kong have been told to work from home for a minimum of two weeks from last Friday—three days ago. What will we do about people coming to our borders from Hong Kong in the immediate future?

Baroness Blackwood of North Oxford: The noble Baroness asked that question last time and I did not forget. At the moment, Foreign Office travel advice is that anyone who has travelled to the UK from anywhere in China other than Wuhan or Hubei province, but not including Macau and Hong Kong, in the past 14 days and has developed symptoms should immediately self-isolate, even if symptoms are minor, and call NHS 111. Macau and Hong Kong are not included because those territories do not have evidence of sustained community transmission, as has been observed in mainland China, to date. They are therefore not currently included in the same travel advice as mainland China. However, the epidemiological situation in Hong Kong

and Macau, as indeed in the rest of the region, is kept under constant review and will be considered in travel advice as we go forward, and reported to this House accordingly.

Baroness Finlay of Llandaff (CB): My Lords, I am most grateful, as is everybody, to the Minister for updating us. She spoke about person-to-person transmission not having occurred in Hong Kong and those other areas. Will she confirm that to date there has been no evidence of person-to-person transmission outside China? That is, it has come from contact within China and people who have the virus leaving China. Do we have that information?

Also, in modelling for the worst-case scenario that might occur, how many negative pressure room beds do we have across the whole of the UK for those patients who develop severe acute respiratory infection and therefore have to be hospitalised and possibly ventilated in the event of this becoming severe? What evidence is there about the length of time that the virus survives on different surfaces outside the body? Because of the incubation and asymptomatic periods, when it appears that people are still infectious, there is a concern that the virus has quite a long survival time on surfaces, particularly those that may be warm and damp.

Baroness Blackwood of North Oxford: There were a few questions there. With regard to transmission, this is an evolving picture, so the best thing would be for me to send the most up-to-date information to the noble Baroness and put a copy in the Library, as I am sure it will be of interest to the whole House.

On ECMO beds, since April 2013, NHS England has commissioned a total of 15 adult respiratory ECMO beds from five providers in England. There is further provision in Scotland. But in periods of high demand, the capacity can be increased. For example, in the winter of 2018-19, when there was a significant risk associated with flu, the capacity was increased to over 30 beds and similar arrangements are in place for paediatric services. In addition, there are eight commissioned high-consequence infectious disease beds and around 500 infectious disease beds, and at the moment NHS England is confident that it has enough capacity, which I hope is reassuring for the noble Baroness. Obviously, we are keeping that under constant review as the situation evolves.

On the question about surfaces, that is one of the specific reasons why advice has been given regarding personal hygiene—washing hands and using tissues when sneezing—to avoid any forms of transmission that may create the kind of risks referred to by the noble Baroness.

Baroness McIntosh of Hudnall (Lab): My Lords, when the Minister repeated the Statement, she referred to the precautionary measures that people are being invited to remember when trying not to pass on infection. If I recall, the Statement said something to the effect of “as you would normally do with flu”. But does the Minister agree that that is not what people normally do with flu? People often do not take the symptoms

seriously and transmit it before they have even decided to give into it themselves. I have one germane example in this context. A member of my family contracted flu a couple of months ago which became pneumonia, although fortunately not a serious case. He was advised to go to his GP and the GP referred him to A&E where he waited a long time with a lot of other people in what was clearly a highly infectious state.

Given the stringency of the measures taken to contain coronavirus, can the Minister say what wider public health lessons we might take from this in giving consistent messages to prevent people imagining that flu is a minor illness and it does not matter if you continue going to work or pass it on to other people? It does matter, and the mortality rate among vulnerable groups with flu can be quite high, as the Minister will know.

Baroness Blackwood of North Oxford: The noble Baroness has rightly raised this issue with me before. She is quite right that flu can and should be managed much more effectively in the community and by individuals. I think we have had an effective flu campaign this year. The flu vaccine has been offered to 25 million people. We have also extended the flu programme this year to children in year 6 to improve herd immunity and drive up its impact. We are seeing the number of those with flu declining, so we are starting to see some improvement. However, I completely recognise the noble Baroness's point about public health lessons and improving public education on the management of infectious conditions, which we live with every winter, not just when we have an infectious situation such as this. I thank the noble Baroness for an important question.

Lord Patel (CB): My Lords, in my view the measures the Government have taken are balanced so as not to cause a panic and unnecessary alarm. The important thing, though, is that the Government remain on top of developments. If the virus mutates and spreads rapidly from human to human, it will require much more draconian measures to be taken.

It has been reported that the virus transmits from human to human and to people who have not been in China, although the numbers are small. An index or measure of human-to-human transfer is known as R0. It currently stands at about 1 to 2. If it increases, that means the virus is spreading faster. Sequencing of all the known cases so far suggests that the virus has not mutated. It remains 99.98% the same sequence, including in the two patients known in the United Kingdom. I hope the Government have a strategy in place to keep on top of developments and that they will take the steps required to stop the spread.

Baroness Blackwood of North Oxford: I thank the noble Lord. He is right that there is a global effort to keep on top of the sequencing of the virus to track any evolution of it. As he said, the indications are that the virus has not evolved in the past month, which is encouraging. The rate of transmission is as reported. That means that the infection control measures in place, which are based on clinical evidence and the

[BARONESS BLACKWOOD OF NORTH OXFORD] data, are proportionate and appropriate. Combined with the public health advice that has come out and the contributions each of us can make as individuals to manage the spread of infection, we believe that this is the responsible and appropriate route. However, as the noble Lord said, we will keep the developing situation under a close eye so that we can respond quickly and nimbly as the situation goes forward.

Streatham Incident *Statement*

6.56 pm

The Advocate-General for Scotland (Lord Keen of Elie) (Con): My Lords, with the leave of the House, I shall now repeat a Statement made in another place by my right honourable friend the Lord Chancellor and Secretary of State for Justice. The Statement is as follows:

“With permission, Mr Speaker, I would like to make a Statement about the senseless and horrific terror attack in Streatham yesterday afternoon. Two members of the public were brutally stabbed as they went about their business on the busy High Road. Another was injured as our brave police stepped in before even more harm could be done. I am sure Honourable Members will join me in sending our thoughts and prayers to the victims, their families and all those affected by this appalling attack.

I would also like to pay tribute to our outstanding emergency services who once again ran towards untold danger to protect the public: the police who shot the offender to save others, and the ambulance staff who fearlessly tended the wounded despite the risk to their own lives.

Protecting the public is, and has to be, the number one priority for this Government. The Streatham incident is subject to an ongoing police investigation. As such, I am limited in what I can say at this time, but I would like to share what details I can with the House. A known terrorist senselessly stabbed a man and a woman on Streatham High Road around 2 pm yesterday afternoon. The attacker has yet to be formally identified, but police are confident it was 20 year-old Sudesh Amman. In December 2018 he was imprisoned for three years and four months for 16 counts of distributing extremist material and for the possession of material likely to be useful for the purposes of preparing a terrorist act. The sentence he received was a standard determinate sentence. That means that one week ago he was automatically released half way through the term. The Parole Board had no involvement in the matter. The law required automatic unconditional release at the halfway point.

Amman was being followed by armed police officers when he attacked, and they immediately shot him dead before he could harm any others. They stepped in despite the fact he appeared to be wearing an explosive device, which has now been confirmed as fake. A female member of the public in her 20s was hurt by broken glass as shots were fired to end the threat. She remains in hospital, as does the male

victim in his 40s, who I am pleased to say is now recovering after initially fighting for his life. The other female victim, in her 50s, has since been discharged. Our thoughts are with them all.

As this is an ongoing investigation, it would not be appropriate for me to comment further on the case while the full facts are established. However, I would like to reassure honourable Members that our outstanding security services and the police have the full support of the Government as they investigate this atrocity.

I also want to talk about our security services, police, prison and probation officers, and their joint response. All these operational agencies are truly first class and are the epitome of public duty. The swift response to yesterday’s attack, monitoring the threat and responding quickly when it escalated, can give us confidence that the police and security services are doing all they can to keep the public safe.

Our prisons and probation services have robust measures in place to deal with terrorist offenders and we are at the forefront of international efforts to counter this threat. All terrorist prisoners and individuals who are considered to be an extremist risk are managed through a specialist case management process. Most can be dealt with as part of the mainstream prison population but, where it is necessary, a small number of the very highest-risk offenders are now managed in separation centres.

The time offenders spend in prison is an opportunity to do our best to rehabilitate them, recognising that this is no simple challenge. Psychological, theological and mental health interventions are all used, and HMPPS psychologists supply two formal counter-radicalisation programmes, used both in custody and in the community. In addition, the desistance and disengagement programme was rolled out in prisons in 2018. This provides a range of intensive, tailored interventions designed to address the root causes of terrorism.

I want to pay tribute to the work of our prisons and probation staff. They are dedicated to keeping the public safe, and they work tirelessly to try to turn lives around, even in the face of such a deep-seated ideology.

The tragic events at Fishmongers’ Hall in November last year showed that we need to look carefully at the way we deal with terrorist offenders. I have long been clear, as has my right honourable friend the Prime Minister, that automatic halfway release is simply not right in all cases. After the London Bridge attack, the Prime Minister, the Home Secretary and I immediately promised a major shake-up of our response to terrorism. Two weeks ago, the Home Secretary and I announced clear measures, a tough new approach and a new commitment to crack down on offenders and keep people safe. Those include, first, introducing longer and tougher sentences for serious terrorist offenders, ending release for them before the end of their custodial term, opening up longer licence periods, and keeping the worst offenders locked up for a mandatory minimum 14-year term; secondly, the overhauling of prisons and probation, with tougher monitoring conditions, including lie detector tests to assess risks; thirdly, doubling the number of counterterrorism probation officers and investing in counterterrorism police, providing an increase

in funding of £90 million from April; and, fourthly and finally, putting victims first by reviewing the support available to them, including an immediate £500,000 boost for the Victims of Terrorism Unit.

We have also announced an independent review of our multiagency public protection arrangements—MAPPA—to be led by Jonathan Hall QC. This is looking at pre-release planning, as well as the management of offenders upon release in the community.

Many of those measures will be in a new counter-terrorism (sentencing and release) Bill to be introduced in the first 100 days of this re-elected Government. However, yesterday's appalling incident makes the case plainly for immediate action. We cannot have the situation, as we saw tragically in yesterday's case, where an offender—a known risk to innocent members of the public—is released early by automatic process of law, without any oversight by the Parole Board.

We will do everything we can to protect the public. That is our primary duty. We will therefore introduce emergency legislation to ensure an end to terrorist offenders being released automatically, having served half their sentence, with no check or review. The underlying principle has to be that offenders will no longer be released early automatically and that any release before the end of their sentence will be dependent on risk assessment by the Parole Board.

We face an unprecedented situation of severe gravity. As such, it demands that the Government respond immediately, and this legislation will therefore also apply to serving prisoners. The earliest point at which these offenders will now be considered for release will be once they have served two-thirds of their sentence and, crucially, we will introduce a requirement that no terrorist offender will be released before the end of the full custodial term unless the Parole Board agrees. We will ensure that the functions of the Parole Board are strengthened to deal even more effectively with the specific risk that terrorists pose to public safety. For example, we will ensure that the appropriate specialisms are in place. That work is in train and we will take steps to implement this as soon as possible.

When someone is released, we will always ensure that terrorist offenders are subject to the most robust safeguards, and we will consider whether new legislation is required to provide additional assurance. Finally, we will review whether the current maximum penalties and sentencing framework for terrorist offences are indeed sufficient or comprehensive on the underlying principle that terrorist offenders should not be released until the Parole Board is satisfied that they are no longer a risk to the public.

As I said, keeping our streets and our people safe is our first duty. We face a threat from an ideology that takes no heed of others, and we must use every tool we can to make sure that that threat is neutralised. The British public have a proud history of coming together in times of adversity against those who seek to divide us. Together, we can make sure that the terrorists who seek to threaten our way of life will never win. This Government will do everything in our power to defeat them and to ensure that the public are protected. I commend this Statement to the House."

7.06 pm

Baroness Chakrabarti (Lab): My Lords, I am grateful to the Minister for repeating that Statement—a difficult duty in very difficult times. I join him in his tribute to our emergency and health services, and in his sympathies with those recovering from this terrible incident.

I hope the Minister will be able to acknowledge the pre-eminence of resources to deal with the threat that we face. He mentioned a number of responses that the Government are considering and/or planning, but resources are required to do anything significant in this area, whether in relation to the prison system, which is under strain, as has been discussed in your Lordships' House over many years, in relation to the probation service, which is designated with engaging with people who have been convicted, or in relation to precursor terrorism offences or other offences. This also applies, of course, to policing and to our agencies. Nothing that any Government of any persuasion may legislate for can be achieved to "keep our people safe" without putting significant resources into a system that has been under pressure for some time.

In relation to the privatisation of prisons and probation, the issue is not just about resources but about accountability and the importance of those elected to govern—who have, of late, been given a significant mandate—taking ultimate responsibility for that primary duty. I am sure that Members of your Lordships' House noticed, as I did, the Minister's comments on sentencing. Few could have a principled difficulty with the idea that those sentenced for terrorist offences should not be released automatically without the input of a decision-maker such as the Parole Board. That, of course, involves significant resources, not just for the Parole Board itself but for those who must engage—by not just isolation but engagement—within the prison system, to make rehabilitation a real possibility; currently, too many of our prisoners are radicalised not on the streets of this country but in the prison system itself.

I also noticed in the Statement more than a hint that the sentencing legislation to come, perhaps on an emergency basis, might well be retrospective in its effect. I hope that the Minister will be prepared to comment a little further on the legal dangers of embarking upon extending the incarceration, or changing the sentence, of people who have already been sentenced. This a very serious principle, under not only human rights law but the common law of this country. Can the Minister give us some comfort, or at least some further explanation, as to why it is necessary to prioritise retrospective legislation—if I have that right—or to extend the sentences of people already convicted, sentenced and incarcerated?

There was also a hint in the Statement—understandably so—about people who will come to the end of their sentence one day or, indeed, as those of us who have dealt with these matters before will know, about people who have never actually been convicted of anything. I would sound a note of caution about a well-trodden and dangerous road that has been embarked upon in the past, in this jurisdiction and elsewhere, of restrictions on liberty, or punishment, or preventative measures, without charge or trial. Such measures bring dangers not just to the rule of law but to counterterror efforts

[BARONESS CHAKRABARTI]

themselves. I ask noble Lords who are just as experienced as I am—or more so—in these matters to consider the dangers of such a path. Have we not learned the dangers of injustices and perceived injustices that recruit and radicalise more people than they ever deter?

The Minister was quite right to express caution about commenting too much on this individual case, which must of course still be subject to intense examination and review. I hope that, in time, your Lordships' House will be provided with a fuller and more thoughtful review and consideration of what happened in this case, so that there might be some learning in relation to all the matters we have discussed, including how this young man went down the path he did, and how he was engaged with in his younger life, including within the prison system. This is not to detract from the heroic efforts and courage shown by those who put their lives on the line over the weekend, or members of the public who, as always in this great capital of this great country, responded with stoicism, courage and unity.

Lord Beith (LD): My Lords, I thank the Minister for repeating the Statement. This was a very serious incident; our thoughts are with the victims. It could have been much worse but for the rapid action of police officers. We should also recognise, as the noble Baroness, Lady Chakrabarti, did, the contribution of members of the public who came to the aid of the injured.

This terrorist was released by an automatic process which falls short of what we need to do to protect the public. We agree that, in future, release of those convicted of terrorist offences before the end of their sentence should require an assessment by the Parole Board, which will need the resources to do this. The Government have given some indication that they may give these. However, that is necessarily quite a limited thing, which will not in the end make a fundamental difference to the fact that most of these people will eventually come out of prison—a point which I will come to in a moment. If, for example, we have a terrorist conviction for possessing or distributing literature, the amount by which the sentence would be extended, from half to two-thirds, would be small as a proportion of a shorter sentence. In presenting this matter to the public, we should be clear about its limits. Is the Minister telling us—this is the point about retrospection that the noble Baroness referred to—that existing sentenced prisoners currently able to get release on licence at the halfway point will have their custody extended to two-thirds even if they are given a positive review in the Parole Board assessment? That seems to be not only retrospection but punishing prisoners for what others have done while they are inside.

The key point is that most of those we sentence for terrorist offences will eventually be released, so we have to deal with the risks. We need more resources to go into deradicalisation programmes in prisons, using any available expertise from other countries which have also been on this path. We need far more staff in our prisons, trained to deal with these prisoners. I do not think many people in the prison system would

recognise the rosy picture tucked away in the Statement of life in our prisons. They house far more prisoners than they are built or staffed to hold, mainly because of longer sentences for a range of non-terrorist offences, which make prisons virtually unmanageable. We need rigorous management of terrorist prisoners, who all too often become members of a radical subculture in prison, which provides recruitment and training for terrorism and inspires the worst kind of fanaticism. When these prisoners are released, we need to be sure that they are supervised by properly financed probation services, police monitoring and, where justified, close surveillance and the involvement of the security services. We look forward to the Jonathan Hall review of multiagency co-operation, which is essential to dealing with this problem.

Finally, this House will want to look carefully at the legislation referred to in the Statement, because it touches on some important civil liberties issues. We must not let the terrorists destroy liberties which we all prize.

Lord Keen of Elie: My Lords, I am most obliged for the contributions from the noble Baroness, Lady Chakrabarti, and the noble Lord, Lord Beith. They touched on a very significant point, namely retrospection. I will elaborate a little on that.

There will be a retrospective element in the proposed legislation. It will not increase the sentence of those who have already been sentenced by the court. However, it will address the custodial period of the given sentence, which would be consistent with convention law and the common law. Therefore, we may have a situation in which someone has already been sentenced to a period of, say, nine years and might anticipate release without further consideration by the Parole Board after four and a half years. He would then face the prospect that the custodial element of the given sentence would increase to six years and he would also be subject to consideration by the Parole Board before he could be released even at that point. To that extent, as I say, there is an element of retrospection. We consider that to be proportionate and appropriate in the circumstances. As I say, it is consistent with convention jurisprudence and the common law that we should be able to address the custodial period of a sentence without altering the sentence itself. That is what we have in mind.

Noble Lords also raised the matter of resources. As I sought to indicate when repeating the Statement, we are seeking to address it. We are also addressing the need for clear licensing conditions to be imposed on those who are ultimately released having been sentenced for terrorist offences. Indeed, in this instance, there were conditions clearly attached. I cannot go into the detail, because that will be the subject of the police investigation, but I can say that there was a condition with regard to the place of residence of the individual who is believed to have been involved in this incident, for example. That would be common.

In addition, we have introduced the desistance and disengagement programme to try to mentor persons who have become involved in this sort of activity. That is an ongoing programme which operates both within and without prison.

I hope I can give some reassurance to noble Lords that we are concerned with the seriousness of this issue. I note with relief that noble Lords agree that we should address very quickly the question of automatic release of prisoners when they have committed terrorist offences of this kind.

7.20 pm

Viscount Hailsham (Con): My Lords, my noble and learned friend has said that no terrorist offender will be released before the end of the full custodial sentence, or something very like that, unless the Parole Board agrees. Provided that the class of offender is not too broadly defined, that seems a very sensible approach. My noble and learned friend has already addressed this matter in part, but what additional provision will be made for the testing and assessment of such prisoners when in custody? That was not happening with the IPP prisoners, for whom no adequate courses were made available. What additional resources will be made available to the probation services, to monitor these prisoners on release? I also ask that Mr Jonathan Hall QC be asked to make any further recommendation that he deems appropriate when he conducts his review.

Lord Keen of Elie: There was a period when remedial courses for IPP prisoners were considered to be less than entirely satisfactory, and we have sought to address that. Certainly, there are various programmes for those who have been sentenced for terrorist offences, including the desistance and disengagement programme, which tries to mentor these individuals. I fully accept that it is a challenge, given that many have been radicalised long before they appear in prison and may be susceptible to the risk of further radicalisation once they are in prison. The availability of resources for the probation services has been discussed with those services. We will increase the number of qualified probation officers capable of dealing with such terrorist offenders. I shall try to put this into context: although the numbers may vary year to year, we are talking about tens, not hundreds, in each year. This is not a tidal wave of cases that will suddenly emerge and impose itself upon the probation service. In the current year, the estimate is of 50 cases; we consider that manageable in its proportions.

Lord Carlile of Berriew (CB): Does the Minister recognise that there is likely to be serious and possibly cogent challenge to the retrospectivity as it relates to sentences being served, given that a person who is sentenced to, for example, six years' imprisonment today has a legitimate expectation—known to the judge—that he will serve three years and not six? Are the Government not therefore taking an unnecessary risk in adopting that form of retrospectivity? Surely, it would be more practicable and immediate to reintroduce the tried-and-tested system of control orders, which was found lawful before it was abolished by the coalition Government in 2011, so that at least for a period, or periods, after release somebody could be held under a control order. That would not cause house arrest but would create meaningful controls on that person, and those orders worked extremely well when they were carefully reviewed while in existence.

In addition, will the Minister confirm that the review of the MAPPA arrangements to be carried out by the current independent reviewer, Jonathan Hall, will be able to look at the actual content and conduct of courses in prison which are offered and given to terrorist prisoners? Can we also be assured that the examination of what happened yesterday will provide, as was suggested by the noble Baroness opposite, lessons learned so that we can discover whether the form of surveillance followed yesterday was the best available to prevent the kind of occurrence that took place on Streatham High Road?

Lord Keen of Elie: My Lords, with regard to surveillance it respectfully appears to me that it was effective in the circumstances. I am not going to go into the detail of the circumstances but it was a sudden action by the individual in question, which was swiftly responded to by the police in an effective manner. As regards control orders, I remind the noble Lord that the licence conditions that now apply upon release to a prisoner, such as in the case in point, may include particular conditions about where they may reside. For example, the conditions may say that they must reside in a particularised hostel; they may also provide that they have to report in at certain times of the day or on a certain number of occasions during its course. They therefore effect a degree of control on the conduct of an individual. There has to be a careful balance between ensuring adequate supervision of such persons and not impeding unnecessarily, or in a disproportionate manner, their civil liberties.

I come on to the question of retrospective sentencing. We consider that we have taken a proportionate approach to that. The noble Lord suggests that there is a significant risk of legal challenge; with respect, I do not agree. It respectfully appears to me that the jurisprudence of the European Convention, and that in our common law, indicate that we are entitled to address the custodial element of a fixed sentence and vary it without impinging upon any fundamental rights of the prisoner in question. I am not going to say that there is no prospect of challenge; of course, there is always such a prospect in these circumstances, but we take that prospect into account when deciding the appropriate response to the present case.

With regard to the review to be carried out of MAPPA, I cannot give the precise details of the remit that is to be given. However, I will write to the noble Lord setting out that remit and place a copy of the letter in the House Library for noble Lords.

Lord Harris of Haringey (Lab): My Lords, I am grateful to the Minister for repeating the Statement. However, it gives a rather rosy picture of conditions in our prisons and the extent to which there can be, and is, effective supervision of people of this nature. I would be interested to know what progress has been made on the recommendations made to the former Secretary of State for Justice, Michael Gove, by Ian Acheson, a former prison governor, on what needed to be done about extremism in prisons. He made the specific recommendation that any prisoner in this category should have end-to-end case management

[LORD HARRIS OF HARINGEY]

from the point at which they are admitted to prison, right the way through to their discharge into the community. That is akin to the recommendation I made when I looked at the problems of young people in prison and at risk of self-harm—that direct, personal oversight by somebody who knows the individual is essential. Has that been implemented?

Lord Keen of Elie: My Lords, we have accepted the recommendations of the Acheson review. They were essentially brought down to about 11 key points, which we have sought to implement. For example, I again notice the introduction of the desistance and disengagement policy, which is intended to ensure that there is mentoring on a one-to-one basis with prisoners who have been convicted of these serious terrorist offences.

Lord Pearson of Rannoch (Non-Aff): My Lords, the Statement concludes:

“We face a threat from an ideology that takes no heed of others, and we must use every tool we can to make sure that that threat is neutralised.”

Will the Government therefore go to the root of the problem and encourage our Muslim leaders to re-form their religion, so that their jihadists cannot use it as the inspiration for this sort of attack and many thousands of similar attacks across the globe?

Lord Keen of Elie: My Lords, it is a matter of regret that these outrageous attacks are not limited to any one section of the community and are not to be attributed to religious belief, but rather to a corruption of that belief.

Baroness Warsi (Con): My Lords, is my noble and learned friend familiar with the 20-plus drivers of radicalisation, factors which are well documented in academic research, in the judgments of courts sentencing terrorism offenders and in documents from our own intelligence services? How sophisticated is the Government's understanding of those drivers of radicalisation? I raise this issue specifically because, as my noble and learned friend will be aware, many of the recommendations that date back to the work done by the last Labour Government after the attacks of 7/7 and work done after the terrorist attack in 2013, when drummer Lee Rigby was killed on the streets of London, have simply been shelved. We may talk about this event—I echo all Front-Benchers in saying that our thoughts are with those who have been injured—but I urge the Government to go back to what we already have on our books: recommendations that would get ahead of this issue, but which have simply not been implemented.

Lord Keen of Elie: My Lords, there is diverse research in this area. We are on a learning curve and will remain so; we will never be ahead, as it were, because the terrorist can develop swiftly in diverse ways. We cannot always anticipate what those developments will be. Even if we could, there is a more fundamental issue with this sort of despicable offence and that is protection. We seek to address protection in many ways, but it can never be absolute.

Lord Hogan-Howe (CB): My Lords, I join the Minister in commending the response particularly of the firearms officers yesterday. They make very quick decisions in very difficult circumstances. I am sure we all feel as though they had taken great steps.

However, yesterday's events showed how difficult it is, even when surveillance is in place within what seems to be touching distance, to control dangerous people on the streets. We should not overreact after the two events, in November and now again in February. We need to ask three questions.

The first is the exam question. None of these comments is intended to be critical of the system or individuals, but how can the system allow the release part way through a sentence of someone who, within hours of their release, the police and security services have concluded requires surveillance, and allow them to wander around the streets of this city or any other, given that we do not have thousands of surveillance officers? There is a fairly limited resource, so they had to price in a pretty high bar before they got this commitment, yet the state has said they are okay to be released from part of their sentence. That is an unfortunate juxtaposition which I am sure, as the noble and learned Lord, Lord Keen, mentioned, needs to be addressed.

However, one day those people will come out, whether or not they serve more of their sentence, so we still have to consider what we will do for and with them. The deradicalisation work needs a complete quantum leap. The noble Lord, Lord Beith, said that it needs more resources; I am afraid that it needs a complete rethink and refresh. It is not just resource; the sad reality is that we are not sure whether people have been deradicalised or what works. There are international examples of it working and we could learn much from them, but we have to have a root-and-branch look at it.

Finally, we need to consider control orders, as mentioned by the noble Lord, Lord Carlile, although I do not necessarily agree with him. Having a period of home imprisonment or incarceration may be a halfway house. However, control orders are designed for people who have not yet been convicted of or charged with offences but who are dangerous. Whether it is the old ones, to which the noble Lord, Lord Carlile, referred, or the new ones, they are available. There are precious few of them in place, because they drag resources with them. At times, people will argue for internment, but these orders can make a difference where somebody is not charged or convicted. The licence conditions and MAPPA conditions mentioned by the Minister are not sufficiently strong for this type of offender.

Lord Keen of Elie: The noble Lord makes a very good point; this type of offender presents very particular issues and challenges. However, when looking at release and sentencing, we have to remember that there has to be a balance of rights. We must always acknowledge our adherence to the rule of law. No matter what the immediate consequences may be, we have to have regard to the wider consequences to civil society of any departure from our adherence to the rule of law, but this creates considerable challenges.

I agree with the noble Lord on the importance of deradicalisation and the need to try to develop our policy and approach to it; perhaps we should rethink it.

I go back to what I said before on control orders. I do not want to comment on the immediate case because it is still under investigation and report but, in the context of post-sentence release, I nevertheless emphasise that we now have a system of licensing conditions which can impose stringent controls on an individual after their release from custody.

The Lord Bishop of Southwark: My Lords, I have nothing but admiration for the response of the emergency services and the police in this incident, in the recent one at Fishmongers' Hall, and in the one two and a half years ago at London Bridge, very near my cathedral. It is incumbent on me to try to correct what might be a mishearing of an earlier contribution. The response of the community in each of these cases has been remarkable and resilient. A major part of that response has come from the Muslim community, which has shown its conviction and commitment to peace-desiring and law-abiding ways of living and supporting the wider nation. The Statement said nothing about this because it did not have to, but I feel it is incumbent on me as a bishop to do so.

The community response yesterday was very remarkable. The rector of the parish was immediately out on the streets, giving refreshments to the emergency services. The parish church was open for prayer. Yesterday and at noon today—when I was able to be present—a large number of people from the community came. First thing on Thursday morning, the rector and I will be going to the Streatham mosque, at its invitation. It is immensely important for the nation to be aware of this wider dimension.

My question for the Minister relates to the fairly open sentence in the Statement:

“The time offenders spend in prison is an opportunity to do our best to rehabilitate them, recognising that this is no simple challenge.”

This is about something wider than antiterrorism strategy and rehabilitation. I have been made aware, again and again, of failures in rehabilitation provision in the five large, significant prisons in my diocese. Cases have often fallen back on the chaplaincy when people have come near to release and inadequate arrangements have been made. They are just being thrown out of prison; they are very vulnerable and at risk. A wider review of rehabilitation is called for.

Lord Keen of Elie: My Lords, I thank the right reverend Prelate for his contribution. Clearly, one should not confuse the religion of Islam with the behaviour that we are concerned with here. I deplore any attempt to bring the two together or merge them in some way.

On the matter of rehabilitation, prison, a custodial sentence, is an opportunity for rehabilitation. The challenges of rehabilitation apply right across the prison community, but they are particularly stark in the case of terrorist offences where there has been radicalisation. We recognise that, which is why we will

continue to look at the question of rehabilitation, not only during the period of custody but post release and during any licence conditions.

Terrorism: Contest Strategy *Question for Short Debate*

7.40 pm

Asked by Lord Harris of Haringey

To ask Her Majesty's Government what plans they have to improve the safety and security of public venues, and whether they intend to introduce a Protect duty under the CONTEST strategy for countering terrorism.

Lord Harris of Haringey (Lab): My Lords, I am pleased to have secured time for this important debate and I thank all noble Lords who have put their names down to speak. Terrorist attacks are particularly in our thoughts given the events in Streatham yesterday afternoon and the Statement we have just heard. All noble Lords will join me in sending our thoughts to those hurt and injured and our gratitude to our emergency services, which responded so swiftly by going towards danger. I declare my interests in the register and remind your Lordships that in 2016, at the request of the then newly elected mayor, I conducted a review of London's preparedness to respond to a major terrorist incident.

Last Thursday, I met an extraordinary woman, Mrs Figen Murray. She would probably object to me calling her that, but the work she has done to promote the need for a Protect duty is by anyone's standards extraordinary. Two and a half years ago her son, Martyn Hett, was murdered in the terrorist attack at Manchester Arena. A year afterwards, she went to a theatre in Manchester where no security checks were being performed. She said, “I had wrongly assumed that since the attack in May 2017, venues would have learned their lesson and would have put stringent security checks in place. I was devastated to see that this was not the case. It felt as if what happened in Manchester on that fateful night had been forgotten.”

The idea of Martyn's law was born: the concept that every venue and public space should have in place basic security measures and a plan to deter a terrorist attack. There cannot be a one-size-fits-all approach—each venue is different and faces different types of threat—but the principle of carrying out a basic assessment of the risk and taking sensible, proportionate security measures is simple. Concert halls, theatres and other venues must, by law, take fire precautions, as well as meeting other regulatory requirements. It seems extraordinary, therefore, that there is currently no requirement on them to take advice on reducing the risk of a terrorist attack and take sensible precautions. In some instances, a simple bag check may be enough. In others, handheld metal detectors or knife arches may be more appropriate. Similar rules should apply to sports stadiums, large shops and shopping malls.

I looked at this three years ago when Sadiq Khan asked me to report on London's preparedness. One of my recommendations was that, as a condition of licensing, venues should have to be reviewed by a police counter-terrorism security adviser and take the necessary action

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as a result of that review. So far, I think, the Government have refused to agree to this. Similarly, most places of worship seem to operate on the basis that an attack will not happen to them, but they too need to plan and take sensible precautions, having been the subject of attacks in Europe and elsewhere. What would Martyn's law involve? It would require all local authorities to plan specifically for a terrorist incident. It would say that all spaces and places to which the public have access must take up counterterrorist advice and training, conduct a vulnerability assessment and put in place appropriate and proportionate mitigation plans to address the risks identified. The aim should be for all venues to have their own Protect plans and in the event of an incident be geared up to guide and shelter those on their premises.

In the run-up to the general election, Ministers made sympathetic noises. Indeed, the Minister promised in this House on 22 October that the Government were giving the idea of Martyn's law active consideration. The Conservative election manifesto said:

"In the wake of the terrible events in Manchester in 2017, we will improve the safety and security of public venues."

Brandon Lewis, the Security Minister, was reported as saying as recently as 12 January, following a meeting with Figen Murray, that Boris Johnson was "100% behind" the proposed reforms.

We have been promised, and we heard it again today, new counterterrorism legislation within 100 days of the new Parliament sitting, but in the Home Secretary's Written Statement of 21 January there is no mention of either a Protect duty or Martyn's law. Nor does today's Statement from the Justice Secretary contain any such recommendation or proposal. Indeed, it does not sound as though the Long Title of the Counter-Terrorism (Sentencing and Release Bill), which we hear will be brought forward, would permit the introduction of a Protect duty.

So what is happening? I am sure that lie detectors, longer sentences, more specialist probation officers and additional money for CT policing have a part to play—actually I am less convinced about the lie detectors, but that is a matter for another debate—but the immediate practical impact of requiring every public venue to take advice, with excellent advice being available from NaCTSO, and then to implement appropriate and proportionate security measures seems to have been forgotten. Will the Minister tell us whether the CT Bill will include provision for a Protect duty when it is introduced? If not, why not? Earlier this afternoon, I introduced a Bill in your Lordships' House that would require the Home Office to consult widely on how best to operate such a duty. If the Minister can tell me that that is already in hand—although I have heard no sign that it is—I will happily withdraw it.

None of these ideas is new. In my 2016 review, which was before the Manchester Arena bombing, I made a series of recommendations on strengthening the Protect strand of the Contest strategy: the Home Office should provide more funding for CT security advisers around the country; counterterrorism advice should be taken by those applying for venue or event licences; there should be discussions with the insurance

industry so that businesses and venues are required to obtain and act on advice in return for lower premiums and making the take-up of training compulsory in certain circumstances; there should be short-form advice on CT matters for small businesses and microbusinesses, rolled out using local authority and neighbourhood policing networks; owners and operators of shopping centres should ensure that Project Griffin training is given at regular enough intervals to deal with the high staff turnover that those businesses experience; there should be similar Project Griffin training for places of worship; and the Department for Education should build on the model of having a designated governor responsible for safeguarding to ensure that each school appoints a governor responsible for ensuring security and preparedness against an attack.

Each school should have a preparedness plan and those plans should be tested. Schools have fire drills when they evacuate pupils, so should they not also have lock-down drills to "invacuate" the pupils? Could the Minister tell us what has happened in terms of the revised guidance to schools that she promised in this House in an Oral Question on 8 February 2018? Nowadays it is taken as a given that the places we visit abide by health and safety regulations and will have adequate fire precautions. It is surely not unreasonable to expect them also to take appropriate protection measures against terrorist violence. Why are the Government being so timid? If they are not being timid, perhaps they could tell us.

Of course, better security checks and a Protect duty will not prevent terrorism. We saw yesterday in Streatham that a terrorist attack can happen anywhere and at any time. The Protect duty will not prevent terrorism, but it makes soft targets harder. Where many people congregate together, they have a right to expect that the appropriate and proportionate measures to protect them will have been taken. The Government could make it happen, and if the Home Office was now prepared to legislate, that would be a fitting memorial to Martyn Hett and the others who died in the arena bombing. Or, as Figen Murray puts it, nothing will stop terrorism, but

"simple common sense security will make it much harder to inflict mass casualties and fewer people will have to suffer what I and the parents of the 21 other bereaved families of Manchester have had to endure."

7.50 pm

The Lord Bishop of Southwark: My Lords, I too am grateful to the noble Lord, Lord Harris of Haringey, for securing this debate and for making the points he made.

I live but a few minutes' walk from the location of yesterday's incident in Streatham, and my prayers go to those affected by yet another attack born of hate and callous disregard of God's image reflected in the other. I too pay tribute to the rapid response of our emergency services, not least the police, who were tracking the individual, and the ambulance service.

I had the privilege of playing a part in the funeral of PC Keith Palmer, who died in defence of this place, in April 2017. However, a few weeks later, a terrorist outrage erupted on London Bridge, and in the immediate

vicinity of the same cathedral where that funeral had taken place. A nurse, Kirsty Boden, who tried to help the injured, paid for her compassion with her life, dying by the doors of our cathedral offices that dreadful night. Later that month, in the wake of this and the Manchester attack, which has already been mentioned, a national service of hope was held at Southwark Cathedral. An attack once more on London Bridge, last November, beginning at Fishmongers' Hall, brought it all back. For some, of course, it is a daily remembrance.

A well-developed counterterrorist strategy, Contest, operates in this country, and we have some of the toughest anti-terrorist legislation in the world. Most of the effort in both focuses on the perpetrator. The noble Lord, in securing this debate, has put a proper focus on potential victims, for which we should be grateful. However, I wish to make a few brief cautionary points.

First, with our laws and strategy as comprehensive as they are, we need to pay heed to how they exhibit the values we seek to express. The duty on specified authorities under the 2015 Act to have due regard to the need to prevent terrorism was, for example, the basis for an eight year-old being interviewed by police without their parents present, as reported in the media in January last year. It does not follow, even after a dreadful incident, that something additional must be done. A great deal is already done under the four strands of Contest every day, including Prevent and Protect. Not every action can be anticipated or every thought countered. We can offer and work towards a more hopeful society and be as vigilant as it is reasonable to expect.

Secondly, on whom would the duty to have due regard to Protect fall, and how would this manifest itself? That would depend, in part, on definitions of both public space and what is a venue for this purpose. Do churches and cathedrals count for these purposes, and fall within the ambit of a duty to protect, and what additional measures and costs should they undertake? If the answer is yes, they may not be able to afford this broadly defined duty, and it may inhibit the nature of what they do in public worship and public service. I am grateful to the Government for maintaining the fund to protect religious buildings, but a significant number of churches are simply left open and unattended. My cathedral was shut down by the Metropolitan Police for one week following the London Bridge attacks in June 2017, as were the surrounding businesses in Borough Market. There is no insurance for loss of income unless you are the direct target of terrorism. The laws relating to counterterrorism seem broad already.

7.54 pm

Lord Anderson of Ipswich (CB): My Lords, having met a number of family members of those killed in the Manchester Arena, and having admired the remarkable strength and dedication of Figen Murray in her various interviews and public statements, I hope that I can begin to understand the devastation that terrorism causes to its victims and to those who are left behind.

After the terrorist attacks of 2017, I worked intensively with MI5 and counterterrorism policing to assess proposed improvements to their intelligence-handling models.

This debate illuminates another important aspect of the picture: the Protect strand of the Contest strategy as it relates to the physical security of venues and crowded places.

The distinguished judge Lord Goff wrote in *Smith v Littlewoods* of

“the general perception that we ought not to be held responsible in law for the deliberate wrongdoing of others”.

None the less, the organiser of an event may be liable under the existing law of negligence or contract should he fail to take reasonable steps to keep reasonably safe a customer for whom he has assumed responsibility. Further obligations relating to security may flow from the Health and Safety at Work Act etc. 1974, or be imposed as conditions on venues requiring a licence or safety certificate. Is there a case for imposing on the owners and operators of venues additional statutory duties, more extensive than those I have outlined, to protect their customers from the risk of terrorist attack? I offer, if not a concluded answer, three slightly scattered thoughts.

First, as in so many areas, I counsel against legislation specifically directed at terrorism. Any review of the protective security to be required of events organisers needs to have regard to all threats posed by third parties. To that exercise, the motivation of the putative attacker is irrelevant. A racially motivated killing, a random shooting spree, a mentally ill arsonist or a gangland feud at an open-air concert may be just as potentially dangerous, and just as traumatic for the victims and their families, as a terrorist attack.

Secondly, we must retain a balance. While the promoters of Martyn's law correctly emphasise advice, training and planning, a requirement for new infrastructure and equipment seems also to be an important part of their ambition to “mitigate any vulnerability”, if I may quote from the title of the Bill introduced by the noble Lord, Lord Harris, this afternoon. In its document *Martyn's Law*, the group Survivors Against Terror says:

“Things like metal detectors, CCTV cameras and security personnel are available within the reasonable cost of any business's running cost.”

We are used to arches and metal detectors when entering the Home Office or the courts, but not, thankfully, the local cinema, town centre café or parish church. The Home Office estimates that more than 625,000 organisations operate at least one crowded place in the UK. Figen Murray is right to say that any plan must be relevant to the threat; it must also be proportionate to the threat. The strongest of reasons is required for new obligations that may impinge on stretched budgets, increase the cost of public liability insurance and frighten public-spirited persons from organising events.

In that connection, it is important to be clear-headed about the threat. Any death from terrorism is one too many but thankfully, and contrary to some predictions, terrorism over the past 20 years has killed fewer than 100 innocent people in Great Britain. Furthermore, notwithstanding the horrific slaughter of young people at the Manchester Arena and Fishmongers' Hall more recently, the great majority of these deaths—from 7/7 to Woolwich, Borough Market and Finsbury Park—have

[LORD ANDERSON OF IPSWICH]

been on public transport or the streets of London. Knowing the risks, we still prize the ability to run for a train or hop on a bus without submitting to any check or scrutiny. That is not the case everywhere in the world. It is an index of our freedom and a fitting response to the pathetic bigots who seek to change our way of life. We need to reflect long and hard before requiring checks at venues that are not required on public transport, particularly small and medium-sized venues where there is no specific threat.

My third and final point may seem off-topic at first, so please bear with me. It is addressed to those in this country and elsewhere who for sincere, but I think misguided, reasons would deprive the security services of the surveillance capabilities—subject as they are, and must be, to strong independent oversight—that derive from the targeted interrogation of data collected in bulk. I have noted in a number of reports the value of targeted data exploitation and other automated techniques, both for warning our security services of emerging threats from leads and from live and closed subjects of interest, and for enabling them to set tripwires that will notify a re-emerging threat. The use of such techniques identified the Manchester bomber in 2017 as one of the more than 20,000 former MI5 subjects of interest who posed the highest risk to the public. Tragically, the meeting that would have discussed his case had been fixed for 31 May, nine days after the attack.

The utility of the approach is clear. Faster and more sophisticated uses of artificial intelligence and behavioural analytics to extract information from bulk datasets are now being developed, as I reported in June 2019, sometimes in collaboration with the private sector. That might all seem a long way from Martyn's law, but in reality it is the other side of the same coin. The better the information we have from covert surveillance, the more accurate will be our threat assessment and the easier it will be to resist calls to flood the streets with soldiers or routinely screen the users of transport, bars, venues and hotels. Whenever I spend time in countries like that, I am always glad to get home.

Complacency is not in order. I do not exclude the need to require scaled-up physical protection where there is insufficient inclination to provide it and where the threat, whether from terrorism or knife crime, is at its most severe. I look forward to reading the Bill introduced by the noble Lord, Lord Harris, and to hearing more about the measures that the Government will propose. But we have not yet forgotten, as the terrorists would like us to do, what a free country looks like and feels like, and I hope we never will.

8.01 pm

Lord Carlile of Berriew (CB): My Lords, it is an enormous pleasure and privilege to follow my noble friend Lord Anderson of Ipswich. He has given us a cogent and balanced picture of the issues that face us in this debate, and we are most grateful to him. I also thought that the debate was opened with great skill by the noble Lord, Lord Harris of Haringey.

Knowing as I do the noble Baroness who will be answering this debate, and respecting her as I do, I have a suspicion that we will all emerge from this debate with a shared sense of purpose even if we do not have a precisely shared mechanical view of what should happen. Whatever happens as a result of this debate and of the Bill of the noble Lord, Lord Harris, I am sure that we will be making progress in dealing with safety in public spaces.

The last part of my noble friend Lord Anderson's speech was particularly important. It did of course relate to Martyn's law and to the safety of public spaces. Indeed, if one looks at the controversy now about facial recognition, there are issues about where and how it should be used and the proportionality of it, but in certain spaces I would suggest that it is another of the tools that is legitimately used in the right places, for the right purposes, and subject to proper controls. Moreover, in itself it meets some of the aspirations of Martyn's law.

It is very important that we should not have a siege mentality about terrorism. Some of the reasons for that have already been given, but my view is that if we enter into a siege mentality, then we give a victory to the terrorists which we would not wish to offer them. Also, many places of public resort are today increasingly conscious of their interests in taking proportionate protective measures. My noble friend Lord Anderson talked about the duty of care in negligence. Plainly, those operating in some public spaces know perfectly well, because they have been advised about it by their lawyers or their trade associations, that they have a duty of care to people coming into those premises by taking reasonable measures to protect their customers. It is right that in some cases that duty of care may extend to terrorism provision.

On Friday night, I went to the theatre to see Tom Stoppard's incredible new play. In the entrance to the Wyndham's Theatre, there was a bag search, which you expect now. Last week, I went to Central Hall for the Holocaust memorial service, the celebration of the 75th anniversary of the freedom of Auschwitz and the surviving prisoners there. Again, it took a few minutes, but there was a proportionate search there. That is what should occur in the right places. I am also of the view that this should be a reasonably elastic concept, and that if Martyn's law is legislated for it should be sufficiently broad not to be too prescriptive.

I give one example of an experience I had when I was a much less distinguished Independent Reviewer of Terrorism Legislation, immediately before the noble Lord, Lord Anderson of Ipswich. I went to Gatwick Airport and was given the training it gives to people who work in the shops, cafés and so on there. I spent a day there; it was fascinating and rather entertaining. It completely changed the way I look around when I go through airports anywhere in the world today. There are good examples and some awful examples. The good examples are certainly mostly in the United Kingdom, because that kind of training—which I believe started with the City of London Police—has been offered throughout the country. I believe that sort of training should be made available not just in iconic public spaces such as airports, where there have

been terrorist difficulties in the past, but in the high streets of this country. Not just the big department stores, which already use such training, but the high street in general should be conscious of its responsibility and of the opportunity that such training gives to make shops, theatres and cinemas safer places.

There may be some benefit in making some requirements of the kind that may well be envisaged in the Bill from the noble Lord, Lord Harris, which I have not yet seen, but we should be careful to ensure that we do not create unnecessary controversy. In the Prevent strand of counterterrorism policy, about which I know a little but not as much as some people give me credit for—

Noble Lords: Oh!

Lord Carlile of Berriew: I am glad to see that one or two noble Lords here understand the joke behind that, for which I hope I will be forgiven.

Some of the issues that have arisen during Prevent have caused difficulty. The Prevent duty is not always as successful as we intended it, perhaps because the way it is defined is not as clear as we intended it. The notion of British values has caused a great deal of difficulty, because British values in Llanfairpwllgwyngyll, et cetera, in north Wales are different from British values in Dorking. We need to be conscious that British values vary around the country, so when we impose duties we need to be clear that we are imposing something universal, not offensive and more connected with proportionate rights and duties of citizens than with opinions of those of us who are part of the political class.

8.08 pm

Lord Stunell (LD): My Lords, I start by associating myself with the remarks of other speakers in this debate and my noble friend Lord Beith on the earlier Statement. Our thoughts are very much with those injured and affected by the appalling act of violence in Streatham yesterday. That is a concern shared right around the House today. It is a tragic and unwelcome backdrop to the debate of the noble Lord, Lord Harris, and indeed to his Bill.

I live in Stockport, just nine miles from the Manchester Arena. On 22 May 2017, many young people from Stockport went to the Ariana Grande concert at the arena that ended in death and devastation. One of the 22 people killed was Martyn Hett, a larger-than-life character who lived in Stockport as well. His mother, Figen Murray, referred to by the noble Lord, Lord Harris, has been tireless in pressing for the security at and surrounding major events and arenas to be improved. Like others who have spoken, I look forward to hearing what the Minister has to say about the various slightly overlapping, and to some extent contradictory, comments from government Ministers over the past three or four months in response to that fairly simple and straightforward request.

The loss of Martyn's life and the lives of the other 21 people killed in Manchester was a tragedy that has left families, friends and the local communities they

come from grieving and devastated. However, we should not overlook in any way the trauma of the more than 100 people who were physically injured, and the many more who were traumatised by what they saw and experienced on that terrible night. As the subsequent inquiries have shown, the associated collapse of the Vodafone emergency phone system meant that, for the parents and relatives seeking news of people they knew to be present at the arena, the risk and fear were very deep indeed.

On the positive side, it led to a huge surge of public support and engagement by people young and old across Greater Manchester, pledging to back the city and defy the terrorists. That response has come from every community. I echo what the right reverend Prelate the Bishop of Southwark said. Across ethnic and religious divides, people are determined not to be held to ransom by the terrorists.

I speak in this debate with some hesitation. All the other speakers have first-hand and direct experience of, and in some cases senior responsibility for, matters absolutely at the core of the debate. I am not in that category, but I will pick up some of the points made. I look forward to hearing whether the Minister will tell the noble Lord, Lord Harris, that he can withdraw his Bill, and to her explaining why perhaps he should not for the moment. I suspect that is where we will be at the end of this evening's discussion.

The right reverend Prelate urged us not to lose sight of our values. That is a really important point and I will come back to it in my concluding remarks. We can indeed make everything safe and secure, but we lose our freedom and civil rights if we do so. How do we get that balance right? It is of interest, to me at least, that the noble Lords, Lord Anderson and Lord Carlile, who have experience of looking at this very much from the inside, made a point about the Government not being excessive or making things too onerous in their or the public's response to these things, and for us to be proportionate and careful what we wish for. I was really impressed by the figure that there are 625,000 organisations and venues in this country. As someone with limited responsibility for at least one of those, I can just imagine the Pandora's box that opens if we get the shape of future reaction to these incidents wrong.

I hope the Minister will respond in full to the points raised, if not now then later in writing. I will add three points to that list. The Independent Reviewer of Terrorism Legislation submitted his report three months ago. It is important that we hear from the Minister that that report will be available to us to weigh up when we consider future terrorist legislation. If it is coming in the next 100 days—now, I think, the next 70 days—the sooner we get it the better. It would be a mistake to go back to the days of the Blair Government, when there was a Home Office security Bill every nine months. As I recall, whole chunks of one were often repealed by the next before they had even come into force. Surely we can aim to do better than that.

My second question concerns the independent review of Prevent, which this House prevailed on the Government to commission last year. I heard what the noble Lord, Lord Carlile, had to say; it will be very interesting to

[LORD STUNELL]

consider the progress of that. There are six months left of the statutory period set for the publication of that review. I am not aware of a reviewer even having been appointed yet. I may be ill informed on that, but can the Minister advise us of progress and when we can expect to see the review?

My third question is not directly terror-related but concerns the Gold Command system, which comes into effect when major incidents occur. Consequent on the Manchester Arena event, the noble Lord, Lord Kerslake, prepared a report for the Mayor of Greater Manchester. It made some significant criticisms of the Greater Manchester fire and rescue service. The House of Lords briefing said that this had now been tackled in a root-and-branch way. That is good, but phase 1 of the Grenfell inquiry made essentially the same points about London's fire and rescue service. Again, fundamental reviews are being carried out. In these two major incidents, then, the two largest authorities and fire and rescue services in the country both had two significant failures. How satisfied are the Government that every part of the country has robust senior command processes in place that have been stress-tested and are properly staffed?

It is a fundamental task of the Government to keep their citizens safe and secure from violence. It is also a fundamental task of Governments in democratic states to preserve and uphold the rights and freedoms of all their citizens. In a democracy, freedom and security must go hand in hand. As the Government's intentions become clearer, on this legislation and on other events, it will be on these Benches that we try to ensure that freedom and security go hand in hand.

8.17 pm

Lord Kennedy of Southwark (Lab Co-op): My Lords, I thank my noble friend Lord Harris of Haringey for securing this debate, and for bringing such an important issue to this House for consideration.

Like other noble Lords, I pay tribute to the brave officers of the Metropolitan Police who had to deal with the terrorist incident yesterday evening in Streatham. They have our thanks, our praise and our gratitude for their work protecting London and the people of our capital city. I also send my thoughts, best wishes and support to the victims and their families. Luckily all the victims have survived. We are grateful to the other emergency services who attended the scene as well. I also thank the right reverend Prelate the Bishop of Southwark and his colleagues in the diocese of Southwark, especially the rector of St Leonard's Church, Anna Norman-Walker, for the support she gave to the emergency services and the community at the scene, and for opening the parish church for prayer.

My noble friend asks an important question and one which, as part of a strategy to defeat terrorism, we must keep under review and constantly check, to ensure that we have got things right and have got the relationship with our partners correct, as the terrorist threat changes and evolves over time.

Noble Lords will be aware that the UK's counter terrorism strategy is Contest, and that there are four Ps to the strategy. My noble friend asks whether the

Government intend to introduce a Protect duty to improve safety and security under the strategy. It would be good if, early on in her remarks, the Minister could make a clear statement on that specific point, as it is the central question that needs answering as part of this debate.

Going about our daily lives, we often find ourselves in large crowds of people, especially if we live in the city or travel on various forms of public transport. Large sporting stadiums or concert venues provide specific challenges for the venue owners and managers, working with the police, the fire brigade, the local licensing authority, venue security staff and sometimes volunteer stewards.

We have already heard in this debate about Martyn's law and the campaign by Figen Murray to have the law introduced following the death of her son Martyn Hett in the Manchester Arena bombing in 2017. There have been supportive statements from the Prime Minister and from Brandon Lewis MP recently, but a clear, unequivocal statement from the Minister on what the Government plan to do in this respect would be appreciated by everyone in the House, I am sure. Those words from the Prime Minister are a shift from where we were a few months ago when there was resistance to this proposal.

The voluntary nature of the present arrangements does not make sense. We need proportionate, sensible consistency, an awareness of the threat and to look at best practice. Learning from each other, we must be aware of where we seek to go. Proper security checks at venues where members of the public will expect to have their bags searched and to pass through a metal detecting arch, which people are used to going through at airports, should become the norm and accepted practice. The noble Lord, Lord Carlile, is right about proportionate measures. I was at the Globe theatre on Saturday night watching a play at the Sam Wanamaker Playhouse and there was a simple bag search when I arrived. When I go to the Oval, as I do many times over the summer, there is always a simple bag check when I arrive. It is sensible and there is no problem whatever for anyone attending matches there. Presently, however, things can vary from place to place, with some large venues having a very public presence while others seem less engaged. Comprehensive CCTV systems should be in place both inside and outside large venues, monitored at all times during the lead-up to the event itself and afterwards as crowds disperse. When you arrive or leave a venue, the area immediately outside can often be particularly vulnerable. Such areas are outside most if not all the security measures, so specific measures need to be put in place to mitigate risks there.

I very much welcomed the statement from Andy Burnham, the Mayor of Greater Manchester, and from Councillor Nigel Murphy, deputy leader of Manchester City Council, whereby the authority is developing a scheme of best practice and looking at the existing range of licensing conditions to incorporate specific counterterrorism measures. They are often just simple common-sense measures, stepping back and looking at the threats and risks and what can be done to mitigate them.

My noble friend Lord Harris of Haringey conducted his review into London's preparedness to respond to a major terrorist incident. Although the review was directed in large part towards the Prepare strand of the Contest strategy, some specific recommendations were particularly relevant to this debate; he outlined them in his contribution. They were relevant not only for sports stadiums and concert venues but other places where crowds of people can gather, including shopping centres, museums, galleries, cinemas, railway stations, the high street and other places we go to as part of our daily lives. But I fully accept that the measures must be proportionate.

Will the Minister please tell the House what support will be available to the police, local authorities, businesses and others—financial support and specific specialist advice—in addition to the points raised by my noble friend. We should look at things such as the installation of protective bollards in areas of high vulnerability both in London and outside the capital. Some places you visit have sensible security measures in place, with bollards and well-placed street furniture, but you can walk down the road and it can seem much less secure within 100 yards, despite important buildings being there. I have already mentioned CCTV and developing a network of live CCTV streaming not only of places in London where it might be of value but elsewhere in the country. Again, what financial resources and specialist advice will be provided to police, local authorities, businesses and others in this regard?

Does the Minister see a role for local authorities in making an assessment of the risks in their areas—taking special advice about the sort of places we have been talking about and working with local police forces—which can be fed back to the Home Office so that we get a proper assessment of where we are, the risk and what proportionate measures could be taken to mitigate that risk?

The right reverend Prelate the Bishop of Southwark reminded us that we need to recognise that we cannot always detect everything. Sometimes we do a review and come to the conclusion that everything that can be done has already been done. I fully accept that point. The noble Lord, Lord Anderson of Ipswich, made the point, which I accept, that there are other types of attack that are not terrorism but which can be equally devastating. When we plan security measures, they should cover all those things, not just one particular kind of attack.

In conclusion, I again thank my noble friend for introducing this most important debate and hope that in responding the Minister can, in addition to answering the points raised, set out clearly the Government's thinking and timetable for action.

8.25 pm

The Minister of State, Home Office (Baroness Williams of Trafford) (Con): My Lords, I thank everyone who has spoken in this debate, and I particularly thank the noble Lord, Lord Harris, for securing it, coming as it does today, the most unfortunate of days, following the attack in Streatham. I am sure all our thoughts are with the victims who were injured. I join other noble

Lords in thanking the police, who ran towards a man who they thought might be wearing a suicide vest. Our police are the bravest in the world.

Like the noble Lord, Lord Carlile, I hope we can come out of this debate with a clear sense of purpose, and I will do my best to provide that clarity. I join the noble Lords, Lord Anderson, Lord Harris and Lord Kennedy, in praising the work of Figen Murray and her team. Her son Martyn Hett was one of the 22 people killed in the Manchester Arena attack in 2017. I was here when the Westminster attack happened and, like the noble Lord, Lord Stunell, I could not believe my bad luck when I was in Manchester when that happened.

To answer head-on the noble Lord, Lord Kennedy, who wanted absolute clarity up-front in my speech, I shall quote the Security Minister on his support for Martyn's law. He said:

"The Prime Minister, Home Secretary and I are all 100% behind Figen and are working to improve security measures at public venues and spaces. We are working quickly to come up with a solution that will honour Martyn's memory and all of those affected by terrorism. I am pleased that last week Manchester City Council announced new licensing rules."—

the noble Lord, Lord Kennedy, referred to this—

"but we are committed to going further and making Martyn's Law a reality for all public venues across the UK. I am committed to working with Figen and others to ensure that we are all safe at the public venues and spaces we enjoy."

On that note, the first duty of the Government is to protect the public. Contest is the UK's comprehensive counterterrorism strategy. It places importance on ensuring that the whole of government, police, local authorities, the private sector, communities and, indeed, individual citizens work in partnership, using all the tools we have available, to counter the threat from terrorism. I shall quote the noble Lord, Lord Anderson, here because he talked about proportion and balance. As he said, it is also important to protect our freedoms and that this is not all about terrorist attacks. We are talking about different types of threats, all of which affect people's lives. To address the point made by the noble Lord, Lord Kennedy, different interventions will be required for different threats, places and buildings.

The attacks of 2017, the attack at Fishmongers' Hall and the horrors at Streatham yesterday were an absolute tragedy. The Government have carefully considered where more can be done to ensure that we effectively engage with and provide advice to all responsible parties. Today, of course, that seems all the more pressing.

Since 2017, counterterrorism policing has developed a programme of sectoral and regional engagement days to provide the latest advice and guidance to those responsible for crowded places. It has developed new and revised training and awareness products for staff at crowded places and, in conjunction with the Centre for the Protection of National Infrastructure—CPNI—it has produced a range of new advice and guidance, including an extranet accessible by trusted stakeholders. The Action Counters Terrorism awareness course is a recently developed e-learning awareness training programme freely available to all online, and I encourage noble Lords to try it.

[BARONESS WILLIAMS OF TRAFFORD]

Engagement with crowded places stakeholders is undertaken by counterterrorism security advisers—CTSAs—who provide advice, targeted awareness-raising sessions and training courses to site owners, operators and staff, and, as noble Lords have mentioned, local authorities. Further efforts made with public authorities include establishing regular engagement with local authority chief executives and others in key strategic positions to plan and prepare for threats at the local level and share best practice. The CPNI has developed the security considerations assessment, which supports businesses in reducing their vulnerability to attack. The Ministry of Housing, Communities and Local Government, working with CTSAs and the CPNI, has updated and revised the National Planning Policy Framework and guidance to emphasise the role the planning system plays in ensuring that appropriate security measures are in place to help mitigate terrorist threats.

The Government have also been working closely with industry to develop new and innovative screening technologies for use in crowded places, and we are working with Pool Reinsurance to develop a new information-sharing platform. The £9.6 million project is being funded by Pool Reinsurance and is a groundbreaking collaboration between business, industry and the public sector that will make the country safer by providing secure expert advice and training to businesses and public sector organisations to help them develop their counterterrorism approaches.

Some specific points were made about different aspects of this issue. The noble Lord, Lord Carlile, talked about LFR—live facial recognition—being a possible tool in our armoury. Of course, as he said, it is not a panacea, but for specific threats on specific occasions, it might be an additional tool. He and the noble Lord, Lord Kennedy, talked about how you now naturally expect a bag search when you go to the theatre, as I experienced last week.

The noble Lord, Lord Stunell, asked when the report of the Independent Reviewer of Terrorism Legislation will be published. The answer is that it will be published in due course. The Government will carefully consider the recommendations and we will update the House. However, that does not answer the noble Lord's question about whether we will be able to see the report.

Lord Stunell: I think that the point is that, if it contains relevant information, we should have it in preparation for the legislation that is due to be brought forward in 70 days.

Lord Anderson of Ipswich: If I have remembered the legislation correctly, it requires the report to be published on receipt. If it was received in October, why has it still not been published?

Baroness Williams of Trafford: I am suitably chastised; I shall go back, ask that question and update both noble Lords in writing. On the independent review of

Prevent, I take this opportunity to thank the noble Lord, Lord Carlile, who is very modest about his knowledge of Prevent. I understand that the next steps are being considered, but I take the point that there is an end date to this. The Government intend to look at options for taking this work forward.

The noble Lord, Lord Harris, and the right reverend Prelate the Bishop of Southwark, asked about places of worship. The Government, of course, funded security training for mosques during Ramadan in 2019. We have committed to a fifth year of the Places of Worship Protective Security Funding Scheme and we are developing security training for places of worship of all faiths. We will also open a funding consultation on what more can, and should, be done to protect faith communities.

The noble Lord, Lord Harris, asked about schools. Through the Counter-Terrorism and Security Act 2015, we introduced the Prevent statutory duty, which requires local authorities, schools, colleges, universities, health bodies, prisons and probation services, as part of their day-to-day work, to prevent people being drawn into terrorism. We keep the guidance issued to organisations on this duty under review to ensure that it is fit for purpose in this changing world.

Lord Harris of Haringey: I am sorry to interrupt the Minister, particularly as time is getting on, but that is about the Prevent duty. I was talking about Protect, and whether guidance could be given to schools so that one of their governors could take over that responsibility—just as they do over safeguarding—to ensure that appropriate measures are in place and teachers know what would happen were the school to come under attack, whether from a terrorist or somebody else, as the noble Lord, Lord Anderson, pointed out.

Baroness Williams of Trafford: I thought the noble Lord had asked about a Protect duty but I sent a note to the Box and got an answer back about Prevent. Obviously, all schools have a duty of care to their children but I will have to get back to the noble Lord on the question of offering advice and guidance on protecting children. I did think that I might not have answered his question. He raised the issue of primary legislation in the form of a Protect duty. In the London Bridge report, *Prevention of Future Deaths*, the coroner notes that careful work would be required to ensure that any such statutory duty were effective.

I want to assure noble Lords that, as the Security Minister wrote earlier this month, this work has the full support of the Prime Minister and Home Secretary, and we are working quickly to come up with a solution that will honour the memory of those affected by terrorism as well as other threats. We continue to engage with interested parties as this work progresses and hope to make a further announcement in due course. On the question of whether I will support the Bill being introduced by the noble Lord, Lord Harris, I would like to see it before making any comment. I thank all noble Lords who have taken part in this debate.

House adjourned at 8.38 pm.

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