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PARLIAMENTARY DEBATES  
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# HOUSE OF LORDS

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<b>Abbreviation</b>	<b>Party/Group</b>
CB	Cross Bench
Con	Conservative
DUP	Democratic Unionist Party
GP	Green Party
Ind Lab	Independent Labour
Ind 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

*Thursday 27 May 2021*

*The House met in a hybrid proceeding.*

*Noon*

*Prayers—read by the Lord Bishop of Blackburn.*

## Arrangement of Business *Announcement*

*12.06 pm*

**The Lord Speaker (Lord McFall of Alcluth):** My Lords, the Hybrid Sitting of the House will now begin. Some Members are here in the Chamber, others are participating remotely, but all Members will be treated equally. I ask all Members to respect social distancing and wear face coverings while in the Chamber except when speaking. If the capacity of the Chamber is exceeded, I will immediately adjourn the House.

Oral Questions will now commence. Please can those asking supplementary questions keep them no longer than 30 seconds and confined to two points? I ask that Ministers' answers are also brief.

## Commonwealth Heads of Government *Question*

*12.07 pm*

*Asked by Lord Collins of Highbury*

To ask Her Majesty's Government what assessment they have made of the progress made on delivering commitments agreed at the 2018 Commonwealth Heads of Government meeting; and what is their agenda for the next Commonwealth Heads of Government meeting.

**The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con):** My Lords, as chair-in-office the UK has worked hard with the whole Commonwealth family to deliver on the leaders' CHOGM 2018 commitments. This has included over £500 million of UK-funded projects and programmes, as set out in the chair-in-office report, which we published and placed in the Library of this House last September. The United Kingdom will continue as chair-in-office until CHOGM can take place and we will continue to pursue the declared and shared priorities that leaders agreed on fairness, security, sustainability and prosperity.

**Lord Collins of Highbury (Lab):** My Lords, we remain chair-in-office following the cancellation of the Rwanda meeting, so we have an ongoing commitment. I hope that the Minister will ensure that, when we monitor the progress that we have made on those commitments at London, he updates them and ensures that Parliament has access to them—it would be good if we could have a debate—in particular on strengthening democratic institutions. What steps are the Government taking to strengthen the role of civil society across the Commonwealth? This is an important ingredient to guarantee and further the cause of democracy.

**Lord Ahmad of Wimbledon (Con):** My Lords, first, I am sure that the noble Lord did not mean “cancellation”; it is a postponement of the CHOGM. On the second point, which is practical, I assure the noble Lord that, as Minister of State for the Commonwealth, I shall seek to take up all opportunities, including future debates, as long as we remain chair-in-office—and indeed beyond when Rwanda takes over. On the specifics of the agenda, we will continue to support democracy and champion human rights, inclusion and the rule of law, which includes issues of media freedom, LGBT rights and gender equality, as well as 12 years of quality education for girls. On that final element, the joint meeting that we are having with Kenya will bring further focus to that priority.

**The Earl of Sandwich (CB) [V]:** Last September, the Foreign Secretary claimed that the UK had helped to update laws discriminating against women, girls and LGBT communities in six Commonwealth countries, which he could not mention. Can the Minister, who we know stands up for human rights, now name those countries and confirm that this project is complete and that there is no more discrimination?

**Lord Ahmad of Wimbledon (Con):** My Lords, on the noble Earl's second question, this is of course ongoing. Dealing with discrimination is never a job done, whether at home or abroad, and we need to remain vigilant on the issue. On the specific countries, some have declared quite openly the reforms that they have undertaken. Others, because of domestic sensitivities, have sought more discreet support from us in that regard, which is why we have not named them specifically. I am sure that the noble Earl is aware of several countries that have declared progress on, for example, the important priority of LGBT issues.

**Baroness Blower (Lab):** My Lords, there have been a number of Questions in your Lordships' House about the education of girls, the answers to which usually rely on the repetition of sums of money allocated by the Government. Can the Minister give a concrete example of an action taken to move towards providing 12 years of high-quality education for girls—and indeed for boys? Could he specify a proposal that the UK Government will have on the agenda to move more quickly to achieve this goal?

**Lord Ahmad of Wimbledon (Con):** My Lords, I can certainly share with the noble Baroness, including in my responsibilities as Minister for South Asia, how we have invested specifically not just in school building programmes in Pakistan—a Commonwealth country—but in teaching, textbooks and support, ensuring that there is an inclusivity to the educational agenda. As I said in response to an earlier question, the issue is never done. We need to remain focused on delivering the priority on girls' education. We have seen over £200 million spent on 11 countries and I would be happy to provide specifics of other programmes to the noble Baroness.

**Baroness Northover (LD):** My Lords, the pandemic has shown the devastation that is caused by a global health crisis. What action has been taken since the 2018 CHOGM to address, as promised there, antimicrobial resistance? Has the FCDO assessed what effect the

[BARONESS NORTHOVER]

cuts to science and research that it has just carried through might have had on the UK's contribution in this area?

**Lord Ahmad of Wimbledon (Con):** My Lords, on the first question, we continue to focus on that issue, which has informed much of our research. On spending on research, as the noble Baroness is aware, we have allocated specific sums to research as a stand-alone function in the budget assessments that we have made. Also, across the seven themes and priorities that the Foreign Secretary has outlined, research budgets will be specifically allocated to fulfil those objectives.

**Baroness Goudie (Lab) [V]:** My Lords, as part of the task force of the Commonwealth arising out of CHOGM, a commitment was made to allow girls aged nine to 13 to have access to HPV vaccinations, as we know that 40% of incidences and 43% of deaths in the Commonwealth are from cervical cancer.

**Lord Ahmad of Wimbledon (Con):** My Lords, on the specifics, I will write to the noble Baroness with an update on vaccines. The commitment that we gave to supporting global health in the context of the Commonwealth remains a priority for us as chair-in-office. Indeed, we are discussing this with the next chair-in-office, Rwanda.

**Baroness Sugg (Con):** My Lords, I was pleased to see sexual and reproductive health referred to at last week's Commonwealth Health Ministers' meeting. Does my noble friend agree that access to comprehensive sexual and reproductive health services and rights and comprehensive sexual education are essential to achieve the aims of the Government and the Commonwealth on 12 years of quality education? If so, will he commit the Government to putting these issues on the agenda at the next Heads of Government Meeting?

**Lord Ahmad of Wimbledon (Con):** I can certainly say yes to my noble friend on the commitment and prioritisation that we need to give and assure her that I will raise this issue directly with Rwanda and press for the inclusion of SRHR in the CHOGM communiqué.

**Baroness Hayman (CB) [V]:** My Lords, I declare my interests as set out in the register. Will the Minister tell me what specific action the Government are undertaking to mobilise delivery of the commitment made in 2018 at CHOGM to halve malaria in the Commonwealth by 2023? Are not that commitment and our credibility undermined by the cuts in bilateral malaria programmes—for example, in Nigeria—occasioned by the abandonment of our 0.7% spending commitment?

**Lord Ahmad of Wimbledon (Con):** My Lords, I clearly recall working with the noble Baroness on prioritising fighting malaria in the run-up to and through CHOGM 2018. We have made some real progress on deliverables across the Commonwealth in raising awareness and on vaccinations. The noble Baroness raises specific questions within country programmes. Those are being finalised, but I can assure her that we are seeking to prioritise health and particularly vaccination.

**Lord McConnell of Glenscorrodale (Lab):** My Lords, the commitments on education are welcome, even if they have been undermined by the Government's spending cuts on global education. The last year has shown how important it is to make advances in digital education provision. The Government of Rwanda have prioritised digitisation in public services for their time as chair-in-office. Will the UK Government and the Government of Rwanda work together to ensure that across the Commonwealth we can see an escalation of advance in digitising education provision, so that, should there be a future pandemic, so many millions will not lose out quite so much?

**Lord Ahmad of Wimbledon (Con):** The noble Lord makes a very practical suggestion and I can assure him that we are talking with the Government of Rwanda, with Foreign Minister Biruta and with the Secretary-General—we had a meeting only yesterday. While there has been a postponement on CHOGM, we will continue to work very much in association with the Government of Rwanda. The noble Lord makes a very practical suggestion, which has application not just in the context of what Rwanda may do but in delivering girls' education and prioritising education in the UK's overall ODA programme.

**Lord Chidgey (LD):** My Lords, the theme of the London CHOGM was "Towards a common future", whereas for Kigali it is "Delivering a common future". Will the Minister clarify what progress has been made between these finely nuanced positions, particularly for Commonwealth trade compared to the EU? What is the Government's response to the *Economist's* view that believing increased Commonwealth trade would fill the gap left by the EU was an admirable delusion?

**Lord Ahmad of Wimbledon (Con):** My Lords, I would say that it was not a delusion. We have already seen practical initiatives, including SheTrades, which has supported 3,300 women entrepreneurs. It is good that we see consistency across the piece between the two Commonwealth countries.

**Baroness Mobarik (Con):** My Lords, one of our commitments was to lead and strengthen the structures of the Commonwealth to become a powerful economic bloc. Much of our focus since CHOGM 2018 has been on negotiating a free trade agreement with India, but there are other sizeable economies in south Asia. Will my noble friend tell me what efforts are being made to engage fully with Pakistan, Bangladesh and Sri Lanka in relation to trade?

**Lord Ahmad of Wimbledon (Con):** My Lords, my noble friend is quite right that the issue of prosperity was a declared priority. We are working with associations within the Commonwealth, including that led by my noble friend Lord Marland on pursuing trade and business across the Commonwealth. There is a recognition of intra-Commonwealth trade and investment and an ambition has been set for \$2 trillion-worth of trade. On south Asia, I can talk with some degree of insight as the Minister for South Asia. My noble friend is correct to point to India, but I can assure her that we are working in very practical terms with Pakistan,



Bangladesh and Sri Lanka. We are very focused on the trade element, including setting up teams across Whitehall, which include not only FCDO Ministers, but DIT Ministers as well.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, all supplementary questions have been asked and we come to the second Oral Question.

### **Nagorno-Karabakh** *Question*

12.19 pm

*Asked by Baroness Cox*

To ask Her Majesty's Government what assessment they have made of (1) the situation in the Nagorno-Karabakh region, and (2) reports of human rights violations by the Government of Azerbaijan.

**The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con):** My Lords, the UK Government continue to closely monitor the situation in and around Nagorno-Karabakh and we are deeply concerned by reports of human rights violations stemming from last year's conflict and wider allegations that war crimes were committed. My colleague the Minister for European Neighbourhood and the Americas has urged both sides to undertake thorough investigations of these claims, including during her visit to Baku and Yerevan in February of this year.

**Baroness Cox (CB) [V]:** My Lords, I thank the Minister for his reply. However, is he aware that in Armenia this morning, six Armenian servicemen were captured by military forces of Azerbaijan, and on 25 May an Armenian serviceman was fatally wounded by Azeri soldiers in Armenia? This is a blatant armed encroachment on the sovereign territory of Armenia. Does the Minister agree that Her Majesty's Government's policy of talking has been seriously inefficient, and that effective action is needed in response to these threats to regional peace?

**Lord Ahmad of Wimbledon (Con):** My Lords, I am aware of the media reports of this morning and of 25 May of military forces exchanging gunfire that the noble Baroness alludes to. What is encouraging in what remains a very tense situation is that the November truce that was brokered and agreed by three countries working on the Minsk agenda, particularly Russia, is still largely holding. However, I assure the noble Baroness that we are working with both sides, including through engagement at ministerial level, towards a lasting peace between the two countries.

**Lord Anderson of Swansea (Lab):** My Lords, part of the rich cultural heritage of Armenia now lies in lands captured during the recent conflict. That includes 161 churches, tombs and other Christian monuments. I know that Azerbaijan has undertaken to protect and honour these religious sites. However, will the Minister go further than that and say that there needs to be some monitoring and investigation, and will he press Azerbaijan to allow UNESCO to carry out that monitoring and investigatory mission?

**Lord Ahmad of Wimbledon:** My Lords, I totally agree with the noble Lord. Whatever the final settlement between the two countries, the importance of retaining and protecting heritage is a key priority for everyone. The noble Lord makes a practical suggestion regarding UNESCO and I will certainly take that back and share it with my colleague responsible for our relations. It is right that we see agencies such as UNESCO acting in areas of conflict to ensure that heritage sites are fully protected.

**Lord Campbell of Pittenweem (LD):** My Lords, does the Minister agree that it is hard to imagine a more fragile ceasefire, with Azerbaijan satisfied and crowing and Armenians weakened and insecure—and all this with allegations of war crimes on both sides? What steps is the United Kingdom taking at the United Nations to seek to achieve greater stability in the region?

**Lord Ahmad of Wimbledon (Con):** My Lords, on the specific issue of the United Nations, we had sought and certainly worked towards a presidential statement, notwithstanding the challenges and representations from both sides. Unfortunately, that could not be secured at the last meeting of the UNSC but we are working, not just through the UN but the OSCE, to ensure that exactly the objectives the noble Lord has laid out can be guaranteed, particularly for those within Nagorno-Karabakh, who come from both communities.

**Baroness Eaton (Con) [V]:** The impunity enjoyed by Azerbaijan has given it the confidence to violate November's peace agreement in a number of ways and to threaten the territorial integrity of Armenia. Will Her Majesty's Government make urgent representations to the Government of Azerbaijan to withdraw their forces from sovereign territories of Armenia and to cease such open provocations?

**Lord Ahmad of Wimbledon (Con):** My Lords, I note what my noble friend has said, and my colleague Minister Morton has been working on this agenda. However, very much the first priority is to ensure that the Minsk process, which has been agreed by both sides, is strengthened further. We are certainly lending support to ensure that all aspects of this conflict can be resolved through that mechanism.

**Lord Harries of Pentregarth (CB) [V]:** As the Minister knows, allegations of war crimes have been made by both main parties to the dispute. What steps have Her Majesty's Government taken to ensure that those are subject to proper international—not just local—examination, and, if proven, to prosecution?

**Lord Ahmad of Wimbledon (Con):** My Lords, again, the noble and right reverend Lord raises an important point. Certainly, exactly those points have been pushed through the various engagements we have had with both sides, and indeed by those working on the peace deal more specifically, including our colleagues in Russia, the United States and France. The issue of holding to account those responsible for such actions is a key priority and both sides should seek to co-operate fully.

**Lord Collins of Highbury (Lab):** My Lords, what is the Government's assessment of recent reports suggesting that Russia has significant control over the administration of Nagorno-Karabakh and has prevented groups such as MSF and the Halo Trust from entering the region? Has the Minister raised those issues at the United Nations as well?

**Lord Ahmad of Wimbledon (Con):** My Lords, as the noble Lord is aware, we have brought forward specific support, including funding for key organisations working in the region, which is very difficult. Indeed, an announcement was made back in October that £1 million of funding would go to the ICRC. The issue of Russia is very clear. Yes, Russia is present; I believe that about 2,000 Russian troops are in Nagorno-Karabakh, and obviously they have an extended influence through the Minsk process. The noble Lord makes practical points and I can assure him that we are raising the important issues of civil society roles and humanitarian agencies' access to that important region.

**Lord Alderdice (LD):** My Lords, I draw Members' attention to my registered interest, particularly as a director of the John Smith Trust. The Minsk Group has failed to make any real progress on achieving an agreed outcome to the Nagorno-Karabakh dispute or to act coherently, with Russia supporting Azerbaijan and the United States and France failing to balance that with support for Armenia. How can Her Majesty's Government use their P5 position to help balance the situation by giving some more support to Armenia, where there is an increasing suspicion that the commercial relationship with Azerbaijan has become more important than finding an agreed peaceful resolution?

**Lord Ahmad of Wimbledon (Con):** The noble Lord rightly raises the concerns of Armenia, particularly with regard to various other countries extending their support to Azerbaijan. We believe that we have dealt with this issue and continue to deal with it through direct engagement with Ministers at both levels—my colleague, Minister Morton, leads on this. Equally, however, from the Prime Minister and the Foreign Secretary to Minister Morton, we have engaged with countries that have supported either side, and we will continue to extend influence in that regard. However, the Minsk process is the agreed process, notwithstanding the challenges it faces, and our efforts continue to be in support of that.

**The Lord Bishop of Leeds [V]:** My Lords, just to add to the catalogue, on 12 May this year Azerbaijani armed forces also invaded the border area of the Syunik region of the Republic of Armenia. On the ground, the constant incursions and the violations of human rights are perceived with impunity. Does the Minister believe that Minsk is working and is ultimately viable, and what more can the UK and its allies do to hold Azerbaijan to account?

**Lord Ahmad of Wimbledon (Con):** My Lords, on the right reverend Prelate's first question, I have already said in response to the noble Lord, Lord Alderdice, that I accept that it has been very challenging and that the Minsk process has not been as effective as all sides

would have hoped, certainly for those hoping for further peace between the two countries. That said, the UK fully supports the efforts of the OSCE Minsk Group as the primary forum. Of course, the other concerns that the right reverend Prelate describes remain, and we will continue to use all our interventions to ensure the cessation of hostilities and that perpetrators of any crimes are fully held to account.

**Lord Sheikh (Con) [V]:** My Lords, Armenia forcibly occupied Nagorno-Karabakh, which should have been part of Azerbaijan under four UN Security Council resolutions, in 1993. During the war there were injuries and loss of life on both sides, and one side cannot be held responsible for such consequences over another. Azerbaijan took what was rightfully theirs. Does my noble friend accept that? Does he also accept that the current situation in Nagorno-Karabakh is that Armenia is refusing to share landmine data with Azerbaijan, which is causing injury and death, and that Armenia is also failing to withdraw its armed forces from the territory?

**Lord Ahmad of Wimbledon (Con):** My Lords, I hear what my noble friend says and of course, we are working towards a peaceful resolution of the conflict for both sides.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, the time allowed for this Question has elapsed. We now come to the third Oral Question.

### Agri-environment Schemes: Permissive Access Question

12.29 pm

Asked by *Baroness Quin*

To ask Her Majesty's Government what, if any, new measures they plan to introduce regarding permissive access to footpaths across farmland being used for agri-environment schemes.

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Benyon) (Con):** My Lords, I declare my farming interests as set out in the register. Support for public access, including paying to create new permissive access or rights of way, could potentially be funded under new schemes that reward environmental benefits. The agricultural transition plan sets out examples of the types of land management actions that we envisage paying for under these schemes. We are working with stakeholders and users to determine the specific actions that will be funded, and further details of these will be set out later this year.

**Baroness Quin (Lab) [V]:** I congratulate the Minister on his appointment. Defra's own figures indicate that there has been a reduction of some 38,000 miles in permissive footpaths on land that was previously eligible for grants under the CAP-funded stewardship schemes.

Given that Covid has shown how much people value access to the countryside on their doorstep, will the Government act quickly to bring in again schemes to reward farmers for access and, hopefully, reverse the footpath closures that have been taking place?

**Lord Benyon (Con):** The noble Baroness is absolutely right: there is an imperative, which has been particularly noticed during the Covid lockdown periods, when more people sought access to our countryside. We want to see that continue and be encouraged. That is why, in the schemes that we are bringing forward under environmental land management, there will be a very clear access commitment, backed by funding.

**Baroness Jones of Moulsecoomb (GP):** My Lords, will the Government guarantee specific funding for farmers for disabled access through the environmental land management scheme?

**Lord Benyon (Con):** Access for disabled people to the countryside will be funded under these schemes. Funding could be available for, for example, improving footpath surfaces, gates and access to footpaths. We are looking at this in the tests and trials that we are carrying out at the moment.

**The Earl of Shrewsbury (Con):** My Lords, my noble friend will be aware that it is extremely difficult to reroute an existing footpath or bridleway. Under ELMS, might it be possible to simplify the rerouting process where existing paths interfere with cropping regimes—perhaps by utilising headlands as the route, instead of ingressing through growing crops? It would be much easier for those using the paths and would interfere less with the efficient farming operation. Is he aware that there really needs to be a review of footpaths and bridle paths to make them compatible with current farming methods and to the benefit of the general public good?

**Lord Benyon (Con):** I can assure my noble friend that this is being addressed outside environmental land management. We are bringing forward legislation this year to streamline the process of recording and changing rights of way. Under environmental land management schemes, it will be possible to find permissive routes that are more attractive to walkers and are mutually beneficial to the landowner and farmer as well.

**Baroness Bakewell of Hardington Mandeville (LD):** My Lords, I pay tribute to my colleague Lord Greaves, who in the past would have spoken on this Question. Following on from the question of the noble Earl, Lord Shrewsbury, it is important for the public to have access to the countryside. However, in order to achieve the aim of ELMS to encourage the return of insect and animal species, especially around field margins, which have already been referred to, does the Minister believe that rights of way may need to be constrained?

**Lord Benyon (Con):** I echo the noble Baroness's tribute to Lord Greaves. Alongside the crisis of species decline, a crisis of lack of engagement with nature by large proportions of the public is of equal concern to

me and to this Government. I do not believe they are mutually exclusive; I think we can find an increased permissive paths system which does not compromise the desperate desire to find improved habitats for vertebrates, insects and wider species. So I can only assure her that we are looking at this as part of the tests and trials process.

**Baroness Mallalieu (Lab) [V]:** My Lords, I remind the House of my interests as set out in the register and am very cheered by the Minister's response to the noble Baroness, Lady Quin. Many rural roads were not designed for the volume and types of traffic that they now carry and are becoming increasingly dangerous, especially for walkers, cyclists and riders. So what plans do the Government have to increase and finance access for off-road recreation and to provide facilities to increase the areas that the number of people who we now encourage to visit the countryside need to use to access those footpaths and bridleways?

**Lord Benyon (Con):** Under what we hope will be an increasing network of permissive footpaths that can be used by not just walkers but cyclists and horse riders—with greater access, as I said, for disabled people—it is hoped that we can design them with farmers and land managers. We will be taking people who are currently walking on roads into a safer place for them and rewarding the farmer for providing that facility. There is an opportunity. I am aware of the problems that have been caused, particularly in recent months, with increased access, where road users are not safe, and we want to make sure that farmers and land managers are helping us solve that problem.

**Baroness Scott of Needham Market (LD) [V]:** My Lords, the rights-of-way network tends to reflect historic usage and is often not very useful for new developments and towns. To address that, we need co-operation between landowners and local communities. Will funding be available for partnerships, such as those created by local access forums?

**Lord Benyon (Con):** Local access fora are absolutely vital in this, and what is decided at governmental level is often unimportant when you get down to the ground. Local access fora have been brilliant at bringing together farming and landowning interests with the desires and needs of walkers. I will also say that we are also encouraging farms to group together in clusters as part of the environmental land management scheme, so we can get improved access across a landscape, rather than just across an existing farm.

**The Earl of Caithness (Con):** My Lords, can my noble friend confirm that 2026 is still the cut-off date for mapping historical rights of way—footpaths? Is he aware that the stakeholder group In All Our Footsteps refuses to communicate with a number of people who have written to it? Will he please ensure, if he wants proper consultation, that he gets such groups to do their job properly?

**Lord Benyon (Con):** I will look into the latter point that my noble friend makes, but I can confirm that, at present, 2026 is the cut-off date for recording historical footpaths. There is provision under the legislation to extend that by five years, but I think most people want



[LORD BENYON]

to get on with this and get it recorded. That will provide clarity for the farmer and land manager, and an opportunity for walking groups as well.

**Baroness Jones of Whitchurch (Lab) [V]:** My Lords, I welcome the Minister to the Dispatch Box. In a recent Written Answer, the noble Lord, Lord Gardiner, was able to give details of only six tests and trials for the new payment scheme which were focused on public access, and some of them were only incidental to other projects. Is the Minister confident that these trials will give enough data to shape access policy for the future? How can we be assured that the resulting funding regime will indeed deliver the much-needed increase in public access that everybody wants?

**Lord Benyon (Con):** In addition to the six schemes which I suspect are the ones the noble Baroness heard about from my predecessor, my noble friend Lord Gardiner, we are also looking at around 1,000 farms, we hope, that will be coming into the sustainable farming initiative pilot that will start in October. There will be an access element to that as well. But I would draw attention to some of those six, which are very extensive indeed. They will offer groupings across landscapes, as I said, and will really inform how successful we can be in getting more people into the countryside.

**Baroness Rawlings (Con) [V]:** My Lords, I thank the Minister for his very constructive answers. As there are more and more people from cities using footpaths across farmland for the first time, will the Ministry encourage clear signs with codes of behaviour, especially if there is livestock around, as protection for all?

**Lord Benyon (Con):** My Lords, we would encourage clear signage, and the *Countryside Code*, the revised version of which was published last month, gives advice to land managers, along with the Health and Safety Executive advice. Like my noble friend, I am concerned by the number of injuries and tragic deaths of members of the public caused by cattle. We want signage and a clear understanding of the risks. Under environmental land management, it will be possible to get funding for, for example, a fence to separate walkers from cattle.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, the time allowed for this Question has elapsed and we now come to the fourth Oral Question.

### Covid-19: Poverty Question

12.40 pm

Asked by **The Lord Bishop of Blackburn**

To ask Her Majesty's Government what assessment they have made as to whether there is a correlation between areas with high COVID-19 infection rates and high levels of poverty; and if there is such a correlation, what steps they intend to take to address this as part of their levelling up agenda.

**The Parliamentary Under-Secretary of State, Department of Health and Social Care (Lord Bethell) (Con):** My Lords, the facts are heartbreaking. Covid, like many diseases, has hit hardest those who are most vulnerable: the poorest, the most disabled and those who work in some of the most difficult jobs. The vaccine rollout and community testing programmes have shown what the country can do, but there is much more to be done. That is why we are publishing a levelling-up White Paper, and health inequalities will be central to that.

**The Lord Bishop of Blackburn:** My Lords, I am grateful to the Minister for his reply and the work that he and colleagues are doing in a fast-changing scene. We know that it is not easy. Does he agree that care for the poorest, most disadvantaged and most vulnerable in the community is one of the signs of a healthy society? Can he be more specific about how equality of opportunity in the levelling-up agenda will be rolled out?

**Lord Bethell (Con):** My Lords, I can certainly speak for the inequalities we have in health. The right reverend Prelate is entirely right—Covid has been a real reminder of the impact of deprivation and inequality on the population. Those who are disabled are two-and-a-half times more likely to have had some form of life issue with Covid. In terms of deprivation, mortality in the most-deprived neighbourhoods was more than double the rate than in less-deprived neighbourhoods. Those facts are chilling. They are a wake-up call, and we will be working through our levelling-up agenda.

**Baroness Lister of Burtersett (Lab):** My Lords, as the latest Marmot review made clear, damaging and heartbreaking levels of inequality and poverty, especially child and family poverty, weakened our resilience in the face of Covid. Apart from getting people into paid work, which increasingly is failing to protect from poverty, what is the Government's anti-poverty strategy?

**Lord Bethell (Con):** My Lords, I can speak for the health dimension. I should emphasise the work of the office for health promotion. Under the Chief Medical Officer, the OHP will deliver proactive, predictive and personalised preventive strategies. We believe that there is a huge opportunity off the back of Covid to really change the health inequalities of the country, and that is what the OHP will be devoted to doing.

**Baroness Stuart of Edgbaston (Non-Afl) [V]:** My Lords, levelling up is a UK-wide ambition and priority; health and public health are devolved responsibilities. Will the Minister undertake to take a good look at how the various parts of the United Kingdom have dealt with problems that they have faced? For example, Wales appears at the moment to be far more successful in rolling out vaccination than England, Scotland and Northern Ireland. We should not be too proud to learn from each other in order to overcome some of the deep inequalities that have developed over the past years.

**Lord Bethell (Con):** My Lords, the vaccine race is being contested right across the country, and I take my hats off to all those who are delivering the programme so effectively. We are not too proud to learn from each other. In fact, I pay tribute to, for instance, those in Scotland who have programmes around alcohol and



drug use, which are pioneering on a worldwide level. We have to work on this all together, and we will absolutely use the best case studies to apply the best programmes on a countrywide basis.

**Lord Balfre (Con):** My Lords, I draw attention to my position as a fellow of the Royal Statistical Society. There is an old adage that correlation does not necessarily indicate causation. While it is easy to talk about levels of poverty, there are other factors such as lifestyle and ethnicity, and there will be a need for some multiple regression when studying the consequences. When the committees are inevitably set up to look at the causes and how to deal with those matters, will the Minister make it a priority that a good, well-qualified statistician is included among the members of any committee that is set up?

**Lord Bethell (Con):** My Lords, I hear my noble friend's warning very clearly and he is absolutely right. We must not be confused between statistical correlation and causation. However, one thing that has become clear is that in Covid personal health status, particularly obesity, has been a driver of severe illness and mortality. The environments in which people live and work have been a driver of infection. Those two are probably inescapable conclusions and will be central to our levelling-up agenda.

**Baroness Merron (Lab):** The pandemic has brutally exposed the health inequalities that ran deep in our society even before Covid-19, and it is certainly welcome that the White Paper acknowledges that. However, even the best efforts of an integrated care system can only go so far in preventing ill health. Forthcoming legislation needs to be underpinned by national policy measures and funding to tackle overarching determinants of health. With that in mind, will the Minister comment on why the Queen's Speech did not contain improved funding for public health, given the Government's professed commitment to levelling up and building back better?

**Lord Bethell (Con):** My Lords, the noble Baroness is entirely right that it cannot be for either the law or the Department of Health to solve a national challenge. That is why the Prime Minister has committed to appointing a cross-ministerial board. It needs the co-ordination and focus of many different departments that handle health, social welfare and the culture of the country to tackle these tricky, long-standing and difficult challenges.

**Baroness Fox of Buckley (Non-Aff):** Could the Minister add the levelling-up agenda to the arguments for not delaying opening up on 21 June? Overcaution at this stage would be particularly devastating for ordinary working people. Even if the cost-benefit analysis is post hoc, I ask the Minister to start looking now at the health impacts of lockdown, not Covid as such, on the less well off. The health impacts of being confined in overcrowded houses, no gardens for kids and worries about job security are likely to have taken their toll, and we need to learn from what has happened.

**Lord Bethell (Con):** My Lords, it is a difficult fact that males working in low-skilled elementary occupations, such as security guards, had rates of death more than

three times higher than the general population. That illustrates that often those in the most difficult jobs face the greatest threat of infection. The best thing we can do for the economy is to get rid of this virus, for which we need vaccination and testing, and that is the Government's focus.

**Lord Patel (CB) [V]:** My Lords, following the effects of Covid-19, restoring the nation to good health will require a new social compact, backed by a national cross-departmental health inequality strategy. I am pleased to hear the Minister say that the reduction of health inequality will be in the health Bill, but could he confirm that the legislation will include commitments from other departments and the Government?

**Lord Bethell (Con):** My Lords, we have provisions for tackling obesity in the health and social care Bill, as the noble Lord knows, but the focus of the cross-ministerial board on health will be to bring together government efforts on not just obesity, but health inequality in the round. The board's remit has not yet been published, nor has its membership or chairmanship, but I reassure noble Lords that that is coming reasonably soon.

**Lord Harris of Haringey (Lab) [V]:** So we have to wait for a cross-ministerial board; that will really make a difference. Overall, the Government's record has been appalling. Improvements in life expectancy, which had been rising steadily since the 1950s, stalled in 2010 when the Conservatives were elected and throughout the subsequent decade. What is more, according to the King's Fund, real government spending on public health has fallen by 15% in the last six years. That is not new, so why do we have to wait for the so-called levelling-up White Paper and this cross-ministerial thingy? Why can the noble Lord's department not get on with boosting public health locally, rather than reshuffling the deckchairs nationally by abolishing Public Health England and diluting that focus?

**Lord Bethell (Con):** I feel inspired by the noble Lord's passion for the subject, but it is not fair or reasonable to suggest that death rates in the country are driven by the electoral cycle. Far from it—this Government have been extremely committed to the obesity strategy, not least because of the personal story of the Prime Minister. We have not abolished Public Health England; we have redefined it as two organisations, UKHSA and the OHP. The impact of those will be profound.

**Lord Bird (CB):** Is the Minister aware of the social mobility pledge, which is trying to remove impediments to people applying for highly skilled jobs so that they do not follow the route that their families may have followed into underpaid jobs, where they remain in poverty for ever? I would very much like him to look at this. I support the pledge and many hundreds of businesses are following that example and removing these impediments.

**Lord Bethell (Con):** The noble Lord speaks movingly about this important issue and social mobility is itself a massive issue for the country. It does not fall directly

[LORD BETHELL]  
within the remit of the Department of Health, but the NHS itself can be an enlightened employer in this respect. Many families have seen great advances in their personal development there, and I hope that it has a spirit of meritocracy and opportunity. I would be glad to write to the noble Lord to share with him the kinds of initiatives designed to increase social mobility that there are within the NHS.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, all supplementary questions have been asked.

12.51 pm

*Sitting suspended.*

### Arrangement of Business *Announcement*

1 pm

**The Deputy Speaker (Lord Faulkner of Worcester) (Lab):** My Lords, the Hybrid Sitting of the House will now resume. I ask Members to respect social distancing. We now come to Oral Questions to the Minister of State at the Cabinet Office, the noble Lord, Lord Frost. There will be three Questions, with 10 minutes allowed for each, and we will proceed in the same way as for other Oral Questions. I call the noble Earl, Lord Kinnoull, to ask the first Question.

### UK–EU Trade and Co-operation Agreement: Meetings of Bodies *Question*

1 pm

*Asked by The Earl of Kinnoull*

To ask the Minister of State at the Cabinet Office (Lord Frost) which of the 24 bodies set up under the United Kingdom–European Union Trade and Cooperation Agreement met in May; and how many are anticipated to have met by the end of June.

**The Minister of State, Cabinet Office (Lord Frost) (Con):** My Lords, now that the trade and co-operation agreement has been ratified, its committees and other bodies can indeed begin their work. None has met so far, but we will agree the date for the first meeting of each of those bodies with the EU shortly. We expect most to meet before the summer break. We also expect to fix a date for the first partnership council meeting, which is likely to be in the first half of June.

**The Earl of Kinnoull (CB):** My Lords, the TCA will be six months old at the end of June, and to hear of the lack of activity is dispiriting. Its multi-layered governance structure is incredibly important to getting the parties to iron out the problems, and to discussing the next layer down of the detail of the new relationship. Can the Minister tell the House by when all the bodies will have members appointed, and will he commit to publishing monthly basic statistics on the number of meetings taking place, to demonstrate activity?

**Lord Frost (Con):** My Lords, I agree that it is extremely important that all the bodies created under the trade and co-operation agreement should meet and work effectively. I can assure the noble Lord that there has been no lack of activity between me and my EU opposite numbers and our teams during this period, but I agree that it will produce stability when the committees are working properly. We will do everything we can to ensure that there is good transparency about meetings and what is discussed.

**Lord Wood of Anfield (Lab):** My Lords, when the Minister resumes partnership meetings with the EU, presumably the Northern Ireland protocol will be at the top of the agenda. Can he tell us what his response is to the remark by the President of the European Commission on Monday, that the protocol is the “only possible solution to ensure peace and stability in Northern Ireland while protecting the integrity of the EU single market”?

As the co-architect of the protocol, does he accept responsibility for its consequences, which were widely predicted, and which now seem to trouble him, too, so much?

**Lord Frost (Con):** My Lords, the question of the Northern Ireland protocol will, I am sure, be on the agenda of the joint committee when that meets, which should be at approximately the same time—in the first half of June. We have noted the comments of the Commission president earlier this week. The protocol relies on the support of all communities in Northern Ireland, so it is disappointing that there was not more recognition by her of the impact that its operation is having there—but we continue the discussions and hope to be able to find pragmatic solutions.

**Lord Moylan (Con):** My Lords, is my noble friend aware that many noble Lords are rather relieved that this plethora of committees remains inoperative? They are wholly disproportionate to a trade agreement, and we do not see the need for them, or for the expense of the caravan of secretariats that they will no doubt bring with them. Does my noble friend agree to make it an objective of British government policy in his current discussions that their number and scope of activity be radically reduced?

**Lord Frost (Con):** My Lords, I share my noble friend's distaste for bureaucracy in all its forms, even though I have spent most of my life working in one. It is, unfortunately, a characteristic of international relations nowadays that there is a substantial bureaucratic component, and we have to work with that. I hope that the various committees that have been created will help us to resolve problems. I can reassure my noble friends that the bureaucracy is, at least, much less than when we were a member of the European Union.

**Lord Wallace of Saltaire (LD):** My Lords, is it the Government's objective, nevertheless, to get the full panoply of relations and committees working well, as we have to manage a very wide agenda of continuing close relations with the European Union? Do the Government have it in mind that they could take the Swiss option, as it were, and break the series of complex negotiations and treaties that they have with the EU—which, as he will know, the Swiss have just done?

**Lord Frost (Con):** The noble Lord is right, in that the trade and co-operation agreement is an extremely broad treaty, with a very wide agenda. That is why it requires so many committees to make it work. I can reassure him that it is certainly our objective to make sure that the committees work, and that they meet, if at all possible, before the summer break. We have already exchanged with the EU lists of chairs of the committees, and I am confident that we will move forward fairly quickly on all this.

**Baroness McIntosh of Pickering (Con):** Does my noble friend agree that if the trade specialised committee on SPS measures had been set up and had actually met, we might be in a better place as regards cross-border trade issues between Great Britain and Northern Ireland, and between the UK and the EU? Will he endeavour to ensure that it meets at least once before the end of June, to resolve these issues?

**Lord Frost (Con):** My Lords, unfortunately, I am not sure that I agree with my noble friend that we would be in a significantly different position if that committee had met. There have been quite a lot of discussions on SPS issues in various contexts over the past few months, although the committee has not met formally, and we have not managed to find constructive agreements on that subject—although we keep trying. I am confident that the committee will meet before the summer break, and of course we continue to discuss these matters extensively with the EU.

**Baroness Wheatcroft (CB):** My Lords, in negotiating the TCA, the UK Government succeeded in putting the UK's extradition arrangements with the EU on a similar unbalanced footing to those with the US. We continue to extradite to the EU, but 20 EU countries will not extradite directly here. Are negotiations going on to try to rectify that?

**Lord Frost (Con):** My Lords, extradition arrangements were indeed the subject of quite a large part of the negotiations, and in our view—the Government's view—the agreement that we reached with the EU deals with many of the defects that were present in the earlier European arrest warrant system. It is part of the standard way in which extradition arrangements work that member states can, in certain circumstances, refuse to extradite their own nationals, and some member states have made that clear. We continue to discuss this issue with the Commission and all the member states concerned.

**Baroness Hayter of Kentish Town (Lab):** My Lords, the multi-layered governance structure mentioned by the noble Earl is not the only thing that needs to be set up under the TCA. The civil society forum and the domestic advisory group are vital channels into Government, and the partnership council decisions. The UK cannot by itself set up the joint forum, but it can—and surely should—establish a domestic advisory group to feed into the forum. Can the Minister, who is responsible for getting this going, tell us the date when that will happen, and assure us that preparations go a little beyond what he referred to in his Written Answer to me this week—just to “engage with business and civil society”? I think it is time for action now.

**Lord Frost (Con):** My Lords, the TCA provides for a civil society forum. It has to be balanced between UK and EU business and civil society groups to discuss the implementation of the agreement. We are in touch with the EU about how this will work. We will work very much to facilitate its first meeting this year. We are engaging actively with business and civil society domestically, and I am happy to write to the noble Baroness about the detail of where that has got to.

**Lord Jones of Cheltenham (LD) [V]:** Is the noble Lord making any progress on negotiating a new deal for the creative sector on touring in Europe? While he is thinking of a plausible answer to that, can he tell us whether, when he decided to reject the EU's generous offer in the negotiations and throw touring musicians under a bus, he anticipated, is surprised by, or accepts any responsibility at all for the humiliation of our country scoring zero—nul points—in the Eurovision Song Contest?

**Lord Frost (Con):** My Lords, I am happy to accept responsibility for many things but I do not think I can reasonably accept that I affected the result on Saturday night. As regards creatives, of course we work to support all our creative industries in the situation that now prevails under the TCA. We made proposals in the negotiations that would have largely solved the difficulties faced by our great creative industries. The proposals made by the EU would not have done so, so we would be in this situation. We are now working as hard as we possibly can with the member states to establish the facts about visas and to support our industry in moving forward.

**The Deputy Speaker (Lord Faulkner of Worcester) (Lab):** My Lords, the time allowed for this Question has elapsed.

## UK-EU Trade and Co-operation Agreement: Regions and Industrial Sectors *Question*

1.11 pm

*Asked by Lord Purvis of Tweed*

To ask the Minister of State at the Cabinet Office (Lord Frost) whether Her Majesty's Government still plans to commission an impact assessment of the United Kingdom–European Union Trade and Cooperation Agreement on regions and industrial sectors when the economy returns to normal.

**The Minister of State, Cabinet Office (Lord Frost) (Con):** My Lords, the Government routinely publish a wide range of analysis on the UK economy and will continue to do so as appropriate. Many bodies, such as the OBR, also regularly publish economic analysis on the impact of our trade deal with the EU. All this contributes to the public debate in this area. We keep this matter under review, but meanwhile we will continue to take full advantage of the opportunities available to us as an independent trading nation.



**Lord Purvis of Tweed (LD):** My Lords, the ONS publication on Tuesday this week detangled the impacts of Covid and the impacts of the TCA by comparing quarter 1 2021 figures with quarter 1 2018 figures—the last period in which

“relatively stable trade patterns were observed.”

Non-EU trade for the UK fell by 0.8% over that period; EU trade fell by an enormous 23.1%. That shows clearly the difference between Covid-19 and the TCA. How can the Minister explain the difference in that fall?

**Lord Frost (Con):** My Lords, I read the ONS report with interest. It confirms the position on trade, which I have set out on several occasions before: that there are a number of factors prevailing here. It is true that 2018 may well have been the last full year of normal trading conditions, but we are still in a pandemic. Economies have not returned to normal, so it is not entirely surprising that trade figures have also not returned to normal at the moment.

**Baroness Neville-Rolfe (Con):** My Lords, perhaps the most pressing issue facing the country, other than Covid, is discerning the best way forward post Brexit, economically and in other ways. Whether drawing up an impact assessment would be the most helpful method is doubtful in this case. However, does my noble friend the Minister agree that a full evaluation of the new opportunities that he has mentioned is now essential?

**Lord Frost (Con):** My Lords, I agree with my noble friend that there are huge opportunities from Brexit, and we are taking those forward as set out in the Government’s legislative programme: a subsidy control Bill, a procurement Bill, a National Insurance Contributions Bill, a freeports programme and so on. These are all huge opportunities. It might be premature to do an immediate evaluation of the effect of all those before they have been introduced and brought into force, but of course impact assessments will go with the necessary legislation in this area.

**Lord Liddle (Lab):** My Lords, I am sure the Minister is well aware of the excellent work of the Centre for European Reform under its director, Charles Grant. I would like his reaction to the latest report authored by its distinguished economist John Springford, published on 12 May, about the first quarter of trade data. The conclusion is that

“leaving the single market and customs union had reduced UK trade by 11 per cent in March 2021. That is on top of a 10 per cent hit to trade between the referendum and leaving the single market.”

He goes on to say that several more months have to pass before we can be certain of these impacts, but that

“it is becoming clearer that the impact cannot be dismissed as temporary.”

Does the Minister agree? Is he proposing to set in hand immediately a review of how these problems can be mitigated?

**Lord Frost (Con):** My Lords, I looked at the CER report with a lot of interest. It is one in a series of reports that has, I think, been subject to some methodological debate,

at least. I am not sure I personally think it entirely valid to set up a kind of mock economy based on other parallel economies and draw conclusions from that, which I understand to be the methodology. I do not think we dispute that there have been changes in trade patterns in recent months, but as the ONS said in its report published on Tuesday:

“It is difficult to fully detangle the impact the coronavirus and EU exit had on UK and international trade while they are still having an influence.”

That remains the case.

**Baroness Ludford (LD) [V]:** Can the Minister include, in any assessments he can be persuaded to carry out, the loss of EU nationals in sectors such as horticulture and social care? It is reported that workers may be brought in from Belarus and Russia to pick our fruit and veg, in replacement for EU nationals. Can he rule that out? Do the Government not think it better to invite some of the EU nationals back to help us in those sectors, rather than let them be detained and deported when they come for a job interview, as permitted under the Immigration Rules?

**Lord Frost (Con):** My Lords, one of the great benefits of ceasing to be a member of the European Union was that we could establish our own immigration system, and indeed we have done so, on the basis of the points-based system that has been extensively discussed and implemented. The advantage of that is that it gives us control of who we wish to let enter the country, either temporarily or permanently. Obviously, when we make that assessment we look at the industries, the economics and the broader situation. We will continue to do so when we make those judgments.

**Baroness Hayter of Kentish Town (Lab):** The Minister and the Prime Minister seem to claim that they did not know quite what the protocol would imply and how tricky it would be to make it work. In front of our European committee last week, the Minister confessed that he was a bit surprised about how disruptive it was, and said it could remain

“a bit bumpy ... for some months”.

Is it possible that, because the vigorous work was not done before that protocol was signed, he is surprised by the implications of it? Even now, it might be helpful if he publishes the legal advice that was available at the time.

My other question is this. Given that there are still very many decisions to be taken, both by the Government in implementing the agreement and together with the EU in the Partnership Council, can he undertake that there will be proper impact assessments before big decisions are made and that these will be published and discussed widely, so that he has the benefit of the wisdom of Charles Grant and others before big decisions are taken?

**Lord Frost (Con):** My Lords, on the Northern Ireland protocol, the issue is that the protocol is a very delicately balanced document designed to support a very delicately balanced agreement—that is, the Belfast/Good Friday agreement. When the protocol is implemented it needs to have regard to that balance and the set of provisions



that try to protect this delicately balanced situation. At the moment, in our view, the protocol is not being implemented in a way that reflects that balance. It does not reflect the full dimensions of the Good Friday agreement, east-west and north-south, and that is at the root of the difficulty. That is not what we expected when we agreed it, but we still hope that we can get into that situation in discussions with the EU in the weeks and months to come.

On future impact assessments, when legislation is needed to implement reforms or changes, whether these result from the TCA or from anything else, there will of course be an impact assessment. That is the usual practice.

**Lord Lamont of Lerwick (Con) [V]:** Does my noble friend agree that it is absurd to attempt to measure the impact of Brexit in such a short term, as suggested by the noble Lord, Lord Purvis, and others, and that other factors will be difficult to separate from Brexit? Above all, new policies, whether they be domestic policies or trade agreements, take time to build up, and the impact of Brexit over one year, five years or 15 years will be very different. Do all these questions not sound suspiciously like attempts to rerun the Brexit referendum, and is it not time that we all recognised that the result has to be accepted and we should move on?

**Lord Frost (Con):** I agree with my noble friend. These questions have been extensively debated over the last five years and the range of views on that subject has possibly not changed significantly over that period. Our view is that the medium-term benefits of being a full democracy, of having control over our own laws and regulations and having the ability to tailor them to our own requirements as a country, will be of huge benefit to us, so we are very confident that those benefits will materialise. However, he is right that five months after the end of the transition period is a bit soon to be 100% clear about that.

**The Deputy Speaker (Lord Faulkner of Worcester) (Lab):** My Lords, all supplementary questions have been asked.

## Protocol on Ireland/Northern Ireland

### Question

1.22 pm

Asked by **Lord Dodds of Duncairn**

To ask the Minister of State at the Cabinet Office (Lord Frost) what steps Her Majesty's Government will take to prevent any negative impact on Northern Ireland from the Protocol on Ireland/Northern Ireland.

**The Minister of State, Cabinet Office (Lord Frost) (Con):** My Lords, as I have set out on many occasions, it is clear that the protocol is presenting significant challenges for many in Northern Ireland and across the whole of the UK. Solutions must be found urgently to address these. We remain committed to working through the issues with the EU, and we hope that it will show common sense and take a pragmatic risk-based approach to the problems. We continue to consider all

our options in meeting our responsibility, which is also the purpose of the protocol, to protect the Belfast/Good Friday agreement and the peace process.

**Lord Dodds of Duncairn (DUP):** I thank the Minister for his Answer. In the protocol court case that is being taken in Belfast, the Government have argued, astoundingly, that parts of the Act of Union itself have been impliedly repealed by the protocol. That is an incredible position for a Conservative and Unionist Government to find themselves in. Does the Minister accept that, as well as the serious economic difficulties and diversion of trade being caused by the protocol, this assertion of constitutional vandalism will add immensely to the serious societal difficulties in Northern Ireland, one expression of which is the almost nightly occurrence of peaceful protests in Northern Ireland, which are largely unreported but reflect a widespread dismay at the unbalanced approach to the political and peace process? The Minister talked about solutions. Can he indicate a timetable for solutions that reflects the urgency and gravity of the situation?

**Lord Frost (Con):** My Lords, obviously I am not able to comment on the specifics of litigation while it is ongoing. I point out that the protocol itself is clear that it is without prejudice and has no effect on the territorial integrity of the UK or its essential state functions. That is a very important element of the protocol.

We understand the dismay and concern about identity that is provoked by the way the protocol is currently being implemented, and we are attempting to respond to that as a matter of urgency. There are a number of timetables in parallel here: the negotiating process, the grace periods themselves and the political timetable in Northern Ireland must all be kept in step if we are to find solutions to these issues.

**Lord Dubs (Lab) [V]:** My Lords, it is fairly clear that the Minister is unhappy with the protocol, or at least the way that it is working out. Will he indicate what the Government's strategy is for achieving a better outcome regarding the protocol, given that, if neither we nor the EU know what is going on, it is hard to see how we are going to move forward? What is the Minister's proposal?

**Lord Frost (Con):** My Lords, the noble Lord is right to observe that we are not particularly happy with the way that the protocol is being implemented. Our hope is that we can find solutions to this with the European Union. I speak frequently to my EU colleague, Maroš Šefčovič, and our teams are in regular touch. Talks are going on semi-continuously on these questions and we hope to have made progress in dealing with some of the most difficult issues by the time of the joint committee, but obviously it takes two sides to move forward and find pragmatic solutions. Progress is limited at the moment but we keep working at it.

**Baroness Suttie (LD) [V]:** What progress, if any, has been made towards achieving an EU-UK veterinary agreement?

**Lord Frost (Con):** My Lords, we would have liked, in the negotiations last year, to have established as part of the TCA an agreement on equivalence for SPS and food standards that could have been framed as a veterinary agreement or in other forms, but the EU was not willing to agree such a process. We remain willing to try to do so if it wishes to. What we cannot agree to is dynamic alignment of our rules with those of the EU because it is a fundamental tenet that we must have control of our own laws and rules if we are to do free trade deals and get the full benefits of Brexit. Once again, we keep working to see whether we can find a compromise on this issue that works within both sides' red lines, but at the moment we are not succeeding in doing so.

**Lord Caine (Con):** My Lords, does my noble friend agree that it is completely insane that a packet of Sainsbury's Cumberland sausages destined for its Forestside store in Belfast has to undergo cumbersome checks on entering Northern Ireland from Great Britain due to fears that it might illegally enter the EU single market, when Sainsbury's does not have a single store in the EU? Could there be a clearer example of the pressing need on the part of the EU to adopt a more sensible, pragmatic and proportionate approach to the implementation of the protocol, and to put an end to this utter madness?

**Lord Frost (Con):** I certainly agree that it seems curious to us that there needs to be extensive process paperwork as well as the possibility of checks for goods that do not present any risk of moving into the EU's single market. Obviously we agree that it is important to protect the integrity of the EU's single market, but that needs to be done on a sensible risk-based basis. It was because of concerns such as this that we had to extend the grace period relating to supermarkets earlier this year, as is well-known, and why we remain concerned that a permanent solution to this problem has not been found yet.

**Lord Empey (UUP) [V]:** My noble friend the Minister will be aware of the report from Marks and Spencer yesterday which revealed the cost to that company of its operations on both sides of the Irish border. This huge, undemocratic and bureaucratic superstructure we have created is surely totally out of proportion to the tiny amount of trade, in European terms, that flows across the Irish border. Will my noble friend and the colleagues he is negotiating with at the EU seriously talk to some people about realistic alternatives that achieve the objective of protecting the single market but do not cause the divisions within the United Kingdom that this protocol has caused?

**Lord Frost (Con):** My Lords, we looked very closely, obviously, at the report from Marks and Spencer earlier this week and the costs that it has identified as being connected to the protocol. It is important to note that, although it is sometimes said that we are not trying to implement the protocol, in fact both companies and this Government have shouldered very considerable costs trying to do so—both in the private sector and, for us, in the trader support scheme, movement assistance scheme and so on. All of that is having a chilling effect

on the ability to move goods across the whole of the UK, which is causing so much difficulty, so we need to find a realistic and lower-cost, risk-based approach to doing this. That is what we hoped to see and we continue to hope that we can agree with the European Union.

**Lord Murphy of Torfaen (Lab) [V]:** My Lords, dialogue is always better than legal writs and newspaper articles, so I welcome the Minister's recent visit to Northern Ireland to meet businesses and communities. Can he now tell us if he has any immediate plans to meet officials of the European Union, the Irish Foreign Minister Simon Coveney and the leaders of all the political parties in Northern Ireland to discuss these difficult issues around the Northern Ireland protocol?

**Lord Frost (Con):** My Lords, I remain in contact with all those whom the noble Lord has suggested that I should be in contact with. I talk to my European Union opposite numbers frequently—in fact, I had a meeting with the EU ambassador this morning. I remain in close touch, as does my right honourable friend the Secretary of State for Northern Ireland, with all ranges of opinion in Northern Ireland.

**Baroness Hoey (Non-Aff) [V]:** My Lords, the protocol is causing immense harm to peace and stability in Northern Ireland, as well as to businesses and consumers. However, now people all over the UK are angry about the ridiculous EU rules on pets traveling from Northern Ireland to GB and from GB to NI. What message would the noble Lord give to Christopher, who is a 13 year-old boy in County Fermanagh who helps train dogs for search and rescue? He is a champion at dog trials but now, because of the cost and bureaucracy of travelling back taking his dog, he will not be able to attend dog trials any more. There are rabies injections, worming and pet passport paperwork, which are all needed each time he takes his dog from one part of the UK to another. The EU is clearly not listening to the people of Northern Ireland, nor cares about the people of Northern Ireland. Does the Minister? I know he does, so when will the Government recognise that the EU does not care and just pull the plug on this protocol?

**Lord Frost (Con):** My Lords, this is a good example of a problem that we saw no reason should arise when the protocol was negotiated but has nevertheless arisen. We are concerned about the difficulties in moving pets from Great Britain to Northern Ireland and in the other direction. The EU has it in its power to deal with this problem by giving us part 1 listing for pets as it does for many other countries and for which dynamic alignment is not required. We had assumed that this would be what happened; unfortunately, it has not been granted to the UK. We have part 2 listing and that is why the problems persist. It remains in the EU's power to change this situation if it wishes.

**The Deputy Speaker (Lord Faulkner of Worcester) (Lab):** My Lords, the time allowed for this Question has elapsed.

## Education (Assemblies) Bill [HL] First Reading

1.34 pm

*A Bill to amend the School Standards and Framework Act 1998 to make provision regarding assemblies at state schools without a designated religious character in England; to repeal the requirement for those schools to hold collective worship; and for connected purposes.*

*The Bill was introduced by Baroness Burt of Solihull, read a first time and ordered to be printed.*

## Age Assurance (Minimum Standards) Bill [HL] First Reading

1.35 pm

*A Bill to require that age assurance systems for online or digital services or products must meet certain minimum standards; and for connected purposes.*

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

## Business of the House Motion on Standing Orders

1.36 pm

*Moved by The Earl of Courtown:*

That Standing Order 44 (*No two stages of a Bill to be taken on one day*) be dispensed with on Tuesday 8 June to allow the Finance Bill to be taken through its remaining stages that day.

**The Earl of Courtown (Con):** My Lords, on behalf of my noble friend the Leader of the House, I beg to move the Motion standing in her name on the Order Paper.

*Motion agreed.*

## Leasehold Reform (Ground Rent) Bill [HL] Order of Consideration Motion

1.36 pm

*Moved by The Earl of Courtown:*

That it be an instruction to the Grand Committee to which the Leasehold Reform (Ground Rent) Bill [HL] has been committed that they consider the bill in the following order:

Clauses 1 to 12, Schedule, Clauses 13 to 26, Title.

**The Earl of Courtown (Con):** My Lords, on behalf of my noble friend Lord Greenhalgh, I beg to move the Motion standing in his name on the Order Paper.

*Motion agreed.*

1.37 pm

*Sitting suspended.*

## Public Service Broadcasting (Communications and Digital Committee Report)

*Motion to Take Note*

1.40 pm

*Moved by Lord Gilbert of Panteg*

That this House takes note of the Report from the Communications and Digital Committee *Public service broadcasting: as vital as ever* (1st Report, Session 2019, HL Paper 16).

**Lord Gilbert of Panteg (Con):** My Lords, I am pleased to introduce this debate on the Communications and Digital Committee's report, *Public Service Broadcasting: as Vital as Ever*. I declare some interests. I was a guest of S4C at a Wales v Ireland rugby match in March 2019 and of ITV at the National Television Awards in January 2019. I was invited to participate in the Royal Television Society Cambridge conference in September 2019 in my capacity as committee chair. The conference was hosted by ITV, which provided hospitality and accommodation.

I am grateful to the committee staff for their assistance in preparing the report. Our clerk was Theodore Pembroke and our policy analyst Theo Demolder. They and the committee were provided with great support by Rita Cohen. I also thank Professor Steven Barnett, who provided expert advice throughout the inquiry, and the many witnesses who gave us evidence.

I am looking forward today to hearing from noble Lords who were members of the committee at the time of the report, and others who have joined the committee since. As always, they have brought extensive experience and expertise to the work of the committee and the deliberations of this House.

We issued our call for evidence a little over two years ago, in March 2019, and reported 18 months ago in November of that year. Since then, much has changed. Covid has hit us all and led to huge disruption for PSBs, accelerating some changes already under way in the industry while bringing new challenges to the thriving production sector and the wider creative economy and, in particular, its large freelance workforce.

The Government have announced what looks like a blanket and untargeted pre-watershed ban on HFSS advertising that will impact the business models of commercial PSBs while leaving online platforms untouched.

Ofcom has published its five-year review of PSBs. Like us, it found:

“Public service content still matters hugely to people and society”

and that PSBs

“underpin the UK's creative economy.”

However, it argued that

“radical changes to support PSBs shift ... to online”

are needed.

The report from Lord Dyson shocked many of us who want a strong, independent and trustworthy BBC. The Government, in their so-far measured response,



[LORD GILBERT OF PANTEG]

have indicated further changes in the way the BBC is governed, which I hope the Minister will be able to say more about today.

In introducing this report, I cannot help feeling that the hard work of Select Committees, the engagement and commitment of our witnesses and the time put into responding by Ministers and officials deserve more timely debate in this House while reports remain topical. This inquiry focused on the role of PSBs—both the BBC and commercial PSBs—the financial pressures they face, the nature and future of the PSB model and the impact of the changing production landscape in the age of video on demand.

We looked in great detail at drama and factual content, which account for around 70% of Netflix and Amazon programming, with eye-watering budgets of up to £15 million per hour. News and current affairs, barely covered by the SVODs, was not a focus of our inquiry but was considered in more depth in our subsequent report on the future of UK journalism, where we called for much greater diversity in newsrooms and highlighted the danger of groupthink and narrowness of thought.

Trust, though, is everything, and that trust has been badly hit by what Lord Dyson found at the BBC. Drawing on our inquiry, it seems to me that it is vital that we restore that trust because, as we concluded, the evidence we heard indicated that public service broadcasting is as important as ever. The Government agreed and, in their response, said that PSBs provide

“significant cultural, economic and democratic value to the UK” and that the broadcasters

“will need to adapt to the changing media landscape to sustain their value”.

As we all know, the way in which we watch television is changing—20 years ago, most people relied on five free-to-air channels provided by the PSBs. These broadcasters now face competition from hundreds of other channels and online services. Subscription video on demand services—or SVODs—such as Netflix and Amazon Prime have enjoyed rapid success. They have made available thousands of hours of content and offer each viewer a personalised experience. More than half of UK households now subscribe to an SVOD, while YouTube is also a major competitor. SVODs operate globally and have enormous resources, leading to concerns that PSBs are being priced out of the market for making high-quality television, limiting their ability to create drama and documentaries that reflect, examine and promote the culture of the UK.

We sought to understand the contemporary role of PSBs and whether the compact—the obligations they take on in exchange for privileges—is fit for the age of video on demand. I would like to outline the importance of the committee’s recommendations for the thriving of public service broadcasting. Our evidence, like Ofcom’s, overwhelmingly indicated that public service broadcasting is as important as ever to our democracy and culture, as well as to the UK’s image on the world stage. PSBs contribute to the economic health of the UK and support the wider creative industries.

A wide range of witnesses told us how PSBs inform our understanding of the world, reflect the UK’s cultural identity and represent a range of people and viewpoints. Although other channels and services offer high-quality UK programmes, the availability and affordability of PSBs through digital terrestrial television remain unmatched. Their availability allows them to provide “event television”: moments that bring the nation together, such as major sports events, documentary series and landmark drama such as the virtual water-cooler drama “Line of Duty”, commissioned by the BBC from an ITV-owned production company, and Channel 4’s powerful and important “It’s a Sin”, which told a story that needed to be heard and which was public service broadcasting to a T. To strengthen the availability of event TV, we recommended that the Government should review the listed events regime to extend the availability of significant sports events on free-to-air television.

I should add that, while the committee was clear that losing universal and affordable public service broadcasting would make our society and democracy worse off, we recognised the contribution of great content from non-PSBs that met many of the broader public service objectives—content of great quality that was original and made for Britain—and recommended that Ofcom should consider the contribution of content from non-PSBs when reviewing the PSB landscape. But we found that PSBs are struggling to achieve their mission to serve all audiences in the face of increased competition and changing viewing habits. They are not serving younger people and people from minority backgrounds well enough. Their legitimacy depends on serving these groups better.

To do this, PSBs must be willing to take creative risks and do more to involve people from different backgrounds in developing and making programmes. We recommend that Ofcom should be empowered to gather data on the diversity of commissioners and production crews making programmes for PSBs. We heard concern about representation of the nations and regions of the UK. Investment in TV production is too heavily concentrated in London. Many viewers believe that London and the south-east, as well as hub locations such as Glasgow and Cardiff, are overrepresented at the expense of other areas. Although progress has been made and new entrants have made high-budget series outside the capital, the economic benefits of investment have not spread widely enough.

Public service broadcasters are obliged to commission a certain percentage of programmes outside the M25, in the regions and nations of the UK. This is critical to building a skills base in different areas and ensuring that viewers see their localities represented on screen, but Ofcom must ensure that PSBs uphold the spirit of these obligations. The best way to support production in the regions and nations is to invest more in returning—rather than one-off—series and to commission production companies with headquarters outside London.

The UK TV production sector has enjoyed impressive growth in recent years, including in exporting programmes. SVODs and other commissioners such as HBO and AMC have driven significant investment, encouraged by high-end tax relief. However, public service broadcasters



remain essential to the UK production sector. They spend considerably more than SVODs and other broadcasters on original UK programming.

The terms of trade—the code of practice drawn up by PSBs setting out principles for agreeing the terms of commissioning independent productions—encourage independent production companies to work with them. We heard from many witnesses that the terms of trade were one of the main reasons they work with PSBs. Their success relies on both PSBs and the production sector being willing to update the terms of trade as the market changes.

PSBs are also vital to the success of SVODs, as part of the UK's thriving mixed ecology—a mutually reinforcing system of specialist skills, labour, production companies, broadcasters and other assets that are supported by both public and private investment. This ecology is integral to the wider creative industries. It nurtures creative and other skills used in filmmaking, and it is a vehicle for exhibiting British talent to an international audience. PSBs are at the heart of this ecology. We heard from Netflix that co-production

“works extremely well for us as a model and it seems to work extremely well for the rest of the industry as well.”

Between 2014 and 2018, co-commissions between SVODs and broadcasters almost doubled, from 16 to 30.

The health of the independent production sector depends on maintaining the supply of production crews to meet increased demand. There is a serious risk of the sector reaching full capacity and overheating. We recommended that the Government should address skills shortages in the sector through urgent reform of the apprenticeship levy and extending the high-end TV tax relief. Public service broadcasters are especially vulnerable to further cost inflation. The apprenticeship levy simply does not work for much of the creative sector; the committee has illustrated this time and again in a number of reports. The Government's response is largely one of denial, with commitments to some small-scale pilots. As we shape up for a post-Covid national effort to train young people for the roles of the future, what plans do the Government have to do something really impactful to sort out this failing policy area?

If public service broadcasters are to continue to serve us, and to be able to afford to make world-class programmes, they must remain financially viable. The BBC should not be given further responsibilities without a corresponding rise in income. We expressed concern that the integrity of the licence fee, the guarantor of the BBC's financial independence, has been undermined. In particular, the Government should not have asked the BBC to accept responsibility for over-75s' licences, nor should the BBC have agreed to take it on.

A new, independent and transparent process for setting the licence fee is necessary. We recommended establishing a new body, to be called the “BBC Funding Commission”, which should be in place in time for the next round of negotiations. The Government have not chosen this route, but will the Minister commit today to a transparent and open process next time round? When we call for transparency, we have the BBC as well as the Government in mind.

The obligations public service broadcasters take on and the privileges that they receive in return must be balanced. However, we heard that, in a competitive environment, the PSBs' traditional privileges were becoming less valuable. Most importantly, public service broadcasters have historically received mandated prominence, listed as the first five channels on the electronic programme guide. We supported Ofcom's proposals to update this principle for the digital age, so that it covers on-demand viewing, but implementing a solution seems to be taking for ever, and I cannot understand why.

Digital terrestrial television will remain essential for the many viewers who cannot afford, or do not have access to, internet or pay TV, and free access to spectrum for PSBs must continue to be guaranteed. Given the pace of change in the market, we recommended that Ofcom should review whether TV platforms should be required to pay commercial PSBs a retransmission fee for carrying their channels.

Much of the regulation affecting broadcasting and TV production dates from a time when PSBs were dominant. They remain the largest producers in the UK, and regulation has enabled smaller players in the ecosystem to thrive. However, the sector is facing major changes because of the rising popularity of US-based SVODs, which are themselves likely to become consolidated.

As we found in our report, *Regulating in a Digital World*, regulation needs to become faster at reacting to changes in the digital economy. An example of this was the Competition Commission's decision in 2009 to block the creation of Kangaroo, a joint venture of the PSBs to aggregate content from BBC Worldwide, ITV and Channel 4. In a report at the time, the committee strongly regretted the Government's failure to intervene on public interest grounds. In 2018, Sharon White, the chief executive of Ofcom, said that the PSBs will need to “collaborate to compete” in the new environment. The opportunity that Kangaroo presented for Britain to be in on the ground floor at the start of video on demand is not the kind of opportunity that comes along often. That it was stopped on the runway is an example of a regulatory approach that harks to the past rather than looking to the future. It illustrates the need for much more flexible, forward-looking and joined-up regulatory thinking than we have.

If the UK is to continue to be a world leader in the creative industries, public service broadcasters must be enabled to thrive in the digital world. They must be held to account for their obligations, afforded full access to the commensurate privileges and supported to ensure that the important work that they do remains financially viable in an ever-more competitive environment.

I started by looking at the changes that have happened in the industry since we reported. Of course, the other big change is that the Government were re-elected with a thumping majority, an agenda to level up Britain, and no hesitation at all about playing a role in helping business to thrive in this fast-changing world. From their response, we know that the Government believe that PSBs play a central role in the ecology of the creative industries but that they need to adapt quickly to survive. I ask the Minister: what role do the

[LORD GILBERT OF PANTEG]

Government envisage for the creative industries in their industrial strategy? How do they plan to support the production and content distribution sector? How can skilled work in production and content distribution contribute to levelling up? Will the Minister tell us what the Government will do to help to ensure that PSBs continue to provide, in the Government's words, "significant economic, cultural and democratic value across the UK"? In particular, what will the Government do to help PSBs to adapt to the changing media landscape so that they continue to make that vital contribution? I beg to move.

1.56 pm

**Baroness Merron (Lab):** My Lords, I thank the members and staff of the Communications and Digital Committee for its impressive work on this report, so ably chaired by the noble Lord, Lord Gilbert, who has just made a powerful and informed case that public service broadcasting is, as the report says, as vital as ever. I am of the view that public service broadcasting has a place in not just our hearts but our heads. Therefore, it is absolutely right that this report highlights the need for public service broadcasters to adapt to a changing media landscape, while shining a light on the need for a legislative and regulatory framework with the public interest at its core.

As we have heard in this House and the other place, there is no doubt that the BBC has issues to address about accountability, trust and integrity in the wake of recent revelations. However, it is important to acknowledge that, in recent times—times which have been so heavily defined by the global pandemic—the BBC's universal mission to educate, inform and entertain has never been more critical and appreciated. Indeed, it has been a focus for bringing us all together, as well as supporting the wider creative industry. Covid-19 and the BBC's showing of press conferences and films has highlighted the importance of a platform for information, while its entertainment and education offerings have helped many households through a deeply difficult and troubling time.

While the report is mainly focused on the entertainment side, it is a credit to the BBC that it delivers trusted news to millions in the UK and across the globe. Ofcom research bears this out: at the start of the lockdown, which we remember as a time of great uncertainty, 83% of people expressed their trust in the BBC's coverage. This had a particularly important impact on those who were more vulnerable to the impact of misleading news sources—a topic I am sure we will return to as part of the upcoming online safety Bill. In respect of recent events, I urge the Government to resist political opportunism and the pursuit of vendettas. If public service broadcasting is diminished, the public suffer, and it is hard to back-track in the future.

This report discusses the long-standing debate around BBC funding. DCMS recently confirmed that it stands by the licence fee format, and we welcome the clarity that offers. However, I urge the Government to revisit the over-75s concession scheme. We are all aware of the need to strike the right balance between cost savings and ensuring a quality service, but increasing the burden on the over-75s was and remains unclear and unfair in its outcome.

Where the BBC can save, it should do so. However, the Government must provide a fair funding settlement. After all, we can remind ourselves that universality is an essential part of public service broadcasting. The licence fee underpins that. It is also a critical foundation for investment in the UK's creative economy.

As we have heard from the noble Lord, Lord Gilbert, the continued success of online platforms presents challenges to public service broadcasting, but it is noteworthy that the BBC, ITV and Channel 4 have come up with interesting initiatives, including commissioning more varied content in terms of casting, location and so on.

The time lag on commissioning means—we must remember this—that there is no such thing as a quick fix. We must allow time for recent changes to filter through and for the creative industries to return to their capacity after this pandemic. So, while it is true that on-demand services put much money into UK production, the sector would suffer if a poor settlement for the BBC and Channel 4 meant a reduction in their commissioning or prevented the type of innovative, alternative content that adds such value to our world. After all, it is a rising tide that lifts all boats.

The media landscape is changing, and the pandemic has brought new and defining aspects to it. I welcome this timely report and look forward to it shaping the future of public service broadcasting to provide ever greater service to the public.

2.02 pm

**Baroness Greder (LD):** My Lords, as a member of this committee, I record my thanks to the noble Lord, Lord Gilbert of Panteg, for steering us through this and more recent reports. I also associate myself with his thanks to our advisers and staff. I started in this report's final stages, so I also record my thanks to my noble friends Lady Bonham-Carter and Lady Benjamin—who preceded me and my noble friend Lord Storey from these Benches—and to all other members of the committee.

Little did we know when this report was published in November 2019 that, a year later, we would be in the midst of a global pandemic, when trusted sources of information, regulated to provide the public with impartial and accurate news, would be such a vital lifeline for so many of us, alongside high-quality online education such as BBC Bitesize and, of course, as much entertainment as we could get our hands on. How wonderful it is that this was all available to every household in the country, free at the point of use for those unable or unwilling to pay subscriptions for Netflix, Amazon or Sky.

This debate comes in the wake of the BBC's independent judge-led Dyson inquiry into events of 25 years ago. While Bashir's behaviour was shocking and subsequent management action lamentable, there have been fundamental changes in BBC accountability since then. The BBC is now under external regulation by Ofcom, and any such lapses in editorial standards would be swiftly exposed. It should certainly not be our focus today.

I intend to confine my comments to some of the broader strategic questions which this report set out to address—in particular, how the unique ecology of

public service broadcasting in the United Kingdom can survive and thrive in a future where subscription video on demand, or SVOD, appears to reign supreme.

Why does it remain so important in the context of so much available content? We need only take a short hop across the Atlantic to get our first answer. In the US, fake news and polarisation of opinion ultimately ended with a President promoting violence to suppress the results of the ballot box. It gave us a graphic demonstration of a dystopian, unregulated future without well-resourced and trusted PSBs committed to accuracy and impartiality.

In the UK, we have a unique blend of publicly and commercially funded public service broadcasters which enhance our economy, culture and democracy. Indeed, last year's Ofcom research, *The Impact of Lockdown on Audiences' Relationship with PSB*, found that most audiences had a greater sense of its value on behalf of society as a whole. It also highlighted its value for older and more vulnerable audiences. That research revealed that audiences put greater value on the need for news that reflects the regions and nations. I guess if you live in Bolton or one of the other seven areas right now with constantly changing government advice, accurate information about what exactly is going on is an essential public service. Therefore, our recommendation that Ofcom should ensure that public service broadcasters uphold the spirit of regional news and production quotas is even more critical today. The BBC's "Across the UK" plan and the move of Channel 4 headquarters to Leeds are both welcome initiatives in that area.

Even before the pandemic, the evidence in our report that PSBs are vital to our democracy and culture and to the UK's image on the world stage was overwhelming. Commercial rivals in the UK also see our PSBs as a critical part of the make-up of the creative sector; the Commercial Broadcasters Association described them as the bedrock of the UK audio-visual sector.

PSBs have invested £2.6 billion in the UK, delivering 32,000 hours of original home-grown content—125 times more than Netflix, which is still, even in a time of Covid, lockdowns and "The Queen's Gambit", not making a profit. PSB investment gives underpinning stability to our creative industries that the uncertain funding of streaming services cannot. As the report concludes:

"PSBs provide a stable investment platform for a diverse range of content, made for UK audiences, and freely available on a reliable over the air platform."

PSBs also provide event television, bringing the nation together. Just look at the nearly 13 million who watched the epic finale of "Line of Duty" or the 4 million who watched Jenny tearing up her notes on "Gogglebox" while watching the same programme.

Last year, sadly, we lost a member of this committee: Lord Gordon of Strathblane, whose long-standing experience in media was a huge asset to this report. He particularly advocated event television and extending the listed events regime, especially relating to sport. I am sorry that the Government rejected that recommendation and would like to hear why.

Finally, but vitally, as the noble Lord, Lord Gilbert, mentioned, mandated prominence is critical for PSBs across all devices. PSBs must be easy to find in a fragmented media environment, whether as channels or hubs or through their own portal. The Ofcom proposal to update this is critical; I hope the Government will support this initiative and bring forward legislation this year.

This is a nation that needs to heal from division and disease. Public service broadcasters have a vital role to play in that process. We must give them the resources and support to get on with it.

2.08 pm

**Viscount Colville of Culross (CB) [V]:** My Lords, I declare my interests as in the register. I too thank the noble Lord, Lord Gilbert, for his inspired chairing of the Communications and Digital Committee, of which I am proud to be a member. For me, this report is driven by the statement that

"public service broadcasting is as important as ever to our democracy and culture, as well as to the UK's image on the world stage."

As other noble Lords have said, the 18 months since this report's publication have seen huge changes in the PSB landscape. The ecosystem is threatened by the relentless advance of the US-owned streaming giants and the revelations and fallout of Lord Dyson's report.

I was profoundly shocked by the Dyson report and the evidence of Martin Bashir's fraud. Its findings were personal to me because I was working in BBC News and Current Affairs in the 1990s. Contrary to media reports, the fraud was not widely known across the corporation. I was particularly shaken because the fraud was so far removed the public service ethos that I believed in so passionately. With the corporation, I filmed across the world and the UK, often being met by obfuscation and downright lies as I tried to get to the heart of the story. It was my job to cut through to the truth and broadcast the facts to the viewers across this country. I was guided by the corporation's editorial guidelines, which were rigidly enforced by great BBC lawyers, such as Roger Law. However, there was a rigid hierarchy and a culture of control by editors of programmes and heads of department. In the organisation, the key to a long and successful career was almost entirely in the hands of a few bosses. As a result, their favour was eagerly sought and they had the power to make or break careers. I was able to argue an editorial case with my bosses but, if I failed and was still dissatisfied, there was no mechanism for whistleblowing where my case could be taken seriously without damaging my career.

Martin Bashir's original fraud, and the 25 years the BBC has taken to admit the fraud, are dreadful failures of management within the organisation. However, I believe it would be much more difficult to repeat today. The appointment of the BBC's unitary board and the corporation's regulation by Ofcom have introduced objectivity and a degree of independence into the management of the organisation. In 2019, Ofcom reviewed 3,059 complaints about the BBC, under its own independent code, and found two breaches of content standards against the BBC. However, there is always room for improvement, so I am glad the governance of the BBC is being reviewed by both the Government



[VISCOUNT COLVILLE OF CULROSS]  
and the organisation itself. The Government should look at the suggestion by the noble Lord, Lord Grade, for an independent editorial oversight board, but independence both from the Government and the BBC must be the overriding criterion in appointing its members. The BBC's whistleblowing unit needs to be expanded, so it does not deal just with management issues but with journalistic concerns from the staff. Maybe it could be attached to this board.

The overpowerful, London-based hierarchy that I experienced when working at the BBC in the 1990s, which contributed to what the Culture Secretary calls "group think", is being diluted. Today, across the PSB sector, production staff are, in the majority, drawn from freelancers who are not beholden to a single boss, and in line with the recommendation of the committee's report, action is being taken to increase ethnic diversity in production and commissioning teams. The BBC's 250 interview champions and anonymised application forms are contributing to a wider recruitment base, while the mandatory 20% diverse production staff quota for independent content commissions is already bringing in a much wider range of storytellers. At the moment, many smaller production companies are struggling to fill their quotas. Across the industry, more needs to be done to train up a new cadre of diverse production teams.

The report also recommends increasing regional content commissioning production, which is playing its part to break group think. The BBC has moved major content production to Salford, Glasgow and Cardiff, and with it has drawn other PSB providers to generate powerful regional creative centres. Just as importantly, BBC News teams have been moved out of London: the team covering technology is to be based in Glasgow, with climate and science in Cardiff and learning in Leeds. Now, if young people want to build a career in television, they will no longer have to move to London and sofa surf until they are established. The next generation of content makers can now enter and pursue a broadcasting career in the regions. I am convinced that will provide a powerful regional counterbalance to allay the Government's concern about metropolitan group think.

I hope these reforms will strengthen our PSB channels, and their crucial ability to reflect this nation back on itself. The Home Secretary's message after the Dyson report's publication is that the BBC risked becoming irrelevant in an era with streaming giants. She is right, but not as she alleged because its journalists are systematically flawed and distrusted but because it is being outspent by streaming giants. The new Discovery-Time Warner merger will pour \$18 billion next year into content—nine times more than the BBC's television content budget. Is the sensible response to the threat of irrelevance of the PSBs to ensure that the mid-term charter review is both transparent and increases the license fee in line with inflation, while looking for an alternative funding model in the long term? Subscription can be part of the mix but, if we are going to continue with universal provision, we have to include public money, maybe in the form of a household tax or a share of the digital services tax. Likewise, the threat to privatise Channel 4 is going to damage its ability to

reach underserved British minorities. I, like millions of people across the country, want the public broadcasting sector to thrive as a British beacon for truth and editorial independence, shining across the world. The Dyson report must be responded to, but the response must be bolstered to help a sector that is under threat.

2.15 pm

**Lord Vaizey of Didcot (Con):** My Lords, I refer to my declarations in the register of Members' interests. I pay tribute to the noble Baroness, Lady Merron, for being on the Front Bench, and say how jealous I am of her meteoric rise. I also pay tribute to my noble friend Lord Gilbert. I am very lucky to serve on his committee, although I did not contribute to this report. He is a superb chairman who clearly has an extraordinary ability to herd cats; he keeps us all in order and produces great conclusions from many dissenting voices. I am sad that I am speaking before my noble friend Lord Hannan, because normally he provokes me to such paroxysms that I give better speeches. Last time, he proposed the privatisation of the British Library, and I look forward to what is coming next.

Let me try to out-provoke him to begin with by saying that when it comes to the public service broadcasters, it is important to be a critical friend and ask tough questions. I have, for example, once been on the front page of the *Sunday Times* proposing the privatisation of Radio 1, because it was only set up to take on the pirate radio stations, and I wondered what the purpose was of having a popular music channel funded by the BBC when there is now so much choice. I opposed BBC Jam education services because, in my constituency when I was an MP, lots of my constituents worked for education publishers and they asked me how on earth they were meant to compete with free services. I initially opposed John Whittingdale's proposal of a content fund, because I saw how criticised the BBC was and wondered if we wanted to create another one, but it has been a great success. It may be that, as the debates about the future of public service broadcasting continue, we may have debates instead about public service content.

What this report says is true: the BBC has to look very hard at how it serves minorities and young people, and it must look very hard at whether it is simply producing popular services or producing services that the market cannot provide. If we are to help public service broadcasters, we should deregulate them, if that does not sound like a contradiction in terms. I completely agree with the report's conclusion that imposing the free licence fee on the BBC was a terrible error. I was the Minister at the time, and I have said before that I probably should have resigned, but I did not. It was made worse when the Government campaigned against their own policy by telling the BBC that it should keep the free licence fee, when it had already agreed that the BBC could change it. The noble Lord, Lord Hall, deserves a great deal of credit for absorbing that policy change and reforming how free TV licences work. I supported the deregulation, for example, of some of the regulations around commercial radio. I think we could support advertising minutage changes for ITV. I supported changes to product placement for ITV. The market is now so saturated that, in effect,



broadcasters should be given as much freedom as possible because they will regulate themselves. We will not get ITV putting on 40 minutes of adverts every hour, because it competes against advert-free subscription channels such as Netflix.

The key, for me, is that public service broadcasters are a bit like B corps: they do not have shareholders and they have to take into account the wider community interest. Some public service broadcasters are too focused on the metric of audience share, rather than their role in supporting communities. It should not be Government intervention that puts the BBC in Salford or Channel 4 in Leeds or that drives the agenda on diversity. I was very struck that when I campaigned for greater diversity in the media, the BBC issued dozens of reports whereas Sky simply said “Yes, you’re right, we’re going to get to 20% by such and such a date” and just went on and did it. The public service broadcasters, the BBC and Channel 4 in particular, have a great opportunity, sheltered as they are to a certain extent from market forces, to really move the dial on issues such as diversity, regional production and skills—just as the excellent report from the communications Select Committee makes clear.

I conclude simply by saying that I firmly believe that we need public service broadcasters. It is obviously fashionable to look at our crystal ball—or, indeed, the screen in our sitting room—and say that we now live in an age of streaming and that the young no longer watch television, but the BBC in particular does not make the case effectively enough about the myriad services it produces; that may not be its fault. When we had floods in my constituency in 2007, I was fond of referring to BBC Radio Oxford as the “fourth emergency service”. From orchestras to local radio, public service broadcasting makes a massive difference; it is not simply about whether you like “Strictly”. The BBC needs to be careful to get out of the way and to realise that commercial broadcasters need to make a living. However, in an age of disinformation, as has been referred to, we need public service content that reflects British culture in all its shapes and sizes. That is why the thrust of the report—that the BBC and public service broadcasting should be supported—is so important.

Finally, do not read into the conspiracy theories in the newspapers. I genuinely do not believe that the Government have a hidden agenda to close down the BBC or knobble it in any way, although it is going about some of its business in very odd ways.

2.21 pm

**Lord Stevenson of Balmacara (Lab) [V]:** My Lords, it is a pleasure to follow the noble Lord, Lord Vaizey, with his enormous experience as a very distinguished DCMS Minister. I encourage him to spend a bit more time sharing his experiences with us, since he clearly has a lot to say on some of the most topical issues, some of which we will discuss later. I declare my interest as a member of the Communications and Digital Committee, although, like the noble Lord, Lord Vaizey, I was not a member when this excellent report was published. I also declare my interest as a former director of the British Film Institute.

Like others, I thank the committee’s chair, the noble Lord, Lord Gilbert, for his fine introduction of the report and his excellent questions, which I hope the Minister will respond to at the end of the debate. I also echo the noble Lord’s concerns about the delay in debating this important report. The committee system of your Lordships’ House is one of its absolute crown jewels, and it is extraordinary that we have had to wait so long for a debate on an issue such as this. The good thing is that it is still timely, although that may not be true for some of the other reports waiting in the queue. I also welcome my noble friend Lady Merron to our Front Bench and thank her for covering the important DCMS brief.

Given the time constraints and the fact that I was not then part of the committee, I will focus on two important issues touched on in the report that may not get much attention today: archiving and the process for setting the BBC licence fee. Having said that, I welcome the Government’s general approach—they share

“the Committee’s view about the importance of public service broadcasting ... and its continued relevance”.

Together with evidence from Ofcom that shows that PSB programming remains popular and is valued by UK audiences, that provides a very good basis for the proper debate and discussion that I hope will accompany the light-touch mid-term review of the current BBC charter and the licence fee settlement negotiations for 2022 to 2027.

First, on the BFI national film and TV archive, the report says it is important that UK TV programmes of cultural significance are preserved for future generations. It also recommends that:

“The Government should broaden the requirement to provide programmes to and fund the BFI National Archive to non-public service broadcasters and SVODs which produce content in the UK.”

The Government’s response is welcome but limited: they recognise that the remit of the BFI national film and television archive

“includes the preservation, restoration and dissemination of culturally British screen content”

and that

“this should include programmes and films produced or commissioned by non-public service broadcasters and SVODs”.

These are fine words, but they will not achieve what is in essence a voluntary scheme. The response goes on to say:

“The Government hopes that these entities share a desire to contribute to British heritage in this way and strongly encourages these entities to entrust guardianship of their screen content to the BFI National Archive, making a ‘reasonable contribution’ to the BFI.”

But this is not the basis for a long-term sustainable plan.

PSBs currently pay £1.5 million per annum and contribute to various one-off projects, such as digitising legacy collections held on myriad obsolescent videotapes with fixed shelf lives, but the BFI needs much more. It is not given the statutory powers or funding it needs to achieve its aims. For example, there is no Sky output—despite the existence of loads of original UK productions—and no streamed TV in the BFI’s collections. Like it

[LORD STEVENSON OF BALMACARA]

or loathe it, most people would expect to have the Netflix series “The Crown” in the national collection, but it is not there. There is no Amazon Prime and no Apple TV. Who is to be responsible for holding examples of material from YouTube and the wider web? Future historians will find that omission very strange indeed.

Unlike the public service broadcasters, none of these new players, streamers and content originators have to supply materials, with a contribution to costs, to the national archive. I believe that the long-term solution is a “statutory deposit” scheme, but there are other options that could achieve the desired outcome. I am glad that the Government say in their response that they

“will monitor progress in this regard”

and remain

“open to considering the full range of options to deliver this outcome, including statutory support for collecting as currently exists for the PSBs.”

This certainly would be welcome, and I would be grateful if the Minister could update us on that.

My second point is on how the BBC licence fee should be determined. The committee reaffirms a previous recommendation that there should be

“an independent and transparent process for setting the licence fee”, and recommends that the Government should establish a BBC funding commission to oversee that process. I strongly support this proposal. The BBC licence fee is a tax, and as such should be levied by the Government, but the processes of negotiating a charter and of recommending a licence fee to ensure that the BBC has the resources to do what the charter asks of it should be separated and transparent. However, those of us who have had some involvement in the process know that this is not quite how it works. The connection between the two processes is indirect and shrouded in political pressures. The result of all this is bad not just for the BBC—which faces increasingly intolerable pressures to deliver what is expected of it without the right money, and faces threats to its operational autonomy and independence—but for the Government, because of a growing suspicion of unwarranted political interference in the BBC, and for viewers.

The Government say that they have

“no plans to introduce a licence fee commission”.

However, I note that the response also says that the Government will set out in more detail the processes to be followed in due course. I hope that the Minister can elucidate further on this issue when she comes to respond. I look forward to hearing from her.

2.27 pm

**Lord Addington (LD):** My Lords, I went through this report desperately looking to find something I seriously disagreed with. I failed miserably. I have then come to the conclusion that I do not disagree very much with anything anybody has said in this debate. We have a problem here: we are debating something which came out in 2019. As someone who predominantly watched the BBC as a child and is still something of a fan of “Doctor Who”, I feel that the TARDIS has come and missed out a bit of our history. It has taken it away and pulled us back through.

The pandemic has displayed many of the BBC’s merits. The fact is that it backed up the education system and helped with entertainment, which is something I do not think any other body could have done. If ever something has been damaged by the pandemic it is the education system, and the BBC stepped in. It did not replace teaching in classrooms, but it did not do a bad job of making sure that there was a decent sticking plaster. I cannot see any other body ever doing that—unless you get something that is free to air and publicly funded—or having any incentive to do that without going through a commissioning process that would make PPE look like a simple task. You have to have something that will act, and the BBC fulfilled its role.

Then you look at Lord Dyson’s report on the Bashir fiasco. It is not so much that the mistake was made, but that it seems to have been ignored and that the whistleblower was persecuted. This must be looked at and identified so that it can never happen again. It may be too much to hope that we will never make that initial mistake again, but we must make sure that whistleblowers are protected. We have a right to expect that from an organisation which we fund.

Going back to the footballs that were in play in 2019—and probably still are—on the licence fee, the noble Lord, Lord Vaizey, has probably done it justice, but the fact of the matter is that, if you expect the BBC to provide good content, you have to give it the money to provide the content. I have had conversations with people who say, “I want my licence fee back,” and I say, “What are you going to cut?” They reply, “What do you mean cut?” I say, “Well, it’s money. Production costs money. What do you want to cut?” He—it was a gentleman—then muffled through this process of going down, “Well, I’d get rid of X and Y that I don’t watch”, to which his wife said, “But your grandchildren watch that.” We will always have a real challenge here. If we want broadcasting to do all this stuff, we have to fund it—and fund it by the licence fee. I do not think we want this to be part of a Budget and something that is paid for out of income tax, to be perfectly honest. Can you imagine the rows then? It is almost unimaginable that there would be any continuity to go on.

I will not go on at any length about the BBC, because I am not a great expert, but what about the World Service? If ever there was an extension of soft power for Great Britain, it has to be that. It just is—it is all over the world and touches the rest of the world. We are lucky that English is one of the universal languages of the day, and we have a way of going forward. But once again, it must be seen to be reliable and truthful, at least to the best of its ability. The fact is that, when foreign powers stop challenging what the BBC says, we should worry. When Russia stops challenging, then worry.

I end with one other thing that public service broadcasting has a wonderful record on, and that is educating the world on sport and making sport available. There has been a massive improvement in the growth of women’s football on TV. The universal medicine—the wonder drug—is exercise. People do not take exercise because it is good for them; generally speaking, they take it because it is fun. Playing sport is one of the ways forward. We must also bear in mind what Channel 4 has done with the Paralympics and how it has carried

forward that work. At its best, public service broadcasting has the ability to entertain and educate at the same time. We need to look at the way it has made different aspects of sport available.

All of us who have access to video-on-demand services know that they are great—they are wonderful—but we are looking into a closed room with one closed set of information coming in. The fact that you can find your old TV series, fall asleep and when it comes on again you recognise both episodes is great. But the fact is that you are talking in your own little echo chamber. Public service broadcasting does not do that, and more power to its elbow because of that. We all need to be shaken up just a little bit.

Finally, if there is political bias in public service broadcasting, I hope that the party opposite realises that it has been in power for most of the time that it has been going on, so it is not that successful. It is the job of public service broadcasting to have a go at those who are in power. We all have the scars to show for that.

2.33 pm

**Baroness Kidron (CB):** My Lords, in the 1980s, while both my gender and geography were against me, I was able to begin my directing career at Channel 4 and subsequently build it at the BBC. Since that time, I have worked across the creative industries from Hollywood studios and streamers to independents and PSBs. With that in mind, I draw the attention of the House to my interests on the register in relation to the tech sector and as director of a TV and theatre company. It was a privilege to be a member of the Communications Committee under the chairmanship of the noble Lord, Lord Gilbert, at the time of the report's inquiry. I would like to associate myself with his words at the beginning of the debate.

I want to talk briefly about three things: the urgent need to support a national broadcaster; the funding model of the BBC; and who the competition really is. It is striking that, for a much-loved institution, the BBC attracts so much ire. It manages to upset the left for its failure to give it a platform and the right for being a hotbed of liberals. It is accused of failing the young as they abandon it for YouTube, and failing the old, in the debacle of the over-75s licence fee. Perhaps it is the role of a Cross-Bencher to point out that, if it is upsetting both sides, it is probably doing a reasonable job.

In a time of division, culture wars and disputed realities algorithmically pushed to highlight our difference, the nation's broadcaster should not be a comfort to any one view but an instrument for, and a mirror to, us all. The danger of this moment is that our divisions—symbolised by our fragmentation north and south, Brexit or not, urban or rural, nationalism or unity—overwhelm our common interest. The vast majority of our witnesses made the case that, more than ever, we need a broad expansive space in which to see our collective selves, not a narrowed-down public broadcaster doing only what commercial players are not motivated to do, which, ironically, is likely to result in a diet that feeds only an urban elite.

I would like to underline that it is breadth of experience, shared across class and region, across all of our fault-lines, that must be the ambition: to enjoy

the talent shows, our national obsessions of housebuilding and watching other people cook; to watch “Small Axe” or “Line of Duty”; to hear the nightly news—which is still trusted above any other—as one nation. Streamers and video-on-demand services are deliberately designed to offer a personalised world. When I choose content based on my interests or characteristics, I am offered more of the same. While it feels comforting to be reflected, it automatically demotes content based on other interests and alternate characteristics. The BBC is unique in that its role is to ensure that we all see ourselves not as individual islands but in the context of each other.

Turning to the licence fee, the Committee was clear that the process should be transparent and based on the duties that are set out. It is not right that the BBC is asked to invest in infrastructure or give free licences if that takes away its ability to provide the programming that the nation demands. I support the recommendation absolutely but, perhaps somewhat controversially, I increasingly accept the argument of those who say that times have changed and that the licence fee, while still extraordinary value for money, is organised as something of a poll tax—neither based on usage nor ability to pay.

My personal view is that the BBC should have a ring-fenced settlement from central taxation. While I share the fear of political interference, I am not sure that the perennial threat to the licence fee—whether freezing it, forcing it to be spent inappropriately or legitimising non-payment—does not amount to political interference by less transparent means. It is in the national interest to fund and protect our national broadcaster, because our prosperity and identity are better held in public together, rather than as an ever increasingly divided nation distracted by its own atomised furies. Undoubtedly, it is irksome to each successive Government to feel the bite, especially when they hold the potential to defang it, but while it is a temptation to disempower the BBC, it should be resisted. Whatever our starting point, we all lose if we do not have one eye on building our common identity.

Finally, can we put to bed the notion that the battle for control of our attention is between the BBC and commercial radio, local press, Sky or even the streamers? It is, of course, the platforms—YouTube, Facebook, Instagram, Twitter, TikTok—that dominate our cultural and information technologies and who fuel the ever more fragmented and personalised realities, artificially promoting false binaries and extremities at the expense of a collective experience.

Neither culture nor politics is a zero-sum game. It does not follow that, if the platforms or streamers have content, we need none in our collective hands. The PSB system offers the opportunity of a contemporary and collective vision of what binds us at a crucial time in which we are readdressing our role on the global stage and working out what being a United Kingdom means. By all means, let us continue to discuss the detail, but let us not misunderstand the purpose. As this excellent report concludes, the PSB system is more vital than ever.



2.40 pm

**Lord Hannan of Kingsclere (Con):** My Lords, mine will be a lonely voice in this debate. As my noble friend Lord Vaizey forecast, the note that I strike will be dissonant—indeed, given the tenor of your Lordships’ debate so far, not just dissonant but atonal, jarring and downright cacophonous. I must stand back and ask whether anybody, today, would propose funding one television and radio network with a poll tax on TV sets. That you would not invent something today is of course not a knock-down argument; I am enough of a Burkean conservative to see that. There are lots of things that we would not invent today but that we rather like, such as the use of French in diplomatic invitations; those resonant phrases about monarchy in the Book of Common Prayer, like shards left over from some ancient quarrel; or, indeed, the presence of hereditary legislators in the United Kingdom, who do such a disproportionate share of the unthanked and workaday tasks and who should stay, at least until the original deal is complied with. But I am not sure that the BBC is in that category.

A poll tax to fund one station made absolute sense when there was only one station. In 1922, it was very difficult to argue with, but even by 1955, when there were commercial alternatives, it was becoming difficult to justify in theory. Now, in an age of streaming, Netflix, Amazon Prime and YouTube, it has become unsustainable. The report that your Lordships are debating today took the figures up to 2018, and it is pretty clear that the lockdown has accelerated the trends that it identified.

There are a number of standard oppositional arguments levelled against the BBC: that you cannot justify the licence fee if you are trying to level up; that it is a poll tax on poor people; that the Bashir affair is part of what happens when an organisation is convinced of its rectitude because it is a public service dispenser; or that it is biased. I was surprised to hear the noble Baroness, Lady Kidron, say that it was attacked by both sides and that this showed it was doing something right—I would have thought that, if you are being attacked by all sides, there is at least a case to be made that you are doing something wrong. It seems to me that you cannot have total impartiality in any broadcast or newspaper—one person’s idea of impartiality is another person’s idea of tendentiousness. The closest you can get, therefore, is to have a multiplicity or plurality of differing voices, so that out of a cacophony of clashing interpretations, the listener discerns something close to the truth.

The reality is that, as our viewing and listening habits shift, even within the corporation people are realising that change is coming. I do not think that the BBC has much to fear from change. We are creatures of habit, and there is such a thing as first-mover advantage. Thirty years after the privatisation of telecoms, BT was still by far the largest producer of landlines, with more than 40% of the market. The idea that, if the BBC moved to a subscription-only system, people would suddenly give up watching “Strictly”, “EastEnders”, or whatever programme they enjoy, just does not take account of human nature.

Some aspects of the corporation’s work may be unsustainable. For example, I never understood why the BBC needed to get into local radio—it struck me

as an area already well-served by commercial operators. But the things that people regard as gems, and always bring up in these conversations—the Attenborough nature programmes and so on—are precisely the pieces of programming that would be profitable under any dispensation and that will continue to be export revenue-raisers for this country.

I finish by addressing those in the corporation who are capable of looking at reform positively. If this change is coming and technology is ineluctably moving this way, the only choice is to stand there and be pummelled by the waves or to scramble nimbly on to your board and try to ride them.

2.44 pm

**Lord Davies of Brixton (Lab) [V]:** My Lords, I welcome the report and endorse strongly its central conclusion, as expressed in its title, *Public Service Broadcasting: As Vital as Ever*. The report is comprehensive, dealing with the whole range of public service broadcasting in the context of what is referred to as the broadcasting market. I will focus on its application to the BBC and its independence.

Paragraph 184 of the report says that:

“The BBC has a unique funding model based on the licence fee which is intended to safeguard its independence from the Government and the market.”

That is independence from, first, the Government, and, secondly, the market. As far as the market is concerned, I see a glimmer of hope in the Government’s response. In paragraph 2 of the response we read that:

“The Government expects public service broadcasters to deliver high-quality, distinctive content for all audiences and licence fee payers across the UK. This is important in order to deliver ... the wider objectives of PSB ... In many cases this content would be underprovided or not provided at all by an unregulated market.”

So we are agreed that there is significant market failure that has to be addressed by public service broadcasters, although it would be good to hear from the Minister that this is still the Government’s view over a year later.

The news about independence from the Government is not so welcome. The BBC charter says in section 3, on the independence of the BBC:

“The BBC must be independent in all matters concerning the fulfilment of its Mission and the promotion of the Public Purposes, particularly as regards editorial and creative decisions, the times and manner in which its output and services are supplied, and in the management of its affairs.”

The important words there, which are particularly apposite at the moment, are those in the reference to “editorial and creative decisions”. You do not get to pick and choose what is meant by being independent; it is absolute. I would argue that the BBC’s independence extends to its ability to make its own mistakes.

This is certainly the position until the review of the charter in 2027. But what we now have is the introduction of the mid-term review of the charter, which has to be completed by 2024 and which is, in effect, being employed as a threat to the BBC’s independence. There was some indication of this in the Government’s formal response to the report, going back to February last year. Paragraph 21 says:

“The Government believes that the Charter mid-term review, due to take place by the end of 2024, is the appropriate milestone

to consider whether the current regulatory arrangements for the BBC are working effectively and whether any reforms are necessary.”

That was uncomfortable enough, but now we have Oliver Dowden’s recent tweet:

“Lord Dyson’s report reveals damning failings at the heart of the BBC. We will now reflect on Lord Dyson’s thorough report and consider whether further governance reforms at the BBC are needed in the mid-term Charter review.”

Let us look at section 57 of the charter, which deals with the mid-term review. It says that

“The Secretary of State may undertake a mid-term review”, and that

“The Secretary of State must determine the scope and terms of reference”.

So there is much power in the hands of the Secretary of State, without, it should be noted, any requirement for public consultation. Subsection (5) goes on to say that

“The review must not consider ... the Mission of the BBC ... the Public Purposes of the BBC; or ... the licence fee funding model of the BBC for the period of this Charter.”

If you analyse that, and compare it to what is said in the charter, it is quite clear that the BBC’s role as a public service broadcaster is not up for review in the mid-term review. That is outside its terms, so why does the Secretary of State refer to it in his original comments on the report and again in his recent tweet?

It is important to note, therefore, that Lord Dyson’s report covered events only up to 17 April 1996. Since then, the present Government have significantly changed the BBC’s governance in the charter that commenced in 2016. So the Secretary of State’s tweet should have said, “Lord Dyson’s report reveals damning failings at the heart of the BBC more than 25 years ago, since when we, the Government, have made changes in its governance.” The tweet from the Secretary of State was totally out of order, a clear threat to the BBC’s independence and outside the terms of the objectives of a public service broadcaster.

2.50 pm

**Lord Smith of Finsbury (Non-Aff)** [V]: My Lords, the report from the Select Committee on Communications and Digital is even more timely now than when it was published. It is wise and welcome. The noble Lord, Lord Gilbert, and members of the committee have done a brilliant job. We live in a world where there has been an explosion of competing, often inaccurate and untrusted news and information. Our public service broadcasters provide a rock of reality on which people can depend. As such, they provide a vital resource for us all.

Public service broadcasters’ mission, of course, is to inform, educate and entertain. By and large, they do all those things well. They provide impartial news and trusted coverage of great national events. They are the places people turn to for information at times of crisis—something we have seen clearly over the past year. They create wonderful, thoughtful and insightful programmes, from Kenneth Clark’s “Civilisation” more than 50 years ago to Simon Schama’s recent series on the Romantics. They give us bewitching drama that has the whole nation talking, whether “Downton Abbey”, “Line of Duty” or “It’s a Sin”. They exist, above all, as

a benchmark of quality. They are, in fact, among the best broadcasters in the world. We damage or diminish them at our peril.

The committee identified a number of ways in which public service broadcasters’ value can be sustained and enhanced—for example, by extending the availability of major sporting events by enhancing the “crown jewels” list. I am sorry that the Government did not respond positively to that when they replied to the report. I hope that they will think again. Proposals also include: reinforcing the obligation for programmes, including series—not just one-off programmes—to be commissioned from outside London and other metropolitan areas; monitoring the diversity of commissioners; ensuring that licence fee funding is not siphoned off to yet more non programme-making purposes; a new independent process for setting the licence fee; and ensuring mandated prominence in programme guides, not just for the main PSBs but for their digital versions. All these are welcome proposals. I hope that the Government will take notice and implement them.

Much has been said and written during the past week, and, indeed, in this debate, about the BBC in the wake of the Dyson report. Let us be clear: the BBC failed, not only in allowing Martin Bashir to use fake documents and dishonesty to secure an interview but, above all, in not acknowledging the error when it investigated and knew about it. The BBC failed in its basic duty to be transparent. For all this, there is no excuse. Those are not the standards expected of and insisted on for a public service broadcaster.

What must not happen, however, is for this matter to be seized on by the enemies of the BBC to tear down its place in the life of the nation. The sight last weekend of the tabloid newspapers salivating over the BBC’s discomfiture was risible hypocrisy at its worst. Some spokespeople for the Government, though happily not all, have also leaped on an anti-BBC bandwagon. In that context, I worry that the Public Service Broadcasting Advisory Panel announced by the Government seems to have an agenda that is too sceptical about public service broadcasting. There have been some arguments that the BBC should be subjected to external control—even government-directed control. That would be an immensely dangerous road to take. The BBC is a public broadcaster; it is not a state broadcaster and must never become one. Genuine independence is crucial.

Over Bashir, the BBC got it badly wrong. It must be held to account for it by Ofcom, and I supported the shift in responsibility for oversight of the BBC to Ofcom when it happened. However, the role of the BBC, like that of the other public service broadcasters, must be sustained and supported. We need our public service broadcasters. They should be impartial, informative, trusted and creative. They should part of our national life that we can be proud of. The Government must ensure that the PSBs are not damaged. They are, quite simply, too valuable for us all.

**The Deputy Speaker (Lord Haskel) (Lab):** The noble Baroness, Lady Featherstone, has withdrawn, so I call the noble Lord, Lord Hastings.

2.56 pm

**Lord Hastings of Scarisbrick (CB) [V]:** My Lords, I am grateful for the opportunity to contribute to this debate and I declare my interest as the BBC's former head of public affairs from 1996 to 2003, notably from one year after the famous broadcast in question. I noted that this report—vital as ever—underlined the two key themes that democracy and culture are fundamental to the existence of the BBC, let alone that of public broadcasting.

Although the committee's report is 18 months old and the debate has been held back, perhaps for obvious reasons, the issues are similar to those on which I contended, fought and debated—even with your Lordships before I became a Member—on behalf of the BBC between 1996 and 2003. In many ways, little has changed. I contended on: three successful licence fee campaigns and two successful charter renewals; critical legislation on public service broadcasting's "must-carry" cable provisions from Baroness O'Cathain, who is no longer with us; and, of course, listed sports events, to which the noble Lord, Lord Smith, referred, along with the special engagement back in 1996 of the noble Lord, Lord Archer.

Those who were excoriated and shamed in the past week by the Dyson report—senior executives and correspondents—exposed something that was clearly a major difficulty at the time and which has some shavings of it currently. The BBC back then sought to trivialise and tantalise to get younger and more populous audiences. It is exactly the kind of attitude in the news dimension of the BBC that caused the extremely expensive and invasive attack on Sir Cliff Richard, which was endorsed by the previous director-general as legitimate journalism but then thrashed in the courts as an abuse of judgment and an unacceptable waste of public money. It gave us the appalling realities that the Dyson report considered.

However, let us look at the other side. In the past year, all of us have depended extensively—yes, my friend, the noble Lord, Lord Hannan—on local radio and local news. We have depended extensively on coverage to inform us of what is going on in the coronavirus pandemic in the UK and internationally, and now, of course, on vaccination detail. I am grateful to the wonderful Julia Harris, public affairs manager at the BBC's World Service division. Her exceptional brief on domestic BBC interests and those of the World Service is compelling reading.

However, I want to add three things into that brief which I feel your Lordships will benefit from noting. During the course of last year, when so much could not be done, the BBC still did Comic Relief: live public broadcasting to raise resources for those on the edges of life in the poorest parts of the world. The BBC still hosted Children in Need, for those domestic realities and pressure points—and, especially, there was the supplemented £10 million commitment to Black Lives Matter realities, rather than organisations. As a vice-president of UNICEF, I wish to thank ITV for hosting Soccer Aid, raising nearly £11 million on behalf of UNICEF. These are unique events in the BBC's case, facilitating financial assistance in excess of £100 million from the British people because of the trusted status of the broadcaster.

The Government's response says that the organisations called public service broadcasters, including the BBC, must adapt, but what does it mean to adapt in this new, comprehensively platformed age in which everything is available in an instant? Certainly, to adapt does not mean to be populist and trashy. It has been my long-held conviction, from my times of responsibility at the BBC to now, that the BBC is an outstanding national and international asset, and its value is like that of our own homes, if we have one, fine wines, if we invest in them, or jewellery, museums, libraries, galleries and universities. Assets grow in value not by lowering their value to attract greater interest, but by protecting their value through the relentless pursuit of excellence and exceptionalism.

I firmly believe it is time to call out what has to be one of the most essential changes for the BBC for the future: to keep faith with its long-established public purposes. Over the last year we have all suffered the endless amount of news called "fears": "scientists fear", "officials fear", "the public fears". Fears are not facts. News should be about facts, data and information, hence the need to put right the agenda of the BBC's news organisation by letting it be led by the World Service. We need to see the quality of World Service news in our domestic news following; that way, we will be truly informed and educated. I will give just two examples. Today, the *Times* newspaper refers to Russian nuclear bombers being placed in Assad's Syria to hold up the regime. There is no mention of that on the BBC. Alternatively, with an interest in the Black Lives Matter realities of the US, there has been no mention on the BBC over the last week of America's black middle-class. These perspectives come from having a wider, deeper knowledge, and I encourage the BBC in future to abandon the trashy attitudes of fear-thinking and appealing to popular audiences, and to go back to detail.

3.03 pm

**Lord Inglewood (Non-Afl) [V]:** My Lords, this is an important debate on a valuable report and I welcome it, perhaps as much despite the tribulations currently facing the BBC as because of them. That is because the noise that that scandal generates may drown out other, at least as important questions which need consideration. Before proceeding, I declare that I am a director of Full Fact and the Public Interest News Foundation.

I first became engaged with the question of public service broadcasting in 1995, when, unexpectedly—to me at least—I became the Minister for Broadcasting in the last chapter of the John Major Government. Before then, it was not a topic with which I had had serious political engagement. The title of this report would have been as apt then as now, and the document under its banner could equally have been written at that time. However, thanks to technology, the world about which it would have been written would have been more or less entirely different.

Of course, unless you are establishing radio and television from scratch, you are always caught by the hangover from the immediate past. Paradoxically, therefore, while the political case is strong for public service broadcasting in some form at the inception of



radio and television services with monopoly characteristics, it may, superficially, at least, appear to be weaker as the number of channels increase. Is that right, and what should the response be?

As we all know, one of the revolutionary changes in recent years is that the means for transferring information, including the media, have been transformed. The constraints imposed by spectrum scarcity have more or less disappeared, and broadcasting, which in simple terms at one point was a multipoint service, has evolved into a whole series of varying versions and combinations of point-to-point, point-to-multipoint, multipoint-to-multipoint, on-demand and mobile services. This is a revolution and, I suggest, a beneficial one which has been life-enhancing and life-improving for many people. The effect of all this is that we have in the most general sense moved from a world of scarcity to one of abundance—some might say excessive abundance—which of course poses problems, just as scarcity does.

Having ended my much-enjoyed stint as chairman of the Communications Committee in 2004, because I believe that when one gives something up one should walk away, I deliberately took a step back from engagement in the politics of the media. However, I did not leave my interest in it behind, and my involvement with the wider media world continued in some respects. It is this change from scarcity to abundance which strikes me so strongly. During the whole of this period, public service broadcasting has been at the heart of UK media thinking, and, while things keep evolving, it has remained there while being consistently challenged.

We must be clear that public service broadcasting is not only what used to be known as television; it is also radio, and, as has been mentioned, it is not only the BBC but Channel 4, ITV and Channel 5. Together, they comprise our public service broadcasters; equally, each is an interconnected part of the whole, and they should not be wantonly and rashly reverse-engineered or disaggregated. In a world of information overload, they together provide a kind of datum point at the centre of what is on offer more widely.

In recent years and months, the incidence of fake news and its younger brother, dodgy information, has been at the heart of political debate in this country, both as a phenomenon but also as an influencer of voter behaviour. In my view, public sector broadcasters' role is to provide an accessible gauge against which people can look at these wider media offerings. Because public service broadcasting is plural in its suppliers, there is no monopoly in its source, something which is very dangerous in a free society.

Our society has a number of national services with which everyone can engage if they feel the need to do so—that is the way we do these things in the 21st century. Of these, perhaps the National Health Service is the most obvious. Public service broadcasting in some ways—but only some—is similar, in that it is available to all. Just as the NHS relates to health, ultimately, public service broadcasting, given its plural character, provides guidance and commentary on the accuracy, truth, relevance and quality of material which is so important to the political and wider social health of the nation. It is available to all and compulsory for none.

Our country, it is said, is in an unhappy political state. I believe that public service broadcasting can and does contribute to resolving some of the differences and tensions across the United Kingdom, in a way that the simple dialectic of competition in the market will not do by itself. We have inherited public service broadcasting and, as has already been mentioned, I do not suppose that anybody would invent it in its present form now. However, it is a reality and I believe it is serving a valuable purpose. We just have to remember, in the well-known words of Giuseppe Tomasi di Lampedusa in *The Leopard*, that it is necessary that things must change for things to remain the same.

3.09 pm

**Lord Holmes of Richmond (Con):** My Lords, it is a pleasure to take part in this take-note debate. In doing so, I declare my interest as a board member at Channel 4 Television. I thank the noble Lord, Lord Gilbert, for his excellent, coherent and extraordinarily timely report. I also thank him, and other colleagues, for doing so much of the heavy lifting with the statistics and the strategy—which, happily, leaves me with much of the content. Ultimately, that is what so much of this is about. Be it linear, VOD, SVOD or streaming on platforms, quality content should be at the heart of any offer.

Here is a personal story. I grew up in a grey, post-industrial West Midlands, and when I was an 11 year-old, a fabulous light was switched on, in the form of a multicoloured figure 4. Even before the broadcasts started on 2 November 1982, that was exciting enough for us to know that something new was coming to our town. Channel 4 changed my viewing habits, and through that, changed my view—with “Brookside”, “Cutting Edge”, “Dispatches”, “The Tube”, the monstrous Max Headroom, and so much more. Through the intervening 38 years, Channel 4 has been right there alongside me.

Perhaps the greatest test of any public service broadcaster—indeed, of any institution—is how it coped through the Covid crisis. Channel 4 not only informed, entertained and educated us but cheered us up. We all got our artistic streak going with “Grayson’s Art Club”, and 9.2 million of us crowded into the cake tent for the final of “The Great British Bake Off” for some sugary comfort against the Covid pandemic.

To bring us right up to speed, and already rightly mentioned by other noble Lords, we have “It’s a Sin”—three words that define what public service broadcasting is all about. Covering the HIV/AIDS crisis of the 1980s, and played out in the midst of the Covid crisis of our time, it told us so much of what it is to be human—and indeed to be humane. I said at the time that the head-hurting, gut-wrenching moment on the seafront in the finale was the most powerful moment on UK television in 2021. We can come back to that point on New Year’s Eve, and it will still be so.

Then there is the cricket—the first time test cricket has been on terrestrial telly in 16 years. Some unkind tweeter said that it looked as if the same studio was used from 16 years earlier, when it was previously shown, but that aside, think of the Chennai sunshine cutting through our Covid-laden wintery skies. That is how, as other noble Lords have said, sport can cut through.

[LORD HOLMES OF RICHMOND]

I was lucky enough to be involved in the Paralympics in 2012, and indeed to do the deal with Channel 4 for the Paralympic broadcasting rights. I knew that the channel could do something different—not just sensational sports production but something beyond that: an attitude-altering opportunity for broadcasting to create. Yes, there were fabulous sporting heats and events, but, more than that, there were programmes such as “The Last Leg”, with its “Is it ok to?” section, challenging, pushing and changing—as with “It’s a Sin”. Does PSB change stuff? Well, our recently retired Lord Speaker was moved by that programme to go back to his HIV/AIDS campaigning. That is change; that is dynamic; that is fluidity. That is what we are here for.

As for levelling up, Channel 4 levelled me up. I believe all PSBs have a role in levelling up and the build-back agenda. Does my noble friend the Minister agree that PSB is an economic, social and psychological good, and a happily heady cocktail of soft power and hard coin? With a national headquarters in Leeds, and offices in Glasgow, Manchester, Bristol and London, Channel 4, located throughout the UK and commissioning across the UK, is a channel for all the UK.

3.14 pm

**Lord Liddle (Lab):** My Lords, I have no direct interest in broadcasting, but I have shared a breakfast table for the last 38 years with Caroline Thomson, who was a senior figure in Channel 4, and went on to be a deputy director-general of the BBC.

There have been many excellent speeches in this debate, and I cannot think of a better defence of public service broadcasting than that which we have just heard from the noble Lord, Lord Holmes of Richmond; it was a fantastic speech. We also had a very good speech from the chairman of the committee, the noble Lord, Lord Gilbert of Panteg, introducing his excellent report.

I share the usual complaints about the usual channels in this House, who delayed the debate on this report for an unacceptable 18 months. That should not be allowed to happen in future. However, in some ways it is fortuitous. Because of the scandal around Bashir, it is fortuitous that, at this moment, the case for public service broadcasting has to be remade—and we have heard excellent speeches today trying to do that.

The only speech that I profoundly disagreed with was that of the noble Lord, Lord Hannan. The question I put to him—fortunately, he cannot reply—is this: does he really want to end up in a world like that of the United States, where two parts of a divided country occupy their separate cultural bubbles, listening to separate media channels and using separate social media outlets? One side watches Fox, and the other side something else. Is that the kind of world we want? Is that what the noble Lord really wants? Under the policy that he advocates, that is where we would end up.

I am also surprised that, from a prominent Brexiteer, we did not hear even a bit of a defence of the BBC, as one of the emblematic parts of the global Britain that the noble Lord is supposed to favour. Surely the BBC is something of which this country can be proud—something that people all over the world admire. I

remember once being with Caroline on a broadcasting trip to Los Angeles. We got into a taxi with an Ethiopian driver, who asked, “Well, what do you do?”. Caroline said, “I work for the BBC,” and he said, “Gosh, wonderful! I listened to that every night when I lived in Ethiopia, and I still do now, in Los Angeles.” You cannot get much more global than that.

I would have expected someone who is a member of the Conservative Party to be strongly in favour of something that brings the nation together—and that is what the BBC does—at times of crisis. In my own county of Cumbria, when we had the floods in Carlisle, it was BBC Radio Cumbria that people turned to for reassurance and information. It had a fantastic listenership at that time of crisis.

Similarly, if I were the Prime Minister, what would I think about the BBC? There are a lot of Cummings and goings at the moment around what the Prime Minister did, and when, at the start of the Covid lockdown. None the less, he managed to go on television in this country and address 27 million people, arguing for the policy that he had eventually decided on. I put this to the noble Lord, Lord Hannan: what vehicle other than the BBC would provide that? The noble Lord has got to rethink.

The BBC faces huge challenges. The challenge of appealing to our divided society is very difficult. Another challenge is keeping the interests of the old and young together and appealing more to the young, although in fact the old are the core vote—a lot of it Conservative vote, of course—in support of the BBC. That element gives the BBC its political strength.

I would like to see a stronger broadcasting presence in the regions. The move to Salford by the BBC, which has not been talked about today, was a tremendous thing for the north-west. I remember going there and hearing about the schoolchildren whose aspirations and motives had been transformed by the fact that they now realised that in their locality there was this significant cultural presence for which they could aspire to work.

I think there is a lot in what the report says about having an independent mechanism for determining the future licence fee. There are big issues, but on the fundamentals, as a whole nation, across our parties, we must support public service broadcasting.

3.21 pm

**Lord Wallace of Saltaire (LD):** My Lords, I welcome the several speakers who have talked about the need to get more broadcasting content out of London. As a resident of Saltaire, I have to make a certain comment and declare an interest. We are a wonderful 19th-century model village. We have had four television crews filming at weekends in the last two and a half years, most recently for the BBC’s next series of “Gentleman Jack”, which does make it a bit difficult to get around the village.

We are all aware that the idea of public service broadcasting in the UK is now in question. The advisory panel on public service broadcasting appointed last November was tasked, in the first of its terms of reference, to consider:

“Whether the concept of public service broadcasting is still needed”.

I was happy to read that it went on to add, “and, if so, what a modern PSB system should contribute to economic, cultural and democratic life across the United Kingdom”. This is not just about market economics.

I welcome this report and the report in March this year from the Commons DCMS Committee, *The Future of Public Service Broadcasting*, which comes to very similar conclusions—no doubt to the dissatisfaction of the noble Lord, Lord Hannan. As others have, I note the firm conclusion that:

“Public service broadcasting remains essential to the UK media and losing it would leave UK society and democracy worse off”.

It also says:

“Our evidence overwhelmingly indicated that public service broadcasting is as important as ever to ... the UK’s image on the world stage.”

I also welcome the emphasis on bringing the nation together rather than tearing it apart, as the bitter war between partisan media has done in the United States. I was struck by the comment that Frank Luntz, the American conservative political strategist, made in the *Times* two days ago, in which he deplored the “unbearably toxic” polarisation of American politics and went on to say:

“I’m here to warn you that if you don’t learn from what happened in the US you’re doomed to repeat it”.

There are those on the right of British politics who are doing their best to provoke a culture war here, the noble Lord, Lord Hannan, among them. It is a wonderful way to distract attention from inequality and social and economic disadvantages, attacking liberal elites while sparing the rich from criticism. A new report from King’s College London remarks that

“culture wars are a top-down phenomenon, where political and media discussion encourage division”.

In contrast, a healthy democratic society needs to share a common discourse, and public service broadcasting as part of the mix of media helps to maintain that common ground.

We all recognise that the Martin Bashir affair has shaken the BBC’s reputation and clearly requires lessons to be learned, but we should also recognise that it pales in comparison with the behaviour of News Corporation in phone hacking and corrupt payments over several years. That has not stopped News Corporation attacking the BBC. I am bored stiff with the stream of negative stories that the *Times* publishes to denigrate the BBC, alongside its attempts to promote Times Radio. The *Daily Mail* is worse, of course, but for the full Fox News paranoia one has to turn to the *Spectator* or the *Telegraph*. Charles Moore, the noble Lord, Lord Moore, who sadly is not here today, wrote in the *Telegraph* on 1 May that

“the BBC’s greatest single aim is to get rid of Boris Johnson.”

That is a statement worthy of Donald Trump.

Oliver Dowden has called on the BBC to reassert British values. With all its faults, the BBC does represent British values, and is respected around the world for doing so. It nurtures and promotes British talent, at the heart of our thriving cultural sector. Its children’s TV and educational content are invaluable, including BBC Bitesize—as I discovered when teaching my grandchildren during the lockdown.

In contrast, many of those who bang on about sovereignty and Anglo-Saxon superiority sail under false flags. GB News, to be launched with union jacks flying, is owned by a consortium of American investors and British expatriates and promises us a programme called “Wokewatch”, modelled on right-wing American attack lines. The *Daily Telegraph*, for which the noble Lord, Lord Hannan, writes his nationalistic op-eds, has long been owned by brothers who avoided British tax by commuting between Monte Carlo and the Channel Islands. News International is headquartered in Bermuda and run from New York. In David Goodhart’s terms, these are the people from anywhere, in contrast to the staff of the BBC, who are rooted in the UK.

A purely commercial media sector, largely foreign owned, would impoverish British culture and society and undermine the sovereignty that this Government claim to be reasserting. Public service broadcasting is an important phenomenon in maintaining a coherent society and helping to promote a reasoned political debate. Yes, the corporation makes mistakes, and the toleration of Martin Bashir was a serious error. Yes, the funding model will have to be adapted as new media continue to reshape communications. Yes, it has to do a lot more to attract the younger generation. But the experience of the pandemic has shown the value of a trusted source of news and information to which all our citizens can turn. That is a vital part of a democratic, open society.

3.27 pm

**Lord Berkeley of Knighton (CB) [V]:** My Lords, I welcome the report wholeheartedly, but with one reservation, which I shall come to. I declare my interests as listed in the register, and indeed I have been public service broadcasting—if I can put it that way—for over 40 years.

One thing I have come to realise, and it is germane to the Princess Diana scandal, is that as with every other organisation I have worked for—including the NHS, ITV, the press and indeed here at the Palace of Westminster—there is a reluctance and an inability to accept criticism. I am afraid it is human nature. Like other artists, though, as a composer I really had to learn all too quickly that a degree of self-criticism is absolutely vital and constant for a thriving mind. For that reason, I rather welcome the dodecaphonic contribution of the noble Lord, Lord Hannan. It certainly lit the fuse of the noble Lord, Lord Liddle.

Many decades ago, I was a member of something called the General Advisory Council to the BBC. Forty of the great and the good, and doubtless several not so good, would assemble in the Council Chamber at Broadcasting House. People such as the Right Reverend David Sheppard, the Bishop of Liverpool, the MP Alf Morris, the actress Jane Asher and the conductor Jane Glover would give feedback and advice to the corporation to what appeared to be, I am afraid, absolutely negligible effect. It was eventually disbanded, but in embryo it was an interesting idea that faltered because, as we see in government and in fact in all areas, people just do not like to be criticised.

This has led to the “whistleblower”—a term disastrously traduced by some as being synonymous with betrayal and disloyalty. Without these brave souls



[LORD BERKELEY OF KNIGHTON]  
stepping forward—as the graphic designer in the Diana case did, only to be promptly sacked—how are we to know what is going on? How are we to know that a whole clutch of babies are in danger in a maternity wing? In other areas of life, we salute selfless sacrifice, including ultimately life itself, so why do we not recognise the loss of livelihood when given in the interests of society?

I have recently been on two courses to keep me on the straight and narrow: the Valuing Everyone course here at Westminster and the BBC's impartiality training. As a presenter, I was quite rightly required to do the latter by the new DG, Tim Davie. So awareness is growing, but there is a much deeper cultural and philosophical gear change that organisations such as Parliament and the BBC need to make if we are going to deliver fair and considered programmes and legislation. It has to start at the top, at No. 10, where we have to have trust in what we are being told and not feel that everything is being spun. For that reason, I hope the next chair of Ofcom will have a reputation free of the things that the Dyson report has unveiled.

It has always seemed to me that, if the BBC is doing its job, every Government, of whatever hue, should feel "got at". As with the Lords, that is what scrutiny amounts to. Trust and loyalty have to be earned, but when they have been, we must learn to listen. We should note carefully the thoughts and suggestions of my noble friend Lord Colville of Culross, whose experience speaks volumes.

Like everyone else, I was appalled at the falsification of documents to help secure the Diana interview, which led the apology from the noble Lord, Lord Hall. I was a member of the board that appointed him at the Royal Opera House and was asked to interview him for the board. It is important to put on record that I concur with Esther Rantzen's comments on "Newsnight" that, whatever has gone wrong—and a lot clearly has—the noble Lord always struck me as essentially an honourable and gifted man. With the other Tony—Pappano—and Monica Mason at the Royal Ballet, he transformed the fortunes of the Royal Opera House. But, sadly, the BBC is a very different and much more complicated animal. However, we must not, in the interests of this country, throw the baby out with the bath water, so I salute the restraint of the Prime Minister and the Government in not indulging in knee-jerk reactions—and I imagine that the Minister would endorse this.

I agree with the committee's emphasis on the importance of the role of public service broadcasting, an independent licence-fee-supported BBC and the role that it plays in our lives, and the fact that it can contribute programming that is hard for commercial stations to sustain. I salute Freeview, which allows a democratic dissemination of ideas. I also hugely value arts programmes that other stations, such as Channel 4 and Sky Arts, contribute.

Here is my little caveat: I am sorry that the entire report is so television-dominated, as we have heard from other Members. There is scarcely a mention of radio, either national or local, which is hugely under threat, or even the World Service, the best soft-power vehicle that we possess. Hopefully, we are about to see

and listen to another Proms season, admired universally but under threat from the post-Brexit problems of visas and work permits.

I love public service broadcasting. I think it adds a huge amount to society and the reputation of our country.

3.33 pm

**Baroness Fox of Buckley (Non-Afl):** My Lords, one premise of the report that I found very stimulating is that public service broadcasters are

"struggling to achieve their mission to serve all audiences in the face of increased competition"

from streaming services

"and changing viewing habits."

This could identify the wrong problem, and it ignores the elephant in the room. There is a serious issue of broadcasters failing to serve all audiences, but I do not think it has much to do with video on demand. There is a much more profound identity crisis, and I am glad that the Government's public service broadcasting advisory panel has tried to dig a bit deeper and ask whether, as has already been mentioned, the concept of public service is needed and, if so, what a modern PSB should look like.

That is a bit more like it, because it seems to me that, especially in the last five to six years, there has been a growing chasm between public service broadcasters and the public. More and more of the public feel alienated from mainstream media and often feel that they are being done a disservice by PSB channels. It seems significant that we are about to see the launch of a new channel, GB News, which has already been maligned and demonised in this place. It is being launched on 13 June. The director of news, John McAndrew, described GB News's aims as free, fair, impartial and Ofcom-regulated, arguing:

"We can sense a real hunger for something fresh and different in television news and debate."

He is right.

It is worth noting that this new channel is headed up by Andrew Neil. He was one of the best public service news broadcasters at the BBC—but they did not know how to use him and lost him. GB News is a start-up that has attracted presenters and production talent from across the PSB landscape, and a whole swathe of young producers and employees—diverse, passionate and eager to make a difference—recruited by an enthusiasm for the project of covering stories and voices neglected by PSB channels rather than by some special HR-designed diversity charter. I think it is exciting and although, according to one noble Lord we have heard, we should be worried because of its foreign owners—my goodness, xenophobic or what?—what is to say that GB News is not a new kind of public service broadcasting? We should at least allow it to shake up any complacency.

I want to focus especially on the problems of the BBC. The BBC is an institution whose ideals I love and want to defend, but I find it increasingly hard to do so. It feels as though somewhere along the line it lost track of its public service mission. I do not doubt the BBC's commitment to serve and reflect communities across the country but, sadly, this is conceived in

rather a technical way by focusing on regional production sites and programmes commissioned outside the M25. That is all good, but why then in the same month last year did we hear of £25 million cuts to established regional programmes while a pledge of £100 million was made to a new diversity initiative? I worry that obsessing about a particular interpretation of “diversity” does not serve all audiences and does not stress what we have in common but rather plays on differences.

My fear is that there is a balkanising of audiences going on by attempting to tailor programmes to different demographics and identity groups. It is true that this reflects one aspect of modern Britain—the divisive and essentialising identity politics so fashionable in metropolitan echo chambers. It can lead to the crassest form of programme making. Look at how broadcasters do not so much cater for 16 to 34 year-olds as chase after them, flattering and fawning to prove that PSB is relevant. It is excruciating witnessing the resulting soft bigotry of low expectations. Look at the tangle that Radio 3 and the Proms get into. “Add a bit of grime and rap and the audience will love us,” you feel them saying. Too many PSBs seem convinced that the young are an undifferentiated blob with the attention span of a gnat. The irony is that what the young are watching on streaming services are complex, nuanced, challenging long-form documentaries and drama series.

Another problem that I have with the focus on diversity is that too often it neglects diversity of opinion and thought. Even though Tim Davie, the BBC director-general, used the word “impartiality” 11 times in his inaugural speech, the most common complaint that I hear about the BBC is that it is partial by offering a narrow worldview. The problem with the present strategy is that it assumes that a Geordie or Yorkshire accent means diversity—but you can talk metropolitan orthodoxies with a northern voice, believe me. The BBC may have dumped received pronunciation, but its embrace of a suite of received opinions feels even more stifling and condescending.

Often the BBC cannot hear itself. It just does not realise that it is tone deaf about diverse values and worldviews that it does not share. This became apparent to me personally in 2016. I was a panellist on Radio 4’s “Moral Maze” for 20 years. I have done all the current affairs and news programmes that the BBC has to offer—a bit of a “BBC luvvie” if you want. No doubt I was seen as a bit of a maverick, but I was accepted on the scene. However, when I mentioned that I was going to vote leave, it was met with disbelief. “But you’re an intelligent, well-educated person, Claire,” said one senior producer—and from then on, in studios and green rooms, a growing sneer. And that sneering was even more viscerally observed by audiences.

The virtually unanimous view that Brexit was a foolish, backward and inexplicable idea meant that those called public service broadcasters did not have a clue what the public were thinking and were totally shocked at the referendum result. Many news reports before and since that democratic vote have given the impression that PSBs just do not like the public.

It is sometimes suggested—it has already been said here—that anyone who makes such criticisms is whipping up grievances and fuelling a culture war. I often think

it is the other way around, and I worry that the BBC is inadvertently behaving like an activist in the culture wars. There are endless examples: the bizarre statement from “Countryfile” about the UK countryside being a “white environment”, and the “Rule Britannia” saga at the BBC Proms.

It was not the Defund the BBC campaign that clipped a section of a BBC Sounds podcast featuring two young women hectoring older white women for being “Karens” who should educate themselves about their white privilege, saying, “get out of the way” and ordering them to “basically leave”. The BBC eventually deleted the clip after a backlash, but what was it thinking? “Educate yourselves, you Karens” makes the old-fashioned, patrician Reithianism sound positively egalitarian.

The BBC is owned and paid for by the public, and it has a moral duty, not just a financial one—

**Lord Parkinson of Whitley Bay (Con):** My Lords, I am sorry to interrupt the noble Baroness, but this is a time-limited debate.

**Baroness Fox of Buckley (Non-Afl):** Do not be complacent, or public service broadcasting will not survive.

3.41 pm

**Lord Bhatia (Non-Afl) [V]:** My Lords, the way we watch television is changing. Twenty years ago, most people relied on five free-to-air terrestrial channels provided by public service broadcasters. These broadcasters now face competition from hundreds of other channels and online services, such as subscription video on demand services. SVODs such as Netflix and Amazon Prime have enjoyed rapid success. They have made available thousands of hours of content at relatively low prices and offer each viewer a personalised experience. Almost half of households now subscribe to an SVOD, while YouTube is also a major competitor.

This is at a time of widespread distrust of news, with digital technology playing an increasing role in public life. SVODs operate globally and have enormous resources, leading to concern that PSBs are priced out of the market for high-quality television, limiting their ability to create drama and documentaries that reflect, examine and promote the culture of the UK. We sought to understand the contemporary role of public service broadcasters, the financial pressures they face and the PSB compact—the obligations they take on—in the age of video on demand.

Our evidence overwhelmingly indicated that public service broadcasting is as important as ever to our democracy and culture as well as the UK’s image on the world stage. A wide range of witnesses and contributors have said how PSBs help to inform our understanding of the world, reflect the UK’s cultural identity and represent a range of people and viewpoints.

We are all aware of the competition faced by BBC and its budget and editorial problems, but, in most people’s minds, it is a national treasure, always reliable and mostly open to criticism. The BBC has always had a culture of reinventing itself as time moves on. Lastly,

[LORD BHATIA]  
the BBC is the only place to get correct news from in most third-world countries, and it is extremely useful for that purpose.

3.44 pm

**Lord McNally (LD):** My Lords, I first welcome the noble Baroness, Lady Merron, to the Front Bench; I hope that she has a very long stay. I am just passing through, but it was a great pleasure to hear what she had to say. I take this opportunity to pay tribute to Jimmy Gordon, Lord Gordon of Strathblane, who sadly died during the Covid crisis.

However, my first duty is to congratulate the noble Lord, Lord Gilbert, and the members of his Select Committee, including the noble Viscount, Lord Colville, my noble friend Lady Grender and the noble Baroness, Lady Kidron, who spoke today. Although delayed in coming before the House, as the noble Lord, Lord Liddle, pointed out, the report has proved to be most timely.

Our debate takes place in the shadow of, and the fallout from, Lord Dyson's report into the methods used by Martin Bashir to obtain his interview with Princess Diana in 1995 and the failure of the BBC to investigate promptly and properly concerns about those methods. To borrow from Shakespeare, what has been revealed were grievous faults, and grievously has the BBC's reputation suffered as a consequence.

We now of course have a feeding frenzy, calling for radical reform of the BBC. It is often led by financial and political vested interests that have long wanted to see the BBC underfunded and marginalised. Perhaps the only genuine link between today's debate and Lord Dyson's report on the errors and misdeeds of 25 years ago is Prince William's observation that:

"In an era of fake news, public service broadcasting and a free press have never been more important."

As the noble Lord, Lord Davies of Brixton, pointed out, before rushing to yet another round of governance reform in response to events of 25 years ago, let us remember that the BBC's new chairman, Richard Sharp, and new director-general, Tim Davie, were both appointed by this Government quite recently. They will work to a governance structure again created only recently by this Conservative Government. This recently introduced governance provides for the BBC a unitary board to run the institution, but with Ofcom as a wholly external regulator, ensuring that the BBC is held to its charter and agreement obligations.

As recently as 18 March, the noble Baroness, Lady Barran, in response to a question of mine, said:

"The Government have been very clear about the value of the BBC, particularly in the pandemic, during which it has served to educate, inspire, inform and act as a crucial and reliable source of news."—[*Official Report*, 18/3/21; col. 437.]

Lord Reith could not have put it better.

The pandemic has conclusively demonstrated the importance of having well-funded sources of education, information and entertainment freely available to every household in the UK. Of course, there has been an explosion of choice from the subscription streaming services, which has been a welcome distraction for many of us. However, these are all US-based, cost money, do not offer news and analysis and do not reflect British culture or the nations and regions of the UK.

The PSBs are key to the framework that sustains British culture, exports it abroad and helps to ensure that the soft power the UK has exerted around the world for decades is still potent today. Despite the overwhelming financial muscle of the subscription video on demand services, thanks to the multibillion-dollar corporations and American hedge funds behind them, the UK still punches well above its weight in the audio-visual export market. The vast majority of that comes from PSB investment. It is the interactive nature of the ecology delivered by the PSBs that brings the cultural and economic benefits to the UK.

Just before Christmas, Ofcom published its consultation on the future of PSBs. The Ofcom headline was that the UK media sector is a success story, with public service broadcasting at its core. Lest it be thought that I am concerned only with the BBC, let me point out that ITV plays an important part in that success.

It was a stroke of genius by the Conservative Government to create ITV as a regional confederation in 1955. I was born in the north-west and I still think of myself as coming from "Granada land". The late Lord Bernstein brought to Granada an ethos and a regional identity which is still reflected in ITV today, and ITN remains a worthy competitor to the BBC, Sky News and Channel 4 News. While talking of Channel 4, I entirely endorse the very powerful speech given by the noble Lord, Lord Holmes. To even consider the privatisation of Channel 4 would be an act of ideological vandalism.

The report we are debating reminds us of the value of PSBs, and we should embrace it in its entirety. However, there are two particular recommendations I commend to the House. First, the recommendation for an independent and transparent process for setting the licence fee is urgent. Even as we speak, the BBC is negotiating behind closed doors with the Government for a licence fee settlement from April next year. There is no transparency, and the Government have not been slow to show their teeth over the last few days. The committee recommended that the Government

"should establish an independent body ... the BBC Funding Commission, to oversee the process for setting the licence fee".

It also stated explicitly:

"In the current competitive and fast-moving environment the BBC needs to be properly funded."

That funding commission would consult and make recommendations to the Secretary of State. The Government should demonstrate their commitment to transparency by setting up such a commission immediately.

Secondly, there have been increasingly urgent calls, including from Ofcom, to update the prominence regime so that PSB can be found easily across all platforms by consumers. As the report states,

"the current regime is centred on linear TV, which will increasingly devalue over time"

and the prominence regime must be

"updated for the digital age to reflect new ways of accessing content."

This legislation cannot wait, and there is no reason why this could not be put into the online safety Bill to ensure its safe passage.



I hope that the Government will use this report and the recommendations it contains as a road map in plotting the way ahead on PSB. My noble friend Lord Wallace and others talked about the dangers of deregulation. In a debate in this House on 25 March 2003, speaking from these Benches on the Second Reading of the then Communications Bill, I quoted the distinguished American broadcaster, Ted Koppel, speaking about the Reagan Administration's deregulation of American broadcasting in 1987. He said:

"We are ripping down those institutions, large and small, within which democratic culture was intended to be undertaken. Institutions that once destroyed, amidst the whimsical destructiveness of the market, will be extraordinarily difficult to reconstitute".—[*Official Report*, 25/3/03; col. 669.]

That is a warning from the past, but it is a warning about the future. That is the crossroads at which we now stand. The members of this committee will be able to look back with pride on the work they have done. Let us hope that the Prime Minister and his Government will be able to look back with similar pride on the decisions they are about to make on the future of a media ecology which has been essential in determining how we speak to each other and how we speak to the world.

3.54 pm

**Lord Bassam of Brighton (Lab) [V]:** My Lords, before I get into the subject matter, I too would like to join my good friend the noble Lord, Lord McNally, in congratulating my noble friend Lady Merron and welcoming her to our Front Bench. As she demonstrated today, she will add greatly to its talent with her thoughtful and reflective comments and observations. I also pay tribute to my late noble friend Jimmy Gordon who, as a member of the committee, I am sure made many fine contributions and had great knowledge and experience of the media world.

The Communications and Digital Select Committee, led by the noble Lord, Lord Gilbert, has rendered the House a great service in delivering this report on public service broadcasting. The stellar cast of contributors responding to it today has amply demonstrated its value. The timing of today's debate—as others have noted—could not have been better, as it has stimulated a thoughtful debate on the media's role in its current form. The downside, of course, has been that the report itself has been so delayed.

The noble Lord made a passionate and persuasive case for public service broadcasting in an ever-changing media environment, challenging the Government to play their role in ensuring it has an active place in a mature democracy. The noble Lord's questions themselves to the Minister today would provide ample material for a further debate.

Recent events, not only the Bashir findings from Lord Dyson but also the launch of Times Radio, GB News and so on, will be cited by some as evidence that the role of public service broadcasting is diminished and therefore that it should receive less funding. The opposite is actually true; we need to retain a strong offering from public service broadcasters to keep other platforms honest and ensure access to a plurality of views and a range of quality content.

One area where the Government disagree with the committee is on the list of free-to-air sporting events. The Government were quick to oppose the European super league proposals—and quite rightly; we agreed wholeheartedly with that. But there is concern across many sports that a lack of availability on free-to-air diminishes public enthusiasm. It is positive that the Football Association Cup rights held by BT are going back to ITV, and the buzz around the return of test cricket to Channel 4 demonstrates that the Government should look again at listed items.

The report rightly identifies the positives that public service broadcasting investment has in supporting the creative sector, which has had a tough time over the last 14 months. Investment from Netflix et cetera is also important, but it is not a zero-sum game. We want a range of quality programming across different platforms, as that will enhance the UK's global reputation. Netflix itself acknowledge this, saying that a strong BBC is in everyone's interest.

I am glad to see that the Government are committed to working with employers to make a success of apprenticeships. They need to look again at how the apprenticeship levy works, as the model envisaged under the system does not align with the short-term placements you often see in the creative industries and broadcast sector. Government also should have done more to support creatives during the pandemic, rather than excluding many, particularly freelancers, from help—not least because they are all part of the media ecosystem, working in PSBs and streaming services alike.

On questions such as how to engage young people and reverse the decline in viewing figures for public service broadcast channels, it is clear that finding solutions will take time. The decision to make BBC Three online only may not have been the right one, but that experiment has at least provided additional insight and data to help inform future decision-making.

I take the view that there will always be a place for public service broadcasting, but that the role it performs will have to change over time—as it has continuously in the past. Public service broadcasting provides a platform. It should concentrate on quality. It should provide a benchmark for integrity and honesty and be prepared to be fearless. But I did agree with the noble Lord, Lord Gilbert, when he said that public service broadcasters need to take more creative risks. In modern times that might seem like a tall order and, while it might irritate and annoy from time to time, if it fulfils that brief it will be doing its job.

It is clear that the public value public service broadcasting and, so long as it has public support, it is a model worthy of political support. The noble Lord, Lord Gilbert, has made the case for public service broadcasting and the last year has, as many noble Lords have said this afternoon, demonstrated its enduring value as a trusted source of information and news in an era of fake news. We would be wise to reflect on that before any opportunistic moves are made to disturb our current media landscape. In particular, the Government would do well to take the broader view expressed today by the noble Lord, Lord Vaizey, on the future of the BBC as a key element of the public service platform.

4 pm

**The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Baroness Barran) (Con):** My Lords, it has been an absolute pleasure to listen to this debate this afternoon. I echo the thanks of other noble Lords to my noble friend Lord Gilbert for securing the debate and for all his work with his colleagues on the committee. Although 18 months have elapsed since the publication of his committee's report, the issues which it raises are, as we have heard, no less topical now than they were then. I acknowledge the delay in holding this debate, but I know that my noble friend understands that we experienced exceptional circumstances. I also join other noble Lords in welcoming the noble Baroness, Lady Merron, to her place. I feel I shall have constructive but positive challenge across the Dispatch Box, and I look forward to that very much indeed.

As set out in our written submission to the committee, the Government are clear that public service broadcasting provides significant cultural, economic and democratic value to the UK. It is free at the point of use, universally available and works for the public benefit to foster shared experiences, stimulate learning and reflect communities from across the country. As the noble Lord, Lord Hastings, mentioned, it has also celebrated major charitable events during the past year. As the noble Baroness, Lady Grender, noted, evidence from Ofcom shows that PSB programming remains popular and valued by UK audiences.

However, as many noble Lords noted, in a changing media landscape, there is growing consensus that public service broadcasters need to adapt—in the words of my noble friend Lord Hannan, getting on our surfboards, although I am not sure that the noble Lord, Lord Liddle, will be joining him on a surfboard. Therefore, the legislation and regulation in this area need to evolve to ensure that we have a regulatory framework that is fit for purpose.

With that in mind, the Government are working closely with Ofcom and the sector to consider those issues as part of their strategic review of the future of public service broadcasting. As set out in our response to the committee's report, the Government want to ensure the continued health of a strong, successful and sustainable PSB system, one that is capable of bringing the nation together through shared experiences, as the noble Baroness, Lady Kidron, put it so eloquently; that represents and serves audiences in all parts of the UK; and that remains at the heart of our world-class broadcasting sector, which is among our greatest soft power assets, as the noble Viscount, Lord Colville, and the noble Lords, Lord Liddle and Lord Bhatia, all noted. I very much hope that we will be able to set out our next steps on that later this year and, within that, a strong, independent and trusted BBC is vital.

I start with a brief reflection on recent events at the BBC and try to set the record straight again on this Government's attitude towards it. I agree with the spirit of the comments of the noble Lord, Lord Inglewood, that the ferocity of emotion—those are my words, not his—about recent events is because all of us personally and individually care deeply about the BBC as a national institution. On Lord Dyson's report on the

Martin Bashir interview, noted by many noble Lords in the debate, as my right honourable friend the Secretary of State said—and the noble Lord, Lord Davies, quoted, it reveals

“damning failings at the heart of the BBC”.

We are now reflecting on that thorough report and considering what further governance reforms might be needed as part of the mid-term charter review.

I will comment on the mid-term review, but so many noble Lords have questioned the Government's attitude to the BBC, including the noble Baroness, Lady Merron, that I shall just quote from a reply by my right honourable friend the Minister for Media and Data in a debate in the other place last week. He described the BBC as

“a priceless national asset, and one of the most serious consequences of the revelations of the past week is that its reputation and trust in it have been badly damaged. It is essential that it retains its position as the most trusted and reliable broadcaster in the world, and there is work to be done to restore that reputation.”—[*Official Report, Commons, 24/5/21; col.52.*]

We need to use all our energies to focus on the wider challenges that public service broadcasters, including the BBC, face and resolve them, rather than constantly questioning the Government's attitude towards them.

On the mid-charter review, I cannot accept the suggestion by the noble Lord, Lord Davies of Brixton, that the Government's behaviour is impacting on the editorial independence of the BBC, which, we are crystal clear, is important. I very much welcome the comments of the noble Lord, Lord Berkeley of Knighton, accepting the need for constructive criticism. Sometimes a need for transparency and accountability are seen as criticism, but they are obviously essential.

In response to my noble friend Lord Gilbert's question about what we mean when we say that we will consider further governance reform, as the Secretary of State has said, the mid-term review provides an opportunity to look at issues such as the performance of the BBC board and the effectiveness of the regulation of BBC by Ofcom. We will start preparations for that now, ahead of the review starting formally next year. Many people in the other place and in your Lordships' House have used the phrase “never again”. This is an opportunity to check whether the new governance system that we introduced, to which the noble Lord, Lord McNally, referred, would have worked had the events of 25 years ago occurred under this regime.

The noble Viscount, Lord Colville of Culross, asked about the wider scope of the review. I have set out the scope—addressing governance and regulation issues only—but we have been clear that we will look at the future of the licence fee model ahead of the next full charter review, which is by 2027.

A number of noble Lords raise the issue of the licence fee settlement for the BBC, including the noble Lord, Lord Stevenson, the noble Baroness, Lady Kidron, my noble friend Lord Gilbert, the noble Viscount, Lord Colville, and the noble Baroness, Lady Merron. We are already in discussion with the BBC and S4C on the next licence fee settlement, which is due to take effect from April 2022 for at least five years. As the Secretary of State has said publicly, this is an opportunity for the BBC to consider how it can offer best value for

money for everyone across the UK. I note the call to improve the transparency of the settlement process. The Secretary of State has undertaken to publish formal correspondence between the Government and the BBC and S4C on the Government's website, and he will lay his final determination before Parliament to allow time for debate before the settlement takes effect.

A number of noble Lords raised the issue of the concession for the over-75s. Your Lordships will have heard me say on too many occasions in this House that it is clearly the responsibility of the BBC to deal with that issue, and we encourage it to do so urgently.

Turning more broadly to issues affecting public service broadcasting, a number of noble Lords talked about the importance of wider diversity in our broadcasting. My noble friend Lord Holmes spoke very eloquently about the value of regional broadcasting and the noble Lord, Lord Wallace of Saltaire, had particular local reservations. But when we talk about diversity, as the noble Baroness, Lady Fox, put very clearly, we are not talking about just location of production but about commissioning, subject matter, workforce and diversity of thought. Recent commitments in this area have been warmly welcomed by the Government.

As noble Lords will be aware, Ofcom is undertaking a review of PSBs at the moment. I hope I can reassure the noble Baroness, Lady Kidron, that the Government have encouraged Ofcom to be very ambitious and innovative in its approach to the review and to explore all issues that it sees as relevant. We look forward to receiving its recommendations this summer.

The noble Lord, Lord Smith of Finsbury, raised the issue of the Public Service Broadcasting Advisory Panel. As I hope I have made clear, the Government are absolutely supportive of a modern system of public service broadcasting that remains relevant and meets the needs of UK audiences in future. Your Lordships set out very clearly some significant strategic challenges facing public service broadcasters, and that is why the Government have brought in an advisory panel to provide independent expertise on these critical issues.

My noble friend Lord Gilbert, the noble Baroness, Lady Grender, and other noble Lords raised the issue of prominence. We recognise the need to ensure that high-quality public service content is easily accessible to UK audiences. We have committed to act on Ofcom's prominence proposals and we will take forward legislation on this as soon as the timetable allows.

My noble friend Lord Gilbert asked about the terms of trade. I am pleased to say that Ofcom heeded the advice of the committee and issued a call for evidence late last year to see whether any changes were required. The Government look forward to receiving its recommendations.

The noble Lord, Lord Berkeley, talked about the importance of radio. On behalf of the Government, I echo his recognition of the incredible role that radio, particularly local radio, has played during the pandemic.

My noble friend Lord Gilbert and the noble Lord, Lord Bassam, talked about the apprenticeship scheme in the creative industries. DCMS has been working closely with industry and the Department for Education on introducing additional flexibilities to the apprenticeship

levy. We hope this will start increasing the number of quality starts in the creative sector from next year. I will pass on your Lordships' observations to the Minister for Digital and Culture.

The noble Lord, Lord Stevenson of Balmacara, asked about archiving and, in particular, the national film archive. As set in the government response, we strongly encourage non-PSBs and SVODs—I am not sure that is in the *Companion*, but anyway—to entrust guardianship of their screen content to the BFI National Archive, making it a reasonable contribution to the BFI. I reassure him that we are monitoring progress in this regard and remain open to considering the full range of options to deliver on this, including statutory support for collecting, as currently exists for the PSBs.

We are involved in an ambitious set of plans in a rapidly changing and important sector. I feel that much of what I have said is about the future, so I will reflect briefly on some of the actions we have taken since the publication of the committee's report to protect UK public service broadcasting. These include: adding the Paralympic Games to the listed events regime, to which the noble Baroness, Lady Grender, referred, in recognition of their special national significance; setting out a clear and transparent process for the present licence fee settlement; as I mentioned earlier, introducing additional flexibilities to the apprenticeship levy, which we hope will really start to translate into an increasing number of quality starts in our world-class creative sector; launching a £500 million film and TV production restart scheme to ensure productions could restart after Covid restrictions were eased—many commissioned by PSBs; and supporting the wider screen industry through the launch of the UK global screen fund, which will help independent film and screen content made in every corner of the UK to export to markets around the world.

Looking forward, this will be a busy year for public service broadcasting. We have already had the conclusion of Ofcom's *Small Screen: Big Debate Consultation* and the publication of a report by the DCMS Select Committee in the other place. In the summer, we are likely to receive a report from Ofcom, and in the autumn the PSB advisory panel will meet for a sixth and final time. The Government have already committed to updating the UK's system of prominence when the legislative timetable allows. We will consider outputs from all these different processes carefully and set out our steps later this year.

I close by thanking my noble friend Lord Gilbert and his colleagues on the committee once again for their important work, and for their ideas, analysis and recommendations. To be clear, the Government continue to consider them and use them to inform our strategy as we go forward. I have greatly enjoyed the debate this afternoon and look forward to carrying some of these issues forward with your Lordships in future.

4.18 pm

**Lord Gilbert of Panteg (Con):** My Lords, I will be brief. I thank all noble Lords for this excellent debate, with special thanks to members of the committee, past and present. I enjoyed the contribution of the noble Baroness, Lady Merron; it is great to see her on the Front Bench, in full grip of what I think is the best



[LORD GILBERT OF PANTEG]  
 brief in government. I was moved by the tributes to Lord Gordon. He was a giant in the industry, but that was nothing to his reputation in Glasgow, which we visited during the inquiry and where literally everyone we met knew Jimmy.

Listening to the debate, it is clear to me that the industry will look very different in the years ahead—I do not disagree with everything that my noble friend Lord Hannan said. It seems to me that, in 10 years from now, the funding will look very different too. However, my noble friend Lord Holmes hit the nail on the head when he reminded us that it is all about the content. As the noble Baroness, Lady Grender, said, our mission is not to see public service broadcasting survive but thrive.

I thank the Minister for her reply. I also thank her, her ministerial colleagues and her officials for their support and co-operation with the committee's work, and I would be grateful if she would pass that on. She gave full and measured responses. I welcomed her reaffirmation of the Government's commitment to public service broadcasting and her recognition, again, of its vital economic, cultural and democratic role. I was very glad that she recognised so clearly the role of the Government in helping PSBs navigate the challenging future they face. I beg to move.

*Motion agreed.*

4.20 pm

*Sitting suspended.*

## Arrangement of Business

### *Announcement*

4.40 pm

**The Deputy Speaker (Lord Haskel) (Lab):** My Lords, the Hybrid Sitting of the House will now resume. I ask all Members to respect social distancing.

## Immigration Rules: Statements of Changes

### *Motion to Regret*

4.40 pm

*Moved by Lord Green of Deddington*

That this House regrets that the Statements of changes to the Immigration Rules (HC813, HC1043 and HC1248), published respectively on 22 October 2020, 10 December 2020 and 4 March, do not provide clear and comprehensible descriptions of the changes proposed, nor of their likely effect. *Special attention drawn by the Secondary Legislation Committee, 33rd and 40th Reports, Session 2019–21.*

**Lord Green of Deddington (CB) [V]:** My Lords, I originally laid three Regret Motions in protest at the Government bouncing through a huge change to the immigration system with minimal discussion in this House. In the new Parliament, they have now been consolidated into the single Motion before us. Statutory instruments have long been used for the endless and minor adjustments to the Immigration Rules that become

necessary from time to time, but this was a massive reform of the entire system. Furthermore, it was a matter of considerable public concern and should therefore have been properly scrutinised.

I will focus on the trenchant report by the Secondary Legislation Scrutiny Committee on HC813, which deals with immigration matters; I will not deal with asylum today. This report considers the statement of changes in Immigration Rules, which runs to 500 pages, with an Explanatory Memorandum of 50 pages. My Motion declares that these documents do not provide a clear and comprehensible description of the changes proposed, nor of their likely effect.

The scrutiny committee had three major criticisms: first, that major developments of policy should not be included in such instruments; secondly, that it had proved difficult to identify the actual intent of the policies; and thirdly, that it was difficult to see whether any important protections had been lost. On the first point, these are not just major policy developments; they amount to the most significant change in our immigration system for half a century.

On the second point, the actual intent of these new policies is now clearer from the Government's *New Plan for Immigration*, which was published two days ago. It is, indeed, a cause for concern. For example, the level of skills required is to be reduced from degree level to A-level. At a stroke, this massively increases the pool of labour from abroad on which employers can draw. The Migration Advisory Committee has called this requirement "very important" in practice. Furthermore, the general salary threshold is to be considerably reduced to £25,600 a year. An even lower threshold—£20,500—will apply to so-called new entrants. That salary is only just above the national living wage. The effect, therefore, can only be to reduce the incentive for employers to train British replacements.

As for the loss of important protections, one example is that employers will no longer be required to advertise in the UK before looking to fly in workers from around the world. This comes at a time when UK unemployment, especially among the young, may well be increasing rapidly. Overall, the scale of the changes to the work permit system is simply huge. They involve opening up approximately 7 million UK jobs—I have said that before, and I say it again: 7 million UK jobs—to new or increased international competition from all over the world.

The Government have declined to say the number of people worldwide who would meet the new and lower requirements, but it must run literally into hundreds of millions. Obviously they will not all come, but the Government's impact assessments have, in our view, rather limited credibility. Nor does any of this take account of the Government's undertaking to accept, including for settlement, as many as 5.4 million British nationals overseas now in Hong Kong, who might decide to move to the UK at some time in the future.

The upshot is that we are being launched on a course with very serious economic and political consequences, but without any effective discussions in this House, as I keep saying. Given all the uncertainties, it would surely be common prudence to have measures available to bring the numbers under control.

The Government have repeatedly promised “firmer control” of immigration. Indeed, during the last election the Prime Minister confirmed on television that this meant reducing it—yes, reducing it. Meanwhile, a recent opinion poll finds that nearly 60% of the public—nearly 30 million people—think that the level of immigration to the UK has been too high over the past decade. It is therefore very concerning that the Home Secretary, when presenting her new plan for immigration, refused to say whether the result would be an increase or decrease in net migration. She said that she did not want to get into “the language of old”.

This comes after a period of 20 years in which foreign net migration has averaged nearly 300,000 a year and has accounted for over 80% of our population increase. Even today, it requires us to build 300 new homes every day to accommodate the new citizens. The truth is that the arrangements incorporated in these statutory instruments are much more likely than not to lead to a considerable increase in net migration and regrettably to deep concern among those most directly affected.

Finally, I fear that it looks as though those who voted in the expectation that immigration would be effectively controlled and reduced, whether at the time of Brexit or in the 2019 so-called red wall election, will all be very disappointed. I am afraid they may well feel that they have been deceived.

4.47 pm

**Lord Dubs (Lab) [V]:** My Lords, I agree with the wording of the Motion in the name of the noble Lord, Lord Green, although not with many of the views that he expressed. He is surely right that such major changes to our Immigration Rules, whether for immigrants or asylum seekers, require proper and constructive debate that is not carried out in an hour and a half in the late afternoon, without our ability to come to terms with the real issues involved.

From my experience of both Houses, the Immigration Rules have always been difficult for Parliament to deal with, but we have never had such a problem as the noble Lord described. They have been difficult because they are normally unamendable, which means that we cannot properly engage with the issues. We cannot easily identify the changes or make our voice heard if we disagree. My plea, which I have expressed before to the Minister, is that if there are to be changes to the Immigration Rules—I assumed that they would be more modest than the ones we face today—they should be published in draft and debated by the House before they are presented in their final form. That gives us a slight chance, at any rate, of influencing the outcome. These proposals should never be put forward in a way that such major changes have to be taken, as it were, in one gulp.

We await the sovereign borders Bill, but it is not totally clear which of the Government’s proposals will be only in the rules, in the Bill or in both. That is another cause of confusion. Are we to await the sovereign borders Bill in the hope that we can make more impact? That would be when the noble Lord, Lord Green, would be able to have his say on the arguments he has put forward.

There can be no doubt that people smugglers are vile, and that catching them and preventing them from doing what they do—risking people’s lives—is very important. But I have to take a different view from the Government. I do not think that the proposals put forward to us will deter traffickers; indeed, they may well encourage them. This is now a well-worn argument, but if we close legal routes to safety for people seeking asylum, the only recourse they have is to go to the traffickers. The traffickers will be rubbing their hands with glee at the Government’s proposals.

I urge the Government to be more sympathetic to family reunion, especially in the case of children who want to join family members here. We know that there are children in northern France, in what has replaced the “jungle” near Calais, and on the Greek islands. Some of these young people have family links with the UK. What is to become of them now that the Dublin III provisions have stopped? Will there be any way in which they can apply to come legally? After all, they reached the Greek islands and northern France before they knew of the Government’s proposals—although I doubt that that would have had any effect.

The Government are saying clearly—and regrettably—that an asylum seeker will be inadmissible if they have travelled through or have a connection with a safe third country. But—I repeat—what about those who have a connection to this country? Have the Government reached any agreements yet with other countries to take people who will be refused on the basis of their proposals? Can we have a list of the countries that have said that, yes, they will take them on the basis of our policy? I doubt that the Government will find any. In any case, if we say that they have not travelled the way we would like them to, what about those who have a connection with this country? Would not the French or other people say, “Well, what’s sauce for the goose is sauce for the gander”—or whatever the expression is—“and surely, if they are following that policy, why shouldn’t we?” I just think it is unworkable. In any case, it does not take much thought to realise that, if all European countries had followed that policy, the million or so Syrians who went to Germany would still be in Greece, Italy or Malta. We cannot allow the accident of geography to put such enormous responsibilities on some countries without the costs being shared.

Furthermore, I would argue that it is against the 1951 convention to penalise refugees for unauthorised entry to a territory. It is expressly forbidden. The Government say that they legally have right on their side. Well, I have talked to the UNHCR—which, as far as I am concerned, is the custodian of the 1951 Geneva convention—and it seems to me that we will be in for some legal battles to resolve that. Frankly, I think that the Government are wrong on this.

Some of the briefing we have had explains that the Immigration Rules concede that leave outside the rules is “theoretically possible”. The question is how to make this possible. In the words of the Home Office, such leave should be granted where refusal “would result in unjustifiably harsh consequences”.

How can this be challenged? It is an argument of a Home Office official or Minister against the applicant. That is not a workable way forward.

[LORD DUBS]

I fear that another consequence of the Government's proposals will be an increase in the backlog of applicants. The Home Office is already grappling with an enormous backlog. Frankly, I think this will make the situation worse.

To end on a positive note, where I can agree with the Minister, I think community sponsorship is a good idea, but it has to be worked out and the Government have to publicise the scheme and help to make it less bureaucratic.

4.53 pm

**Lord Horam (Con):** My Lords, many of your Lordships will have had great pleasure from reading a book by the American author Bill Bryson called *Notes from a Small Island*. It is an apt title: we are a small island. When the American forces came to England in the Second World War, the troops were briefed about our country. The first line of the briefing was, "Think South Carolina"—because it is exactly the same size as England. Of course, the big difference is that South Carolina, even today, has only 5 million inhabitants; we have 56 million inhabitants in England.

We are a very crowded country, so population policy is very important to us. Since net immigration accounts for about two-thirds of population growth, immigration policy is especially important. That is one reason why I am delighted that the noble Lord, Lord Green, has put down his regret Motion today, and I support him in doing so.

The UK has always had a substantial amount of immigration, and many people who originated overseas, or whose parents did, have made brilliant contributions to this country in many different fields—business, academia and, most recently, healthcare. Until 20 years ago, all this was accomplished with a net immigration level of no more than 50,000 a year which, although there were a few incidents, was largely accepted. The change came when the Blair Labour Government introduced, without consultation, a whole raft of measures to increase immigration, as a result of which the net annual rate soared from less than 50,000 to over 300,000 a year. This is not just immigration; it is mass immigration.

The difficulty has been that the new immigrants went into poorer, working-class areas, because that is where housing was affordable. The result was devastating for many working-class communities. The effects on Dagenham, for example, are described by the Labour and trade union activist Paul Embery, a native of that area, in his book, *Despised: Why the Modern Left Loathes the Working Class*. The local people appealed to the Labour leadership for help, but it did not listen—which is one reason why the Labour Party has lost so much working-class support.

That is a problem for Labour, but it became a problem for the whole country when immigration became such a big issue in the European Union referendum. There was a direct line between the neglect of immigration issues by the liberal elite and the vote to leave the European Union, which has had such momentous consequences for our country and is so deplored by that same liberal elite.

Since 2010, the coalition and Conservative Governments have had the task of dealing with this problem. So far, they have not done well. The numbers had not come down before the pandemic. But I do believe that the present Home Secretary, unlike so many of her predecessors, understands the problem and is giving it the attention it needs, most recently in this week's strategic document.

This is a sensible basis for policy-making, but I would add a number of riders. First, the issue of immigration is looked at almost exclusively from an economic perspective at the moment. The members of the Migration Advisory Committee are almost all economists. I am an economist myself, so I am not likely to underplay their importance, but this is wrong. There are demographic, social and environmental viewpoints which are equally important in looking at this issue. As my noble friend Lord Hodgson said, we need a democratic authority staffed by demographers, social scientists, environmentalists and climate change experts as well as economists, and they should be asking, "What is the right number of people for these crowded islands?"

Secondly, we should wind down as soon as feasible the separate health and care visa. Why are we, a rich country, continuously recruiting doctors, nurses and care workers from poorer countries that have fewer of them per head of population and need them more than we do? Where is the morality in that? Should we not think of the effect we are having on these countries by taking their skilled workers, as well as our own selfish interest? Why have the NHS and medical colleges so totally failed in their manpower planning that more than 40% of doctors in the UK come from overseas? In Germany and France, it is less than 10%.

Finally, a cap should be set on the number of work visas issued, just as it is in other countries such as Australia and Canada that use the same points-based system as we do. We need that cap, because we need employers to concentrate not on the lazy option of recruiting overseas but on improving the skills of the settled population. Improving people's skills, particularly in left-behind areas, is at the heart of the levelling-up agenda. Just at the point where we are making real progress in the number and quality of apprenticeships and the funding of further education, it would be foolish to take the pressure off employers in this area.

Of course, I accept that the current immigration situation is rather unreal as a result of Covid, but the Home Secretary has promised a review next year of how the new system is settling in. When that happens, I hope that my noble friend and the Home Secretary will look carefully at the points I am making, because they are certainly supported by many Members of this House, and by even more Members of the other House. If they are properly taken into account, we will have a policy which works in the long-term interests of the British people in this small island of ours. That is what the people themselves have for a long time been calling for, and this time they should be listened to.

5 pm

**The Lord Bishop of Southwark:** My Lords, I too am grateful to the noble Lord, Lord Green of Deddington, for securing this important debate on his Motion to



Regret. Last year, several Members of your Lordships' House cautioned against the major extension of the Government's capacity to make law with minimal recourse to Parliament in the Immigration and Social Security Co-ordination (EU Withdrawal) Act. Today, at the initiative of the noble Lord, Lord Green of Deddington, and not of Her Majesty's Government, we have 90 minutes to examine three statutory instruments relating to the Immigration Rules, one of which runs to 507 pages. All three were subject to the negative resolution, which involved little or no scrutiny of such important areas of life. Your Lordships' House last defeated Her Majesty's Government by praying against a negative resolution 21 years ago. Is the Minister satisfied with the level of scrutiny that these statutory instruments have received? Would she agree with me that it would have been better to publish them first in draft and to seek the views of both Houses in a debate?

My detailed comments are confined, because of time, to HC1043. They revolve around three questions to the Minister. First, do these rules meet the Home Secretary's aspirations for her department's handling of cases post *Windrush*? Secondly, are they feasible to implement? Thirdly, are the rules in HC1043 consonant with our obligations under the convention and protocol relating to the status of refugees?

We read in the Explanatory Notes to HC1043 that the purpose of this instrument is to

"Enhance our capacity to treat as inadmissible to the UK asylum system asylum claims made by those who have passed through or have connections with a safe third country."

I should be grateful if the Minister would explain how an automatic presumption of refusal is compatible with the Home Secretary's ambition, in her response to the *Windrush Lessons Learned Review*, for a Home Office that

"sees the 'face behind the case'."

On returning people to such safe countries, we did not negotiate to remain part of the Dublin regulations. We have no bilateral agreements with any European country with which to enforce these rules. In the absence of Dublin, are the Government engaging in blarney? The Home Office today published statistics for the first quarter since the rules came into effect, alerting us to the fact that 1,053 people were issued with notices of intent, meaning that the department is looking at the possibility of return for these people. It records that none has been returned on inadmissibility grounds. Will the Minister explain the mechanism for returning such individuals in conformity with the rules but in the absence of any agreement to do so? Will she concede that the rules on inadmissibility are unworkable?

I should say, before I ask my final question, that I understand the Government's animus against people smuggling—that is terribly important. Lastly, it is reasonable to suppose that most people seeking safety find refuge in the first safe country they reach, and they do. However, there are always reasons why some do not. What the Home Office might consider safe is not universally experienced as such. There are also linguistic, cultural and family ties to be taken into consideration in seeking a destination, as well as access to routes. Furthermore, the refugee convention makes no such requirement of those fleeing persecution that

they must do so in a specified geographical radius. To do so would be to burden many countries already dealing with enormous refugee issues.

Therefore, by making in law an automatic presumption against any claim from someone who has not arrived in the UK, except in a prescribed manner and prescribed place, is the Minister confident that we meet our obligations under international law? Would it not be far more effective to establish effective and legal routes which asylum seekers can readily access? That would reduce the demand upon which organised crime is currently feeding. I look forward to the noble Baroness's response.

5.05 pm

**Lord Hodgson of Astley Abbotts (Con):** My Lords, the noble Lord, Lord Green of Deddington, has ploughed a lonely furrow on immigration for many years; not just a lonely furrow but a furrow that many Members of your Lordships' House think it is quite improper to plough. But outside, in the real world, the issues that lie behind the noble Lord's prayer and his comments reflect the real concerns of our fellow citizens, as repeated surveys and opinion polls have shown. It is always easiest to run with the crowd and bask in the rumbles of approbation from around your Lordships' House, but I fear that, from time to time, we have to be prepared to consider inconvenient truths. That is why I am speaking this afternoon in support of the noble Lord.

I have two points to make, the first of which flows from my chairmanship of the Secondary Legislation Scrutiny Committee and picks up some of the points that other noble Lords have made. The Secondary Legislation Scrutiny Committee and our sister committee, the Delegated Powers and Regulatory Reform Committee, under my noble friend Lord Blencathra, have a number of concerns about the way that secondary legislation is being handled, not just here—I am not trying to get at my noble friend on the Front Bench—but generally in the Government. These are skeleton Bills; they are unduly long and complex regulations; and there are inadequate Explanatory Memoranda and impact assessments. And, as the noble Lord, Lord Dubs, said, these regulations introduce changes that should more properly be introduced in primary legislation, with its higher level of scrutiny.

I am also afraid to say that the statutory instruments that the noble Lord has prayed against have a number of deficiencies in them. We have already heard about the length of HC813 and the range of subjects it covers. We have heard about HC1043, and the fact that the guidance was put on the government website only one hour before the regulations came into effect. We can, do and should argue and discuss immigration and its implications, but not many people around your Lordships' House would disagree that it is an important subject. As has been pointed out by the right reverend Prelate the Bishop of Southwark, five and a half months after these came into effect, we have 90 minutes to discuss them and no chance to make any changes—we are to just wave them away after a 90-minute debate. We can and we should do better than that.

My second and final point is entirely personal. Some Members of your Lordships' House will be aware of my interest in demography—the study of changes in our population, up or down, and the consequent impacts

[LORD HODGSON OF ASTLEY ABBOTTS]  
 on the lives of all of us. Last year, I published a pamphlet, kindly referred to by my noble friend Lord Horam, entitled *Overcrowded Islands?*—the question mark is important. I was very grateful to the noble Lord, Lord Rooker, for giving a plug for the pamphlet at Question Time, on Monday last. I am agnostic about the conclusions, but I argue strongly that we fail to consider the impact of these policies in sufficient depth and over a sufficiently long period into the future. I ask Members of your Lordships' House not to pigeonhole these remarks as an attack on immigration. I fully recognise that some immigration refreshes and reinvigorates our cultural and economic life, and fulfils some of our moral duties to the world as a whole. But it is about scale and the consequent impact of that scale on the lives of all of us.

The latest ONS projections, adjusted for the pandemic and for Brexit, suggest that by 2040, in the half century since the Blair Government opened up the country to widespread immigration, as referred to by my noble friend Lord Horam, the population will increase by 13 million people, which is just over 20% of the population. Should we be worried about this for ourselves? More importantly, should we be worried about this for those who come after us? We might be worried about risks to our supplies of food and water. We grow only 50% of our food, and the Environment Agency says that by 2035 we shall be running short of water. We might be worried about risks to our ecology; our songbirds have declined by 75% in the last 40 years. We might be worried about risks to our environment; we are currently tarmacking over our countryside at the fastest rate in history. And in our rush to build fast, we are creating identikit housing estates built to low standards, devoid of any vernacular style and, too often, devoid of any sense of community. Do the economic benefits really accrue to us all? Or, as many of us fear, do they accrue to the already better-off and the new arrivals themselves? And good luck to them.

In none of these challenges is population growth the only factor, but it is the most significant factor connecting and linking them all. If the concerns of the noble Lord, Lord Green, are realised—and I sincerely hope they are not—the magnitude of all the above challenges will multiply exponentially. That is why the noble Lord has done the House a single service by tabling this regret Motion today.

5.11 pm

**Lord Liddle (Lab):** My Lords, I agree with a substantial amount in the speeches that have preceded me, and I agree wholly with the process objections to the way these statutory instruments are being handled. I think there is merit in trying to stimulate the wider debate about what the Government's immigration policy actually is, which the noble Lords, Lord Horam and Lord Hodgson, have both launched into.

I was a member of the Secondary Legislation Scrutiny Committee at the time we considered these instruments, and our very able officials who looked at these huge documents complained that even the Explanatory Memo on the first of the instruments—the 507-page one—  
 “was not clearer on the policy aims of these changes and what the impact will be.”

On the second of the instruments, they complained about

“insufficient information to gain a clear understanding”

of what the Government were trying to do. So, we look forward greatly to the speech of the noble Baroness, Lady Williams, so she can elucidate what this is all about.

If I could just make a political remark about Brexit, the whole debate on immigration was about taking back control. It is clearly not control by the British Parliament, is it? Surely, the Minister must recognise that. It is hardly, I suspect, taking back control to Ministers, because I doubt many of them will have gone through these 500-page statutory instruments in great detail. All we are talking about is Home Office officials trying to interpret what Ministers want in these statutory instruments. I suspect that the record of the Home Office, in the way that it has mishandled other questions, will prove to be repeated in this instance.

On the substance of the issue, clearly, the referendum was won on the basis of cutting back EU immigration. All the time, however, non-EU immigration was always higher than EU immigration, yet it was completely neglected in the public debate. Where are we going on non-EU immigration now? There is clearly something of a circular effect on EU immigration, as people who came here for economic reasons are going back, at least to some extent, because prospects are not so good as they once were.

However, what is going on regarding non-EU immigration? Is what the noble Lord, Lord Green, says true, which is essentially that immigration is being opened up to people with level-3 qualifications from all over the world? We deserve an answer from the noble Baroness, Lady Williams. If that is the case, it is a huge change of policy that ought to be debated fully in hours-long debates in Parliament because it is the kind of issue that the public are concerned about. I believe in immigration, and I am quite liberal on immigration questions. In a diverse country, we win more from it than we lose. However, one has to have immigration control. One cannot just be open to the world. The question is: what numbers are the Government contemplating? Will they give us an answer on that?

A criticism of the Home Secretary is that she likes to pretend that she is pursuing a tough immigration policy. One gets all this stuff about how people who arrive here claiming asylum who have not come by a legal route are going to be sent back. It is not clear, of course, whether any country is prepared to take them back and I very much doubt whether any European countries through which the asylum seekers have travelled would be prepared to do so. There is a lot of bluster about the toughness of the Government's new asylum policy, but is it a cover-up for the fact that, actually, our borders are being opened up in a totally unprecedented way to non-EU citizens? The British people deserve an answer to that question.

5.16 pm

**Lord Bilimoria (CB) [V]:** My Lords, I want to highlight how immigration has been great for Great Britain. I thank the noble Lord, Lord Green, for

giving us this opportunity. As an immigrant myself, I have seen that benefit first-hand. I am the first ethnic minority president of the Confederation of British Industry.

I have seen how immigrants helped grow the UK economy. A study from Oxford Economics showed that immigrants have made a positive net contribution to UK GDP. On average, each migrant European worker, for example, will, over the lifespan of their stay, contribute £78,000 more to the economy than British citizens. The majority of migrants who have come to the UK are of working age. Data from the Migration Observatory showed that, in 2020, 16% of the working population was born abroad. Foreign workers bring different skills that have a positive impact on business productivity. They are able to fill skills gaps and labour shortages in the jobs market that would otherwise be left unfilled or taken by underqualified staff. Migrants also fill shortages in the higher-skilled sectors that have fewer specialist individuals, such as in IT, engineering and accounting. Migrants bring specialist knowledge and international experience that improve businesses' existing products and processes. That allows businesses to do more work in a more effective way by sharing knowledge across teams, which increases profit.

I have seen the power of a diverse workforce in my own business by building Cobra Beer, which is a household name in this country, from scratch with just two people and building a team that became a mini united nation with people from all over the world. They had different backgrounds and different mindsets. That diversity made a buzz and innovation, made us more creative and resulted in high growth.

Migrants' international connections are highly valued by businesses and allow firms to tap into foreign markets. Deloitte's surveys have shown that more diverse companies are more innovative. McKinsey's surveys have shown that the companies that embrace diversity and inclusion are more profitable, with the top quartile being 39% more profitable than the bottom quartile. So immigration works.

The new points-based immigration system is an opportunity for UK business to attract the brightest global talent. The system has many different routes, including a skilled-worker route that will ensure that the best and most skilled workers have the chance to come and work in the UK, and contribute to our society and economy. The system will help create a firm but, we hope, fair system that will contribute to creating a high-wage, high-skilled and high-productivity economy.

However, the reality is, as we have seen at the CBI, that businesses are not engaged with this new points-based system as much as they would have liked to be because of the disruption caused by Covid-19. We are making clear to the Home Office that it should make sure that the system is easy and simple to use for business in time for many more users to begin to engage with the system, and we will be watching that carefully and feeding back to government.

I am president of UKCISA, the UK Council for International Student Affairs. The new graduate visa system launches this year. Last year more than half a million international students came to study at UK universities, many of them studying for masters and PhDs.

International students are an export and an import. They bring inward investment and contribute £26 billion to our economy. They are one of the UK's strongest elements of soft power, with more world leaders educated at British universities than in any other country except for the United States of America.

From this summer onwards, businesses can employ students for up to two years on the post-graduate work visa and three years for PhD students. This gives the students a great opportunity to get work experience. On 4 May, the UK and India announced a young professionals scheme that will allow those aged 18 to 30 from each country to work in the other country for up to two years. This is attractive for business, especially in the IT and technology sectors. It can be used as a means for many highly talented young Indians to take on a wide range of jobs in the UK. Partnerships form part of the UK Government's commitment to deliver an immigration system that attracts talented individuals from India and around the world, while enhancing UK-India co-operation on ensuring that the system is fair and secure.

Looking ahead to the next academic year, I am chancellor of the University of Birmingham, and we are concerned about the international students coming in, particularly from what might be red-list countries at that time. Will we be able to offer all our international students vaccinations when they come to the UK? I believe that the Government have agreed to this. Can the Minister confirm that all international students will be able to be vaccinated in the UK on arrival, if they have not already been vaccinated? Furthermore, will the Government ensure that international students do not have to quarantine in hotels even if they come from red-list countries? Universities are prepared to make quarantine preparations on their campuses. International students pay so much to study over here, with fees, living costs and travel costs. Spending almost another £2,000 for quarantine is unaffordable. Where is the capacity of the Government to house tens of thousands of international students that may be coming from red-list countries at the time? The capacity does not exist. Universities have shown that they can create a Covid-safe environment for their students, including with mass testing. Let us allow them to do that and give confidence to students that when they come to study here in the next academic year they will be in a safe and secure environment at their universities.

To conclude, without immigration, Britain, with just 1% of the world's population, would not be one of the sixth largest economies in the world. Immigrants have enriched and always will enrich our country in every way.

5.22 pm

**Baroness Bennett of Manor Castle (GP):** My Lords, like the noble Lord, Lord Dubs, I find myself in the rather curious position of greatly regretting elements of the SIs we are debating now, particularly HC 1043, while entirely disagreeing with the comments from the noble Lord, Lord Green, in introducing them. I agree with everything that the noble Lord, Lord Dubs, said, and seek not to repeat it but just to associate myself and the Green group with his comments.



[BARONESS BENNETT OF MANOR CASTLE]

As the noble Lord, Lord Bilimoria, just indicated, the UK is a nation of immigrants. About 9% of the UK population, or 6.2 million people, are immigrants—and if anyone perhaps is on a crackly remote line and cannot hear my accent, to be clear I declare that, yes, I am one of them. It is also worth noting that 5.5 million Britons live in other countries around the globe. It is about an equal balance. We are a nation of emigrants as well as immigrants.

Listening to the noble Lords, Lord Green, Lord Horam and Lord Hodgson, I found myself feeling that I was trapped in another age. The world has changed but we are back in the old ways of thinking. We know that a significant number of people have left the UK since Covid and Brexit, perhaps 1 million EU citizens and a significant—probably very large—number of Britons have chosen to leave as well. Just this morning I spent my time at two sessions—first with the Westminster Forum on food security, then with *Building* magazine talking about retrofitting our homes. Both those industries are tearing their hair out, saying, “Where are we going to find the workers? Where are we going to find the skills?” I very much agree that we need to train and develop our own workforce, but the numbers simply do not add up. We are in a situation, as the UK has been for decades and centuries, of looking around the world for people to come because we need them.

To address the point by the noble Lord, Lord Hodgson, about the environmental impact: the UK lives a three-planet lifestyle. We have to cut consumption, particularly by the wealthiest. Consumption and inequality are our issues. That is where the environmental action needs to be.

All those people who have been invited and welcomed to the UK, and then they face a dishonest, discriminatory and often chaotic hostile environment. I will focus particularly on those likely to be affected by HC 1043, because those seeking refuge are most likely to be affected. The invaluable Refugee Action briefing for this debate noted that with the current backlog of asylum claims, 76% of people are waiting for more than six months. Many have been in limbo for years. What does that mean?

I often think back to a young woman I met in Southampton. As a 19 year-old, she had been forced to flee Zimbabwe; she had been persecuted and abused by the security forces there. She had been in the UK for a decade, waiting to get status in an uncertain immigration situation. She said to me, “I feel like I am in a cage. I am locked into this tiny cage, and there is a person walking past outside this cage with the key for the cage hanging from their belt. I’m pretty confident that one day they will pick up that key and open the cage, but I’ve been a decade—a third of my life—waiting for the cage to be unlocked.” I very much fear that HC 1043 will bring in the same situation for many more people. If asylum claims are treated as inadmissible on the basis of the method of arrival, people are going to be left in indefinite limbo. There are not return agreements, and it looks very unlikely that there will be. Then there is case-by-case negotiation, using many resources.

The Government say they want to tackle people trafficking and are concerned about this situation. On Monday I heard some powerful testimony from young

people from the Safe Passage international young leaders scheme, the Hummingbird young leaders scheme and the Kent Refugee Action Network youth forum. I asked those young people, “As you were coming here and reached the UK, what sort of decisions did you make? What sort of information did you have? What sort of choices did you have?” They said, “When you’re dashing out the back door in fear of your life and the police or the army are coming through the front door, you just dash.” Of course. All the way along the line, they have had to make calls to just seek safety. That is what people are doing and what our lack of providing them with safe routes to reach the UK is forcing them into. That is the practical reality.

My very brief final point is that, as the Freedom from Torture briefing points out, HC 1043 is in contravention of Article 31 of the refugee convention. It is a moral and practical wrong to bring this in. We are in a world in which the rule of law is under grave threat. Look at Belarus, Hungary or many other nations. We need to defend the rule of law, not go back on agreements that we have previously made.

5.30 pm

**Lord Balfe (Con):** My Lords, it is not evident from my accent, unlike that of the noble Baroness, Lady Bennett, that I was only a few months out of Ireland when I was born. So, I was almost an immigrant, and my father most certainly was.

My first point goes back to that made by the noble Lord, Lord Liddle, and others: what is Parliament for when we are debating things that are so far past? I understood not only that we were taking back control but that the function of the British Parliament was to debate major changes in law and practice before they came into operation. That has most certainly not happened. I ask the Minister to take back to her department—and to her Government, because this is not just a Home Office matter—the way we feel we are being treated. We are being treated not as legislators but as rubber stamps, and that is not acceptable.

In my long career in politics I have never known debates on immigration to be either clear or popular. They are not clear because people get confused between asylum seekers, illegal immigrants and legal migrants, and they are seldom without emotion because people project their fears on to others, and the others are often those migrant communities. People feel threatened. I noticed, when I was in the Labour Party many years ago, how threatened many working-class Labour supporters felt by migration. We should not get away from that. One of the problems that the Labour Party has now—if the noble Lord, Lord Liddle, as its sole representative on earth, does not mind me saying so—is that many people at that level feel that there are some subjects they can no longer talk about within the political framework, and I am afraid that will have to change.

I draw attention to the huge number—I believe my noble friend Lord Horam referred to this—of doctors and nurses that we strip out of the third world. We let them be trained there and then we bring them into this country. Of course, they do valuable work but they do it away from the communities in which they grew up,

which are often far less well-endowed than us. Any approach to immigration needs to be accompanied by an expansion of training places for those skilled migrants that we are pulling in, particularly from the third world.

I turn to the 2016 vote and what came out of it. People got completely confused. When I was canvassing for Remain in Cambridge, I was stopped by someone who was very angry with me and said: “Look, we don’t want these Nigerians here.” That was a total misunderstanding of what it was all about.

Now, without a second thought, we have signed up for something like 5 million citizens from Hong Kong to come and live here. There has been no debate about it. We have various prognostications as to what we want in the way of new housing, but no one mentions where 5 million new citizens are going to go. Will it be like Canada, where Vancouver has become a south-east Asian city? It could well, but we need a debate about it.

We also need a debate about illegal migrants and asylum seekers and the difference between the two. As the Minister will know, I have asked on numerous occasions how come we cannot stop boats crossing the Channel. How come it is apparently not an offence to illegally enter the country? People suddenly appear here and, frankly, it is worth taking the chance, but it should not be worth it. That is something we need to tighten up on because there is a world of difference between people-smuggling and immigrants and migrants coming into the country and leaving. On balance, I tend to be closer to the noble Lord, Lord Bilimoria, than to the noble Lord, Lord Green: the noble Lord, Lord Bilimoria, has outlined the advance and contribution made by migrant communities, and it is enormous.

The biggest attraction of the United Kingdom is the English language. Wherever you go in the world, if people know a handful of words outside their own language, they will be in English. We are seen as a magnet because we have a reputation for being a free, decent and incorrupt country. We should not sacrifice freedom, decency or our lack of corruption, so we have to make a policy and a framework that will work within that, and that will encourage genuine migrants but crack down on the illegal businesses that are flourishing.

5.35 pm

**Lord Paddick (LD) [V]:** My Lords, it is not often that I agree with the noble Lord, Lord Green of Deddington, but to the following extent I do. The changes to the Immigration Rules contained in these statements are, as many other noble Lords have said, complex and bewildering. The Home Secretary heralds such changes as simplifying immigration law, but that is akin to simplifying pi by rounding it to the first 500 decimal places. It is only the most glaring changes that stand out, unless you are an immigration lawyer. How can Parliament hold the Government to account in such circumstances, when the changes have already come into effect and the other place has not even debated them yet? I am talking about more than just scale and complexity. As the noble Lord, Lord Green, said, the Home Office has the ability to make substantial changes through these statements.

Many of us were outraged that the Government, in their *New Plan for Immigration*, sought to treat genuine asylum seekers who have a legal right to claim asylum in the UK less favourably, just because they arrived in the UK by irregular routes. However, in these changes to the Immigration Rules, the Government have gone further, so that the Home Office does not even have to consider whether there is any merit in the claim, if the refugee has travelled to the UK through any so-called “safe” third country—unless, after six months of desperately trying to deport the refugee, it has failed to do so.

Previously, under EU Dublin III, if a refugee had claimed asylum in another EU country, their application could be ruled inadmissible and they could be returned to the country where they made their first claim. Under these new rules, an asylum claim can be ruled inadmissible just because the refugee travelled via a so-called “safe” third country, whether or not they have previously claimed asylum, and whether or not any of the countries through which they have travelled is willing to take them back. In fact, the rules allow the UK to send a refugee to any “safe” country in the world that is willing to take them, even a country the refugee has never been to and has no connection with.

Can the Minister confirm that, for six months, the substantive claim for asylum will not even be considered in such cases? The noble Lord, Lord Frost, has confirmed that the European Commission is not allowing bilateral agreements between the UK and EU member states, so all this means is that genuine refugees who arrived in the UK via irregular routes will be kept in the UK at taxpayers’ expense for an additional six months before their application is even considered.

The explanatory notes say:

“A stronger approach to disincentivise individuals is needed to deter claimants leaving safe third countries such as EU Member States, from making unnecessary and dangerous journeys”.

I have heard first hand from young asylum seekers who have made it to the UK, and their testimony is clear that places such as Italy and France are not safe, particularly for young unaccompanied refugees. Also, refugees are often English speaking, some with family already in the UK.

As the noble Lord, Lord Dubs, said, there are no longer any “safe and legal” routes for refugees to take. The few routes that were open to some of them involved having to be identified by the UNHCR while they were in refugee camps, then often waiting for two years or more, undergoing numerous interviews, before finally being accepted. For many it is too dangerous to wait in such circumstances, so they make their own way.

Many of these refugees have endured years of suffering in their own country. Some have been tortured. They have faced dangerous journeys, extending over many months and hundreds of miles. Do the Government seriously think an extra six-month wait, albeit in inadequate Army barracks in the UK, will deter them? As a result, in the past six months, over 1,500 applications have been placed on hold and, despite a 24% drop in applications over the last 12 months, more than 50,000 have now been waiting over six months for their asylum applications to be determined—an increase of 71% on the year before.

[LORD PADDICK]

There are also important questions arising out of these changes to the Immigration Rules concerning EU citizens in the UK who are awaiting the outcome of their settled status applications or who have applied late. But this totally inadequate means of holding the Government to account—with six-minute speech limits—means I cannot even raise these important questions on the Floor of the House. The whole process, and what the Government are trying to do around immigration, is a disgrace.

5.41 pm

**Lord Coaker (Lab) [V]:** My Lords, I refer to the register of interests and my role as a research fellow on modern slavery at the University of Nottingham. It is an honour to make my first contribution from the Opposition Front Bench. I start by thanking the noble Baroness, Lady Williams, for her usual courtesies in welcoming me. I look forward to our future discussions.

The three instruments before us include 640 pages of policy changes. I have six minutes to speak, which would optimistically work out at over 100 pages per minute. Whatever our differing views, the whole House—including the noble Lord, Lord Green—is perhaps united on the way these changes have been made, which has lacked transparency and made scrutiny harder. The instrument published in October 2020 covers everything, from the simplification of existing rules to citizens' rights after transition and the Afghan interpreters scheme. As the SLSC reported, its scope is “wholly unjustifiable” and makes the law less accessible. What do the Government say to that and what will they do differently going forward?

The Minister knows of our disappointment that the health and care visa did not cover significant numbers of care workers, who, alongside other key workers, kept this country going through the pandemic—though I note that “senior care worker” has now been added to the shortage occupation list. Where is the Government's detailed plan on social care?

On the BNO route, Labour has pushed the Government to ensure this scheme is genuinely accessible. Does the support package announced earlier this year cover issues including recourse to public funds and tuition fee status? Can the Minister give an update on routes for younger people in Hong Kong born after 1997—for example, ensuring that the existing youth mobility scheme can offer a clear path to citizenship?

I turn to the EU settlement scheme. The 30 June deadline is approaching, and we welcome that guidance on the “reasonable grounds” for late applications has now been published. But for those who miss the deadline, what support will be in place to signpost them to application? We understand that the Government intend to continue funding grant-funded organisations to support late applications to the scheme, but the crucial question is: how long will that support last?

The report from the 3million says that people in the middle of university admissions or mortgage applications are finding themselves impacted by the Home Office's delay. Can the Minister please give an update on how many hundreds of thousands of applications are currently held up? What will be done to prevent people losing rights while their application is pending?

According to the latest figures, fewer than 50% of EU looked-after children and care leavers have secured settled status, with one-third yet to apply—that is only the children who have so far been identified. Could the Minister therefore give an update on efforts to identify and support looked-after children?

Buried—this is why more debate is important—in the first instrument are the really concerning powers to deport a person solely on the grounds of being homeless. Have the Government used this power during the pandemic?

The Statement published on 10 December lays some groundwork for government plans on asylum. The SLSC raised concerns that these changes “may imperfectly achieve their policy objectives.”

We agree. The Government's two-tiered plans for asylum take their eye off people smugglers and instead seek to penalise the refugees exploited by them.

On enforcement, how many—if any—of the international agreements needed for this policy are now in place? How many people smugglers have been successfully prosecuted since 2019? The UNHCR says that the plans are damaging, expensive and will not work, so what conversations have Ministers had with the UN and other partners since the policy was announced?

What is so far missing is the crucial information on safe and legal routes, which are vital for people fleeing situations that we can barely imagine. How many refugees will be welcomed under the new UK resettlement scheme? Where are the detailed plans for family reunion? I pay tribute to my noble friend Lord Dubs for all his work on this issue. Safe Passage reports that, despite this Government's assurances, children are facing ever-longer waiting times since Dubs and Dublin closed.

There are so many other issues that I and many other Members, whatever our views, would have wished to have had the time to cover. I close by briefly welcoming the expansion of the Afghan interpreters' ex gratia relocation scheme and the introduction of the ARAP, which we hope we will be able to continue to discuss in future debates. Really, a debate as important as this needed more time.

5.47 pm

**The Minister of State, Home Office (Baroness Williams of Trafford) (Con):** My Lords, I first thank the noble Lord, Lord Green, for securing this debate. To any noble Lord who thinks that this issue will not be debated time and again in your Lordships' House, I say that that is quite wrong. This House is very good at scrutinising all aspects of government policy, and I fully expect that, when we come to the sovereign borders debate, we will spend days on end discussing this issue.

I welcome the noble Lord, Lord Coaker, to his place on the Front Bench. It is slightly strange to respond to him with my noble friend Lord Kennedy—he is my noble friend—sitting on the Front Bench, but I know from my brief chat with him that he will be a very good addition to it. Of course, the noble Lord, Lord Kennedy, will be a great Chief Whip for the Labour group.

I start with the substance of the debate. Our new plan for immigration is driven by three objectives. The first is to increase the fairness of our system so that we



can protect and support those in genuine need of asylum. The second is to deter illegal entry into the UK, breaking the awful business model of people smugglers—I do not think that any noble Lords have in any way tried to lessen the severity of what they do—and protecting those people whose lives are in danger. The third is to remove more easily from the UK those with no right to be here.

We will continue to provide safe refuge to those in need and strengthen the support for those arriving through safe and legal routes. People coming to the UK through resettlement routes will be granted indefinite leave to remain, and they will receive more support to learn English, find work and integrate. The Government will also act to help those who have suffered injustices.

I will pick up on the point that I think was made by the both the noble Lords, Lord Coaker and Lord Dubs, welcoming our attempts to expand community sponsorship, because I think that is a fantastic way of always being an advocate of it. I am sure we will have more discussions about that during the next few months. We will also amend British nationality law so that members of the Windrush generation, as mentioned by the right reverend Prelate the Bishop of Southwark and others, will be able to obtain British citizenship more easily.

The plan marks a step change in our approach as we toughen our stance to deter illegal entry and the criminals that endanger life by enabling it. For the first time, whether people enter the UK legally or illegally will have an impact on how their asylum claim progresses—I know some noble Lords are not happy about that, but it is to deter criminality—and on their status in the UK, if that claim is successful. We will deem their claim inadmissible and make every effort to remove those who enter the UK illegally, having travelled through a safe country first in which they could and should have claimed asylum. I do not agree with the noble Lord, Lord Paddick, that this will be a good thing for people smugglers. We intend to really crack down on them.

The noble Lord, Lord Bilimoria, said that for the first time we will be opening the economy to the whole world in terms of applying for jobs. He also mentioned as a side issue—it is not a side issue at all, but a side issue to this debate—about international students getting vaccinated. I confirm that immigration status is not a bar to vaccination.

I will go back to the first point made by the noble Lord, Lord Green of Deddington, which was also talked about by the noble Lords, Lord Coaker and Lord Paddick, about the complexity of these rules making parliamentary scrutiny very difficult. We do not agree with that. The October rules made essential changes which delivered on the Government's people's priorities commitment to introduce a new global immigration system. The new rules are shorter, are easier to read, in a predictable structure and written in plain English. We wholeheartedly welcome and support parliamentary scrutiny; I know we will be scrutinised on this at length. We published a detailed response to the Law Commission's report in March 2020 and provided a lengthy and comprehensive Explanatory Memorandum to support the rules.

The new rules, which, I might say to the noble Lord, Lord Coaker, were actually made in the same way as they were when he was a Home Office Minister, have been structured and written so that they are easier to understand and navigate. We are trying to strip back complexity and ensure that the requirements are clear to applicants, employers and other users. This an ongoing process and we will continue to improve and develop the rules. It includes consolidating immigration legislation in line with the Law Commission's recommendation. It is not a process that can be completed overnight, but we are determined to make progress so that the system is easier to navigate and understand for all users.

In response to the specific points in the 33rd report of the Secondary Legislation Scrutiny Committee, which criticised the length of the rules change, it should be remembered that the introduction of the new points-based system at the end of free movement was an extremely significant milestone in this country's approach to immigration. Those were important and wide-ranging reforms that had to be delivered before the end of the transition period. While the Immigration Rules are the technical underpinning of the immigration system, there is no expectation that applicants would need to understand them in minute detail, because they can find that clear and straightforward information on GOV.UK.

The noble Lords, Lord Dubs and Lord Paddick, and the right reverend Prelate the Bishop of Southwark talked about the new rules on inadmissibility. Those who fear persecution should claim asylum in the first safe country that they reach. Inadmissibility is a long-standing process designed to prevent secondary movement across Europe, and these measures have been introduced to support this principle now that the UK is no longer bound by the Dublin regulation.

In answer to my noble friend Lord Balfe's point on accepting claims made by those who enter the UK on small boats, it has to be said that too many people risk their lives to get to the UK using unseaworthy vessels, putting not only their lives but those of our Border Force and the people who rescue them at risk. We are determined to send a clear signal that it is completely unacceptable for individuals to travel through multiple safe countries to claim asylum in the UK. I have said time and again that the only people who benefit from this are the criminals, who have no regard for human life at all.

The noble Lord, Lord Dubs, the right reverend Prelate the Bishop of Southwark, and, I think, the noble Lords, Lord Paddick and Lord Coaker, asked how inadmissibility provisions can work without returns agreements. The inadmissibility provisions in the Immigration Rules give us the legal basis to declare an asylum claim as inadmissible where a person has a connection to or has passed through a safe country. As I have said, we are very determined to send that clear signal that people should not travel through multiple safe countries to claim asylum in the UK. Now we are outside the confines of the EU structures, we can be much more flexible about the evidence that we use to underpin a return.

The noble Lord, Lord Dubs, as I knew he might, asked how we will return people to the EU without Dublin, and a number of other noble Lords asked how

[BARONESS WILLIAMS OF TRAFFORD]

some of the conversations are going with other countries. We are seeking to negotiate readmissions arrangements with key EU member states that have a mutual interest in protecting against secondary movements. Unlike Dublin, the new returns agreements we seek will return an individual to any safe country—I know that the noble Lord, Lord Paddick, said he objects to that—that they have a connection to or has been present in and could have claimed asylum in, making it much more straightforward. We have also made a political commitment to pursue new bilateral negotiations on post-transition migration issues with third countries with which we share a mutual interest. This includes new arrangements for the family reunion of unaccompanied asylum-seeking children.

On our international commitments, which the noble Baroness, Lady Bennett of Manor Castle, the noble Lord, Lord Dubs, and the right reverend Prelate the Bishop of Southwark asked about, we are very clear that the new rules comply with our international obligations under the refugee convention. We will only ever return inadmissible claimants to countries that are safe. If we cannot return an inadmissible claimant to a safe country within a reasonable period of time, we will consider their claim in the UK.

On the cap and the salary threshold that my noble friend Lord Horam and the noble Lord, Lord Green of Deddington, asked about, the MAC advised that the cap be abolished, as

“it creates uncertainty among employers and it makes little sense for a migrant to be perceived as of value one day and not the next which is what inevitably happens when the cap binds.”

The MAC has said—I think I said this the other day—that if the Government want to reduce migration numbers it would make more economic sense to do so by varying the other aspects of the scheme criteria, such as salary thresholds and the level of the immigration surcharge. On the issue of numbers overall, the Government have been quite clear for a number of years now that it is not about numbers but about a fair system and people not taking illegal journeys to this country when it is dangerous to do so.

The noble Lords, Lord Balfe and Lord Coaker, talked about BNOs. I will have to provide the noble Lord, Lord Coaker, with some more information, because he made so many points that I did not quite have a chance to write them all down. We are aware that a potentially significant number of individuals plan to move to the UK via this route. We have made available £43 million of dedicated support for Hong Kong BNO status holders and their families who choose to settle in the UK. As for recourse to public funds, I am under the assumption that because they will have leave to settle in the UK, they will have recourse to public funds, but I will double check that.

I will also answer the noble Lord's question on the Youth Mobility Scheme in writing, because I am not entirely certain of the answer.

The noble Lord also asked about the shortage occupation list. As he knows, it contains skilled occupations where there is a national shortage of workers which can sensibly be filled, in part, through migration. The MAC recommends changes to the SOL where there are skilled jobs with an identified national shortage that it would be sensible to fill, at least in part, through immigration—these are set out in the shortage occupation list. The noble Lord mentioned senior health workers, and he is absolutely correct. Changes to the immigration rules in March of this year give workers in key health and care roles greater opportunity to come to the UK. Pharmacists, lab technicians, senior care workers and nursing assistants are among roles that were added to the shortage occupation list.

The noble Lord, Lord Liddle, stated that we are opening up jobs to the whole of the world—I would have thought that might be quite in line with his EU free-movement credentials. I think it is fair that people who have the sufficient skills and salary to come to this country should be given the opportunity, across the piece, to do so.

The Government promised to take a common-sense approach to controlling immigration, both legal and illegal, and we will deliver on that promise. I look forward to further debates on this issue in the coming weeks and months. I thank all noble Lords, particularly the noble Lord, Lord Green, for taking part in this debate.

6.02 pm

**Lord Green of Deddington (CB) [V]:** My Lords, I am grateful to the Government for providing time for this debate, albeit a little late in the day, and to the Minister for her responses. I was, however, alarmed that she should say that immigration policy is not about numbers; they are surely a major part of all this, for reasons that were very well explained by the noble Lords, Lord Horam and Lord Hodgson. At the same time, of course, there is a clear case for immigration, expressed very eloquently by the noble Lord, Lord Bilimoria, although perhaps it was a little rosy at times.

Finally, for my part, my concern is not with immigration but with the scale of it. When travel, and indeed life, returns to normal, I shall be watching the numbers very carefully, whether or not they are “the language of old”. I beg leave to withdraw the Motion.

*Motion withdrawn.*

*House adjourned at 6.04 pm.*

# Grand Committee

Thursday 27 May 2021

*The Grand Committee met in a hybrid proceeding.*

## Arrangement of Business

*Announcement*

2.30 pm

**The Deputy Chairman of Committees (Baroness Healy of Primrose Hill) (Lab):** My Lords, the hybrid Grand Committee will now begin. Some Members are here in person and others are participating remotely, but all Members will be treated equally. I ask Members in the Room to respect social distancing. If the capacity of the Committee Room is exceeded or other safety requirements are breached, I will immediately adjourn the Committee. If there is a Division in the House, the Committee will adjourn for five minutes. The time limit for the first debate is one hour.

## Climate Change: Targets

*Question for Short Debate*

2.31 pm

*Asked by Baroness Sheehan*

To ask Her Majesty's Government what plans they have to ensure that legislation aligns with their ambition for the United Kingdom to be a global leader in achieving its climate change targets.

**Baroness Sheehan (LD):** My Lords, I start by thanking all noble Lords who will be speaking in this debate. I look forward to their contributions, which will fill in some of the gaps left by mine.

This year presents a unique opportunity for the UK to really grasp the nettle of collaborative global action on climate change. It is an existential issue for our planet and we owe it to our children and future generations to get this right. For us to lead the world we must, when all eyes are on us, present a clean domestic scene, which means some good housekeeping. My husband will testify that I am no domestic goddess but I can dust—maybe not behind fridges—and I can Hoover a bit. So let me tell noble Lords why I think a bit of housekeeping is in order.

During my time as Lib Dem spokesperson for international development I came across various anomalies, the most egregious of which was the fact that at the same time as we were spending ODA to combat dreadful climate-related disasters overseas, such as the effect of famine in the Sahel due to increasing desertification, we were also investing in new fossil fuel infrastructure in Africa and elsewhere in the world, including in the North Sea. What really struck home was the injustice of those least responsible for climate chaos being the ones who suffer most.

According to Global Justice Now, since the 2015 Paris Agreement was signed, approximately £568 million of UK aid has been invested in fossil fuel projects

overseas. If we include export credits provided by UK Export Finance for fossil fuels, that figure rises to £3.9 billion. This makes a nonsense of our commitments to tackling climate change—not just the Paris Agreement but the sustainable development goals and our own Climate Change Act. We cannot be serious about keeping global temperature rises to between 1.5 and 2 degrees centigrade, or about domestic net-zero targets, if we continue to export fossil fuel infrastructure, the ultimate source of the problems we face today.

The situation is worse than that. Our domestic legislation has incoherencies that reverberate here at home. In 2019 I tabled my Private Member's Bill, the Petroleum (Amendment) Bill, the essential aim of which was to stop the issuance of new licences for oil and gas exploration, to put in place plans to safeguard jobs and livelihoods of communities as we start to phase out existing fossil fuel infrastructure, and to stop UK support for new fossil fuel projects abroad.

For now, I will focus on what is happening here at home. Existing legislation currently pulls government Ministers in different, incompatible directions. For example, the Petroleum Act 1998, as amended by the Infrastructure Act 2015, confers a duty on the Oil and Gas Authority to maximise revenues from petroleum, while the Climate Change Act commits Governments to aim for a target of net-zero carbon by 2050. To tidy up this anomaly, my Private Member's Bill proposes that the Petroleum Act 1998 be amended so that its principal objective is no longer maximising economic recovery of UK petroleum, but instead is aligned to the otherwise competing statutory aim for a target of net-zero carbon by 2050 in the Climate Change Act 2008, as amended in 2019.

Since the Bill was tabled, the OGA, in July 2020, carried out a consultation to revise its MER UK strategy. It published its response to the review in December. Can the Minister confirm that the principal objective of the OGA is still to maximise economic recovery? If so, how can the Government continue to justify the OGA's remit to, in effect, extract every last drop of petroleum from the North Sea, given that our existing fields alone will take us over our nationally determined Paris commitment?

On 24 March, the Government announced a new deal with the oil and gas sector, very much in line with the OGA response to its own review. In essence, the sector should reduce its own carbon footprint, deliver carbon capture and storage, and support the development of blue hydrogen. This came as a bitter disappointment to many climate campaigners, because it does not address the fundamental issue that the sector's *raison d'être*—the extraction of fossil fuels—is the fundamental root of the problem of greenhouse gases that we face today. Nor does it recognise that carbon capture and storage is not a proven technology at scale. It remains decades away and is technology for the future. The Government's deal with the sector shows little appreciation of the urgent need to act now. At the very least, we must draw a line under the issuing of new licences, as the International Energy Agency has done in its very recent landmark report, *Net Zero by 2050: A Roadmap for the Global Energy System*. What will be our response to the report? Does the Treasury intend to publish its



[BARONESS SHEEHAN]

own road map to net-zero emissions by 2050? Such an exercise is sorely needed and would concentrate minds on how we will go about this issue.

While I am on the subject of the oil and gas sector, I should mention tax breaks, and some other supports and subsidies that the sector enjoys. It was good to read in the media that the UK wants to lead discussions at the G7 to end fossil fuel subsidies. Sadly, the fossil fuel industries still get huge government subsidies. Annual fossil fuel subsidies were valued at £5.2 trillion dollars in 2017, equal to 6.5% of the global economy, according to the IMF, which also found that more efficient fossil fuel pricing in 2015 would have cut carbon emissions by a whacking 28%. The impact of success at the G7 and, one hopes, the G20 that follows, will be huge.

However, in this regard, the UK has, up to now, been a bit of a laggard, with a major sticking point on how subsidies are defined. What definition will we be asking our G7 partners to sign up to—the IMF's, the OECD's, the WTO's, or will it be custom made? Also, is cutting the tax on North Sea profits, a policy introduced by George Osborne in 2015-16, a fossil fuel subsidy? Today's tax rates in the UK are so low that in some years, the tax take is less than the subsidies, making UK oil revenues negative. As a result, UK oil and gas extraction is more profitable than most other UK sectors, is more profitable than oil and gas are in most other countries and enjoys benefits not extended to companies producing renewable energies. Rather than requiring companies to clean up after themselves, the UK taxpayer pays roughly half the cost of decommissioning oil platforms and cleaning pollution. Will these anomalies be addressed at the G7 leaders' summit? These serious issues must be addressed if we are to match fine words with commensurate action.

In the short time I have left, I shall say a few words about planning, because it is so important to get this right. The Government have indicated they wish to reform the planning system and have plans to introduce a new planning law within this Parliament. However, what is needed more urgently is to bring existing planning rules into line with net-zero legislation. The national planning policy statements, which cover large projects, are a gaping hole and urgently need to be updated. The fiasco surrounding the Cumbrian coal mine decision is a salutary reminder of how badly things can go awry when legislation at all levels of government is not tightly aligned to the net-zero targets.

In conclusion, what does the Minister think of the Swedish Government's climate action plan, published in December 2019, in particular their commitment to review all relevant past legislation and objectives for their compatibility with the plan, as well as to align future legislation? Our children deserve no less.

2.41 pm

**Lord Lennie (Lab) [V]:** My Lords, I begin by thanking the noble Baroness, Lady Sheehan, for securing and introducing this important debate.

The climate crisis is the single greatest long-term challenge we face. We know the importance of aligning legislation with our climate change targets. We noticed

recently, however, that some legislation was absent from the recent Queen's Speech; in particular, the energy Bill was not included. Only a couple of months ago, the Minister himself said:

"The government intends to bring forward an Energy Bill as soon as parliamentary time allows. The Energy Bill will aim to enable progress to be made on commitments made by the Prime Minister in his Ten Point Plan as well as deliver policy commitments set out in the Energy White Paper."

What happened? Will progress now be stifled rather than enabled without it? Regardless, the central challenge is whether targets are matched by the scale of action required in this decisive decade. The biggest concern is the growing evidence that there is a wide gap between rhetoric and reality. We are way off meeting our fifth and sixth carbon targets. The Green Alliance estimates that policy announcements will lead to only 26% of the reductions necessary to get the UK on track for 2030. How far off does the Minister think we are from meeting our fifth and sixth carbon budgets?

We desperately need a comprehensive plan for the massive task of retrofitting and changing the way we heat millions of homes, with the finance to back it up. The heat and building strategy was supposed to be published this year, but it has been delayed and delayed. Can the Minister promise that when it is finally published, it will contain the plan we need? The Treasury's crucial net-zero review was due in autumn 2020, then promised in spring 2021. It is still not delivered. When will it finally see the light of day? From the underinvestment in hydrogen to the uncertainty of when 60% of our offshore wind will be domestic, the examples go on and on. Ultimately, we need a comprehensive green new deal. Only this will allow the UK to meet its climate change targets.

2.43 pm

**Baroness Meacher (CB) [V]:** My Lords, I too thank the noble Baroness, Lady Sheehan, for securing this very helpful debate.

I have raised on several occasions the urgent need for the Government to publish their hydrogen strategy, which presumably will require legislation to put into effect. As Bill Gates said in his book *How to Avoid a Climate Disaster*, significant investment in research into new technologies will be necessary if we are to reach net zero by our target date. He also said that some of the investments will be very costly and high risk; therefore, they will have to be funded by Governments. He also said that private investment will do lots of the heavy lifting in terms of investment, given appropriate government support. Does the Minister agree with Bill Gates's assessment? Do the Government yet have a date for the publication of their long-awaited hydrogen strategy to move things along? Does the Minister understand the urgency of this issue? I am sure he does.

Another very important issue is the size of the hydrogen target by 2030. Why is this country's target so low, at five gigawatts? This is the same as for Scotland alone, for example. Can we really not do better than that? The Government have claimed that their forthcoming hydrogen target will be world-leading—really? If so, some urgent work surely needs to be done to revise substantially upwards the five-gigawatt target. Finally, the energy White Paper set a target of one gigawatt of

low-carbon hydrogen by 2025. Can the Minister spell out how the Government expect to meet this target? Is he content that the target is adequate if we are to achieve our final target for 2030? The Minister knows that this country has a brilliant opportunity to create lots of high-quality jobs across the UK in the hydrogen industry. I would be grateful if the Minister could give the House a clear indication of when the hydrogen strategy will finally be published.

2.45 pm

**Baroness Altmann (Con):** My Lords, I too congratulate the noble Baroness, Lady Sheehan, on calling this debate and on her excellent introduction. In my brief time today, I would like to urge the Government to consider the use of pension scheme assets in our battle against climate change. They are the ideal long-term capital source to mitigate risks and prepare for both the known and unknown unknowns that we are facing. Climate change is potential catastrophe, both for us and for countries globally, and for future generations. We perhaps have an opportunity, if my noble friend agrees, to use our huge sums—more than £1 trillion—in pension assets, which are significantly larger than those in most other countries, to build back better; to ensure that traditional investments in global industries do not become worthless in the transition to low-carbon economies; and to address some of the inconsistencies in our policy stance, outlined by the noble Baroness, Lady Sheehan. Pension assets could support a hydrogen strategy; they could encourage fossil fuel reduction and encourage traditional energy companies to diversify and build alternative sources of energy before their assets become stranded. The noble Lord, Lord Oates, has been working on some of this for a while and talking about capital requirements and risk-weighting for such assets. I would be grateful if my noble friend could give the Committee his thoughts on those.

I have two further quick points. Do the Government have targets for building new, eco-friendly homes, especially for older people to downsize to, while ensuring that existing housing stocks can be retrofitted and upgraded to be more energy efficient? Do the Government have plans to ban cryptocurrencies from all regulated activities, given the measure of carbon emissions entailed in this socially worthless exercise?

2.48 pm

**Baroness Hayman (CB) [V]:** My Lords, I declare my interest as co-chair of Peers for the Planet and add my congratulations to the noble Baroness, Lady Sheehan, on her ongoing work in this area. This week we have seen a spotlight on disaster planning and crisis management. In climate change, we face an even greater potential catastrophe than Covid—what the Government themselves this week called the planet's greatest threat. We need a response that is comprehensive, systemic and integrated, and brings together disparate contributions from many sectors into a coherent whole. It requires leadership from the Government, and a climate lens on all policies and legislation, if we are to ensure delivery not only of our domestic agenda but of our international aims for COP 26, leading, in the words of President Biden,

“by the power of our example.”

In regard to legislation, we are not there yet. Two crucial Bills in the last Session contained no reference to climate obligations whatever until changes were made in this House. That problem continues in this Session, with silence on the issue of climate in the Skills and Post-16 Education Bill and a potential lack of consonance between the Environment Bill and the planning reform Bill.

Can the Minister say today how the Government intend to ensure early and comprehensive scrutiny of all policies and legislation against their green agenda? Are they, for example, looking at the work being done in this area by other countries such as New Zealand and Sweden? Finally, can he assure me that the Cabinet Committee on Climate Change, which has met so infrequently, will now be fully engaged in leading the systemic co-ordination and integration that is so urgent?

2.50 pm

**Lord Bradshaw (LD) [V]:** While there is no doubt about the ultimate objective of our climate change agenda, there are many choices—some very expensive, and some improbable of coming to fruition. People with possible solutions are keen to sell but, drawing on recent experience with the supply of PPE and ventilators during the pandemic, a willingness to sell does not equal a willingness to sell the right product at a competitive price.

How do Her Majesty's Government propose to rank ideas as to their cost and deliverability? Are they aiming to establish a hierarchy of schemes to which resources should be targeted? I am anxious that we gather lower-hanging fruit first, because that has the greatest effect. I remind the Minister of the interest I expressed the last time we spoke in whether Ofgem's objectives do in fact conform to the objectives of the Government's policy on climate change.

2.52 pm

**Baroness Bennett of Manor Castle (GP):** My Lords, I thank the noble Baroness, Lady Sheehan, for securing this debate and particularly for the way that she framed it as ensuring that legislation aligns. That seems to point us towards the Queen's Speech and the need to mainstream climate and environmental issues in everything.

I want to pick out three Bills from the Speech, two obvious, one less obvious. The noble Lord, Lord Lennie, referred to the lack of an energy Bill in the Speech, although there is of course a Bill addressing energy, the draft downstream oil resilience Bill—so the only energy Bill we have is about oil. It talks about working with the sector and, in particular, about transferring to abatement technologies. Will the Minister acknowledge that the Bill is talking about the hard, inefficient way to store carbon? What we have with carbon capture and storage is oil, gas and coal in the ground—and leaving it in the ground is by far the cheapest and most efficient way to store carbon.

I move on to the planning Bill. This seems to divide the country into two areas: open-slasher development in some parts, with a few other parts protected. It is a “sparing and sharing” approach. Yet we have seen the Government recently adopt—after a great deal of campaigning—a new nature target, which would seem utterly incompatible with allowing any more trashing of our desperately nature-depleted country.

[BARONESS BENNETT OF MANOR CASTLE]

Finally, like the noble Baroness, Lady Hayman, I come to the Skills and Post-16 Education Bill. I spent this morning talking first to the Westminster Food & Nutrition Forum about food security and then to *Building* magazine about a national retrofitting strategy. Both stressed the need for skills, the need for people and the terrible shortage of labour supply. This Bill contains plans for a flexible, lifelong loan scheme. We need these workers and these skills; surely with education being a public good, we should not be asking people to take on the weight of loans—to have debt hanging around their neck as a burden. Surely, to deliver our climate and nature targets, we should be looking to fund this education from public spending.

2.54 pm

**Lord Mountevans (CB) [V]:** My Lords, I add my congratulations to those offered to the noble Baroness, Lady Sheehan, on securing this important debate. There is no greater challenge facing humanity than containing and reducing global warming. I want to focus the lens on maritime, an area of significant challenge but one of great opportunity for the UK. Before I start, I pay tribute to the Minister, who kindly made time to meet me and some maritime colleagues last year—here, I should declare my unremunerated maritime interests as declared in the register promoting the UK's maritime industries.

Maritime is now, very properly, being brought into government legislative requirements. The industry is committed to playing its part. Although it can be said that maritime is a lesser sinner in terms of emissions per tonne mile of freight moved, due to the scale of the industry, it has been estimated that it accounts for 2.5% to 3% of global emissions. It is early days, and the technology for zero-carbon main engines has not yet been commercialised. An additional challenge is to lay on power at ports to supply ships that are alongside with electricity.

So far, the Government have awarded £3 million to the maritime research and innovation institute and have set up a £20 million clean maritime demonstration competition, which is currently open. These initiatives are of course welcome to the industry. I should also mention one significant example of government support: £30 million from BEIS for a Strength in Places bid from Artemis in Belfast to build high-tech ferries. This is not specifically a green investment, but I believe there will be a green beneficial outcome.

These investments represent a start, but they are small and must be regarded as only a start, and they are less than those of competitor states. If we are to be successful in meaningfully reducing carbon output from shipping, a fundamental problem that we face is that vessel charterers and users are unlikely to pay for expensive new ships with as yet untried technologies, with owners therefore discouraged from investing. Carbon pricing is the elephant in the room. The industry needs urgently to know what form carbon pricing in the UK will take. It is essential that any funds realised from the maritime sector are reinvested in shipping and maritime.

Does the Minister agree that, with the right policy framework, Britain can attract international owners as well as orders for the shipyards that government and all of us are so keen should flourish?

2.57 pm

**Lord Sheikh (Con) [V]:** My Lords, I commend the Government on their climate change ambitions and the leadership they have shown by increasing our commitment to reduce emissions by 78% by 2035 and achieving net zero by 2050.

As we prepare to host COP 26, which is now less than six months away, we must make sure that we have the proper legislation to deliver on our climate change goals. This means that we must work to support specific Bills in both Houses, such as the Environment Bill and the Education (Environment and Sustainable Citizenship) Bill, as well as making sure that our environmental commitments are properly considered in other legislation.

In New Zealand, all policy proposals going to Cabinet must have a climate impact policy assessment. Can my noble friend the Minister comment on the Government's willingness to consider a similar process in the United Kingdom? Such checks would help us not only to meet targets but to avoid unintended negative impacts that could undermine our ambitions. They would also show the rest of the world that we were serious about being an environmental leader and encourage other countries to take similar steps.

In 2020, 78% of respondents to a Local Government Association climate change survey said that a lack of skills was a barrier to them tackling climate change. Does my noble friend the Minister have any comments on this, and can the Government tell us how they plan to address this knowledge and skills gap? We must make sure that policymakers, civil servants and those working in local government are properly trained so that legislation can be adequately in line with climate change ambitions and be properly implemented. Furthermore, we must drive forward legislation that develops proper skills for green jobs. Does my noble friend agree?

3 pm

**Baroness Boycott (CB):** My Lords, I too congratulate the noble Baroness, Lady Sheehan, on raising this important debate. I want to raise the issue of subsidies in two areas: wood and waste food. Currently, burning wood in power stations is much costlier than genuinely non-emitting and renewable electricity technologies. Burning wood exacerbates climate change and puts at risk our net-zero target and our desire to be a climate leader. It degrades forests and is a nightmare for wildlife. Black bears and pine martens are suffering in America, from where we get a lot of wood. It also emits deadly air pollution, which is linked to an array of health problems.

We direct scarce funds in the wrong direction. When he was a Back-Bencher, the noble Lord, Lord Goldsmith, led the charge against these subsidies, yet new data reveals that the UK is the top subsidiser of bioenergy in Europe. We spent more than £1.9 billion in 2019 on such stuff, primarily to burn wood imported from



overseas forests at places such as Drax power station. In 2020 Drax earned £832 million in direct government subsidies for biomass, and it benefits from multi-million-pound tax breaks, calculated to be worth £258 million in 2020. The Secretary of State is not powerless in this. He could amend the renewables obligation—the RO—and apply the GHG emissions intensity threshold. None of the pellets burned at Drax would qualify.

I now want to use my final 30 seconds to ask why we are still subsidising food waste for use as fuel. Currently, low or negative gate fees charged by AD plants for food waste collection disincentivise using food waste to feed people because they lower the cost of disposal. Some AD plants pay for food waste so that they can fulfil government contracts for energy. About 8 million tonnes of edible food waste occurs in the UK and 1.9 million tonnes of this currently goes to AD although a lot of it is edible.

In a recent survey, the public said that they find this an intolerable situation. Eight out of 10 said that the Government are completely hypocritical in continuing to facilitate forest loss in other countries, thereby potentially preventing other countries meeting their goals. I would like the Minister's view on this.

3.02 pm

**Baroness Ritchie of Downpatrick (Non-Affl) [V]:** My Lords, I congratulate the noble Baroness, Lady Sheehan, on securing this debate. In the Queen's Speech, the Government laid out many commitments for updating and toughening climate change legislation. That Speech focused on green investment and jobs, with particular reference to the existing measures set out in the Government's 10-point plan. It sought to reiterate the UK's commitment to achieving net zero by 2050 and to provide global leadership in tackling climate change. However, the Government have not made entirely clear how the legislative programme will be carried out and co-ordinated between departments, allowing for the climate and biodiversity goals. It seems nothing but an empty promise.

As time is constantly running out for action to be taken to achieve the net-zero goal by 2050, it is paramount that the Government begin immediate action to ensure that the existing legislative programme aligns with climate change targets and objectives. Will the Minister indicate what immediate action will be taken to do just that? Will it be before the international climate change conference in Glasgow later this year? There are at least 15 Bills in the Queen's Speech that need to be aligned. It is worth noting that the Dasgupta review states that for the UK to change its legislative direction towards nature-positive outcomes, it is clear that the Government have to make system choices about investment and production processes in the public and private sectors. Will the Minister say whether the Government are up to that challenge of ensuring that the legislation meets the climate change and biodiversity challenges of this era?

3.05 pm

**Lord Bilimoria (CB) [V]:** My Lords, this year, we are organisers of both the G7 summit and COP 26. The UK has an obligation to demonstrate global leadership on climate and environmental policy, and

build on our existing strengths to help others to face climate change risks. We are the first country to commit to achieving net-zero greenhouse gas emissions by 2050. I thank the noble Baroness, Lady Sheehan, for initiating this debate.

Do the Government agree that government and the private sector need to work closely together on this? The CBI, of which I am president, welcomes the industrial decarbonisation strategy. We await the Government's net-zero strategy and look forward to the heat and building strategy, the decarbonisation of transport plan and the hydrogen plan. On Monday, the CBI launched *Seize the Moment*, our economic vision for the next decade, whereby decarbonisation will be a key pillar in the years to come. We urge the Government and industry to make the most of this unique time and focus on building future growth and prosperity. We need ambitious private partnerships, sustainable financing and innovative clean tech solutions. We need to cut emissions, not only in the power sector but in transport, buildings and industry. Do the Government agree?

The CBI is happy to support the National Centre for the Decarbonisation of Heat at the University of Birmingham, of which I am the chancellor. Do the Government support such an initiative? Decarbonising heat is perhaps one of the most significant challenges on our journey to net-zero emissions. We must make progress on decarbonising emissions associated with our buildings; their heating is a significant factor.

At COP 26, the CBI would like to see progress on international negotiations so that countries are aligned in setting and delivering ambitious targets for emissions reduction. Two weeks ago, as president of the CBI, I was privileged to host the B7 summit. Climate change was of course one of the key themes. There was a lot of enthusiasm across the international business community for a more sustainable future. I repeat what I said on 17 May:

"The Prime Minister said at the B7 last week that the race to net zero is not a zero-sum game. In true Boris style, he also said: 'Green is good.'"—[*Official Report*, 17/5/21; col. 381.]

3.07 pm

**Lord Oates (LD):** My Lords, I thank my noble friend Lady Sheehan for initiating this important debate and underlining, as other noble Lords have, the lack of alignment between policy and legislation on the one hand and our ambitious climate targets on the other.

In the short time I have, I want to focus on taxation and regulatory policy. Today's *Financial Times* reports that the Chancellor has commissioned work on a carbon border tax. Can the Minister tell us when this work will be completed and how the Treasury will consult stakeholders? Can he also tell us what discussions the Treasury is having with our friends in the EU who are currently working on the same issue?

Secondly, can he tell us what consideration the Government are giving to fiscal measures to incentivise energy efficiency in homes, such as a stamp duty rebate for home owners who raise the efficiency band of their home within a certain period of purchase, as the Liberal Democrats have proposed?

Thirdly, can the Minister explain how the Government's 2017 decision to scrap the graduation in vehicle excise duty by fuel efficiency—except for the first year—and

[LORD OATES]

their current proposal to scrap air passenger duty on domestic flights align in any way with our net-zero policy?

Fourthly, will the Government look at reforming the renewable transport fuel obligation so that not just green hydrogen produced from electrolyzers directly connected to a renewable source but green hydrogen produced with electricity from renewable-only contracts qualifies? Will the Government consider waiving grid fees for electrolyzers and scrapping VAT on green hydrogen? This is an important area, as the noble Baroness, Lady Meacher, said.

Finally, will the Government look again at how the regulatory system prices the cost of capital in relation to climate change risks? At present, we have the absurd situation where funding loans for new fossil fuel exploration and exploitation is often significantly cheaper than financing the new industries and technologies that we need to tackle climate change. If the Minister does not have time to answer all these questions and those from other Peers in his response, I would be grateful if he could write to us.

3.09 pm

**Lord Whitty (Lab) [V]:** My Lords, I have been impressed by many of the preparations for COP 26, but I am also struck by the fact that the policies and strategies of the Government, and of most individual departments, do not seem to reflect that priority; nor did the recent Budget; nor does the legislative programme for this parliamentary Session. The drafts of those Bills which we have seen so far do not do so either, including the supposed flagship in this context of the Environment Bill itself.

Like the noble Baroness, Lady Sheehan, I will focus on MHCLG and the so-called reform of planning. The noble Baroness emphasised the national planning statements, but it is also true that, currently, individual development proposals do not have to have mandatory net-carbon reduction criteria. Yet building construction, demolition and subsequent building use, if taken together, add up to nearly 40% of all emissions.

Developers propose schemes that do not have net-zero objectives or even an assessment of the greenhouse gas effects; the same is true of biodiversity. Local planning authorities increasingly nod through schemes whose carbon effect has not been properly assessed, let alone whether they would create a net reduction. The contribution to net zero should be written into all planning legislation and planning procedures, decisions and appeals. At the moment, it is a very low priority.

The big developers and big housebuilders favour demolition and rebuild over retrofit and refurbish, which is usually more environmentally sensible. The materials they use for much new build and rebuild are steel, glass and a lot of plastics. The glass, steel, concrete and hydrocarbon manufacturing processes take a lot of heat, most of which is currently based on fossil fuels. None of that is weighed in the assessment of major development projects. I could say the same about the building regulations from the department. My main point is that we need a powerful, concerted, cross-Whitehall structure to ensure that saving the planet is indeed a priority for all Whitehall departments and for the country as a whole.

3.12 pm

**The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy (Lord Callanan)**

**(Con):** My Lords, as I made clear to the House just a few weeks ago, climate change remains one of the most pressing issues of our time. While we of course presently find ourselves in the midst of a fairly vicious health pandemic, we will not abandon our climate change goals and risk further crises down the line. Let me reaffirm the point I made to the House a few weeks ago: this Government are absolutely determined to play their part in upholding the Paris Agreement and driving down our own greenhouse gas emissions.

To this end, we recently passed a significant milestone by beginning the process of enshrining the UK's sixth carbon budget in law, proposing a target which would reduce greenhouse gas emissions by 78% by 2035 compared to 1990 levels. This is a huge commitment which the Government are working flat out to achieve. Despite the considerable challenges that we face, we can leverage our strengths to deliver a greener and stronger economy, and go further and faster to level up and accelerate the transition to net-zero greenhouse gas emissions by 2050.

In response to the noble Baroness, Lady Sheehan, I am pleased to confirm that on 31 March 2021 the UK Government implemented their new policy and will no longer provide any new direct financial or promotional support for the fossil fuel energy sector overseas. This applies to any new ODA and investment, including support provided by UK Export Finance. We are working hard to drive down demand for fossil fuels. However, there will continue to be ongoing demand for oil and gas, which is recognised by the work of the independent climate change committee.

Through our recent landmark North Sea transition deal, we are the first G7 country to set in place an ambitious partnership to back the oil and gas industry to transition away to clean, green energy while supporting the tens of thousands of highly skilled jobs that exist in this sector. I agree that it is an existential issue and that we need to get it right. The foundation for delivering net zero is through the Prime Minister's 10-point plan for the UK to lead the world into a new green industrial revolution. This innovative programme sets out ambitious policies, backed by £12 billion-worth of government investment.

To respond to the point on legislation, and to a similar point made by my noble friend Lord Sheikh, this is key to delivering our climate change goals. We were the first major economy in the world to set a legally binding target to reach net-zero greenhouse gas emissions across our economy by 2050 and in April we laid the draft legislation for the UK's sixth carbon budget. As I said earlier, it proposes a target which would reduce emissions by 78% by 2035.

Under the Climate Change Act 2008, we have made significant progress in meeting our climate targets. We confidently met the first two carbon budgets and we are projected to meet the third out to 2022. We exceeded the required emissions reduction in the first carbon budget by 1.2%, and in the second by nearly 14%. Now is the time to double down and decrease our emissions further and faster.

In response to the noble Lord, Lord Lennie, we do recognise the need for further action to meet the fourth and fifth carbon budgets. Our forthcoming sector decarbonisation strategies and our wider plans that deliver a green economic recovery following the Covid-19 pandemic will contain further proposals to support delivery of carbon budgets 4 and 5. We will also publish a comprehensive net-zero strategy ahead of COP 26, setting out the Government's vision for transitioning to a net-zero economy.

The noble Baroness, Lady Meacher, and the noble Lord, Lord Oates, talked about the UK's plans to develop hydrogen production. Working with industry, the UK is aiming for five gigawatts of low-carbon hydrogen production capacity by 2030. This is stretching but credible for the UK. We welcome the Scottish Government's ambition, which will be important in developing low-carbon hydrogen production at scale within the UK. Our ambition will be supported by a range of policy measures, including the £240 million net-zero hydrogen fund, which was confirmed out to 2024-25, for co-investment in hydrogen production. We have committed to consulting on our preferred hydrogen business model in 2021 and set out a revenue mechanism to enable our new business models to bring through private sector investment. The noble Lord will be aware that we are developing our hydrogen strategy in partnership with industry, because while our ambition is important, the key ask from industry is that we have a clear revenue/business model to support delivery. That is why we are not rushing ahead with a strategy.

My noble friend Lady Altmann spoke about using pension scheme assets to assist in the battle against climate change—indeed, she has spoken about this a number of times before. Trustees of occupational pension schemes are, as she is well aware, independent of government and not bound by the commitments which the Government have signed up to. However, given the significance of the financial risks posed by climate change, the Government expect all investment decisions made by pension scheme trustees to take climate change into account. As of 2019, trustees of pension schemes with 100 or more members have been required to set out in their statement of investment principles policies on stewardship and on environmental, social and governance considerations, including climate change.

In the Pension Schemes Act 2021, the DWP took powers to require trustees to manage climate risks and opportunities to their savers, and to report on how they had done so. After two consultations, the DWP will lay the required regulations next month. If approved, they will come into force in October 2021 and will require larger occupational pension scheme trustees to undertake governance activities, assess how their scheme will fare in different temperature rise scenarios, calculate the emissions of their portfolio, and set targets. They will need to make annual disclosures about these activities in line with the TCFD recommendations. This will make the UK the first major economy to mandate TCFD reporting for its pensions sector.

The noble Baroness, Lady Altmann, also asked about the Government's plans for bitcoin and other cryptocurrencies. As always, we stand ready to respond to emerging risks or changes in the market, and we

will continue to monitor how cryptoassets are being used in the UK. Regarding the emissions they create, it is of course important to consider this in the context of the UK's success in decarbonising the power sector. As she will be aware, between 1990 and 2019, the sector saw a reduction of 71% in emissions.

The noble Lord, Lord Bradshaw, spoke about balancing our ideas to reach net zero with their cost and their deliverability. Our ambition to protect the planet goes hand in hand with supporting economic growth and prosperity across the UK. The 10-point plan will also help develop the cutting-edge technologies needed to drive down emissions in industries across the United Kingdom, such as through the significant investment in hydrogen that I spoke about earlier, and in carbon capture technologies through our £1 billion net-zero innovation portfolio. We have developed our plans to reach net zero centred around the UK's strength, and there is huge potential in boosting innovation and advancing technology to help meet those ambitions. At every step on the path to net zero, we will of course put affordability and fairness at the heart of our reforms.

In response to the noble Baroness, Lady Bennett of Manor Castle, analysis from the Climate Change Committee shows that to achieve net zero, GGR methods will be required to balance residual emissions from some of the most difficult to decarbonise sectors—for example, some parts of agriculture and aviation.

Last year, it was my pleasure to meet the noble Lord, Lord Mountevans, and his colleagues to talk about the maritime sector, so let me respond to the points he made about the maritime industry. The UK will continue to play a prominent role in international forums, including at the International Maritime Organization, to encourage action from other countries to cut emissions from this sector. We will invest £20 million in the clean maritime demonstration programme to develop that clean maritime technology. We are already running hydrogen ferry trials in Orkney and we are due to launch a hydrogen refuelling power plant in Teesside, as we seek to revitalise our ports and coastal communities. The clean maritime demonstration competition includes feasibility studies on our sites, such as Orkney and Teesside. The competition will support the development of hydrogen and alternative fuel shipping hubs across the UK, enabling a number of clean maritime clusters.

In response to the noble Baroness, Lady Hayman, and the noble Lord, Lord Sheikh, on legislation being key to delivering our climate change goals, I remind them that, as I said, we were the first major economy in the world to set a legally binding target and in April, we laid draft legislation for the UK's sixth carbon budget. Under the Climate Change Act 2008, we have made significant progress in meeting those climate targets. As for the point the noble Lord raised about requiring every policy submitted to have a climate impact assessment, net zero has become an increasing priority for this Government. For the first time, we now have two Cabinet committees, chaired by the Prime Minister and the COP president-designate, to turbo-charge the net-zero transition and co-ordinate action across government. As the lead department for net zero, BEIS works in the centre of government and other key departments to ensure that net zero is factored into all our key policy decisions and future plans.



[LORD CALLANAN]

The noble Lord, Lord Sheikh, also raised the point that in order to deliver on net zero, we must ensure that local authorities and the devolved Administrations are adequately involved and trained in delivery of net zero. We are working closely with our partners in the DAs and many local authorities to achieve those climate goals. Local authorities are key delivery partners in projects ranging from electric vehicle charging infrastructure to heat networks and energy efficiency schemes.

Unfortunately, I am running out of time, so I shall write to those noble Lords I have not had a chance to answer and that will be a more effective use of our time. I am grateful for the time of the Committee.

3.23 pm

*Sitting suspended.*

## Arrangement of Business

### *Announcement*

3.35 pm

**The Deputy Chairman of Committees (Baroness Healy of Primrose Hill) (Lab):** My Lords, the hybrid Grand Committee will now resume. Some Members are here in person and others are participating remotely, but all Members will be treated equally. I ask Members in the Room to respect social distancing. If the capacity of the Committee Room is exceeded, or other safety requirements are breached, I will immediately adjourn the Committee. If there is a Division in the House, the Committee will adjourn for five minutes. The time limit for this debate is one hour.

## Child Poverty: Ethnicity

### *Question for Short Debate*

3.36 pm

*Asked by Lord Woolley of Woodford*

To ask Her Majesty's Government what assessment they have made of the review by the Office for National Statistics *Child poverty and education outcomes by ethnicity*, published on 25 February 2020, which found that Bangladeshi, Pakistani and Black ethnic groups have a higher percentage of children living in low-income households than the national average; and subsequent to this, what assessment they have made of the importance of tackling child food poverty over the upcoming six-week school holidays.

**Lord Woolley of Woodford (CB) [V]:** I thank noble Lords for giving me the opportunity to begin this crucial debate. I wish it were longer, but an hour is better than nothing. I am particularly pleased that we are having this debate in the week of the one-year anniversary of the death of George Floyd—nine minutes and 29 seconds that moved the world. Some of us hope that it will change the world, but that remains to be seen. After his death, in front of our eyes, hundreds of thousands, if not millions, of young people, black and white, marched on the streets of cities and towns in countries around the world. Central to their demand was that our institutions, our Governments, our people look at systemic inequality, particularly race inequality. That is why today's debate is important.

To look, as we should, at child poverty in general, as many noble Lords know, 14.4 million people in this country are living in poverty. When we drill down to black, Asian and minority ethnic families and children, the data is stark. We should not only acknowledge and confront this but have the bravery to close those gaps and unleash the talent within our communities. I was struck by the data that the Social Metrics Commission unleashed on us about a year ago, which said that half our black families are living in poverty, many in deep poverty. I tried to get an image of what deep poverty looks like. It is not just about people going to the food banks that we have seen; it is the way that people look down on them when they go. It is also about their housing. I found data in a recent report showing that as many as 13% of black people are living in damp, poor accommodation. For Africans the figure is 10% and for Pakistanis 9%. That compares with 3% in white communities. We see the gulf in food poverty, in housing poverty and in unemployment. The TUC stated that black people have been hit four times harder by Covid-19 in being made unemployed. Unemployment rates for young black men are now rising. The national average is 4% and the figure is about 13% for young people, but for young black men it is nearer 40%.

We know how that pans out. We know where that goes, when people have no hope and no dignity. We see them being vulnerable. We see unscrupulous gangs waiting for them in the wings to take them under their spell and lead them to no good in this double pandemic of Covid-19, which has devastated black, Asian and minority ethnic communities disproportionately, and the George Floyd murder and protest. It has been a double pandemic—a perfect storm, if you like. Historians will look back at this time and ask but one question: when the systemic inequalities were laid bare by this double pandemic, what was our response? What did we do?

We have three choices. We can do nothing, we can do a little or we can do something great. For me, it is not good enough to build back better. I have seen the data from back then, and it was not great then. It was made worse by Covid-19. We parliamentarians have got to build a new better. We must have that 1945 moment, when we built the National Health Service, but we cannot do that if we are not brave. We cannot do it if we are steeped in denial, like Dr Tony Sewell, who saw all this evidence in education, health, jobs and housing and then confronted you and me, saying he found no systemic racism. We cannot deny the lived experiences of many out there, black and white. We must not.

We have an opportunity when bad things happen. We have a unique opportunity before us to have the greatest conversations and the greatest unity ever. Will we take it up? I have been fantastically impressed by that young man, the footballer Marcus Rashford, who has, in his own way, changed our world by demanding that we look at those uncomfortable truths—and he still plays great football and keeps on his track to guide us. Will the Minister listen to the range of experts, supermarkets and charities that make up Marcus Rashford's End Child Food Poverty coalition and expand free school meals to all under-16s with a parent or guardian in receipt of universal credit or an equivalent benefit? They are slipping through the cracks, and that is on our watch. We cannot let that happen.

I want to be bigger than that. I know noble Lords want to be bigger and bolder than that. We have done right in disregarding the Tony Sewell report because we know it is dishonest and disingenuous and seeks to blame people for their situation, rather than to have an adult conversation. I hope we can have a conversation and meet the Minister and relevant experts in the field to have broader discussions and to formulate, in the absence of a race equality strategy, a framework that deals with these uncomfortable truths, so that we join the dots where Covid has laid them bare. We know where we need to look. We join the dots, in the short term, to make sure that kids do not go hungry; in the medium term, to start building; and, in the long term, so that all our young kids, families and communities can say that in 2021, after the anniversary of the tragedy of George Floyd, we came together—bigger, bolder, more creative, non-political and shoulder to shoulder—to have a plan that will deliver for all our communities. I thank noble Lords for this special time.

3.45 pm

**Baroness Lister of Burtersett (Lab):** My Lords, I am grateful to the noble Lord, Lord Woolley, for tabling this QSD, which raises important questions about child poverty and ethnicity.

In addition to the sobering ONS statistics that it highlights, recent analysis from Leeds University shows how children from black, Asian and other minority ethnic backgrounds are at the greatest risk of deep poverty—to which the noble Lord referred—which is increasing among children generally. Indeed, the latest official data showed that two-thirds of the growing number of children in poverty are in deep poverty. What steps are the Minister's department taking to address this growing problem?

Although the recent attention given to child food poverty is welcome, it is but a symptom of what the New Policy Institute has called a “child poverty disaster”, as earlier progress made in reducing child poverty has been all but wiped out in the past six years. The Trussell Trust, which has done so much to draw attention to growing food insecurity and reliance on food banks, is clear that the problem is not one of food but of people not having enough money for basics. The answer, it believes—as do others—lies at least in part in improved social security support, especially for children.

According to the Centre for Analysis of Social Exclusion, social security spending on children has been cut by £10 billion in real terms since 2009-10. Analysts agree that social security cuts, both the general freeze and cuts targeted at larger families, have been a key driver in worsening child poverty. What assessment have the Government made of the likely impact on child poverty of: first, ending the £20 universal credit uplift this autumn as planned; secondly, retaining the two-child limit, when just yesterday three of the UK's Children's Commissioners called on the Government to scrap it, arguing that it is a clear breach of children's human rights and pointing to its disproportionate impact on black and minority ethnic children; and, thirdly, refusing to review the benefit cap as a matter of urgency, as was called for by the Economic Affairs Committee back in December? Again, the cap has a disproportionate impact on black and minority ethnic children.

Tackling child food poverty, including among black and minority ethnic children, requires a comprehensive cross-departmental child poverty strategy that goes well beyond paid work, which is increasingly failing to provide protection against poverty. Where is it?

3.48 pm

**Baroness Walmsley (LD) [V]:** My Lords, I congratulate the noble Lord, Lord Woolley, on his excellent speech.

This ONS report is very interesting. I want to focus on food poverty. I particularly value the granularity of the data because it allows us to explore which elements of a child's experience and background affect their educational attainment. The ONS has made a clear link between poverty in general and educational attainment and, within that, the excessive representation of certain ethnic groups.

First, I believe that the provision of free holiday meals should be extended to all holidays when schools are closed for whatever reason. Children do not get hungry only during the major holidays. Secondly, I agree with the noble Lord, Lord Woolley, that we should increase eligibility for free school meals and do more to encourage the parents of children in poverty of all ethnicities to apply for them. However, the ONS found that pupils who were eligible for free school meals—FSM—made less progress between the ages of 11 and 16 than those who were not eligible. This indicates that it is the poverty, not the meal itself, which affects educational attainment. However, free meals help to alleviate poverty and help with children's health, albeit in a small way. For those reasons, will the Government consider reintroducing free lunches for all primary pupils at least, as was done for a time under the coalition Government? There was evidence of better attainment during that period. That may have been because, by removing the barriers to application and the stigma, more pupils who really needed a free meal got one.

However, the ONS found that educational outcomes for Bangladeshi and Pakistani children did not follow this lower attainment trend, since children of those ethnicities who were eligible for FSM had higher Progress 8 scores than the national average. Since the ONS also found that these children are more likely than average to live in low-income homes, this indicates that there is something else operating here to overcome the poverty effect. It is not that these ethnic groups have higher incomes than other Asian groups, but it could be something about the home background and the extent to which the parents positively engage with the child's education. We need more research to find out whether this is the case. Can the Minister tell us if that will happen?

Of course, when we talk about child food poverty, we are not talking just about free lunches. It is important to make sure that children get a good breakfast by increasing support to the excellent voluntary organisations that provide them to ensure that they are available everywhere and throughout the holidays.

Finally, because all aspects of a child's life link together to predict their life chances, it is vital to tackle child poverty in the round through housing, special education provision and all the other things that contribute to education and health inequality. Will the Minister comment?

3.51 pm

**Lord Farmer (Con):** My Lords, it is obviously concerning that certain ethnic minority groups still have a greater percentage of children in low-income households than the national average and illuminating that children from Pakistani and Bangladeshi households perform higher than the national average at GCSE level despite this. As the noble Baroness, Lady Walmsley has just indicated, there is a disparity here. Also, white Irish and white British pupils have the largest gaps between average educational outcomes for students eligible for free schools meals and those who are not, while Chinese, black African, Bangladeshi and Pakistani students have the smallest gaps. In other words, income is only one determinant that should be of interest to policymakers.

This further substantiates evidence from the Commission on Race and Ethnic Disparities that certain ethnic groups, such as black African, Indian and Bangladeshi pupils, perform better than white British groups once socioeconomic status is taken into consideration. The commission partly attributes such achievements to “immigrant optimism” and greater devotion than the native population to education as a way out of poverty. It recommends that the Government invests in research to understand what factors drive the success of high-performing pupil communities, including black African, Chinese, Bangladeshi and Indian ethnic groups, and how this can be replicated to support all pupils.

The CRED report has proven controversial for many reasons, but it contains important messages that we ignore to the detriment of those whom policy should support. Its findings and those of the ONS highlight that poor white British populations should also be seen as ethnicities deserving of policy attention. Poor white people in the north-east of England are the largest group with multidimensional disadvantages, such as income and life expectancy. Importantly, the north-east also has the largest proportion of lone-parent families in England after London. The CRED report made the neglected point that family breakdown is “one of the main reasons for poor outcomes”, and that

“Family is also the foundation stone of success for many ethnic minorities.”

Those ethnicities that are doing better educationally also have lower numbers of families where there is only one parent; for example, 40% of black African families and 6% of Indian families, compared with 60% of black Caribbean families. Strengthening families must be central to effective policy to tackle social inequality. As co-founder of the Family Hubs Network, I welcome the Government’s adoption of family hubs as official policy and their continued funding of the reducing parental conflict and supporting families programmes. Will the Minister say what the Government are doing to ensure that family hubs and these other strands of policy are outworked in a way that fully includes families from all ethnicities?

3.54 pm

**Baroness Chakrabarti (Lab) [V]:** My Lords, today, the political community reels from accusations made by the Government’s former most senior adviser that

so many lives were cut needlessly short by a wanton disregard for their value during last year’s pandemic management. Surely we can at least come together with the pledge that no child should ever have their life blighted by hunger in the sixth wealthiest jurisdiction on the planet.

I am grateful to the noble Lord, Lord Woolley, a legendary campaigner for social justice, for this timely provocation, and I congratulate him on his new role in Cambridge. The Minister knows of my respect for her and my belief that she is one of most genuinely compassionate voices in a less-than-compassionate Government. I therefore ask her today whether she will consider using her voice to urge the Government to legislate for a right to food in the United Kingdom. I ask her to consider the enormous public health, educational and life expectancy benefits of providing a nutritious pre-school breakfast and a lunch for every single child in compulsory education. I urge her also, in the interests of better scrutiny and governance, to consider a new statutory duty on the Secretary of State to set out how much of any welfare benefit or legal minimum wage has been calculated for food. Will she meet me and other right-to-food campaigners after the Recess to discuss our proposals for the most basic levelling up of all?

As for the forthcoming half-term holiday, I wish all noble Lords safe and peaceful breaks, but I also fear for all those children and families who will undoubtedly struggle adequately to feed themselves during this period. How can we justify being a country of food banks next to investment banks? How can we justify even those in work on the front line of infection struggling to feed their families? How can we give thanks for a single meal with our own families while so many children go badly nourished or undernourished?

3.58 pm

**Baroness Uddin (Non-Aff) [V]:** I am delighted to follow the noble Baroness, Lady Chakrabarti, and endorse every word she uttered. I am grateful to my noble friend Lord Woolley and congratulate him on his new role.

Noting the ONS report, I wish specifically to highlight the educational achievements of Bangladeshi people, particularly in Tower Hamlets, notwithstanding the evident consequences of poverty, poor social outcomes, a lack of quality housing and, even more stark, unequal opportunities for employment. Experiences of institutional and structural racism, whether or not it is recognised by the Government, also have a profound impact on educational outcomes.

However, there is a parallel narrative. Through the efforts of my generation of councillors in the late 1980s and early 1990s, inspired by the historic struggles of Eric and Jessica Huntley, Bernard Coard and Professor Gus John, the Tower Hamlets parent and community team revolutionised and mobilised the delivery of education through supplementary schools and made it available to Bangladeshi children, who also suffered significantly as a result of the disgraceful ESN designation and the continuance of pupil referral units.

This report speaks of poverty without acknowledging the pernicious effects of discrimination, which blights and impoverishes children’s lives. They look on their



schools and institutions, still disgracefully lacking representation, and the message to them remains that they do not belong to their society, that they do not have any stake in their institutions and that they are lesser citizens. We live in the shadow of the wealth of Canary Wharf, the City of London and Broadgate. I have raised this matter time and again. Despite an educated workforce and educated Bangladeshi graduates being available at arm's length, more than 70% of those who work in these areas come from at least 70 miles away. These are uncomfortable facts which cannot be denied. We cannot be complicit with the endemic effects of institutional and structural discrimination on children's futures.

What discussions can the Minister and her department undertake to ensure that employers in this area take seriously the Government's agenda to strengthen these communities and eradicate the endemic discrimination which is harming our children's futures?

4.01 pm

**Lord Moynihan (Con):** My Lords, I thank the noble Lord, Lord Woolley, for instigating this debate and shall focus my comments on the section on page 6 of the report highlighting low income and material deprivation, the self-reported inability of individuals or households to afford 21 particular goods and activities. For children, these include, in order of weighting and priority, outdoor space or facilities nearby to play safely, a hobby or leisure activity and organised activity outside school each week. These factors, when considered with wider concepts of material deprivation, demonstrate that children in Bangladeshi households are the most likely of all ethnic groups to come off worst. Their material deprivation scores in the ONS study before the Grand Committee today stand at an appalling 29%. This is almost three times as high as white households.

The importance of play and investment in green spaces so that children can play safely in the community must be strengthened in the new planning system which will come before Parliament shortly. We must transform lives and communities through sport, recreation and physical activity for all our children. We must increase school sport and PE provision. We must tackle the growing crisis of obesity. We must improve teacher training in this context, especially in primary schools. We must transform lives and rebuild the younger generation, who carried the greatest burden of the coronavirus epidemic for the rest of us. They suffered from obesity, poverty and, above all, boredom, being cooped up with escalating mental health issues, to protect old generations and the most vulnerable from even greater hospitalisation and death rates. We must recognise the vital contribution of an active lifestyle to alleviate poverty, and we need policies for the communities which are most affected by material deprivation.

For all this, we urgently need a Cabinet Minister for children. We need the development of a youth well-being strategy that considers the wide discrepancies in our society highlighted in this report. They are heart-breaking. The interests of children are served by many government departments, local authorities and the voluntary sector, yet co-ordination of policy formulation and policy initiatives is too weak. It is time for action. It is time for a voice for children at the cabinet table.

4.04 pm

**Baroness Bennett of Manor Castle (GP):** My Lords, I, too, thank the noble Lord, Lord Woolley, for securing this debate and for so powerfully introducing it. The noble Lord referred to the lived experiences of systemic racism, something which has been built on centuries of discrimination, discrimination that very much continues, as powerfully testified by the noble Baroness, Lady Uddin.

In this debate, I feel that I need to respond to the contribution of the noble Lord, Lord Farmer, particularly in the light of the fact that your Lordships' House has recently spent a great deal of time and energy on the Domestic Abuse Bill. It is important that we do not send any kind of message that we need to continue families no matter what, given the damage that might be done to the individuals within them. We should acknowledge the impact of discrimination and poverty on the rate of family breakdown.

However, I want mostly to focus on two positive solutions. To ensure that I was taking a different approach from other noble Lords, I went to two research institutes in Sheffield. Both are associated with the University of Sheffield: SPERI, the Sheffield Political Economy Research Institute, and the Institute for Sustainable Food. I want to focus on one sentence in a report from SPERI in December 2020 on food vulnerability during Covid-19. The report said that

"it is important to revisit, once again, the heated debate around the role of food charities as frontline responses to a lack of economic access to food."

That has been carefully phrased in the form of academic discourse, but I put it to the Committee that, in the context we are talking about, none of us should rest until the last foodbank closes because of a lack of demand.

As the noble Baroness, Lady Lister, said, food poverty is poverty. The underlying problem is a lack of income. She also talked about maintaining the boost to universal credit; that is a start, and the Minister will be well aware that I would much prefer universal basic income, but we need to look at incomes.

Secondly, the Institute for Sustainable Food focuses on the local as the site of food security resilience. I would like to point here to a group in Sheffield called Kenwood Community Growers, which was set up at the start of the pandemic and has been supplying community kitchens in Sharrow and areas with a large BAME community. What are the Government doing to focus efforts towards local food production and local growing, with people being able to produce food for themselves and have access to land and the resources that they need? Our BAME communities have skills, talents and energy that need to be utilised, supported and encouraged.

4.07 pm

**Baroness Blower (Lab):** My Lords, I am grateful to the noble Lord, Lord Woolley, for this debate and for giving us the opportunity to consider the ONS report and, of course, systemic inequality in general. Hungry children cannot learn as effectively and efficiently as those who are well fed, or at least adequately fed and nourished. Teachers and teaching assistants know this only too well; they deal with hungry children in their classrooms every working day of their lives and respond

[BARONESS BLOWER]

by providing food, often at their own expense. Hunger in the classroom is, alas, not a new problem but education staff observe it to be an increasingly prevalent one.

As we all know, the pandemic has exposed significantly different health outcomes by ethnic group, while the ONS report has shown that Bangladeshi, Pakistani and black ethnic groups have more children living in low-income households than the national average. These children must therefore be exceedingly likely to be disproportionately affected by hunger daily. As we all know, it took a young man better known for football than politics to draw on his own lived experience and push the Government to do something on food which they had no intention of doing originally. Marcus Rashford is no longer just a football star but a champion for the right to food—and now food for the mind, too, with his campaign on reading and access to books.

The pandemic has hit many families' finances hard. Eight out of 10 teachers say that they have seen this impact. We know that many schools have organised foodbanks and delivered food parcels to pupils in their homes—some, of course, even before the pandemic. We cannot allow our children and their families to languish in hunger during the summer break. Local authorities can be well placed to provide recreational and educational programmes and include food as part of that offer, but they need sufficient resources provided in a coherent and timely manner, and on an ongoing basis throughout the summer and during the autumn half-term. In fact, this should happen in all school holidays to ensure that no child or family slips through the cracks.

If the levelling-up agenda means anything, it must mean an end to child and family hunger and poverty. It must mean a right to food and an end to systemic inequality, which has left so many facing a future in which their own future is less bright than it could and should be.

4.10 pm

**Baroness Bakewell of Hardington Mandeville (LD):** My Lords, I congratulate the noble Lord, Lord Woolley, on securing this important debate. I will focus solely on one aspect of child food poverty, which is somewhat “offline”. I declare my interest as a lifelong sufferer from coeliac disease. This is an autoimmune condition; it is difficult to diagnose and is not an allergic reaction. There are a growing number of children, across all ethnicities, who suffer from gluten intolerance. For those from ethnic backgrounds, reading the small print on labels to check for the presence of wheat can be a challenge, especially if English is not their first language. When I was a child, a very limited range of gluten-free products was available and only on prescription. The Minister will know that a large number of clinical commissioning groups no longer provide gluten-free prescribing. Supermarkets now stocking a range of GF products is given as the reason. This assumes that those with gluten intolerance have money in their pockets.

Supermarkets dedicate sections to “free from” foods, including GF products. Although there are different types of GF pasta, sliced loaves, chocolate biscuits, et cetera, their cost is very different from that of products

containing gluten. In the case of a loaf of bread, this can be three to four times as much as a loaf made from wheat. For families who are living on benefits, the cost of GF cereals, bread and flour may be beyond their reach. For a recently diagnosed child, the family may find the cost of the new diet prohibitive. A child usually having a packed lunch at school may find they cannot afford a gluten-free sandwich due to the price of the bread, so just what are they going to have for lunch? Would the Minister consider pressing her colleagues in the Department of Health to seriously reconsider returning gluten-free products to the prescription list?

There are those not qualifying for benefits who have fallen on hard times during the pandemic; the food banks are keeping them alive. It is important for the long-term health and welfare of coeliac sufferers that they stick to their diets at all times. A GF parcel from food banks will be essential for these sufferers.

Lastly, I turn to the school holidays. A child may have qualified for a GF school hot meal during the week, but what will happen to them during the school holidays? I urge the Minister to take account of the importance of regular, proper, balanced meals during those six weeks. As Marcus Rashford has demonstrated, it is a dreadful thing for a child to go to bed hungry. We are one of the richest countries in the world and should be ashamed that this is happening to large sections of our communities. I look forward to the Minister's positive response.

4.13 pm

**Baroness Sherlock (Lab) [V]:** My Lords, I thank the noble Lord, Lord Woolley, for securing this debate and for the powerful challenge with which he kicked it off. The picture painted by these ONS statistics is both politically unacceptable and deeply sad. I note the point made by the noble Lord, Lord Farmer, about the educational results in the north-east and I look forward to seeing more action to support my region. However, what struck me most in this report was the clear reminder that child poverty has a disproportionate impact on certain minority-ethnic communities in the UK. Noble Lords have referred to the fact that children from Pakistani and Bangladeshi households are the most likely to live in low income; a higher proportion of children in black and other UKME households are more likely to be living in low income; and children in Asian households are two and a half times as likely as the national average to be in persistent low income. That is huge. These figures came out in February last year, before the pandemic even kicked in, showing that, even by that point, progress in the UK had stalled.

We know that, when kids grow up in poverty, there is a greater risk that all areas of their lives will be adversely affected. This includes lower grades and fewer opportunities and, later on, lower wages and poorer health. However, the Government are still sticking with policies, such as those outlined by my noble friend Lady Lister, that have already resulted in 4.3 million of our children growing up in poverty, and they are still planning to cut another £20 a week for millions of families in September, which will make things worse still. Given this evidence that poverty is not equally distributed, can the Minister tell us what assessment

the Government have made of whether and, if so, how that £20 cut will disproportionately hit black, Asian and other UKME people?

We know that kids cannot learn well on an empty stomach. Just this week, new government data showed that 500,000 more children became eligible for free school meals during the first year of the pandemic—more than 11,000 children each week. However, again, this is not evenly distributed. The 2020 ONS figures showed that black pupils were the most overrepresented group in the free school meals population, so can the Minister tell us what the picture is for black pupils now that we have had a year of the pandemic?

The Government plan to give food and activities to children eligible for free school meals, though during just half of the summer holidays. Why will they not give cash transfers for free school meals to ensure that families get the full value of this support and can buy the food and activities best suited to their children? As has been mentioned by other noble Lords, do the Government plan to extend eligibility for free school meals to all children from a household getting universal credit or with no recourse to public funds?

We need action to tackle child poverty. We need reform of our social security system to give everyone the help that they need. However, we also need action to target structural inequalities, including differential rates of poverty, unemployment, low pay, job insecurity and so much more. How will the Government address those underlying problems? Indeed, how will they identify them? Labour suggested various ways, such as a race equality Act or a strategy. If the Government do not like those ideas, that is fine, but what are their ideas? How will they identify the problems and address them? I look forward to the Minister's reply.

4.16 pm

**The Parliamentary Under-Secretary of State, Department for Work and Pensions (Baroness Stedman-Scott) (Con):** My Lords, I thank the noble Lord, Lord Woolley, for securing this important debate and introducing it so eloquently and powerfully. I also thank those noble Lords who have contributed to today's discussion of this important issue.

I share the concern that has been expressed that children from some ethnic minority backgrounds are more likely to be in low income than their peers. It is absolutely right that any Government are held to account for their record on tackling poverty.

Over the past year, our priority has of course been to help all families, regardless of their background, to withstand the financial hardship brought about by the pandemic. Such unprecedented circumstances have called for an unprecedented response. I believe that this Government are delivering this by spending more than £407 billion on support measures to mitigate the impact of the pandemic, including the furlough scheme and the self-employment income support scheme. This has helped to protect jobs and to keep businesses afloat and has helped families to get by. The noble Lord, Lord Woolley, issued us with a challenge: we can do something little or we can do something great. I believe that the Government are doing a good job in trying to support people in this incredibly difficult time.

That spending also includes the additional £7.4 billion injected into the welfare system further to support those most in need, raising our total spend on welfare support for people of working age to around £111 billion. The noble Baronesses, Lady Lister and Lady Sherlock, referred to the £20 uplift. I must tell them that it was always intended to be a temporary measure. As such, as far as I know, it will cease in September.

We have done other things to support families and children. We fully recognise the profound impact of this hugely challenging period on people's lives. We have taken further substantial action to support the most vulnerable children and families, wherever they live and whatever their background, to ensure that they are able to access food and other essentials.

My noble friend Lord Farmer raised the important issue of family stability and the good work that family hubs are doing. The Government are working to expand these hubs and continue to invest in the reducing parental conflict programme. The hubs continue to grow at pace. There is a cross-government department team working on family hubs and RPC: I am a member of that group. Somebody pleaded with me to use my voice; it is loud and clear on these issues, and I would be very happy to meet any noble Lords to talk about hubs and the reducing parental conflict programme.

To strengthen the welfare safety net, in December 2020, my department introduced the Covid winter grant programme, which had an additional £229 million of local welfare funding and has enabled local authorities to provide targeted support to vulnerable households, keeping them warm and well fed over the winter, focusing particularly on disadvantaged children and families, whether that support is needed in term time or in holidays. Recognising that some restrictions on the economy are still in place, a further £40 million of funding has been allocated to the Covid local support grant fund.

The noble Lord, Lord Wooley, was very challenging in his speech, as other noble Lords have been, about educational attainment and free school meals and breakfast clubs. We have put in place extraordinary measures to ensure that disadvantaged children receive the support they need to learn, whether that is in home or in the classroom. In England, this has included spending an additional £500 million on food vouchers so that children had access to food when schools were closed during lockdown. This is in addition to the usual funding schools have continued to receive to provide free school meals for more than 1.6 million pupils from the lowest income families and universal free school meals for all children in reception, year 1 and year 2. As well as lunchtime meals, the Government also support breakfast clubs in more than 2,450 schools. The Department for Education has recently announced another £24 million to continue the successful breakfast club programme.

The noble Baroness, Lady Bakewell, talked about the summer holidays. Looking ahead to this summer, we recognise that many vulnerable families need additional support during the longer school holidays. Following three years of successful pilots, the Department for Education's holiday activities and food programme has been expanded for 2021. The programme launched



[BARONESS STEDMAN-SCOTT]

at Easter and will provide support during summer and Christmas this year at a cost of £220 million. This programme is available to disadvantaged children in every local authority. Wider support is available, including our healthy start scheme, and we are exploring any additional support that may be needed throughout the summer.

I now turn to some of the specific points made by noble Lords. The noble Lord, Lord Woolley, talked about unemployment rates for ethnic minorities. We have committed to level up skills and opportunities across the country for people of all backgrounds. Using data from the race disparity audit, updated annually since October 2017, and our own analysis, we are continuing to help those underrepresented in the labour market.

We were challenged in this debate by the noble Lord, Lord Woolley, and others about expanding free school meals. We think it is important that free school meal support is targeted at those who need it most. Free school meals are an integral part of our provision for families on low incomes and of our wider actions to promote social mobility.

On the help we are giving to ethnic minorities, particularly to get into the labour market, we have identified 20 target areas using our own research and data from the race disparity audit. Lessons learned are rolled out, where appropriate, across the country. Each area has a high ethnic minority population and a high gap between the ethnic minority and white employment rates. Together, they represent more than half of the national ethnic minority employment gap. We are also considering the recommendations of the independent Commission on Race and Ethnic Disparities.

Again, I am sorry to say to the noble Baroness, Lady Lister, that I have no information that the two-child policy is going to be changed. I know it will be disappointing to her, but the Government feel quite strongly that a benefit structure adjusting automatically to family size is unsustainable.

We have the same view on the benefit cap. The proportion of individuals capped remains low in comparison to the overall UC case load at around 3%. This is in spite of the significant action that DWP took early in the pandemic to protect those financially impacted, including the temporary uplift in the UC standard allowance and increases to local housing allowance rates. The most vulnerable, who are entitled to benefits for disability and caring, are obviously exempt from the cap.

The noble Baroness, Lady Walmsley, raised a point about free school meals for all primary school children. I am afraid I have no information that that is planned. On the other points the noble Baroness raised, I will write to her.

The noble Baroness, Lady Lister, raised the poverty strategy and cross-government working. Here I might raise a smile, I think. As we recover from the pandemic, departments will continue to work together to deliver a number of key cross-cutting outcomes linked to the 2020 spending review. These outcomes include addressing poverty through enabling progression into work and increasing financial resilience. DWP is leading this work in collaboration with other departments, including, in particular, HMT, DfE, MHCLG and Defra.

My noble friend Lord Moynihan raised the issue of a Cabinet Minister for children, which other noble Lords have raised. The Secretary of State in the Department for Education has responsibility for children and families and takes it very seriously. I will ask my noble friend Lady Berridge to write on behalf of her Secretary of State to say what is being done there.

The noble Baroness, Lady Chakrabarti, urged me to use my voice. I will always do that. I can confirm to her, and to the noble Baroness, Lady Bennett, that we will consider all the recommendations of the national food strategy and respond fully within six months of the publication of the next and final national food strategy report. I will come back to the noble Baroness in writing.

I thank the noble Baroness, Lady Uddin, a passionate campaigner, for her contribution. In my working life, trying to help people back to work, the business community at Canary Wharf has been outstanding in its support for its local communities.

The noble Baroness, Lady Bakewell, made a point about gluten-free products on prescription. I am very happy to write to the Department of Health. I make no promises, but I will write, and I will copy the noble Baroness in on the letter.

The noble Baroness, Lady Sherlock, talked about the impact of the pandemic on levels of poverty being clear and asked whether we will publish our evidence and act on it. Estimating the impact of Covid-19 on relative and absolute poverty requires estimates of income for all people in the UK, which are not yet available. We are wholly committed to supporting people on lower incomes. We spend an estimated £111 billion on welfare, including an additional £7.4 billion on Covid-related welfare policies.

I always finish these debates by apologising for not being able to answer every point, and I always promise that I will look at *Hansard* and write to noble Lords on any matters I have not dealt with. I hope noble Lords understand that this Government are absolutely committed to helping those who need help most—those in poverty—and my door is open at any time for noble Lords to make representations.

4.29 pm

*Sitting suspended.*

## Arrangement of Business

### *Announcement*

4.39 pm

**The Deputy Chairman of Committees (Lord Faulkner of Worcester) (Lab):** My Lords, the hybrid Grand Committee will now resume. Some Members are here in person and others are participating remotely, but all Members will be treated equally. I ask Members in the Room to respect social distancing. If the capacity of the Committee Room is exceeded or other safety requirements are breached, I will immediately adjourn the Committee. If there is a Division in the House—which we are not expecting—the Committee will adjourn for five minutes. The time limit for the next debate is one hour.

## Covid-19: People with Neurological Conditions

### Question for Short Debate

4.40 pm

Asked by **Baroness Gale**

To ask Her Majesty's Government what assessment they have made of the effects of the COVID-19 pandemic on people with neurological conditions and their access to health and care services; and what steps they will take to restart specialist neurology services.

**Baroness Gale (Lab) [V]:** My Lords, I am pleased to have the opportunity to debate this matter today in order to hear the Government's plans to restart specialist neurology services after the devastating pandemic. I thank all Members who are taking part and I look forward to their contributions.

I declare an interest as co-chair of the All-Party Parliamentary Group on Parkinson's, which is the fastest growing neurological condition in the world. It is a complex and debilitating condition with no cure, so quality health and care services are vital to help people with Parkinson's manage their condition. By quality neurological services, I mean that people should be able to access consultants, specialist nurses, physiotherapists, speech and language therapists, occupational therapists and mental health professionals. These services are also vital to people with multiple sclerosis, epilepsy, motor neurone disease, migraine and other disorders of the brain, spinal cord and nervous system that affect at least one in six people in England.

The 2019 Neurological Alliance report, *Neuro Patience*, described the variability of health and care services for people with neurological conditions in England. It also highlighted how overstretched the neurology workforce is and indicated that people with neurological conditions have a poorer overall experience of care than those living with other long-term conditions.

We know the pandemic has affected everyone. However, those living with neurological conditions have seen their symptoms worsen. Since March 2020, people with neurological conditions have been locked in their homes; in many cases, their physical state has deteriorated and they have been without access to the vital therapy services that help them maintain their well-being. Emerging research suggests that some people with, or recovering from, Covid-19 can experience neurological symptoms, which will add extra pressure to the already overstretched services.

Like many health charities, Parkinson's UK conducted a survey of how the pandemic affected their supporters in 2020. One in four said that the Covid restrictions negatively affected their mental health and a third said that it impacted their physical health. Over a third of people with the condition experienced increased symptoms including slowness of movement, stiffness and fatigue, and over a quarter experienced increased tremor and sleep problems. One in 10 people with Parkinson's also reported having distressing hallucinations. Family members, friends and carers, particularly spouses or partners of people with Parkinson's, were also affected

by the pandemic. Nearly seven in 10 took on more caring responsibilities, and almost half of the people with Parkinson's receiving social care support at home received less care during the pandemic.

In fact, recent NHS data shows an increase in waiting times for access to specialist services for people with neurological conditions. The data shows that more people are being referred for specialist care by their GP. However, it also shows there has been a significant increase in the number of people waiting more than a year for treatment.

Neurological services are struggling to cope with the number of patients. Can the Minister say what progress is being made by the NHS England/NHS Improvement neuroscience transformation programme, provide details about how it will improve care for the one in six people living with a neurological condition and tell us when it might conclude? What proportion of the extra funding awarded to the NHS has been allocated for neurological services to restart? How will the Government address the workforce issues?

Will the Minister also commit to introducing a national strategy for neurorehabilitation, with strong leadership in the NHS to drive forward this vital work? We know from NHS data that access to neurosurgery—and, in the case of Parkinson's, deep brain stimulation, or DBS—was impacted by the pandemic last year. On average, 20 new DBS procedures were completed per month in England in 2019. However, that fell to around 135 new procedures in total for the whole of 2020. DBS can be a life-changing treatment for some people with Parkinson's. It is not a cure, but it can drastically improve the physical symptoms of the condition and reduce the amount of medication a person takes each day.

Further delays to the restart of DBS and other neurosurgery could be disastrous for people with Parkinson's and those with other neurological conditions. Even a few months delay can mean that some people are no longer suitable for DBS or other neurosurgical procedures. I understand that the NHS March guidance said that elective procedures should be restarted, and payments were introduced to incentivise integrated care systems to schedule them. Can the Minister explain what this will mean for the restart of neurosurgical procedures, in particular DBS for people with Parkinson's?

Although I am sure that many will welcome the move to virtual healthcare appointments to maintain the well-being of patients, NHS data shows that there are significant variations in access to these appointments based on where one lives. While many people with neurological conditions welcome these virtual appointments as they reduce travel time to hospital, not everyone benefits from them. Some may be unfamiliar with the technology or find that it does not work. Charities have heard reports of connectivity issues, and people may not have the necessary equipment to take part in these virtual appointments. Others with neurological conditions have also shared their concerns about the security and privacy of virtual appointments.

People with neurological conditions and professionals have said that a phone appointment, for instance, cannot accurately assess people with movement-related symptoms. Many professionals have said that it is harder for them to assess how the individual's carer is

[BARONESS GALE]

managing, and I know from Carers UK's insight and research that carers have faced increasing pressure during the pandemic. For treatments such as speech and language, physiotherapy or where a professional manipulates muscles or joints, face-to-face appointments are the most effective. It is therefore crucial that patients have the right to choose how they interact with their health professionals. Can the Minister give a commitment to ensuring that patients are given that right?

I have posed several questions to the Minister, the answers to which people living with neurological conditions are desperate to hear as they look to the future. I hope that the Minister can respond to them today. However, to explore them further, would she be prepared to meet with me and others with an interest in this subject? I look forward to the Minister's response.

4.50 pm

**Baroness Greengross (CB) [V]:** My Lords, I declare my interests as co-chair of the All-Party Parliamentary Group on Dementia. Dementia is an umbrella term used to describe a range of progressive neurological disorders, of which there are more than 200 known types. Some 25% of those who have died of Covid-19 in the UK also had some form of dementia, and more generally there is increasing awareness that Covid-19 affected people with dementia quite differently from non-dementia patients. There is still much we do not know about how Covid-19 and dementia interact, and much more research is needed in this area.

Sadly, research funding for dementia has reduced by 75% since the start of the pandemic, as charities and other private organisations which fund this research have lost money over the past year and cannot fund efforts to continue this work, so it is really serious. And it is not just dementia research funding that has suffered during this pandemic. According to the MS Society, 70% of research into other neurological conditions has stopped, as the noble Baroness, Lady Gale, so ably described. The Government have pledged to double dementia research funding as part of the dementia moonshot. Will they also commit to similar funding increases for other neurological conditions? I hope the Minister can tell us that they will.

The number of people dying of neurological conditions generally has increased significantly in recent years. Dementia is now the single highest cause of death in the UK, according to ONS figures. Thousands more are now living with neurological conditions. In some cases, if diagnosed or treated early, they can continue to live a productive and independent life. We know, however, that during this pandemic access to specialists and other medical help has not been easy due to the pressure on the NHS. The problems predate the pandemic, though, as for many years this country has had a shortage of neuroscience specialists. According to Alzheimer's Research UK, it takes two years, on average, to diagnose someone after they have developed dementia. This diagnosis time will have become much longer during the pandemic, meaning that chances of early prevention that may improve quality of life are sadly lost.

The human mind is something of which we still have only limited knowledge. Much more research is needed to help us really understand the human mind

and how to treat neurological conditions. Our health systems also need to prioritise brain and neurological health, as increasingly these areas are becoming our greatest health challenge as a society.

4.53 pm

**Lord Shinkwin (Con):** My Lords, it is a pleasure to follow the noble Baroness, Lady Greengross. I refer to my entry in the register as a vice-president of the Royal College of Speech and Language Therapists.

I also have a personal interest. It is not an exaggeration to say that I owe my life to my then GP, Dr Christopher Baillie, who referred me for an emergency MRI 25 years ago. I saw him in the morning; I had the MRI at the local NHS trust that evening. Within days I had an appointment with a neurologist, who diagnosed life-threatening compression of the brain stem. Another couple of months, and the damage would have been irreversible; another six, and it would have been lights out. In my case, major neurosurgery meant that I am still here, but I am acutely aware that, had I been one of the more than 150,000 people who were waiting for a neurology appointment in March 2021, 10,000 of whom have been waiting for more than a year, it would have been too late.

It is imperative that, as we address the severe backlog in appointments and treatment caused by the immense Covid-19-induced pressures on our NHS, we also optimise people's prospects for recovery post-treatment through access to rehabilitation services. According to a report on people's experiences of accessing speech and language therapy, for example, during the first UK-wide lockdown, published by the Royal College of Speech and Language Therapists in March this year, 80% of people living with neurological conditions had had no face-to-face speech and language therapy since June 2020. No wonder 40% of people living with neurological conditions said their needs had got worse.

Will the Minister commit to reappointing a national clinical director for neurology? I echo the call by the noble Baroness, Lady Gale, for a national strategy and a national leadership position to be put in place to drive improvements in neuro-rehabilitation.

4.56 pm

**Lord MacKenzie of Culkein (Lab) [V]:** My Lords, I shall concentrate briefly on the effects of Covid-19 on people living with motor neurone disease and where we go from here. Covid-19 has seriously reduced face-to-face GP appointments, which may well explain why, just as an example, at King's College Hospital there has been a drop of some 35% in referrals to the motor neurone disease centre. That was compounded by the fact that there was a four-month period without any therapy clinics, leading to 200 fewer therapy contacts. No doubt that pattern is reflected throughout the country.

Motor neurone disease, as we know, is a rapidly progressive disease, with diagnosis difficult at the very best of times. Covid-related delays in referrals and delays in access to medication, to therapies such as physio and speech therapy, for example, and to other treatments and support mechanisms make it really difficult for people with MND to maintain function



and maximise their quality of life. That is the backdrop—perhaps inevitable, given the need to deploy staff during the crisis—but what to do now? That is what I know noble Lords will want to hear from the Minister. What is the plan to restore neurology services as soon as possible? I understand that a recovery plan is in place for cancer services. Will the Government commit to a similar plan for neurology services? Will they commit to working with NHS England, with NHS Improvement and with appropriate patient groups, healthcare professionals and commissioners to get us back as quickly as possible to pre-pandemic levels?

We hear a lot of the mantra “build back better” these days. Well, there is much to build back better in the health service and, within that, a clear need for a firm commitment, as has already been said, to build a national strategy for neuro-rehabilitation in the National Health Service. Much as I am an admirer of Professor Sir Bruce Keogh and his many good works, I think he was wrong in recommending the abolition of the post of national clinical director for neurology, and the Government were wrong in adopting that recommendation. It is imperative, in my view, that we have an end to the long government neglect of neuro-rehabilitation. We must have a national clinical lead to drive real improvement, and I hope the Minister will have something positive to say in that respect when she comes to her winding-up speech.

4.59 pm

**Lord Vaizey of Didcot (Con):** My Lords, this debate is a salutary reminder of the range of neurological conditions that have been affected by the pandemic. I speak in my capacity as the president of SUDEP Action, a local charity in my former constituency of Wantage. SUDEP stands for “sudden death in epilepsy”; it is perhaps astonishing to learn that 21 people a week die suddenly of epilepsy, often in the prime of their life, and that 50% of those deaths could be avoided with proper treatment. In fact, epilepsy is the second most frequently reported potentially treatable cause of death. The number of women who are pregnant and dying of epilepsy has also doubled in the last few years.

SUDEP Action has led international research on the pandemic’s impact on epilepsy and bereaved communities throughout 2021, along with the University of Oxford and Newcastle University. These statistics will echo some that have already been cited for other conditions: 40% of people with epilepsy had worsening health during the first wave of the pandemic; almost all epilepsy sufferers have reported increasing mental strain; a third have experienced issues with accessing care; a quarter have trouble getting their medication; and one in five have not seen a health professional in a year.

Two decades ago, the Government had a national audit of epilepsy death, which brought these deaths out of the shadows, but only recently have steps been taken to implement some of its recommendations. Of course, as has been echoed in other speeches, the opportunity to implement those changes has been severely put back by the impact of the pandemic. SUDEP Action has put in place a number of protocols to help people suffering with epilepsy. It works with 1,200 health professionals to ensure that those suffering from epilepsy can use a checklist to check their health, and works

with an app that allows it to monitor the condition of 4,000 patients. This wonderful charity that I work with would clearly like to see—like many other charities, I suspect—that, when the eventual inquiry into the Covid-19 pandemic takes place, we look not just at Covid deaths but at the deaths of people who suffered from other conditions and whose healthcare has been impacted.

More long term, we need to level up epilepsy services and care provision, providing access in the community to a named co-ordinator of care for each individual with epilepsy. A vital levelling up of tailored communications of the risk of epilepsy is also needed nationally, just as we broadcast the risks of asthma or diabetes. These resources already exist but they require national rollout and implementation, and support from government.

5.02 pm

**Baroness Eaton (Con) [V]:** My Lords, 22q11 syndrome is a common neurodevelopmental disability hiding in plain sight because it is massively undiagnosed, yet 128,000 people in the UK are estimated to be affected. A prevalence of one in 500 of the population is reported—twice that of Down’s syndrome and almost six times that of cystic fibrosis. Its effects, unique to each individual, range from fatal heart defects, catastrophic immune deficiency and severe learning difficulties through to mild behavioural problems, speech and language issues and facial characteristics. Neurodevelopmentally, these children have challenges in learning, with developmental delays in speech, cognition and motor development. Many are affected by behavioural and psychiatric issues. It is a multisystem disorder and the greatest genetic risk factor for schizophrenia.

The lack of awareness of 22q11 syndrome means that there is an extreme lack of specialist services and, often, a lack of understanding of children’s learning challenges. Many were asked to shield during the pandemic and the services they need were greatly affected. Appointments were either lost completely, with hospital clinics shut down and therapy services unable to proceed, or substituted with telephone conversations. Many missed months of school due to their medical issues. Home-schooling packs were often inadequate for meeting their needs and did not cover the requirements under their educational healthcare plan or individual education plans. Their mental health often suffered and parents reported more behavioural issues. Progress was already slow, compared with their peers, and many have fallen back even further educationally.

The long-term outcomes will likely prove more severe than previously expected, meaning a greater difficulty in attaining the baseline levels required to enable them to progress into post-16 education. Given the difficulties for children and young people affected by neurodisabilities such as 22q11 to catch up and recover lost education, how will the Government support them to ensure that they achieve their best possible educational outcomes? What reassurances can my noble friend the Minister provide to those families that support will be forthcoming?

5.05 pm

**Baroness Blackwood of North Oxford (Con) [V]:** My Lords, I would like to raise an especially neglected area of neurology: autonomic dysfunction. This neglect

[BARONESS BLACKWOOD OF NORTH OXFORD] has been exacerbated, but not created, by the pressures of the pandemic. I declare my interest as chair of Genomics England and an autonomic patient myself. I thank Professor Chris Mathias in particular for his help in preparing this contribution.

Autonomic dysfunction describes several conditions that cause malfunction of the autonomic nervous system, which controls the automatic survival functions of the body that we do not consciously think about, such as heart rate, blood pressure or kidney function—processes that we all take for granted until they go wrong. Autonomic dysfunction can be intermittent; it ranges from mild inconvenience to severe disability. For example, those with mild autonomic mediated syncope can faint once or twice in their lives, but others can faint several times a day, risking falls, broken bones and, sometimes, traumatic brain injury. Postural tachycardia syndrome, which I have, causes a wide range of autonomic symptoms. It is a deceptive, invisible illness that disproportionately affects young women; they can look very healthy when not symptomatic so are often diagnosed with anxiety or eating disorders and disbelieved. However, researchers compare the disability of PoTS to that of COPD or congestive cardiac failure.

Autonomic dysfunction can also occur as secondary to neurological conditions such as Parkinson's, spinal injuries and MS, as well as common conditions such as diabetes and rheumatoid arthritis. It is not rare: it affects 70 million people worldwide, but it is accepted that the true prevalence is higher due to underdiagnosis. In most cases there is no cure, but it is possible to improve symptoms with medication and lifestyle adaptations. However, despite the high prevalence and significant disability, most patients take years to be diagnosed due to poor clinical and public awareness.

Even when diagnosed, getting treatment is extremely challenging. The few clinics that do exist are simply overwhelmed. Patients from Derriford Hospital autonomic clinic have contacted me in desperation because their clinic is being closed without a further plan for autonomic patients in that region. It is the only service in the area; other autonomic clinics are not taking referrals due to demand. It is a picture of a few specialists offering pockets of excellence and responding to aspects of autonomic dysfunction, rather than integrated services that can fully respond to the multisystem challenges that the condition presents. I believe that UCL now has the only integrated autonomic unit in the country.

Low awareness among non-specialists, especially in primary care, means that patients often have inconsistent management and difficulty in accessing special care. Together, this means unnecessary deterioration for patients. This is widely reported by patients and clinical experts but noble Lords do not have to take their word for it. The DWP's own guide to medical conditions states:

“Although 25% of people with PoTS are unable to work or attend education, 80% to 90% will improve with treatment and 60% will return to previous levels of functioning.”

The opposite is of course true. It could not be clearer: autonomic dysfunction is a common condition that causes significant disability but, with diagnosis and treatment, symptoms can be mitigated and managed. Despite this, our clinical services, training and awareness

are woefully inadequate, and autonomic patients are suffering serious inequalities as a result. I ask the Minister in her response to acknowledge the inadequacy of autonomic services and set out her plan to rectify this, including the publication of a national neurology strategy and clear national leadership.

5.09 pm

**Baroness Finlay of Llandaff (CB) [V]:** My Lords, I declare that I am a patron of the Motor Neurone Disease Association and a vice-president of both Hospice UK and Marie Curie. We are all most grateful to the noble Baroness, Lady Gale, for securing this important debate because the pandemic has had a catastrophic effect on services.

Most hospice services are largely funded through charitable donations—that is, hands in pockets from the thousands of families around the country who are eternally grateful for the excellent services that they received and continue to receive. However, in the pandemic, the money dried up. The Government were extremely supportive and provided funding but there is a real worry that, over time, the overall level of donation will not return to previous levels.

We have seen delays in support procedures for patients with motor neurone disease, such as gastrostomy, which can be essential for nutrition and hydration. Two-thirds of MND specialist centres reported that end-of-life care has been compromised during the pandemic. Some hospices did not have the required level of specialist trained staff to admit patients using non-invasive ventilation or even suctioning or were confused about the specific PEE they needed, and beds closed, highlighted in Marie Curie's recent report, *Better End of Life*.

Added to this, the messages from campaigners for assisted dying have been particularly frightening, controversial for some people and at times misleading, especially for those newly diagnosed and coming to terms with their illness. Specialist services do a remarkable job of empowering people to live well, with technology assistance allowing people to continue to work, write books, run businesses and remain active participants in their families' lives. The Motor Neurone Disease Association signposts people to empower them, as well as driving research forward.

I hope that the Government will confirm that, as the Covid-19 threat is lowered, they will work with NHS England and NHS Improvement, commissioners, healthcare professionals, professional bodies and patient groups to ensure that services are restored to their pre-pandemic levels as soon as possible. Where possible, these services should be improved to plug gaps. This means that NHS England and NHS Improvement must develop a recovery strategy for neurology services, matching—as the noble Lord, Lord MacKenzie, has said—the recovery plan developed for cancer services.

Finally, can the Government confirm that they now recognise that hospices and other palliative care providers are providing a core clinical service that needs secure NHS funding to provide high-quality palliative and end-of-life care for everyone who needs it? That care is needed early in a disease, so that people are adequately supported. This is not just about the last phase of their illness.

5.12 pm

**Baroness Browning (Con) [V]:** My Lords, I too congratulate the noble Baroness, Lady Gale, on securing this very important debate. When Covid-19 first struck in 2020 and we began the first lockdown, I do not think that enough was known—for very obvious reasons—about the impact that Covid-19 has on the brain and, necessarily, on neurological conditions that already exist. We have seen how it can affect people who have neurological conditions after they recover, but the impact on those already diagnosed did not appear to be that well recognised. I hope that, now we are this much further on, the Government will ensure that we capture data more effectively to make sure that those who are doubly at risk because of a neurological condition are safeguarded.

During that first lockdown in 2020, I was a carer for family members with Alzheimer's and with epilepsy. I can testify to what is, 15 months on, a very clear diminution in their mental health state and, particularly regarding Alzheimer's, the ability to be aware enough to enjoy life as we would hope. I therefore ask my noble friend to ensure that the Government listen to what is said in this debate, because we need to capture that data and make sure that, in future, the warning goes out to all those who are severely at risk.

In particular, I think it is worth mentioning that, when somebody with dementia needs intensive care in hospital, there is a very big question mark on the part of doctors as to whether that is advisable, because of the impact of the treatment itself in intensive care on somebody with dementia—certainly somebody with advanced dementia. I hope that we will, in future, widen that list of people who are vulnerable and who need to be doubly careful.

May I also add my support for the reappointment of a national clinical director for neurology? There are so many diverse conditions that come under the heading of neurology and it is absolutely essential that there is some control at the centre with somebody who can take a wider view across the country.

5.15 pm

**Baroness Gardner of Parkes (Con) [V]:** My Lords, 40 years ago this year, my eldest daughter was diagnosed with multiple sclerosis. She is the vice-chairman of the Multiple Sclerosis Trust and has been active in its work.

I know that this past year has been a massive challenge for everyone; nowhere has this been more acutely felt than in the NHS, especially by neurological patients and those awaiting medical treatment. The House of Lords briefing, which was contributed to by the Neurological Alliance, states:

“In February 2020 ... just 38 people had been waiting more than a year for a neurology appointment, 169 for a neurosurgery appointment. However, by March 2021, according to recent NHS England and NHS Improvement data, more than 150,000 people were waiting for a neurology appointment and more than 60,000 for a neurosurgery appointment. More than 10,000 have been waiting for more than a year ... This has profound implications, and could mean delays to diagnosis and treatment ... Without access to specialist expertise patients cannot receive a confirmed diagnosis and begin accessing treatment and support for this complex and often rapidly progressive condition. In multiple sclerosis (MS), delayed diagnosis could mean a delay to access treatments which could slow or even stop the progression of the condition.”

We have seen how NHS staff have been so resilient in this pandemic. We are for ever grateful for their individual and team efforts. For some patients, online consultations have been beneficial as the patient has not needed to travel and is seen on time. However, medical appointments cannot replace a physical exam and the nuances of a face-to-face appointment, which are so important in helping with diagnosis or treatment in neurological cases. It is important that patients are allowed face-to-face appointments once more to enable health professionals to do their job as effectively as possible.

I urge the Government to restore care and access to physical consultations for those with neurological conditions to pre-pandemic levels; to look at a co-ordinated approach across departments and care, from rehabilitation services to earlier access to social or mental health care; and even to consider a national clinical director for neurology to pull all these services together and work across organisations, as neurological conditions come in so many different guises.

5.18 pm

**Baroness Brinton (LD) [V]:** My Lords, I, too, thank the noble Baroness, Lady Gale, for securing this important debate.

We have heard reports from noble Lords of the impact of Covid on neurological services, as well as of the shocking numbers of people who have not had the appointments, diagnoses or treatments they needed to manage their disease during the disruption to the NHS during the pandemic. It is important to recognise that, over the past 14 months, doctors, special nurse practitioners, speech and language therapists and other allied healthcare professionals working with those with neurological conditions have often been moved into different roles during the pandemic—and for many months. We owe them a particular debt of gratitude. Not only have they been working very long hours; they have also had to learn new skills rapidly and work in often distressing circumstances. We salute them.

In my brief contribution, I will focus on services for babies and children with neurological conditions; this includes children with epilepsy and stroke. It is understandable that many services have had to move to online consultations. One young mother, whose baby had had a stroke in utero, told me that online physiotherapy last autumn with her three month-old baby was virtually impossible, because she did not know the micromovements that the physio was looking for and the quality of the screen meant that the physio could not detect them either. Speech and language therapy online is also very difficult with small children, but critical so that they do not slip behind, as there may be a knock-on effect on their days at nursery and early years at school.

Many primary care services have also gone online and, in some areas, the health visitor one-year baby-check assessments are now a paper checklist for the parents to download and complete themselves. Again, for babies with known neuro conditions, parents are not trained to spot problems. Worse, where there has been no diagnosis at all, it is possible that parents and health professionals inevitably miss the warning signs, so it is vital that there are immediate returns to in-person appointments and the funding to go with them.



[BARONESS BRINTON]

It is essential that the Chancellor of the Exchequer guarantees extra catch-up resources for all long-term conditions, not just cancer, important though that is. Many neurological conditions are life-limiting and their impact mitigated by treatment and medication, but substantial catching-up needs to happen to prevent much more serious deterioration that will, in the end, cost the NHS much more money. I ask the Minister whether the Department of Health and Social Care is pressing the Treasury for these extra catch-up resources. If not granted, the health costs for society will be substantially more.

5.21 pm

**Baroness Thornton (Lab):** I first congratulate my noble friend Lady Gale on this debate and pay tribute to the work that she had done on Parkinson's disease, over many years, including championing it in your Lordships' House. It is lovely to see the noble Baroness, Lady Blackwood, speaking with her usual eloquence and knowledge. I always felt that she knew much more about anything than I ever did, when I faced her across the Chamber.

Covid-19 has undoubtedly had a profound effect on people with neurological conditions and the services they need. There are three issues that we need to consider: first, catching up on missed appointments, therapies and treatment; secondly, ensuring that the rapid referral to which my noble friend Lord MacKenzie referred is restored; and thirdly, working out how much the neurological and neuropsychiatric manifestations of Covid-19, which are still emerging, are likely to further increase demand on services, both in hospitals and in the community. We also need to recognise that neurological research has been significantly disrupted, which is compounded by the financial pressures on charities.

The report from the National Neurosciences Advisory Group published last month found that, since the onset of England's first lockdown in March 2020, people with neurological conditions have been directly impacted across all areas of their lives—their access to food, ability to work, social interactions and support, and access to essential health and social care services. Many have been shielding or self-isolating because of the virus, increasing anxieties, loneliness and isolation, which is sometimes exacerbated by unclear and inconsistent messaging and advice. This has also led to increased pressure on family members, carers and the charities and patient organisations providing support services.

However, while we recognise that support from the NHS and social care has been restricted, we have also heard many stories about health and social care professionals across the country finding new ways to maintain contact with people with neurological conditions remotely, and patient groups have found new ways to facilitate peer-to-peer support. It is vital not to lose those as we move out of the pandemic.

There is an estimated backlog of more than 225,000 neurology appointments and 58,000 neurosurgery appointments at the end of 2020. The motor neurone disease figures are particularly concerning. Referrals have dramatically fallen, which means that diagnosis, support and help for this dreadful condition are being delayed, which is exactly what we want to avoid.

The pandemic has exposed and exacerbated longstanding barriers to social care that people with neurological conditions and their families face. There are some serious challenges here. I look forward to the Minister's response to the many questions that she has been asked.

5.25 pm

**Baroness Penn (Con):** My Lords, I join other noble Lords in congratulating the noble Baroness, Lady Gale, for securing this important debate, recognising her tireless commitment to championing neurological conditions, including through her many years of service as co-chair of the All-Party Parliamentary Group on Parkinson's.

As this debate has illustrated, the pandemic has resulted in unprecedented pressure across the health and social care system. All noble Lords recognise the outstanding work done by staff and volunteers across the NHS, social care and the voluntary sector at this difficult time. Early in the pandemic, NHS England and NHS Improvement advised that in-person consultations

“should only take place when absolutely necessary”.

This decision ensured that care was provided to those in greatest need during extremely challenging times. Neurology services saw new models of care emerge, with triage processes to ensure that patients receive appropriate care and are seen in outpatient settings closer to home. Providers rolled out remote consultations, using video, telephone, email and text message services, including for patients with neurological conditions. To support these new models of service provision during the pandemic, from March 2020, the Association of British Neurologists, the Royal College of Physicians and the Chief Medical Officer's team produced guidance for clinicians, including recommendations on where services could be temporarily paused or moved from face-to-face, and where normal practice should continue. This was updated to ensure that it continued to meet the scale of the challenge and maximise the quality of care offered.

However, we all recognise that these were necessary but undesirable decisions that were taken to deal with the pandemic, and the Government completely recognise that this has resulted in delays to elective care, including non-urgent surgery, which has been impacted throughout the pandemic. Neurosurgery activity levels fell by 29.8% between 2019-20 and 2020-21, representing a reduction of about 30,500 completed patient pathways, and as noble Lords have noted, the waiting list has grown from 34,600 to 43,200 in the same period. However, it should be noted that urgent care was maintained throughout the pandemic to ensure that those requiring emergency care still received it. I will come on to our plans to address the backlog shortly, but a small sign of improvement is that median neurosurgery waiting times have dropped from a peak of 19.5 weeks in July 2020 to 14.3 weeks in March 2021.

Moving into the recovery phase of the pandemic, the Association of British Neurologists has published specific guidance on recommencing neurology services, including assessments on which services and patients require urgent prioritisation, considering the severity and onset of symptoms. As the NHS transitions from

pandemic incident management to recovery of services, our priority is addressing the pressures caused by the pandemic. On 18 March, we announced an additional £7 billion to support pandemic recovery and £1 billion for elective recovery in 2021-22. While this funding is not allocated towards specific specialities, it will go towards services that benefit people with neurological conditions. NHS England and NHS Improvement are currently developing recovery plans across all services, including for patients with neurological conditions. Specialised services are setting a clear approach for recovery of services which ensures that patients are treated at the correct time in the appropriate setting, while balancing the ongoing Covid-19 pressures and front-line staff well-being.

I cannot say what the plan is for specific treatments, such as DBS for Parkinson's, but I would be happy to follow up to the noble Baroness, Lady Gale, on that point in writing. I can say that, based on current information, neurology inpatient services should be fully restored to pre-pandemic appointment levels by the end of September this year, if there are no further significant Covid-19 outbreaks.

A number of noble Lords have expressed how challenging the past year has been in its impact on individuals' mental health and well-being, including those with neurological conditions. The Government will continue to do our utmost to ensure that our mental health services are there for those who need them. Although talking therapies are available remotely, the NHS is working to ensure that the option of face-to-face support is provided to people with serious mental health illnesses where it is clinically safe to do so. For those with severe needs or in crisis, all NHS mental health providers have established a 24/7 urgent mental health helpline.

In March 2021, we launched our mental health recovery action plan, backed by an additional £500 million for this financial year, to ensure that we have the right support in place. We are committed to our ambition in the long-term plan to expand and transform mental health services, including by investing an additional £2.3 billion a year in mental health by 2023-24.

As the noble Baroness, Lady Gale, rightly highlighted, it is also imperative that we have a skilled and resilient neurology workforce. In August 2022, improvements to the neurology curriculum will be implemented. During their five-year training programme, trainees will accredit dually in neurology and internal medicine and obtain sub-specialty training in stroke medicine. Based on current numbers undergoing neurology training, this will mean that each year from 2028 onwards at least 40 neurology trainees each year will complete their training in neurology and stroke and be eligible to lead stroke services—a major boost to the workforce.

Furthermore, over recent years we have increased the number of funded medical school places in England by 1,500, a 25% increase. In the process, we have delivered five brand-new medical schools across the country. This expansion completed in September 2020 and will significantly increase the pipeline for doctors, including neurologists and other doctors treating neurological conditions, in future years.

As noted by a number of noble Lords, including the noble Baroness, Lady Thornton, we are also keen to understand any neurological impacts of Covid-19 and are aware of studies that suggest the potential for longer-term neurological symptoms developing in people who have had Covid-19. It is for this reason that we are providing more than £50 million of research funding and are working with world-leading scientists better to understand the virus and its long-term effects and how to treat them effectively. One such study is the Covid-19 clinical neuroscience study, which was awarded £2.3 million by UK Research and Innovation and the Department of Health and Social Care. It will look at 800 patients in the UK who were admitted to hospital with Covid-19 and had neurological or neuropsychiatric complications to understand how these problems occur and to develop strategies to prevent and treat them.

The noble Baronesses, Lady Greengross and Lady Thornton, also raised broader research funding, and I reassure them that the Government are committed to providing funding towards innovative research in neurological conditions. DHSC funds research into these conditions through the National Institute for Health Research, and funding was at £56 million in 2018-19. However, this is not the only route of research funding that we provide. We also provide funding through the Medical Research Council and UKRI, through the Biotechnology and Biological Sciences Research Council, which supports a diverse portfolio of neuroscience research and innovation totalling around £30 million per annum.

Longer term, a variety of improvements are under way for neurological conditions. The noble Baroness, Lady Gale, raised the important neuroscience transformation programme, which was intended to be a five-year programme and launched in 2018. At present, the programme is working with key stakeholders and patient groups to develop a collaborative model of care to improve local neurology services, improve care closer to home and reduce variations in access and treatment within and across systems. In light of the pandemic, the programme is currently reviewing its approach and priorities to align with the overall service restoration and recovery work.

The NHSE/I specialised neurology service review is looking at the optimal model for neurology services with the aim of ensuring patients are seen quickly in the most appropriate setting and carrying forward lessons learned during the pandemic. This review is now complete and NHSE/I is considering its recommendations. NHSE/I also supports the National Neurosciences Advisory Group, which is a collaborative leadership group for neurosciences in England. The overall purpose of the group is to improve outcomes for patients living with neurological conditions.

In April this year, NNAG published a report into the effects of the pandemic on neurological services and care pathways. The report highlighted the benefits of remote care methods but also recommended a fuller evaluation of remote care which, as a number of noble Lords have highlighted, is not appropriate for all people with neurological conditions. The report's long-term recommendations are for NHSE/I to lead a national neurology plan in collaboration with NNAG

[BARONESS PENN]

and its members to develop and invest in a national rehabilitation plan, which the noble Baroness, Lady Gale, also raised, and to develop a clinically-led, pragmatic system of clinical classification of outpatient episodes. NHSE/I will be considering these recommendations as part of its ongoing recovery and restoration work and the future transformation of neurological services.

To respond to the point raised by several noble Lords about patients having the right to choose how they interact with health professionals in the right setting, the Government are committed to ensuring that patients have personalised care that considers their needs and preferences. That is why it is embedded in the NHS constitution and set out in the long-term plan.

I fear that I am running out of time. A number of noble Lords raised specific conditions. My noble friend Lord Vaizey mentioned epilepsy and my noble friend Lady Blackwood mentioned autonomic dysfunction. Many other conditions were also raised. I say to noble Lords that we are committed to improving services for people with these conditions. We acknowledge that, particularly where people have specialised conditions, further work is needed to acknowledge those conditions, raise awareness of them and improve their treatment. On specific points on any of those conditions, I will write to noble Lords.

I close by thanking the noble Baroness, Lady Gale, once again for securing this debate and thank all noble Lords who have taken part in it.

5.38 pm

*Sitting suspended.*

## Arrangement of Business

### *Announcement*

5.45 pm

**The Deputy Chairman of Committees (Lord Lexden):**

My Lords, the hybrid Grand Committee will now resume. Some Members are here in person, others are participating remotely, but all Members will be treated equally. I ask Members in the Room to respect social distancing. If the capacity of the Committee Room is exceeded or other safety requirements are breached, I will immediately adjourn the Committee. The time limit for this debate is one hour.

## Genocide: Bringing Perpetrators to Justice

### *Question for Short Debate*

5.45 pm

*Asked by Lord Alton of Liverpool*

To ask Her Majesty's Government what steps they are taking to bring the perpetrators of genocide to justice.

**Lord Alton of Liverpool (CB):** My Lords, in opening this short debate I must declare that I am a patron of the Coalition for Genocide Response, and thank its founders, Luke de Pulford and Dr Ewelina Ochab, for their briefing note. I also thank the Library for its briefing note, and all participants, who will bring great expertise and knowledge to our proceedings. I also serve

as a vice-chair of the All-Party Parliamentary Groups on Burma, Uyghurs, Rohingya, and Hong Kong, and as co-chair of the All-Party Parliamentary Group on Eritrea.

Dag Hammarskjöld, a truly inspirational Secretary-General of the United Nations, once said that the United Nations

“was not created to take mankind to heaven, but to save humanity from hell.”

But as we will hear this evening, from Xinjiang to Burma, from Tigray to Nigeria, from Iraq to Sudan, and in many other parts of the world, the international community has fallen a long way short in saving millions of people from the hell of genocide and from atrocity crimes. While the victims suffer appalling violations, the perpetrators strut the world stage, confident of their impunity and the triumph of mercantile and other interests over our convention duties to prevent, to protect and to prosecute those responsible for these heinous crimes.

In the post-war years, men such as Raphael Lemkin, and women such as Eleanor Roosevelt, bequeathed the institutions that emerged from the ashes of Auschwitz—notably the International Court of Justice and, later, the International Criminal Court. It is to those bodies that the United Kingdom Government defer, stating as recently as this week, in reply to a Parliamentary Question, that

“The UK is fully committed to honouring its legal obligations under the Genocide Convention. The Government's longstanding policy is that any judgment on whether genocide has occurred is a matter for competent courts. These include international courts, such as the International Criminal Court and the International Court of Justice, and national criminal courts that meet international standards of due process.”

But as became clear during our proceedings on the genocide amendment to the Trade Bill, this is simply a convenient sleight of hand, disguising the shameful inability—or perhaps unwillingness—to bring perpetrators of genocide to justice. The Government cannot plausibly offer that response, simultaneously telling us that Russia and China will invariably use their Security Council veto to close routes to the international courts, while the Government themselves close routes to domestic courts.

The all-party genocide amendment to the Trade Bill offered a way out of the cul-de-sac and a route to our national courts, and it was given three-figure majorities in the House but opposed by the Government. My noble and learned friend Lord Hope of Craighead, a former Supreme Court judge, and others, told the House that the current arrangements simply do not work and that our High Court was perfectly capable of adjudicating on whether a genocide is under way. When the proposal came within a whisker of defeat in the Commons, the Government offered the compromise of a committee to examine allegations of genocide. I have given the Minister notice that I would like to know when such a committee will be established to examine whether the Uyghurs, for instance, are subject to a genocide. Can he also confirm that, even if a parliamentary committee determines that a genocide is under way, the Government will still not accept such a determination and intend to continue to say that it is just a matter that the courts can determine?



The Committee should note that a legal opinion from Alison Macdonald QC and Essex Court Chambers concluded that there is credible evidence of genocide in Xinjiang. We should also note that, on 22 April, the House of Commons voted to declare the crimes against the Uighurs in Xinjiang to be a genocide. The United States, Canada and European countries such as the Netherlands and Lithuania have all done the same, but not the United Kingdom Government.

On 27 April, the Foreign Secretary, Dominic Raab, appeared before the House of Lords Select Committee on International Relations and Defence. I asked him whether it was his intention to accept the Commons declaration. In reply, he said that

“Parliament should hold the executive to account on all these matters. That has been our position all along. Our long-standing position is that a court should make judgments on genocide. Fundamentally, genocide creates obligation at the state level”.

Yes, he is right—we have treaty obligations at the state level—but we and others repeatedly fail to meet them, and refuse to reform our domestic and international mechanisms to address this lamentable failure.

When Mr Raab told the committee that he is an “ardent ... reformer”, I asked him what we are doing to increase the efficacy of international institutions, to gather support for the proposed code of conduct regarding Security Council action against genocide, crimes against humanity and war crimes, and in combatting genocide. On the code of conduct he said:

“We are a signatory to the accountability, coherence and transparency code of conduct ... That allows all members of the Security Council, permanent and non-permanent, to make public commitments not to vote against credible resolutions intended to prevent mass human rights abuses.”

Perhaps the Minister can tell us this evening what progress this proposal is making and whether, realistically, in the absence of support by China or Russia, he honestly believes it will save a single life.

Mr Raab rightly warned the committee about the potential misuse of the word genocide. It is precisely because the definition is exacting that I agree with the Government that a court should evaluate the evidence and make the determination. But there is no point identifying the problem without willing the solution. This has become a circular argument, and it was to break this vicious circle that noble Lords tabled the genocide amendment—and why we are here again today. Voluntary codes of conduct are all very well, but at the United Nations Human Rights Council, Dominic Raab rightly said that what is happening in Xinjiang is “on an industrial scale”. That needs much more than a voluntary code of conduct. The Foreign Secretary told us legislative attempts in both Houses had “shifted the dial.” Perhaps, with the Biden Administration, we can push the dial further.

We have already worked together on Magnitsky sanctions, announced on 6 July 2020, and for which the Foreign Secretary, and indeed the noble Lord the Minister, deserve credit, but those sanctions are not a response to genocide. I have sent the Minister a recent *Financial Times* review of Geoffrey Robertson QC’s new book, *Bad People*. In summary, he argues that the sanctions regime is too opaque and liable to be used against soft targets rather than the worst villains. It does seem passing strange that a functionary such as

Chen Quanguo, the CCP party secretary in Tibet and then Xinjiang, remains unsanctioned, as does Carrie Lam, in Hong Kong. Oversight of the Magnitsky sanctions by a Select Committee of your Lordships’ House is urgently needed.

I note, incidentally, as someone who has himself been sanctioned by the CCP for drawing attention to genocide against the Uighurs, that the European Parliament has frozen the EU-China infrastructure deal until sanctions against their parliamentarians are lifted. By contrast, in the UK, our Trade Minister, the noble Lord, Lord Grimstone, tells us it his ambition to deepen trading links with a state credibly accused of genocide. Let me ask the Minister quite directly: does he think that it is ever licit to seek to deepen trade with a country credibly accused of genocide, or, for that matter, one which uses slave labour?

Will the Minister also provide a response to the recommendations in the Coalition for Genocide Response briefing? I would especially like a response on what it says about universal jurisdiction; prosecution in UK courts of Daesh fighters for their involvement in the genocide against Yazidis, Christians, gay people and others; and the importance of establishing a mechanism for evidence collection and preservation, about which I have written to the Minister, and which is urgently needed in Tigray, where there are reports of mass graves, rape as a weapon of war, summary executions and the targeting of religious figures—these are all detailed in the briefing provided by CSW to noble Lords.

It tells us all we need to know that China and Russia blocked attempts to discuss the allegations about what is under way in Tigray at the United Nations Security Council, while the 2016 recommendations of the UN commission of inquiry on Eritrea, which is now embroiled in Tigray, have never been implemented.

Can the Minister also say what we are doing to bring Burma’s illegal junta to justice and, in the light of the atrocities against Rohingya and Kachin, what we are going to do to take forward the Gambia’s admirable decision to pursue the Burmese military at the ICJ?

The dial may be shifting, but it is not fast enough for beleaguered and suffering people in Burma, Tigray, northern Nigeria, Xinjiang and elsewhere. Dag Hammarskjöld’s ambition to create effective mechanisms “to save humanity from hell”

remains unfulfilled, but we must not throw in the towel. We have clear duties to hold to account those responsible for atrocity crimes and genocide, and in meeting those obligations we must redouble our efforts. Once again, I thank all noble Lords who have entered the list to speak tonight.

5.56 pm

**Baroness Nye (Lab) [V]:** My Lords, I pay tribute to the work of the noble Lord, Lord Alton, and as a trustee of Burma Campaign UK, I will focus on Burma.

For decades the Tatmadaw has been committing human rights violations that break international law. The impunity it has enjoyed only encouraged further crimes of genocide and ethnic cleansing. The genocidal

[BARONESS NYE]

campaign against the Rohingya in 2016 and 2017 caused thousands of deaths, and over 800,000 fled to Bangladesh.

Last year more than 100 parliamentarians of all parties and none, including many in this House, wrote to the Foreign Secretary urging him to formally support the Gambia's case against Myanmar at the ICJ to protect the Rohingya. Regrettably, the British Government have not fully implemented the recommendations of the UN fact-finding mission on Myanmar, set up in response to the Rohingya genocide as well as the unlawful violations against other ethnic groups in Kachin and Shan states. The letter warned that it was essential to uphold the genocide convention to deter further crimes by the Tatmadaw. Sadly, since then the military has removed the democratically elected NLD Government from office, has imposed military control and is indiscriminately killing Burmese of all ethnicities.

The Minister may reply that the UK has welcomed the Gambia's case at the ICJ, but he needs to explain why a formal UK intervention may not add value. Furthermore, as a member of the UN Security Council the UK should use its diplomatic standing—especially with our history in Burma, as well as our expertise with the PSVI initiative—to join this action with Canada and the Netherlands. Failure by the UK to show leadership and uphold human rights by formally joining the ICJ case sends a dangerous message that ethnic cleansing and genocide are acceptable tools for repressive Governments around the world. The UK has an historic opportunity to make this a watershed moment in international law, and I hope we take it.

5.58 pm

**Lord Thomas of Gresford (LD) [V]:** My Lords, I am very grateful to the noble Lord, Lord Alton, for all the work he does in this area and for the passionate way in which he introduced this debate.

I will start with a quote:

“The United States will provide no support or recognition to the International Criminal Court. As far as America is concerned the ICC has no jurisdiction, no legitimacy, and no authority.”

Not surprisingly, those are the words of Donald Trump, addressing the United Nations General Assembly in September 2018. In 2020 President Trump issued a sweeping executive order authorising asset freezing and family bans against Fatou Bensouda, the ICC chief prosecutor, and took away her visa. Trump said that anybody who assists ICC investigations risks the same sanctions. Of course, this has had a broad, chilling effect on co-operation with the ICC.

Trump indicated that his policy of sanctions might extend to allies—specifically Israel—and demanded that the ICC change its course. The ICC prosecutor concluded in December 2019, after examination, that all the statutory criteria to proceed with a formal investigation in Palestine had been met, but the court is currently seeking a ruling on jurisdiction.

Not surprisingly, neither China nor Myanmar submits to the jurisdiction of the ICC, although 123 countries have ratified the Rome statute. The threat of investigation by the ICC prosecutor resulted in a significant change of government policy under the Overseas Operations

(Service Personnel and Veterans) Bill, which was recently before us, when genocide, torture and war crimes were at the last gasp omitted from the presumption against prosecution. That they had ever found their way into that Bill is a disgrace.

The most effective thing that can be done just at the moment to tackle genocide is for this country actively to persuade the Biden Administration to take up the responsibility and to ratify the Rome treaty. Is this happening?

6 pm

**Lord Forsyth of Drumlean (Con) [V]:** My Lords, I have joined this debate to show my support for the noble Lord, Lord Alton, and the noble Baroness, Lady Cox, who attack the problem of genocide with fantastic energy, and also to urge the Minister to take more notice of what is being said. I urge him to look at the report of yesterday morning's sitting of the International Relations and Defence Committee, when the noble Lord, Lord Patten of Barnes, gave evidence in respect of China.

I find it embarrassing that, as a Government, we say that we want to be global leaders, but we leave it to Lithuania, Canada, the United States and Holland to call out the genocide that is occurring in China. I say to my noble friend that I have a suspicion that the Government would be prepared to do a bilateral trade deal with China even if it were guilty of genocide—so perhaps he will make it absolutely clear that we will never do a bilateral trade deal with any country accused of genocide.

During the passage of the Trade Bill the Government gave a commitment to set up a committee of both Houses. The noble Lord, Lord Alton, referred to that. Why has it not happened, and when will it happen? Last week we were able to put in place 33 committees on the nod—so why have we not been able to set up either a committee of this House or the joint committee proposed by the Government?

I pay tribute to the noble Lord, Lord Alton, and I agree with every word he said. I hope that the Minister will not come back in this debate and repeat the same arguments about genocide being a matter for the courts, when he knows perfectly well that the perpetrators and those who support them will prevent that being achieved internationally.

6.03 pm

**Baroness Cox (CB) [V]:** My Lords, I strongly support the argument made by my noble friend Lord Alton: the failure to hold perpetrators of genocide to account gives them a green light to continue. The failure of the international community to respond to the Armenian genocide emboldened Hitler to embark on the Holocaust, with his infamous remark,

“Who ... speaks today about the annihilation of the Armenians?”

Yet Her Majesty's Government still refuse to recognise the Armenian genocide and have done nothing to end the impunity with which Turkey and Azerbaijan commit genocide against the Armenians of Nagorno-Karabakh, as argued by Genocide Watch. We hope there will be a much more appropriate response to Azerbaijan's recent incursion into the sovereign state of Armenia, with the killing and capture of Armenian soldiers.

In Myanmar the military regime continues its aggression. Since February, more than 785 civilians have been murdered, including at least 52 children, 5,000 are detained and tens of thousands displaced, in addition to the mass exodus of Rohingya refugees. Time only allows one example of military aggression. In the town of Mindat, in Chin State, as reported by Dr Sasa, speaking on behalf of the National Unity Government, homes were destroyed by tanks and helicopters, anyone trying to help the wounded was arrested, screams of pain were heard as captured civilians were tortured, and many were used as human shields. Dr Sasa pleaded:

“When will the world stop the military generals before they commit another genocide?”

A similar question applies to Nigeria’s Middle Belt, with escalating attacks by Islamist groups, thousands of Christians killed, and hundreds of thousands displaced. Many Muslims who refuse to adopt an Islamist ideology have also been killed. Will Her Majesty’s Government therefore fulfil their obligations under the genocide convention to prevent, protect and punish? The longer we tolerate these massacres and atrocities, the more we embolden the perpetrators, giving them a green light to continue their genocidal policies with impunity.

6.05 pm

**The Lord Bishop of Blackburn:** My Lords, I want to say something about timing, referred to in the moving introductory speech made by the noble Lord, Lord Alton, for which we are very grateful.

We face two problems in bringing perpetrators of genocide to justice. One is the length of time it takes for such atrocities to cease, as it is extremely difficult to stop acts while they are happening; it is only after the genocide has ended that moves to accountability seem to kick in, and then it takes years to gather evidence while the perpetrators run free. What is needed is a far more effective early warning system that triggers action much sooner to stop the genocide in its tracks before it does more damage. With modern communication, surely it is not hard to learn of and know of these atrocities; the problem comes in preventing them continuing when access is likely to be denied, lies are told to cover the evil and attempts at intervention are resisted by claims about the sovereignty of the nation state.

I learned recently of an attempt in World War II to intervene in a totally unconventional way. Some may know the extraordinary story in a book entitled *The Volunteer* by Jack Fairweather. It tells of a Polish man, Witold Pilecki, a farmer, husband and father of two who allowed himself to be arrested in order to be sent to Auschwitz. Despite much personal suffering, he tried to persuade the outside world of the atrocities he was witnessing through sending a series of smuggled messages, but the horror was so great that many people did not believe what he was saying—even here in the UK. So nothing was done to begin with, and the genocide continued.

A similar story surrounds Emily Hobhouse, who came from the UK. She visited South Africa but, when she returned here, she was not believed when she reported on the concentration camps and tactics employed by the British Empire against the Boers. She found herself ostracised here and returned to South Africa, where she is feted and memorialised.

An atrocity can sound so extreme or even unlikely when it is reported that it is not believed and is allowed to run on for too long while nothing is done about it; or, having learned of an evil, it seems that there is nothing anyone can do but pray and wait. While we ask the Minister to speed up the route to justice for perpetrators of genocide, may I seek an assurance that effort will also be given to finding ways to intervene and stop genocide while it is actually taking place, and so save and protect precious lives?

6.07 pm

**Lord Polak (Con):** My Lords, I, too, congratulate the noble Lord, Lord Alton, on securing this important debate and thank him for all that he does.

I commend the Government on its proactive work on UN Resolution 2379, establishing an investigative body on Daesh’s atrocities in Iraq, and for the good work that has been done collecting and preserving evidence for future prosecutions. However, similar steps need to be taken in the case of the atrocities in Xinjiang; I urge Her Majesty’s Government to create a mechanism that will collect and preserve the evidence of the atrocities against the Uighurs for future prosecutions. I acknowledge that while China has the P5 veto, the Security Council may not be the right vehicle for such a mechanism, but I urge my noble friend the Minister to examine the proposals put forward by the noble Lord, Lord Alton.

If we want to ensure that justice is done in future, we must ensure that evidence is not destroyed and witnesses are not pressurised into silence. However, we must be consistent. After the atrocities of the genocide against the Tutsi in Rwanda in 1994, the perpetrators, including high-level government officials and other key figures, fled to Europe and North America. Some returned home to Rwanda to be tried. Others were extradited back to Rwanda or prosecuted in domestic courts of the country of their residence under the principle of universal jurisdiction—but, sadly and embarrassingly, not here in the UK.

Since 2006, efforts to extradite the five known Rwandan suspects alleged to have been involved in the genocide against the Tutsi have failed, as have efforts to try them here in the UK. The newly constituted All-Party Parliamentary Group on War Crimes is campaigning hard to urge Her Majesty’s Government to do the right thing. Five suspects accused of heinous crimes against humanity are living peacefully on our shores. I ask my noble friend the Minister: what is the point of campaigning for justice abroad if we fail to deliver justice at home?

6.09 pm

**Lord Browne of Ladyton (Lab) [V]:** My Lords, I thank the noble Lord, Lord Alton, for securing this debate and for his tireless work on genocide and other egregious human rights violations. We are legally bound by the 1948 convention to take all reasonable steps to punish and to prevent genocide. How many times have we said “never again”, despite inadequate action to break the cycle of it? Nothing will change unless we find a route to legal accountability and justice.



[LORD BROWNE OF LADYTON]

Regrettably, the Government's actions fall short of their own rhetoric; they are slow to bring forward Magnitsky sanctions and are avoiding reform of supply chain legislation. They are in defiance of the House of Commons recognition of genocides and your Lordships' overwhelming support for a judicial route to determination. They have prioritised their ability to enter trade negotiations with China over a process to assess the Uighur case. The Government hold an untenable position on the determination of genocide. You cannot say "genocide determination is for a court" when, with Chinese and Russian vetoes, no court will ever hear the case. Their policy is inoperable and now they must come forward with credible alternatives. They must continue to explore all legal routes to justice.

There are options. My honourable friend Stephen Kinnock urged the Foreign Secretary to introduce a UNGA resolution requesting an advisory opinion from the ICJ on the question of Uighur genocide and to explore legal avenues through other treaties and conventions, like the Convention against Torture, to which China is a signatory. If there was sufficient evidence against individuals, and they were to travel internationally, countries could assume jurisdiction to try those responsible for Uighur policies. France created a genocide unit to investigate and prosecute such offences and in May 2020 arrested a suspect in connection with the genocide in Rwanda.

Another option is bringing cases against Chinese officials at the ICC. China does not accept that jurisdiction, but, as a basis for jurisdiction, lawyers for exiled Uighurs claim some victims were kidnapped from Cambodia and Tajikistan, which do recognise the court. If not these, what credible alternatives do the Government have?

6.11 pm

**Baroness Jones of Moulsecoomb (GP) [V]:** My Lords, I congratulate the noble Lord, Lord Alton, on being the conscience of not only the House of Lords but the Government on this issue of genocide. I do not need to explain to all the wonderful legal minds in this Committee that, in English law, the accomplices who aid, abet, counsel or procure an offence are charged jointly with, and face the same maximum sentences as, the people who commit the criminal act.

This night, the UK Government and the arms industry are culpable for genocides and other atrocities committed across the world. There are very few such atrocities that are committed independently of the global arms trade, of which the Government of the UK are a major component. In your Lordships' House earlier this week, I mentioned the case of the UK aid sent to Mozambique to create a fossil fuel plant. Not only is this a disaster for our planet, it has also created more unrest in a very unstable area. In 2020 the plans actually encouraged an increase in the number of violent incidents; there were 570 in 2020 alone, of which one was 50 people beheaded on a sports field over the course of one weekend.

The conventional arms industry is bad enough for this, but then there is the nuclear weapons industry, the whole purpose of which is to facilitate global nuclear annihilation. Any high-flown promises about justice for genocide are empty while those same people who made the promises support the arms industry. It

is time to rein in the military industrial complex and stop facilitating the killing of people across the world. That really would benefit the reputation of the UK Government.

6.13 pm

**Lord Hannay of Chiswick (CB) [V]:** My Lords, I personally went through two traumatising experiences of genocide in the 1990s when I was Britain's representative on the UN Security Council: Rwanda in 1994 and Srebrenica in 1995. That is why I strongly support and welcome my noble friend Lord Alton's debate today. If proof was needed that the lack of any enforcement provisions in the 1948 convention against genocide left a wide-open door to that most reprehensible of crimes, that was it.

Since then, attempts have been made to remedy that lacuna, with the establishment of regional courts and then the International Criminal Court, and with the endorsement by the 2005 UN summit of the emerging norm of the responsibility to protect. But, as the evidence before us of genocide committed against Iraq's Yazidis and Myanmar's Rohingya, and of the threats to the Uighurs of Xinjiang and the Tigrayans of Ethiopia, demonstrates, these attempts have fallen short of what is needed. So, what should be done to bring perpetrators of genocide to justice and thus strengthen the deterrent effect which the 1948 convention was intended to have?

Here are four suggestions. First, the UK, as a permanent member of the UN Security Council, should press for the council to extend the jurisdiction of the ICC to cover countries which have not signed up to the Rome statute, but in whose territory genocide may have been committed. That route was used successfully in the cases of crimes in Sudan's Darfur region and in Libya; it should now be used in the cases of Iraq's Yazidis and Burma's Rohingyas. Secondly, the UK should also maintain its support for the French initiative to get the five permanent members of the UN Security Council to agree not to use the veto when the risk or actuality of genocide was involved. Thirdly, our Houses of Parliament should prepare the ground to make use of the opening in the Trade Act to consider allegations of genocide by any proposed trade partner. Fourthly, we should tighten up our own immigration and residence legislation and its enforcement so that never again, as was shamefully the case with some of those accused of genocide in Rwanda, could perpetrators find impunity in the UK.

I hope that the Minister can say at the end of this debate whether the four points I have identified—others have mentioned most of them too—are part of the Government's agenda.

6.16 pm

**Lord Shinkwin (Con):** My Lords, who could fail to agree with the noble Lord, Lord Alton, and with the sentiment that the perpetrators of genocide should be brought to justice? After all, did we not sign up to that principle at Nuremberg, when the sentiment was translated into sentences?

Three images come to my mind when I think of bringing perpetrators to justice. The rows of senior Nazis at Nuremberg is the first; the other two feature

Radovan Karadzic. One is of him smiling with Ratko Mladić—the butcher of Srebrenica, to which the noble Lord, Lord Hannay, referred—both of them assuming that they would never be brought to justice. The third image is again of Karadzic, this time at The Hague as the judgment was delivered. There was no smile then. But Xi Jinping must be smiling today because, while we debate, the Uighurs die. While we agonise over their genocide, they suffer the agony of despair. Time is of the essence, but will we act before it is too late?

Bringing perpetrators to justice is essential, but that inevitably means the crime has already been committed, as we have heard. It is far better, surely, to ensure that there are no perpetrators to bring to justice in the first place. Unless and until we translate sentiment to sentencing for the crime, there will be no deterrence, no prevention and no justice, and yet more genocide will be perpetrated again.

6.18 pm

**Baroness Falkner of Margravine (CB):** My Lords, I too thank the noble Lord, Lord Alton of Liverpool, for securing this debate. I am sure the Minister will have heard the frustration from every speaker who has yet spoken with the current impasse, where we are going nowhere on doing anything to properly prevent genocide.

I want to pick up the theme of the right reverend Prelate the Bishop of Blackburn on the tricky issue of what the international community can and should do, particularly where genocide is a slow burn. It does not happen all of a sudden. It starts with removing human rights protections from certain groups, mainly ethnic groups; then by imposing new laws that impinge on their ability to live and work freely in society; then by using new laws to deny these peoples and groups the right to inhabit a society in security and freedom. Usually, the culmination is violence to drive them out and/or bring about their extinction. That is the course we have seen throughout the 70 years of the convention and before it, under the Nazis and the genocide of the Jewish people. So also in Darfur, in Rwanda, with the Yazidis and now with the Uighurs in China, it follows the same course. China is of course more egregious in many ways, as those people have nowhere to flee.

My question to the Government, borne out of the frustration of the ineffectiveness of the UN in this regard, is that, since the Security Council is incapable of consensus on these matters, will they work with like-minded countries such as those in the Accountability, Coherence and Transparency Group, to establish a risk register to monitor the slow burn of genocide so that human rights violations in a given country that point in the direction of genocide can be monitored? The international community can then use responsibility to protect and other measures in coalitions of the willing to take the necessary actions that they may need to before the act occurs.

6.20 pm

**Baroness Goudie (Lab) [V]:** My Lords, I thank my good friend, the noble Lord, Lord Alton, for arranging for this debate today and for the leadership he has given across party in the House of Lords on all these issues and on others.

Her Majesty's Government are second to none in paying eloquent lip service to bringing the perpetrators of genocide to justice. The value of this question is that it focuses attention on accenting this in practice. The Government's record is lamentable. The rights of victims are valueless without effective remedies. I agree with the noble Lord, Lord Hannay, and his four points, which the Government must look at clearly. There has to be effective machinery both to identify the perpetrators of genocide and to bring them before the courts, but this is not happening. We should ensure that we set up the Joint Committee, as promised by the Government recently, as soon as possible. Further, we should look at all trade deals so that we do not trade with countries that are committing genocide or about to do so. We know from various indexes when genocide is starting to be perpetrated. The killing of women and children by the perpetrators is always the first sign that something is wrong, because they are such cowards. I ask the Government to look again at the trade deals and to look at the four points of the noble Lord, Lord Hannay. We cannot be a world leader and continue to let this go by.

6.22 pm

**Baroness Smith of Newnham (LD):** My Lords, the Minister can be in no doubt of the feeling of Members of your Lordships' House about the question of genocide. My noble friend—I do call him a friend—the noble Lord, Lord Alton, has on so many occasions raised the issue of genocide. Many of these issues that we have talked about this evening have been rehearsed again and again. The Government in the integrated review and in the gracious Speech stressed that they want to play an important role in the world and be a beacon of democracy and human rights. To do that, we need also to be able to take a stand on genocide, upholding our own commitments under the genocide convention of 1948, and finding a way to hold regimes to account when there are cases of genocide.

On so many occasions, as the noble Lord, Lord Forsyth, and others pointed out, the Government have claimed that decisions need to be made by a court, and yet the nature of the UN Security Council and the vetoes of the P5 countries, when we know that China and Russia and the US under Donald Trump would not accept any moves on genocide, mean that we need to look again. Can the Minister tell us whether there has been any thought in the Government about taking up the French idea of the veto not being used in cases of genocide? Can the Minister tell us when we are likely to see the joint parliamentary committee, so that Parliament can begin to take a stand on genocide and hold the Government to account in their decisions and actions in this area as well?

6.24 pm

**Lord Collins of Highbury (Lab):** My Lords, I very much welcome the continued focus on issues of genocide from the noble Lord, Lord Alton. Sadly, however, there is too often a gap between what Ministers say and what they do. Despite the Gambia putting forward a case to the International Court of Justice, as my noble

[LORD COLLINS OF HIGHBURY]  
 friend Lady Nye highlighted, in which Myanmar stands accused of genocide, the UK has so far been unprepared to support the case. Why?

The Government have not gone far enough, considering the evidence of genocide in Xinjiang. Despite the sanctions, many perpetrators will be untouched. Much more must be done to ensure that UK business supply chains do not involve forced labour in Xinjiang. What steps are the Government taking to strengthen Section 54 of the Modern Slavery Act?

In my amendment to the Trade Bill I sought guarantees that we would never sign agreements with the worst abusers of human rights. In response to my amendment, the noble Lord, Lord Grimstone, said that the FCDO's annual human rights and democracy report was the right place to report on human rights and trade. The noble Lord, Lord Ahmad, agreed that the report would be strengthened to include a greater focus on trade. I hope that the Minister will repeat those assurances and confirm that the forthcoming report in the summer will include trade negotiations. As we leave the EU, this will be an important part of our negotiations and of how we determine to fight these human rights abusers. Human rights abuse is the start of where genocide is the end. We must stick to our word and hold these people to account.

6.26 pm

**The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con):** My Lords, I thank the noble Lord, Lord Alton, for tabling this debate. He can be assured that, as the Minister responsible for, among other things, human rights, I not only have listened to the sentiments expressed by noble Lords in this excellent debate but will reflect on them and take them back to ensure that they get due consideration.

From the outset, I express what I am sure are the sentiments of all: accountability for genocide and, indeed, all atrocities, is an important and impassioned issue. I am sure that the noble Lord, Lord Alton, knows my great and deep respect for him personally and for his strong advocacy for human rights across the world over many years. So it is absolutely right that the Government continue to respond to debates such as these and to calls to lead the charge for accountability for perpetrators of serious international crimes. I assure the right reverend Prelate the Bishop of Blackburn, as well as the noble Baroness, Lady Falkner, that we are focused on the important issue of atrocity prevention. I will come to that in a moment or two.

The pursuit of international criminal justice and accountability remains at the heart of our foreign policy. The noble Lord, Lord Collins, mentioned the human rights report; that was a timely reminder, as it is currently coming across my desk. I hope that the noble Lord appreciates my personal commitment to ensuring that human rights remain very much at the heart of the work of the Foreign, Commonwealth and Development Office and of the Government. The Government remain committed to the principle that there should be no impunity for those who perpetrate the most serious

crimes of international concern, and we remain at the forefront of efforts to hold perpetrators of such crimes to account.

The noble Lord, Lord Hannay, put forward four important points. I will pick up on just one: the veto. I have heard the sentiments of others, including the noble Baroness, Lady Smith, on this. We should certainly lead by action. The United Kingdom has not exercised its veto and it is right that, through our actions, we now have a determination to influence others in this respect. However, as I have directly experienced as Minister for the UN, the ability of the five member nations to exercise the veto remains a real challenge, particularly on some of the issues discussed previously, including the situation in Myanmar.

The UK policy remains, as has been said by a number of noble Lords, that the determination of genocide should be made by competent courts, not non-judicial bodies. This includes international courts, such as the ICC, and, indeed, national criminal courts that meet international standards. I hope that noble Lords, including my noble friend Lord Forsyth, while not perhaps being fully content with my response, will appreciate that while the determination of genocide remains for the courts, and it is important they consider all the available evidence, we do not stand and wait for that determination. We act, as our approach to global human rights has shown, with the introduction of our own independent sanctions regime.

It is important to stress, however, that our approach in no way undermines the UK's commitment to the principle that there should be no impunity for perpetrators of the most serious crimes, as illustrated by the various situations in countries highlighted by the noble Baroness, Lady Cox. Let me assure her and the noble Baroness, Lady Smith, that we remain true and will uphold our obligations under the genocide convention. When atrocities occur, our approach is to seek an end to them and prevent further escalations, irrespective of whether they fit the definition of a specific international crime.

The noble Baronesses, Lady Smith and Lady Goudie, my noble friend Lord Forsyth, and the noble Lord, Lord Alton, rightly raised the progress being made to create the promised mechanism of a parliamentary committee to examine allegations of genocide. The provisions relating to trade agreements and genocide within the Trade Act will commence from 30 June 2021. The relevant commencement order has now been made. I will write to noble Lords, in the interest of time, on what the processes will be thereafter.

We do not agree with one central premise—and I am sure that other noble Lords, including the noble Lord, Lord Browne, will share this view—that we should act only when there has been a determination of genocide. Today's debate has demonstrated the importance of early intervention. The United Kingdom, notwithstanding the challenges I have heard today, has been at the forefront of calling out crimes and, indeed, strengthening international action. We have demonstrated this, as my noble friend Lord Polak acknowledged, against the unspeakable actions of Daesh in Syria and Iraq, and also in calling out the appalling human rights violations in Xinjiang, among other areas.



Turning to the situation in Xinjiang, we led the first two UN statements on this issue. I know from personal experience because I led on one them. An increased number of countries now support us, but I will be clear that the challenge remains very real. Sadly and tragically, when it comes to the biggest internment of the Muslim community anywhere in the world, there are many across the world, including a large part of the Muslim world, who remain silent. We must therefore persevere in our actions to ensure broader support. In answering the noble Baroness, Lady Falkner, let me assure her that we work directly with our partners to strengthen an international alliance of the willing to speak out against human rights abuses and in the case of China's human right violations, to increase pressure on China to change its behaviour.

As noble Lords will be aware, the Government have, as I have already said, put in place national sanctions to back our actions and words. The sanctions regime calls out serious violations and human rights abuses. On 22 March, under our global human rights sanctions regime, the UK imposed asset freezes and travel bans for the first time on four senior Chinese government officials and an asset freeze on one further entity. The noble Lord, Lord Collins, rightly asked about the Modern Slavery Act and tightening supply chains. That is under way, and I have previously given a commitment that colleagues from the Home Office and the Home Secretary will be leading in that respect. On 12 January—which was the preamble to that action—the Foreign Secretary announced measures to help ensure that British businesses are not complicit in human rights violations or abuses in Xinjiang.

Noble Lords, including the noble Lord, Lord Alton, mentioned various live situations of concern about human rights abuses around the world. I know that recently there has been much correspondence about Ethiopia's Tigray region and what is happening there. As I assured the noble Lord, Lord Alton, in the Queen's Speech debate, I am taking forward specific responsibilities in my capacity as the Prime Minister's special representative on preventing sexual violence by sending a team now, not after, to ensure that evidence can start being collected according to international standards. I can also share that I have had a summary report. Nick Dyer, who is our special envoy on humanitarian issues and famine relief, has just returned from the Tigray region.

The UK continues to support the UN Office of the High Commissioner for Human Rights on her efforts in Tigray and, as noble Lords will be aware, particularly in ensuring access to areas such as Xinjiang. We continue to lobby further support in that respect.

The UK has also been a strong supporter of accountability mechanisms. We have contributed nearly £2 million so far to the team operating to investigate Daesh in Iraq. The Government have also been clear that there must be accountability for the actions of the Burmese military and the ethnic cleansing of the Rohingya community that has taken place. On 1 April, we announced a funding boost of £500,000 to the Independent Investigative Mechanism for Myanmar. Our autonomous Myanmar (Sanctions) Regulations prohibit the provision of military-related services, including

the provision of technical assistance, that benefit the military regime. Support for international justice remains at the heart of our approach in this regard.

The noble Baroness, Lady Nye, the noble Lord, Lord Collins, and others, raised the action of the Gambia at the ICJ. We are supportive of that. There are various dates, including the right of Myanmar to respond to the initial report. I assure noble Lords that we continue to consider where we would consider, at the appropriate time, the formal support of a UK intervention in this respect.

The noble Lord, Lord Thomas, talked about the International Criminal Court as a read-across to certain situations, including those of Israel. We have been clear that any international court must ensure that its mandate and its jurisdiction are upheld; it is our view that the ICC does not have jurisdiction in this case. However, we of course support the independence of the ICC and its officials. The noble Lord quoted the US position, and the UK position is clear: we provide political, financial, and practical support for the International Criminal Court. I am sure that I speak for all noble Lords regarding the excellent Joanna Korner being elected as a judge recently, backed further by our success in ensuring the first ever election of a prosecutor who is also British, Karim Khan QC.

Regarding situations elsewhere in the world and bringing perpetrators to account, my noble friend Lord Shinkwin rightly raised issues of justice and time. But we should be heartened that in 2016, the International Criminal Tribunal for the former Yugoslavia found Radovan Karadzic guilty of genocide, crimes against humanity, and violations of the laws or customs of war, committed during the conflict in and around Bosnia and Herzegovina. This conviction brought accountability for some of the horrors of the Yugoslav wars and, following a request to the UK from the successor body to the tribunal, Radovan Karadzic will be transferred to a prison in the UK to serve his sentence. I hope that this underlines that no matter when such a crime takes place, we will continue to pursue international criminals, uphold the rule of law and ensure that perpetrators are brought to justice.

I also accept the premise rightly raised by many noble Lords, including my noble friend Lord Polak, on Rwanda and those who seek to be or are currently in the UK. While that case is under way, it would be remiss of me to comment too deeply, but I assure my noble friend that this was the direct purpose of a conversation that I had with President Kagame while I was in Rwanda, to give him the assurance that he needed of our commitment to ensuring that all perpetrators are held to account.

The issue of preventing atrocities was raised by the right reverend Prelate, my noble friend Lord Shinkwin and the noble Baroness, Lady Falkner. I assure all noble Lords that we work quite systematically on this important agenda, from early warning mechanisms to diplomatic engagement and development programme support, as well as defence: we use all those to strengthen the international system. They are all part of our approach to ensure that it is not just waiting; it is about acting early and quickly. As set out in our integrated review, we are committed to a more integrated

[LORD AHMAD OF WIMBLEDON]

approach to our work on conflict and instability, placing greater emphasis on addressing the underlying causes and strengthening the resilience, particularly of fragile countries, to external influence.

I assure the noble Baroness, Lady Jones, that, both through our trade and, indeed, our arms export licences, we remain consistent to our obligations under international law. We remain consistent in terms of the regimes in which we operate, and certainly I, as Minister for Human Rights, remain very much committed to ensuring that the issue of human rights is at the centre of our thinking, both when it comes to issues of trade and issues of arms sales. That is a case we continue to make and I know my right honourable friend the Foreign Secretary is cognisant of that.

The noble Lord, Lord Collins, raised various matters and asked specific questions. I will write to him. I have mentioned the Modern Slavery Act, but I will write to him, if I may, on specific dates and timelines. I noted the commitment and the passion, and I assure noble Lords that Her Majesty's Government remain committed to ensuring accountability and justice; within that, we work with communities on the ground to support reconciliation on the ground as well. We will demonstrate this through our political, financial and practical support to international justice and accountability mechanisms, including those of prevention, to ensure not just that the suffering of those communities around the world can be lessened but that we can prevent future atrocities from occurring.

I assure all noble Lords that we will continue to work with our international partners to ensure that, where we can, we end atrocities and that, where we

can, we prevent atrocities and ultimately alleviate the suffering of those being impacted. We will never wait for the determinations of specific international crimes before taking action. It is early days on our global human rights sanctions regime, but through the 70-odd sanctions that we have currently levelled and our partnerships—we are working with key partners such as the United States, Canada, and our partners in the European Union—we have demonstrated the importance of working together with the like-minded. I hope that that provides a degree of assurance to all noble Lords who have participated in this important debate. The noble Lord, Lord Collins, mentioned the importance of partnerships, of working and listening to your Lordships' House and our colleagues in the other place, and I assure the noble Lord of my commitment in that respect.

Finally, the noble Lord, Lord Alton, had the first word and, in my summing up, he should have the last word. He quoted, among others, Eleanor Roosevelt, and there is one particular quotation of hers that really stays with me:

"The future belongs to those who believe in the beauty of their dreams."

We must ensure that those who suffer at the hands of others never lose sight of their dreams. Let us help build those dreams.

**The Deputy Chairman of Committees (Lord Lexden)**  
**(Con):** My Lords, that completes the business before the Grand Committee today. I remind Members to sanitise their desks and chairs before leaving the Room.

*Committee adjourned at 6.42 pm.*