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PARLIAMENTARY DEBATES
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HOUSE OF LORDS

OFFICIAL REPORT

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The following abbreviations are used to show a Member's party affiliation:

Abbreviation	Party/Group
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
Non-afl	Non-affiliated
PC	Plaid Cymru
UUP	Ulster Unionist Party

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House of Lords

Wednesday 20 September 2023

3 pm

Prayers—read by the Lord Bishop of Chichester.

Oaths and Affirmations

3.07 pm

Baroness Hale of Richmond took the oath.

Railway Stations: Ticket Office Closures *Question*

3.08 pm

Asked by Baroness Quin

To ask His Majesty's Government what recent discussions they have had with the Railway Group and train operators about proposed station ticket office closures.

The Parliamentary Under-Secretary of State, Department for Transport (Baroness Vere of Norbiton) (Con): My Lords, together with the rail industry, we want to modernise the passenger experience by moving staff out of ticket offices to provide more help and assistance in customer-focused roles. Ministers and department officials regularly engage with industry, including the Rail Delivery Group and train operating companies, to discuss a wide range of topics including how best to operate stations and serve passenger needs in the most efficient and effective way.

Baroness Quin (Lab): My Lords, the Minister keeps saying that this proposal is all about getting staff out of ticket offices and on to platforms to help people. However, in my local station, Alnmouth, the staff already help people both in the ticket office and on the platform. This proposal therefore represents a deterioration in quality, not an improvement. I have a simple question for the Minister: in cases where a clear majority of the public is against ticket office closures at their station, will their views be listened to, with no question of their views being overridden?

Baroness Vere of Norbiton (Con): The important thing to understand here is that this is a genuine consultation. The people who have received all the responses to the consultation are independent—they are independent passenger bodies, including Transport Focus and London TravelWatch. They will look at the responses that they get and the proposals put to them by the TOCs. They will listen to concerns and refine the proposals with the TOCs to ensure that appropriate service levels are being offered.

Lord Cormack (Con): My Lords, will the figures be published? Does my noble friend the Minister not realise that many of us get the feeling that it has been decided that this is what we want when many of us do not?

Baroness Vere of Norbiton (Con): The independent passenger bodies will publish their responses to each of the train operating companies' proposals.

Lord Anderson of Swansea (Lab): Will the people on the platform be prepared to help the elderly and the disabled get their tickets if tickets offices do not exist?

Baroness Vere of Norbiton (Con): That is the whole point: they will be more than happy to do so. We want to have multi-skilled individuals working for the railways such that they can help all sorts of passengers with a varying range of needs.

Lord Laming (CB): My Lords, I will share with the Minister the experience at my local station, where there is only ever one member of staff on duty. In the morning, that member of staff opens up the station, the toilets and waiting rooms, and helps people get their tickets, sold either directly or with these complicated machines. They are, in effect, the station manager; this one person is essential to the operation of the station.

Baroness Vere of Norbiton (Con): I hope the noble Lord has fed that back into the consultation, where it will be taken into account by the independent passenger bodies.

Lord Moylan (Con): My Lords, is my noble friend aware that Transport for London introduced an almost identical scheme a few years ago? It went extremely smoothly; nobody noticed or complained about it once it had been implemented, and it has greatly benefitted passengers.

Baroness Vere of Norbiton (Con): My noble friend is exactly right. It was a former Conservative Mayor of London who took this step for ticket offices in Tube stations. The current Mayor of London came in with great fury and said he was going to review the whole thing and make changes if appropriate—not a single change was made.

Baroness Randerson (LD): My Lords, it has become clear over the last year that several train companies have ceased to recruit new staff for ticket offices, and have therefore been shutting them gradually by default. Can the Minister assure us that the Government have not sanctioned this, and that any review of the 700,000 people who have responded to the consultation will take into account firmly the balance of opinion among those respondents?

Baroness Vere of Norbiton (Con): I am very concerned to hear what the noble Baroness has to say, and I hope that she will provide me with the evidence so that we can look into this further. There are 980 DfT-regulated ticket offices and that has been the case for a very long time. So if ticket offices are closing, as she says—again, I am not aware that they are—they also should have gone through the ticketing and settlement agreement. I would be very happy to look at the noble Baroness's evidence.

Baroness Whitaker (Lab): My Lords, the ticket office in my local station does not do advance tickets. How can a would-be passenger who wants to book ahead, and thus save quite a lot of money, get an advance ticket with no ticket office?

Baroness Vere of Norbiton (Con): I cannot comment on the noble Baroness's ticket office specifically, but 99% of transactions at ticket offices last year could have been made either through a ticket vending machine or online.

Baroness Secombe (Con): My Lords, I travel from Banbury to Marylebone every Monday. When I approach the ticket office there is at least one person ahead of me. I hope that there will be flexibility in this: maybe some stations do not need ticket offices, but places that are busy certainly do.

Baroness Vere of Norbiton (Con): My noble friend is absolutely right. This is not a one-size-fits-all process; this is a consultation, and we will look to see what the independent passenger bodies say when they have finished reviewing all the consultation responses. We believe that that will be towards the end of October.

Baroness Taylor of Stevenage (Lab): My Lords, my noble friend mentioned already the situation for disabled and elderly passengers. They already face barriers to using public transport, which will be made much worse by these proposals. Given that only 3% of blind people are able to use the ticket vending machine, how will the Government ensure that they can still use the railway network?

Baroness Vere of Norbiton (Con): The Government have been consulting with various accessibility groups, alongside industry, over the period, and have taken their views into account. That has included invitations to the Royal National Institute of Blind People, the Royal National Institute for Deaf People, the National Autistic Society and the Multiple Sclerosis Society—I have an entire list, which I will not read out right now. Accessibility is at the heart of what we are doing here. We are trying to improve passenger service. The ORR's latest annual consumer report shows that passenger assistance bookings have increased significantly. I am delighted to say that disabled people are coming back to the railways.

Lord Beith (LD): My Lords, under these proposals, it will not be possible to buy a senior or disabled persons railcard at the vast majority of stations, whether there are staff there or not. Is that right?

Baroness Vere of Norbiton (Con): I cannot say, because the consultation process is still going ahead. At this time, 43% of stations do not have any staff at all, so the noble Lord would not be able to get those railcards at those stations. All of those considerations are being taken into account. We want people to travel on the trains, and we need them to get their tickets and their railcards. All of those are very important considerations as we go through this consultation process.

Lord Kamall (Con): My Lords, any consultation will clearly be a snapshot of the situation now or maybe in the near future. What happens if passengers at a certain station find that there is no help when they need it, particularly with ticket machines or for advice? How can they feed that into the process to make sure that this problem is rectified?

Baroness Vere of Norbiton (Con): My noble friend makes an important point, and of course that could happen now. I encourage anybody who feels they do not get the service that they need from the railways to get in touch with that train operating company. It could be that circumstances have changed, such as more people or different types of people travelling from a certain station.

Baroness Symons of Vernham Dean (Lab): My Lords, the Minister has referenced blind people. When I was in my local station the other day, getting my ticket to come to London, I stood behind a blind person who was completely confused and had no idea how to use the ticket machine. The chap in the ticket office was able to help and comfort her and tell her that she would be alright. I find it impossible to understand what the Minister is trying to make us believe—that people like that will not be disadvantaged. They will be.

Baroness Vere of Norbiton (Con): That same person does not have to be in that ticket office in order to help them. That is what we are saying. There are all sorts of different people who need different help, and having somebody in a ticket office whose time is not being used effectively does not help passengers.

Baroness Meacher (CB): My Lords, I was not planning to ask a question but I find this a completely shocking proposal. Disabled and vulnerable people will be disadvantaged. Can the Minister give us a generic email address—publicly, so that it goes out across the BBC and everywhere else—to which people can write in and express their objections?

Baroness Vere of Norbiton (Con): I cannot give a generic email address, although I am sure the noble Baroness could contact Transport Focus. The train operating companies have publicised this consultation widely. It is worth pointing out what the Rail Minister said very recently in a Westminster Hall debate. The consultation is ongoing, but, at this stage, he does not “expect a material reduction in the number of hours where ticketing expertise is available at stations”.—[*Official Report*, Commons, 13/9/23; col. 346WH.]

That will help people who have sight deficiencies, as the noble Baroness mentioned, and it will help all people who need greater assistance at train stations.

Farming: Net Zero *Question*

3.19 pm

Asked by Lord Carrington

To ask His Majesty's Government what progress they have made in assisting British farmers to meet net zero challenges.

Lord Carrington (CB): My Lords, I beg leave to ask the Question standing in my name on the Order Paper. In doing so, I declare my farming interests as set out in the register.

The Minister 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. Farmers are central to delivering the Government's environmental and climate targets, alongside their core role as food producers. The net-zero growth plan, government food strategy and environmental improvement plan set out a range of specific improvements to support farmers on their journey to net zero. Environmental land management is the foundation of our new approach. Our schemes will pay for sustainable farming practices, which are an important step towards achieving our net-zero goals.

Lord Carrington (CB): My Lords, I thank the Minister for his response and I appreciate the progress being made, but years on from the passing of the Agriculture Act and the Environment Act, farm owners and landowners are constrained by the absence of many of the basic details on the new schemes. Despite many questions and consultations, we still have no decisions on the tax implications for income tax, VAT and inheritance tax. Current uncertainty over the taxation impacts of ELMS, biodiversity net gain and carbon farming in general is a major obstacle for farmers to take up these schemes. This is exacerbated by the need to commit to 30 years or more for BNG. In successful farming, timeliness is godliness. Will the Minister introduce this mantra to Defra and its dealings with the Treasury, and announce the policy?

Lord Benyon (Con): I thank the noble Lord. We are doing a lot with farmers to encourage them to farm sustainably, in a way that locks up carbon and rewards them for doing so. I refer him to *Nature Markets: A Framework for Scaling Up Private Investment in Nature Recovery and Sustainable Farming*, which shows land managers precisely how they can access high-integrity carbon and biodiversity credits markets, which will provide income for them and do what we want; and to our environmental land management schemes, which will lock up carbon. The noble Lord asked a specific question on tax. We have resolved some of the issues and have ongoing discussions with the Treasury. It is vital that we incentivise farmers in every way to help them hit net zero and help us as a society.

Lord Kirkhope of Harrogate (Con): My Lords, I pay tribute to Minette Batters, the current president of the National Farmers' Union, who is in her last year in that post. The challenges of the farming industry have been enormous in recent years, not only in relation to net zero but much more widely. Can the Minister therefore say today that assistance will be given whenever necessary to encourage more people to enter the farming profession, and to help those farmers who meet these challenges day in, day out?

Lord Benyon (Con): I second my noble friend's kind words about Minette Batters; she has been an extraordinary leader of the farming sector. In a single

act of great courage and determination, she committed English farming under her leadership to get to net zero by 2040. That is a challenge for the Government and for her members, and we are doing everything we can to ensure that the NFU's ambition and the Government's align.

Baroness Burt of Solihull (LD): The basic payment scheme is due to be wound down next year and, as I understand it, the cross-compliance rules, such as not maintaining hedgerows between 1 March and 31 August to enable nesting birds and other wildlife to thrive, may go. Can the Minister tell us which, if any, of these cross-compliance rules will be retained? Does he agree that there is little point in chasing carbon goals if our countryside is dead and silent?

Lord Benyon (Con): The noble Baroness says something is so when it is not. There are so many rules to prevent farmers removing hedgerows. There are cross-compliance measures within ELMS, which will replace the basic payment scheme. I do not know where she got that information, and I wish other members of her party at the other end would stop saying this because it is not true.

Baroness Hayman of Ullock (Lab): I, too, pay tribute to Minette Batters. She has been an extraordinary leader, and these Benches support all the work she has done to bring farming towards net zero. We know that the use of smart technologies and more efficient equipment can help farmers reduce their environmental impact, whether that is through reduced emissions, improved yields or reducing damage to natural habitats. However, many farmers are struggling to make ends meet and the cost of borrowing has increased greatly in recent times, which makes new equipment out of reach financially for many farmers. What assessment have the Government made of the potential role for farming co-operatives in acquiring and sharing such equipment, and what role would the Minister see for his department in this area?

Lord Benyon (Con): There has been a great increase in machinery rings, whereby farmers work together to share equipment. That has reduced their fixed costs and assisted with their working capital. Defra is assisting farmers through our £270 million Farm Innovation Fund, including £15 million to assist farmers in putting solar panels on their barns. However, there is much more we can do to help innovation. Earlier my noble friend made a point about encouraging younger people into farming, who understand the technologies that are available and embrace them. They need to feel that they are assisted by government and the agricultural education sector, and that there are grants available to help them work together to use innovations that reduce their carbon footprint but also help with their bottom line.

Lord Curry of Kirkharle (CB): My Lords, I want to ask a specific question of detail on carbon. I am increasingly receiving messages of concern about the lack of a national standard in the calculation of carbon. Different farming systems and different models are producing different results. The industry is crying out

[LORD CURRY OF KIRKHARLE]

for clarity. We need a national standard for the calculation of carbon on different livestock systems but also for the calculation of soil carbon. What is the department doing to try to resolve this dynamic?

Lord Benyon (Con): The noble Lord has great experience in this field. He is right that there are a great many tools available for use by farmers and their advisers to support on-farm calculations and audits. The Government and I share his concern because a number of those tools differ widely in their complexity and underlying methodology. We are therefore working at pace to find the most credible and consistent on-farm tools to assist farmers to understand their baselines and thereby to prove additionality, so that they can actively seek carbon credits and biodiversity credits, which will help them to hit net zero and their income accounts.

Baroness Bakewell of Hardington Mandeville (LD): My Lords, everyone, including farmers, has to be committed and involved in attempting to achieve net zero. This year the Government turned away farmers from their higher-tier countryside stewardship and landscape recovery schemes. Those farmers were ambitious to cut greenhouse gas emissions and restore nature to the land. In future, is Defra likely to encourage farmers, rather than discouraging them from playing their part in cutting GHG?

Lord Benyon (Con): I do not know where these stats come from. We have doubled the number of farmers in countryside stewardship. When we increased the rates two years ago, the number of farmers entering countryside stewardship doubled. I do not know where the noble Baroness is getting these figures.

Lord Framlingham (Con): My Lords, farmers up and down the land, along with a lot of other people, will be breathing a sigh of relief because, apparently, later on today we are going to look again at the policies on net zero and, hopefully, will remove all those nonsenses from it and try to make some sense of it, which has not been done so far. When the Minister talks to farmers, could he please ask them to keep growing barley, not bulrushes, and remind them that, as well as keeping up conservation, as they must, their first job is to make sure that the nation is fed?

Lord Benyon (Con): I agree. There is no dichotomy here at all. As the food strategy shows, on the poorest fifth of land we produce less than 1% of the calories we need. So there is plenty of room out there to do what is necessary to restore nature, which is depleted to historically low levels, which we want to see reversed by 2030. We want farmers to get to net zero, which is fundamentally important. We should all be proud that this country is a leader in promoting net zero by 2050 and passing a Climate Change Act. There are plenty of possibilities for farmers to continue to produce food off land that is productive, as well as to restore nature and to get to net zero using the land that is less productive.

Migrants: Barges Question

3.30 pm

Tabled by Lord Roberts of Llandudno

To ask His Majesty's Government whether adequate provisions have been implemented to prevent the spread of infections on barges used to house migrants.

Baroness Brinton (LD): On behalf of my noble friend Lord Roberts of Llandudno, and with his permission, I beg leave to ask the Question standing in his name on the Order Paper.

The Parliamentary Under-Secretary of State for Migration and Borders (Lord Murray of Blidworth) (Con): I can assure both the noble Baroness and the noble Lord that the health and welfare of individuals in asylum accommodation, including vessels, is our utmost priority. The Home Office has worked throughout with the UK Health Security Agency on the management of contagious diseases and the policies relating to that, particularly in respect of vessels. Medical facilities and isolation rooms on board have been designed by local NHS services, with UKHSA input.

Baroness Brinton (LD): My Lords, the data from Dorset Council discovered that the legionella strain found on the "Bibby Stockholm" was the most deadly. Public health officials remain concerned that the Government, by doubling the number of asylum seekers on the boat, put them at risk of infectious diseases that spread very fast in overcrowded places, such as diphtheria, scabies and gastroenteritis, all issues that have been found at Manston and other places. Can the Minister confirm that the legionella was successfully removed and that the Home Office will follow public health advice about the number of people kept in places to reduce disease spread caused by overcrowding?

Lord Murray of Blidworth (Con): I can confirm that the Home Office went above and beyond the UKHSA's initial advice in managing the legionella situation, which was to have no new arrivals to the "Bibby Stockholm", and decided to evacuate the barge immediately. We have robust and well-rehearsed processes in place across the government estate to test for legionella bacteria and it is not unusual to identify it in water systems, which is why they are subject to regular testing.

Baroness Chakrabarti (Lab): My Lords, has the Minister had the opportunity to consider, at least initially, yesterday's devastating report from the public inquiry into the scandal that is Brook House detention centre? I will not waste your Lordships' time with the details, but they are worth a read. Has he had the opportunity to read the published remarks of His Majesty's Chief Inspector of Borders and Immigration, and his comments about how he has been thwarted by Home Office Ministers in doing his job of independent review? I am sure that noble Lords would be grateful for a response.

Lord Murray of Blidworth (Con): As the noble Baroness well knows, sadly this Question is limited to the adequacy of the implementation of measures to spread infection on barges.

Noble Lords: Oh!

Lord Murray of Blidworth (Con): The *Companion* is quite clear. I am afraid I will not be drawn on the Brook House inquiry report in this session.

Lord Dubs (Lab): My Lords, if, as the Minister says, there are robust measures to ensure the health and well-being of people put on barges, why were a number of refugees and asylum seekers put on the barges before the health measures were in place?

Lord Murray of Blidworth (Con): The health measures were in place, and it was only at a very late stage that the Home Office was made aware of the findings of Dorset Council. At that time, as I say, the Home Office decided to go beyond the recommended position from the UKHSA, which was not to put any more migrants on the barge, and instead to evacuate it, which was surely the responsible thing to do.

Baroness Hamwee (LD): My Lords, will the Minister take on board—no pun intended—the concern for not only the asylum seekers who were subjected to this but Home Office officials, and presumably contractors, who must also have been exposed to the legionella?

Lord Murray of Blidworth (Con): As I said in my initial Answer, one of our paramount concerns is the health and welfare of migrants and our staff. I can reassure the House that no one has contracted legionnaires' disease as a result of the finding of this presence in the water supply.

The Lord Bishop of Durham: My Lords, the barge is only one solution to the growing numbers who need to be accommodated. What provision of healthcare is being considered at MoD sites such as Wethersfield and, potentially, Scampton? Will GPs be on site and what all-round healthcare will there be to ensure that those resident there are kept safe?

Lord Murray of Blidworth (Con): I am very grateful to the right reverend Prelate for that question. One of the great advantages of the utilisation of large sites and barges for the housing of migrants is that specific contracting can be provided for the provision of healthcare for migrants. I can reassure him that there is a GP service available to all the residents of the large sites. A nurse is present routinely throughout the week at various times. The health of the migrants is, as I say, something the Home Office takes very seriously. Furthermore, the provision by contract on these large sites prevents the utilisation of local GP resources in the environs of the large sites, either at Wethersfield or for the barge in Dorset.

Lord Coaker (Lab): My Lords, what confidence can this House have in the Government's efforts to contain the spread of infectious diseases on barges when the Chief Inspector of Borders and Immigration, referred to by my noble friend Lady Chakrabarti, has had his contract terminated because he has been too critical of the Government's policy? I will tell the Minister one thing: it is not the inspector's contract that needs terminating.

Lord Murray of Blidworth (Con): As I replied to the noble Baroness, that is a long way from the topic of infection on barges. The term of office of the chief inspector was time limited. It is clearly open to the Home Secretary not to renew the appointment.

Baroness Jones of Moulsecoomb (GP): My Lords, can the Minister explain this to me, because I have not really understood it? Presumably the Government instituted health checks before any migrants were put on that boat, so why was it only the Dorset Council review that threw up these very negative findings? If the Government did not know about this, why did they respond to it so quickly?

Lord Murray of Blidworth (Con): Because those health checks were the responsibility of Dorset.

Lord McLoughlin (Con): My Lords, I understand that one of the reasons for trying to house these migrants on the barge is to try to reduce the costs on the Government as far as this whole episode is concerned. Will my noble friend tell me what budget the costs for this project and other projects come from?

Lord Murray of Blidworth (Con): My noble friend is absolutely right. Presently, the hotel bill for migrants is in excess of £8 million per day. It is vital that the use of hotels is drawn down and stopped as swiftly as possible. I can reassure my noble friend that the budget is there in the Home Office for the accommodation of migrants. It is equally important that the taxpayer obtains value for money.

Lord Foulkes of Cumnock (Lab Co-op): My Lords, as the Minister has ruled that this Question is about barges only, once it is clear that the barges are safe and there is no danger to health, can he arrange for one of them to be brought up the Thames and moored outside the Houses of Parliament to provide accommodation to Peers from outwith London who are finding that the escalating costs of hotels in London is using up all our daily attendance allowance?

Lord Murray of Blidworth (Con): I have a certain sympathy for the noble Lord's point. I can reassure him that the use of barges to house asylum seekers is done routinely by our friends in Europe. The German Government housed asylum seekers on this very barge between 1995 and 1998. The Dutch and Belgian Governments have equally done so. The standard of accommodation is high. The noble Lord will recall

[LORD MURRAY OF BLIDWORTH]
that the Scottish Government housed Ukrainian asylum seekers on two vessels in Scotland. I think that one of those vessels, the MS “Victoria”, was used to house policemen during the Olympics. This is civilised living accommodation, and clearly I shall inform the Port of London Authority of the noble Lord’s suggestion.

Baroness Hussein-Ece (LD): My Lords, can the Minister confirm the cost of the barge sitting there empty at the moment? Reports are that it is about £50,000 a week. Can he confirm whether that is the case, and can he say, for the cost of that, how many immigration officers could be employed to clear the backlog?

Lord Murray of Blidworth (Con): I can reassure the noble Baroness that the correct due diligence and financial assessments are carried out and reviewed regularly to ensure that all vessels progressed for asylum accommodation provide value for money to the taxpayer. There is, of course, an intangible benefit, which is that by emptying the hotels we return them to their proper use for the benefit of the communities where they are located. As my right honourable friend the Immigration Minister has repeatedly made clear, it is a problem across the House that these hotels are not in use for their normal purpose, and it is very important that they are emptied as swiftly as possible.

Iran: Prisoner Swap *Question*

3.41 pm

Asked by Lord Walney

To ask His Majesty’s Government what discussions they have had with the government of the United States on the implications for United Kingdom and global security of the proposed prisoner swap deal between that government and the government of Iran.

Lord Mott (Con): My Lords, we welcome the end of the detainees’ horrific ordeal at the hands of the Iranian regime, including the UK-US-Iranian tri-national Mr Tahbaz and his family. The UK was not a party to the negotiations between the US and Iran, but we were in close touch with US authorities throughout. Iran’s use of detention for political gain must cease. We will continue to work with the US and other international partners to end Iran’s abhorrent detention practices.

Lord Walney (CB): I thank the noble Lord for that Answer. The released hostages and their families will of course cherish their freedom, but are the Government not concerned that the true cost may be much higher than the \$6 billion now being made available to Iran? Does this not effectively reward the regime for hostage diplomacy and make it more likely that it will repeat its atrocities? Given Iran’s sophisticated network of front companies, how can there be genuine safeguards on preventing that cash being used by the IRGC to maintain and expand its regime of terror at home and abroad, where of course it is targeting UK nationals?

Lord Mott (Con): The noble Lord asks some very important questions. By seeking to use foreign nationals as bargaining chips, the regime’s leaders are fatally undermining Iran’s credibility on the world stage. It remains in Iran’s gift to release any foreign nationals who have been unfairly detained; we will continue to urge Iran and any country that arbitrarily detains people to release them immediately. The UK was not a party to negotiations between the US and Iran in this case, but the US maintains that the released funds will never enter Iran nor pass on to Iranian companies or entities but will be available only for humanitarian goods and transactions with non-Iranian-vetted third parties.

Lord Collins of Highbury (Lab): My Lords, the Foreign Affairs Committee in the other place produced an excellent report in the summer on hostage diplomacy and argued very strongly for the creation of an arbitrary and complex detentions director, organising cross-government action and cutting through the silos that we know exist, as the chair said. Alicia Kearns said that she was

“disappointed that there was a lack of meaningful engagement with this proposal”.—[*Official Report*, Commons, 6/7/23; col. 377WH.] Will the Government think again and look seriously at this proposal?

Lord Mott (Con): I thank the noble Lord for his question and reference to the report. The Government were grateful to the Foreign Affairs Committee for its report and considered its recommendations in detail. We are committed to learning from the experiences of victims of arbitrary detention. The Government do not agree that we should establish a separate post of director for arbitrary and complex detentions. Our approach reflects the Foreign Secretary’s primacy within Cabinet as the Secretary of State with responsibility for foreign affairs, including consular affairs, with direct access to the Prime Minister. Our approach to the governance and leadership of complex cases also reflects the dual premium we place on country-specific expertise and consular best practice. Relevant senior geographic leaders may lead our diplomatic response to complex detentions, such as those in Iran, working with the director for consular services, who is responsible for consistency of approach. We regularly compare this approach with best practice in other countries.

Baroness Northover (LD): My Lords, following on from the question from the noble Lord, Lord Collins, clearly, it is excellent that Morad Tahbaz has been released. He should have been released last year with the two others who were released then; that was what was expected. However, as in his case, the Government keep the families at arm’s length. I know this very well. There are very uninformative meetings about them, and the Government are very passive when it comes to demanding consular visits and the ability to attend trial hearings. In the light of the Minister’s answer to the noble Lord, Lord Collins, which is that he will not take forward that proposal, what action the Government are taking in relation to Mehran Raof, who has been detained for three years in Iran, and Mr Abd el-Fattah, who has been detained in Egypt for almost four years?

Lord Mott (Con): I thank the noble Baroness for that question. We are supporting the family of British-Iranian national, Mr Mehran Raoof, detained in Iran since October 2020. His health and welfare remain a top priority. It remains entirely within Iran's gift to release any British national who has been unfairly detained. The Foreign Office and the consulate continue to support all families and are available 24/7. If the noble Baroness has a particular instance that she would like to raise, I will be more than happy to take that further with her after today.

Lord Hannan of Kingsclere (Con): My Lords, is not this the latest example of where the international community has accorded the ayatollahs the dignity of being a sovereign state and been repaid with the export of violence? Iran has continued to sponsor terrorist militias in central Asia, in Lebanon, in Gaza and in the Balkans, even striking as far afield as Buenos Aires. Would we not find it better policy to say that we never pay anyone Danegeld, no matter how trifling the cost, for the end of that game is oppression and shame and the nation that plays it is lost?

Lord Mott (Con): I thank my noble friend for his comments. The UK is committed to combating the abhorrent practice of using detained British citizens for diplomatic leverage. Our starting point is that any arbitrary detention of a foreign national for diplomatic leverage is unlawful and a grave abuse of human rights.

Lord Singh of Wimbledon (CB): My Lords, I have long criticised the regime in Iran for its torture and killing of political opponents and its subjugation of women. However, does the Minister agree that its illegal detention of five American hostages is ethically no worse than America's equally illegal detention of five Iranian hostages and the withholding of \$6 billion of Iranian assets? In that context, will noble Lords applaud the example of Justin Trudeau in unequivocally stating that he puts the human rights of Canadian citizens before any shabby trade deals or considerations of strategic interest?

Lord Mott (Con): The UK was not a party to those negotiations between the US and Iran. We are in regular touch with US authorities and regularly engage the US Administration to co-ordinate our foreign policy approaches, including our response to Iran's unjustifiable detention of our nationals. This is a shared priority of both the US and UK Governments.

Lord Polak (Con): My Lords, as President Raisi shamefully got to his feet to address the United Nations General Assembly yesterday, the world sat silently. Only Gilad Erdan, the Israeli ambassador, stood up holding a picture of Mahsa Amini, brutally murdered by the regime one year ago. Where is our moral compass? While the US handing billions of dollars to the regime is concerning, as the noble Lord, Lord Walney, said, at least the US has correctly proscribed the IRGC as a terrorist organisation. We proscribed Hezbollah, which is a state actor in Lebanon, so will my noble friend go back to the department and urge it to act immediately?

Lord Mott (Con): I thank my noble friend for his question, which I will certainly take back to the department. I will say, however, that we have already sanctioned the IRGC in its entirety. The separate list of terrorist organisation proscriptions is kept under review. We do not routinely comment on whether an organisation is or is not under consideration for proscription. We have a range of tools at our disposal; this is about using the most effective measures to curb Iran's destabilising activity.

Lord Dubs (Lab): My Lords, the Minister talked about the exemplary approach by the Foreign Office to these people who were tragically held in Iran. How does that stack up against the way in which it behaved when Nazanin Zaghari-Ratcliffe was in jail for many years? We accepted that we owed the Iranians £400 million, which we refused to pay for many years, and the then Foreign Secretary made a complete mess of it by suggesting that her purpose in visiting her relatives in Iran was different. That was not in her best interests. Surely, the Foreign Office has a lot to answer for in how that was handled. I hope we have learned the lessons.

Lord Mott (Con): I thank the noble Lord for his question. Clearly, the Foreign Office continues to monitor situations and to learn lessons. As I said earlier, it is important for us to learn from best practice around the world and we will continue to do that. In the end, we want to make sure that British nationals and their families are looked after by the Foreign Office and our various consulates around the world.

Climate Change Policies

Private Notice Question

3.51 pm

Asked by Baroness Hayman

To ask His Majesty's Government what changes they plan to make to the UK's climate change policies.

Baroness Hayman (CB): My Lords, I beg leave to ask a Question of which I have given private notice, and in so doing declare my interest as chair of Peers for the Planet.

The Parliamentary Under-Secretary of State, Department for Energy Security and Net Zero (Lord Callanan) (Con): My Lords, the UK is leading the world on climate change. We are committed to net zero by 2050 and the agreements that we have made internationally. The Prime Minister will make a statement on this issue later this afternoon.

Baroness Hayman (CB): My Lords, that really will not do. We have all read what the proposals are. I understand that it is very easy to see on WhatsApp the paper on this issue put to the Cabinet this morning at its emergency meeting. I also understand that the plan was not to have Parliament sitting at all and to make these major

[BARONESS HAYMAN]

announcements on Friday. Instead, because they were leaked, we at least have some opportunity in this House to question the Minister, but I hope he will not hide behind waiting for 4.30 pm, when the Prime Minister will talk to the press and not to Parliament.

In New York today, the UN is underlining that no country has done enough to meet the challenges of climate change, so it is both ironic and depressing that the UK Government are proposing such a damaging retreat from our global leadership position. What is the Minister's response to the horrified reception these proposals have received from business leaders, who see delaying the transition to net zero as the complete opposite of what they need—ambition, certainty and commitment?

Is it not deeply disingenuous to suggest that rolling back our climate commitments is in the interests of hard-pressed families, when slowing down ambition on home insulation, for example, will only be, as the CEO of E.ON UK put it,

“condemning people to many more years of living in cold and draughty homes that are expensive to heat, in cities clogged with dirty air from fossil fuels, missing out on the economic regeneration this ambition brings”?

Finally, can the Government explain why they are disregarding all the advice from the Treasury, the OBR and others that delays to the actions essential to achieve net zero by 2050—to which the Minister says they are still committed—will make the task more difficult, more chaotic and more expensive?

Lord Callanan (Con): My Lords, there were a number of questions there. In essence, I think the noble Baroness is asking whether the Government are really committed to net zero. As I said in the original Answer, the answer is yes. More importantly, we have the track record to prove it. The UK has overachieved on all our carbon budgets to date; we have reduced emissions faster than any other major economy; we are home to the first, the second, the third and the fourth-largest offshore wind farms in the world; and renewable power reached a record share of 48% of total generation in the first quarter of 2023. All those matters have been achieved under a Conservative Government. It is our record and we are proud of it.

Lord Deben (Con): My Lords, the Climate Change Committee and Chris Skidmore, who was the Government's own adviser, say that the Government cannot at this moment reach net zero, even before they cut back. Last week, the Government failed the offshore wind industry. This week, it appears that they are making car manufacturers unable to do their jobs. How are this Government going to restore the confidence of investors, businesspeople and the general public that they will stick to their word?

Lord Callanan (Con): Yet again, the noble Lord is wrong in his statements. As he well knows, we have the largest offshore wind industry in Europe and the second largest in the world. Other European countries are racing to catch up with our record. We have overachieved in meeting our carbon budgets, and I remind the House that these are legally binding commitments.

We are on track to overachieve on carbon budgets 4 and 5. We are also on track to achieve carbon budget 6, which does not start until 2033, so I am afraid the noble Lord's statements are wrong.

Baroness Blake of Leeds (Lab): My Lords, it is worth emphasising the comments from Ford UK in its response to today's news:

“Our business needs three things from the UK government: ambition, commitment and consistency. A relaxation of 2030 would undermine all three”.

These are not isolated comments; many businesses have made more. Why are the Government content to hurt working people by selling out British business and the long-term future of our economy in this way?

Lord Callanan (Con): The noble Baroness makes a number of statements before she has even heard what the Prime Minister has to say later; perhaps she might want to read what the Prime Minister actually announces and revise her statements in light of that.

Lord Teverson (LD): My Lords, the Minister has provided a list of things that all of us have been proud of in the past, but the point is that is the past. This announcement is a tragedy for this nation because that leadership that we had globally, of which we all were proud, is about to disappear. The Prime Minister is likely to say that the target of net zero still exists, which is a fabrication. We know from the Climate Change Committee, the Government's own adviser, that we are already behind that in terms of policy. This will kill that objective.

We have the IRA in the United States and the green investment plan in the EU. We are now retreating from international investment. The question I ask the Minister is where the investment will come from to get us to net zero, but the question I really want to ask is how come any Ministers are still in the department for net zero. They should have all resigned this morning.

Lord Callanan (Con): As the noble Lord knows, net zero is a legal commitment imposed on us by Parliament; it is the duty of Ministers to meet that commitment, and we will do so. As I have said, we are currently overachieving on carbon budgets 4 and 5; carbon budget six does not start until 2033. I have sat down with policy officials, and we are confident that we are on track to meet that as well. We are attracting record amounts of inward investment into this country. I talked earlier about the windfarm industry; we could talk about hydrogen or CCUS—the UK is world-leading on all those policies and many global companies are rushing to invest in the UK. Our difficulty is prioritising some of that investment.

Lord Framlingham (Con): My Lords—

Baroness Bennett of Manor Castle (GP): My Lords—

Baroness Williams of Trafford (Con): My Lords, we will hear from the noble Green lady and then from my noble friend.

Baroness Bennett of Manor Castle (GP): My Lords, in responding to the noble Baroness, Lady Hayman, and a number of others, the Minister has come out with a list of the Government's claimed achievements. He has not mentioned once the issues of home insulation and energy efficiency, on which the Government's record is disastrous. As the noble Baroness, Lady Hayman, said, this means that people are in cold, impossible-to-heat and unhealthy homes. Can the Minister reassure me that we are not going to see back-peddalling this afternoon on home insulation and energy efficiency?

Lord Callanan (Con): It is always a pleasure to hear from the "noble Green lady", even though she sounds increasingly red sometimes. I am very happy to talk about our record on home insulation. In 2010, under Labour, 14% of homes had an EPC rating of C or above. It is now almost 50%. Clearly, we need to go further, which is why we are investing £6.5 billion over this Parliament on home upgrade retrofit measures. The Treasury has already committed £6 billion from 2025 onwards—the noble Baroness shakes her head; she should listen to the facts. Last week, I was pleased to announce the Great British insulation scheme—£1 billion over three years. Even if the noble Baroness wishes to, she can apply for it online as we speak.

The Lord Bishop of St Albans: There is no doubt that His Majesty's Government have done many good things, and we need all sides of the House to work on this vital area. However, this is not just something which affects some groups; it particularly affects those parts of our nation where air quality is so bad that it is materially affecting the health of many young people and causing huge additional costs to the NHS. What assurances can the Minister give us about the progress of moving to electric cars, to try to make a tangible difference to air quality in our urban areas?

Lord Callanan (Con): The right reverend Prelate asks a very good question on electric vehicles; let me give him the facts on that. The UK had among the highest battery electric vehicle sales in 2022. We are registering a new EV every 60 seconds. Full-battery EV sales are up 88% year on year. Most of the UK's emissions cuts have of course come under this Government; we are very proud of our record on electric vehicle sales. We are seeing record investments from BMW, Nissan, Tata and Jaguar Land Rover. Again, the UK has a record we can all be proud of.

Baroness Boycott (CB): My Lords, I hate to disagree with the Minister, but just this morning on the Environment and Climate Change Committee we heard from car manufacturers that they absolutely did not want these targets delayed, because that is what they were doing and they needed that certainty. I have two questions. Does this announcement have anything to do with the ULEZ row that took place at the recent by-election? Secondly, everyone agrees on one thing about climate change: the more you delay, the harder the measures are going to have to be to get us to net zero by 2050, which I am glad the noble Lord still agrees on. Have the Government commissioned the

OBR to do a thorough cost analysis of what these delays are going to mean, not for us today but for people in five, 10 and 15 years' time?

Lord Callanan (Con): The answer to the noble Baroness's first question is no. With regard to the OBR, I am not quite sure why the OBR has a role in this. We obviously have our Climate Change Committee which gives the Government advice, but, to be frank, lots of other external organisations send me more advice on this subject every day, so we are not short of helpful academic advice on all the topics under consideration. As I said, we are looking towards the future. The Government are still committed to our legally binding climate change targets. That means sticking to the legally binding carbon budgets that we have overdelivered on, and we are on track to deliver on the next one.

Baroness Bloomfield of Hinton Waldrist (Con): My Lords, it was Nuclear Week in Parliament last week, which showcased a myriad of gigawatt and small, advanced and microgenerating nuclear power. Can my noble friend the Minister reassure me not only that the Government are still committed to investing in nuclear but that they understand the urgency of doing so if the UK is to benefit from both the supply chain and the employment possibilities in areas of the country that desperately need levelling up, such as north Wales?

Lord Callanan (Con): The noble Baroness has been resolute in her support for nuclear and does a fantastic job in advocating for it. I am very happy to give her the reassurance that she is looking for. Of course, again, the nuclear industry was left to decay under the last Labour Government. We have resumed it through building Hinkley Point, and we are about to take a final investment decision on Sizewell. I know the noble Baroness is particularly keen on the announcement of Great British Nuclear. These are all contributing towards our climate change goals. Nuclear will provide us with cost-effective, CO-free power for many years into the future.

Baroness Young of Old Scone (Lab): My Lords, the Government have a track record on stuff like this. In 2015, George Osborne cancelled zero-carbon homes about six weeks before it was due to be implemented and when housebuilders had already geared up for its implementation. We lost 10 years of opportunity for net zero-compliant homes and warmer homes for people. The Tory Government have done it again with a major U-turn on their policy on home insulation, boilers and electric vehicles, against the advice of everyone, including the manufacturers and business. What will the Minister say to his colleague, Chris Skidmore, who did the net-zero review for the Government? He came to the conclusion that not enough was being done and is incandescent with rage at the likely announcements this afternoon. What is plan B when we are going to lose another 10 years on the path to net zero?

Lord Callanan (Con): We will not lose another 10 years on the path to net zero. I outlined our policies earlier. For the sake of repeating them again, we are still committed to net zero and to meeting the carbon budgets; we have an excellent record. We are committed

[LORD CALLANAN]
to meeting the 2050 target. We will continue to advance on that path, but we will do so in a fair and proportionate manner that takes people with us rather than by imposing things on them.

Baroness Parminter (LD): My Lords—

Lord Framlingham (Con): My Lords—

Lord Cormack (Con): My Lords—

The Lord Privy Seal (Lord True) (Con): My Lords, I am sorry to disappoint my noble friends, but I think it is the turn of the Liberal Democrats.

Baroness Parminter (LD): My Lords, a third of all emission reductions to get us to our net-zero target will need to be made by people adopting new technologies, choosing new products and services or going for less carbon-intensive consumption. As the noble Baroness, Lady Boycott, said, all the evidence to our committee's EV, boiler upgrade and behaviour change inquiries showed that what people and industry want is policy certainty, consistency and clear leadership from the Government. In the clear absence of those this afternoon—as I am sure we will see—how on the earth will the Government achieve their net-zero goals?

Lord Callanan (Con): The key phrase in the noble Baroness's question was people choosing green alternatives. We want to help them to do that, and we want them to do it voluntarily. We want to make the choices attractive, which is why we provide incentives for insulation schemes. I refer once again to the Great British insulation scheme that I announced last week, which offers £1 billion over three years to help people in council tax bands A to D to upgrade their homes. If the noble Baroness has a little patience, in the next 20 minutes she will be able to listen to the Prime Minister and I think that she will find at least some announcements that she will like pertinent to some of her recent inquiries.

Hereditary Peers By-election *Announcement*

4.08 pm

The Clerk of the Parliaments announced the result of the by-election to elect two hereditary Peers, in place of Lord Palmer and Lord Hylton.

Twenty-three Lords submitted valid ballots. A notice detailing the results is available in the Printed Paper Office and online. The successful candidates were Lord Meston and Lord De Clifford.

A noble Lord: And Lord Grocott!

Lord Grocott (Lab): There is always the possibility. My Lords, that was the result of a Cross-Bench hereditary Peers by-election. It could only happen in this place; try explaining it to anyone outside this House. Try it on the schools programme as an A-level level question: "Describe the constitutional significance of the Cross-Bench hereditary Peers by-elections". We have a long way to go before that will make sense to

anyone outside this place, and I doubt whether, as much as we are proud of our constitution, anyone would want to copy it anywhere else.

In the past, the Cross-Benchers produced the most thrilling by-election result in this whole 20-year saga. I will just remind the House of the by-election result that took place just a year ago. There were 21 valid votes; the winning candidate got 11 votes and the runner-up 10. It does not get more exciting than that; it is the most marginal seat. However, I cannot give any more detail about this by-election because of the same old problem. It is not the clerk's fault, but we should get a bit more information about these by-elections to go in *Hansard* when the results come out. We should have some figures. We want subsequent generations to be able to read it and ponder what on earth it was all about.

However, I can say a couple of things. First, at this by-election there was an electorate of 32, all men. The turnout, as we have just been told, was 23, so there was about a 75% turnout. There were 13 candidates, all men. I will make just a couple of observations about some of the candidates, who never cease to provide material. One of them has been trying now for 13 years to be successful in one of these elections; this is his 16th attempt. The last attempt he made a couple of years ago did not result in him getting any votes. I have nothing but admiration for that. If you have lost as many elections as I have over the years, to keep going for 13 years and 16 attempts is terrific. Another candidate has been trying for just 10 years—this was his seventh attempt. However, there is a remarkable little history here: of those seven attempts, one was to be a Cross-Bencher, one to be a Conservative and one to be a Lib Dem. Presumably he is now waiting for a Labour vacancy.

I like to end on a happy note, and I have some really good news for the 11 candidates who were unsuccessful in this by-election. There are two more by-elections in the pipeline, and they have to be held within three months—that is the maximum time allowed. So, with a fair wind, a couple of the losers today could be with us by Christmas.

Lord Robathan (Con): My Lords, I congratulate the noble Lords, Lord Meston and Lord De Clifford, and hope they contribute well to this House, notwithstanding the excellent and amusing comments of the noble Lord Grocott. I will also say—I am not a hereditary Peer myself—that the hereditary element in this House, elected now in some quaint way, in fact contributes a great deal more than many of us life Peers.

Baroness Jones of Moulsecomb (GP): The noble Lord ought to speak for himself.

Business of the House *Motion on Standing Orders*

4.13 pm

Moved by Lord True

That

(1) Standing Order 38(9) (Arrangement of the Order Paper) be suspended until the end of the Session so far as is necessary to allow His Majesty's Government to arrange questions for short debate; and

(2) Standing Order 40 (Postponement and advancement of business) be suspended until the end of the Session so far as is necessary to allow His Majesty's Government to arrange business.

The Lord Privy Seal (Lord True) (Con): My Lords, it might be useful if, in moving this Motion, I set out more about its intended use. It is commonplace for there to be greater flexibility in how business progresses towards the end of a Session. This Motion seeks to facilitate just that and to ensure that the best use can be made of any time in the Chamber until the end of the Session.

After Conference Recess—I wish all noble Lords a very happy and enjoyable one—noble Lords will be asked to consider various messages from the House of Commons relating to amendments on legislation. There are often long delays in that process. The temporary changes in this Motion will ensure that we are able to schedule important debates alongside ongoing consideration of legislation, particularly if there are any pauses in proceedings while messages are received or awaited.

The Motion therefore proposes two temporary changes in how businesses are arranged. First, it will allow Questions for short debate to be scheduled between other pieces of business rather than just at the end of the day or during dinner breaks. Secondly, it will enable businesses to be brought forward on any one day with the purpose of filling any gaps that emerge during ping-pong if noble Lords are awaiting messages from the House of Commons. I beg to move.

Motion agreed.

Restoration and Renewal Programme Board

House of Lords Commission *Membership Motions*

4.14 pm

Moved by The Senior Deputy Speaker

Restoration and Renewal Programme Board

That this House has considered the Commons message of 12 September, and

(1) notes the report from the House of Commons Commission and the House of Lords Commission on the membership of the Restoration and Renewal Programme Board, HL Paper 241, dated 6 September 2023; and

(2) agrees with the Commons that Dr Michèle Dix should be appointed as an external member of the Board.

House of Lords Commission

That Charlotte Moar be appointed as an external member of the Select Committee, in place of Mathew Duncan.

The Senior Deputy Speaker (Lord Gardiner of Kimble): My Lords, the first Motion invites the House to appoint Dr Michèle Dix as the fourth external member of the

Restoration and Renewal Programme Board. Noble Lords may recall that the House approved the appointment of the membership of the programme board in February this year, including three external members. The report proposing those appointments recommended that there should be up to four external members. In May, the programme board agreed to recruit a fourth external member with specific experience of major programmes, particularly during the development phase. The proposed appointment of Dr Michèle Dix has been unanimously agreed by the Restoration and Renewal Client Board, which comprises the House of Lords and House of Commons Commissions. Further information about Dr Dix's extensive experience and the recruitment process is set out in the report to your Lordships, which the House is also invited to note.

The second Motion in my name invites the House to appoint Charlotte Moar as an external member of the House of Lords Commission, in place of Mathew Duncan, who was an external member for the past six years. Ms Moar will bring a range of public and voluntary sector non-executive experience to the commission. The proposed appointment was unanimously agreed by the commission after a fair and open recruitment process. I beg to move.

Lord McLoughlin (Con): My Lords, perhaps I may make just a short point on the appointment of Dr Dix. I very much welcome and agree with the appointment. However, I wonder why, at paragraph 12, the report to the House has the following line:

“All the candidates were required to provide written declarations regarding past political activity and potential conflicts of interest”.

I understand why it mentions potential conflicts of interest; I do not understand why it mentions political activity. If they are experts, whether they are Conservative, Labour or Liberal should have no bearing whatever on their suitability for appointment. It is one of the crazy sorts of things that is, at the moment, for ever guiding the House about political activity. I hope that that can in future be put right.

I also have slight concern that we are appointing Dr Dix for just three years, because at the rate of progress on restoration in this place, she will not have seen a single project start. We have been going on for over 12 months, approving or changing the entrance to the Peers' Lobby. Three years will not see her seeing through any of these projects. This is a vast project, and it would do well from having continuity of people involved, not constantly changing them. The continuity will be helped by them having the authority of not wondering about being reappointed in two or two and a half years' time. I see that this appointment could be extended for another three years. I just hope that, by the end of Dr Dix's appointment, we have started to see some of the restoration of this place that is so desperately needed to protect a valuable and treasured building, not only in the United Kingdom but in the world.

The Senior Deputy Speaker (Lord Gardiner of Kimble): My Lords, the noble Lord, Lord McLoughlin, has made some sound points, and I am certainly intrigued. I obviously saw paragraph 12. I will make inquiries as to the reference that candidates

[LORD GARDINER OF KIMBLE]

“were required to provide written declarations regarding past political activity”.

I am assuming that this is a normal course of events with appointments, but the noble Lord makes an interesting point.

Dr Dix has clearly been appointed because of her considerable experience in very large management scenarios, of which this will be almost unique in its complexity. It is absolutely important that we get the right people on the programme board to assist us.

I also note the point about the appointment being for three years. It is usual to have a three-year term with a possible extension for a further three years, as the noble Lord noted. Clearly, this will be a very long project, and we will have to think not only about retaining collective memory but about fresh experience.

The noble Lord made another important point that all of us responsible in this generation need to reflect on. It is very clear that we have this great responsibility and need to do the right thing for this building, not just for those of us in this Chamber but for many people in this country and beyond who see it as iconic of values that are sadly diminishing in many parts of the world. I will take those points on board.

Lord Collins of Highbury (Lab): I thought I would take this opportunity to remind noble Lords that the delivery authority’s annual progress report will be subject to debate in Grand Committee. I hope many people will sign up to it because, as the noble Lord, Lord McLoughlin, commented, this building is not simply about facilities for noble Lords and MPs; it represents this country’s values globally as well as domestically.

The Senior Deputy Speaker (Lord Gardiner of Kimble): I am remiss. The noble Lord is correct. I am delighted that his name is on the speakers’ list. The debate will be at 4.15 pm on 18 October in the Moses Room. I warmly welcome Members to come to capacity, not only to listen but to contribute, because we clearly have a shared interest in this extraordinary building.

Motions agreed.

Public Charge Point Regulations 2023

Motion to Approve

4.21 pm

Moved by Baroness Vere of Norbiton

That the draft Regulations laid before the House on 11 July be approved.

Relevant document: 48th Report from Secondary Legislation Scrutiny Committee. Considered in Grand Committee on 13 September.

The Parliamentary Under-Secretary of State, Department for Transport (Baroness Vere of Norbiton) (Con): My Lords, I beg to move the Motion standing in my name on the Order Paper.

Baroness Deech (CB): My Lords, I wish to say something about the regulations before we approve them. I speak as an electric car driver. I note that it has taken about five years for this House to come near to installing a couple of points.

The regulations are welcome, but they are only a tiny step forward. We will not be able to persuade the public to take up electric vehicles when the charging and the infrastructure are so lacking. These regulations do very little to improve the situation. They will not apply to anything that has less than an 8 kilowatt charge, workplace charge points, points for a specific car make, or use by a visitor to residential premises or micro-businesses. They do not apply to blocks of flats and they exclude slow charge points. They will take us only a step forward towards contactless. Most people, if they use charge points, still have to go around with a wallet full of membership cards of different organisations.

In the spirit of the Question put by the noble Baroness, Lady Hayman, earlier, will the Government promise that there will be more pressure to bring on board uniform electric charging points all over the country speedily?

Baroness Vere of Norbiton (Con): My Lords, I am grateful to the noble Baroness for intervening. She reiterated the same points that she made when this statutory instrument was debated in the Moses Room. I covered all the points she raised in my response; noble Lords might want to look at that. I very much hope that she will listen to the Prime Minister’s statement in a few minutes time and feel reassured that the Government are absolutely behind zero-emission vehicles and recognise the need to build the infrastructure such that uptake is ever increasing.

Motion agreed.

Airports Slot Allocation (Alleviation of Usage Requirements) (No. 2) Regulations 2023

Motion to Approve

4.24 pm

Moved by Baroness Vere of Norbiton

That the draft Regulations laid before the House on 18 July be approved.

Relevant document: 49th Report from Secondary Legislation Scrutiny Committee. Considered in Grand Committee on 19 September.

Lord Trefgarne (Con): My Lords, I would like to ask a brief question on this matter. As your Lordships will be aware, there have recently been two terrible disasters in Morocco and Libya. Can my noble friend the Minister confirm that the slots required for emergency supplies for those disasters were made available at the right time at both Heathrow and Gatwick?

The Parliamentary Under-Secretary of State, Department for Transport (Baroness Vere of Norbiton) (Con): I can confirm that slots were available. In these circumstances, ad hoc slots are available during the day. The Government

are not responsible for slot allocation; however, there are mechanisms in place such that those flights get slots.

Motion agreed.

Environmental Permitting (England and Wales) (Amendment) Regulations 2023

Environmental Permitting (England and Wales) (Amendment) (England) (No. 2) Regulations 2023

Environmental Civil Sanctions (England) (Amendment) Order 2023

Motions to Approve

4.25 pm

Moved by Lord Benyon

That the draft Regulations and Order laid before the House on 28 June and 12 July be approved.

Relevant documents: 47th and 48th Reports from Secondary Legislation Scrutiny Committee. Considered in Grand Committee on 13 September.

Motions agreed.

Windsor Framework (Enforcement etc.) Regulations 2023

Motion to Approve

4.26 pm

Moved by Lord Benyon

That the draft Regulations laid before the House on 4 September be approved.

Relevant document: 51st Report from the Secondary Legislation Scrutiny Committee (special attention drawn to the instrument). Considered in Grand Committee on 19 September.

Motion agreed.

Family Migration (Justice and Home Affairs Committee Report)

Motion to Take Note

4.26 pm

Moved by Baroness Hamwee

That this House takes note of the Report from the Justice and Home Affairs Committee *All families matter: An inquiry into family migration* (1st Report, HL Paper 144).

Baroness Hamwee (LD): My Lords, I am sorry to have driven so many Members away. I should declare my interests: I have introduced Bills on family reunion; I chaired an APPG inquiry that reported in 2013 on the then new rules; and I am a trustee of a charity that assists asylum seekers into university education.

We had a choice of quotes to introduce this report, many of them from senior politicians stressing that family is the bedrock of society. We chose this article of the Universal Declaration of Human Rights:

“The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.”

We found that many families are not protected. This begs the question, what is “family” in the 2020s? We were clear that it is more than the traditional nuclear family of two adults plus two children. Blended families, for instance, may include children from previous relationships. In many cultures, the concept of “family” is very wide, with corresponding responsibilities to family members. The world has shrunk in terms of accessibility and experience, and relationships reflect that.

The principle of the importance of family has fallen foul of current political narratives. The Home Office takes the view that it is a matter of choice if a family cannot be together because of the rules or, as it puts it, whether a family decide to separate. In 2013, I heard a British citizen be told on a radio call-in to go and live in his wife’s country. As he said, “There’s not much call for mortgage broking in Nigeria”.

There is no consistent definition of “family” or “relative” across the immigration pathways. The Government have created bespoke pathways in response to different situations rather than applying one set of principles. Naturally, this causes confusion and resentment. Where there is an apparently family-friendly policy, it is often undermined or negated by practice and by practical realities, especially the costs—in particular, fees and the health surcharge, which are now rising to considerably more than when they were mentioned in our evidence, as they were frequently.

Of course, the rules barely touch the sides in terms of parliamentary scrutiny. Ministers respond to criticisms of their being too restrictive by saying that, where there are compelling and compassionate factors, we can exercise discretion to grant leave outside the rules. That means uncertainty and unfairness; it also infringes on one of Lord Bingham’s tenets of the rule of law. It is hard not to regard the evidence that the committee received as compelling and requiring a compassionate response.

That is certainly the case where children are concerned. The “best interests of the child” are not just a matter of compassion; they are part of our law. A child’s interests are not paramount, but no other consideration can be treated as inherently more significant. I suggest that the Home Office forgets this last bit; they are not systematically integrated into immigration law. Family law and the family courts deal with these things much better, as they do in recognising the range of people—step-parents, grandparents, uncles and aunts—who are important to a child.

The Islington Law Centre told us:

“We have observed the incredible transformation that young people go through after being reunited with family”.

They

“experience a dramatic upturn in their mental health”

and

“are finally able to focus on their future”.

[BARONESS HAMWEE]

According to other evidence from professionals on the impact of separation from parents on children, adolescents and young people who have experienced human rights abuses, they are

“vulnerable to symptoms of complex post traumatic stress disorder and developmental difficulties in addition to centrally difficulties in the process of mourning, separation and loss”.

In theory, adult relatives have a pathway to join family in the UK if they need support, but the eligibility requirements are almost impossibly strict. No wonder they are regarded not as a pathway but as a ban. To fulfil them, it is unlikely you would be fit to travel. Responsibility and love do not feature.

One witness and her husband worked in the NHS:

“Yes I can arrange carers, help at home in India, but ask any elderly who would they like to spend time with—the love and care from one’s own children cannot be replaced with even the finest carers”.

Another witness said:

“Do I continue to let my mother get increasingly frail and isolated ... with her only family half a world away? But the only alternative is to uproot my family, depriving my son of his links with cousins and maternal grandparents, forcing my wife not to see her aging parents and to abandon her successful career here (not to mention my own)”.

A requirement for an adult dependent relative visa is that the sponsor in the UK must undertake to provide for the applicant’s maintenance, accommodation and care for five years, and confirm that the applicant will not have recourse to public funds. The catch is that if they can do that, they can afford to pay for “care” abroad, which in many places must go in quotation marks because of poor standards and even abuse. Given the undertaking, why are the Government so unyielding on the cost to the state?

This is one of the rules which keeps families out of the UK and loses us valuable members of society, when middle-aged people decide they must leave to care for parents. Notably, it is why non-British citizens working in healthcare are lost to it. As of last November, non-British citizens made up 16.5% of the NHS workforce and 37% of hospital doctors. Can we afford to lose them? We deter the very people we need as part of our labour force and who would contribute to our society. I am sure others will mention postgraduate students.

The impact of the minimum income requirement for spouses and partners is considerable, and that cohort will increase because EU and EEA citizens who are not settled now fall within the rules. Let us not forget pensioners living abroad with a foreign partner who want to return. I have heard shock, distress, anger and outrage: “Is this how my country treats me?”

Women who would sponsor a partner may be at a particular disadvantage because women tend to earn less. Non-British partners who are high earners outside the UK do not have their earnings taken into account.

A partner may be faced with remaining abroad with a child or leaving the child. In 2015 the Children’s Commissioner estimated that up to 15,000 children were separated from a parent by the income requirement. We heard of a child whose mental health was so affected that she was hospitalised. She recovered when her father was able to join her and her mother in the UK after two years.

We heard a lot about

“overly strict, inflexible and very onerous”

evidential requirements for resources to count. The MIR was introduced to promote social cohesion and protect public finances. It fails—a view that the Migration Advisory Committee has recently indicated it shares.

I remember a gentleman who was living in a low-wage area with a disabled daughter who needed a lot of care, so his ability to work was restricted. He remarried to a teacher who could have shared that care and contributed to the household income. He did not reach the MIR, so they made do with her visiting. She was then refused entry because the immigration officer did not believe she would leave. She was sent to Harmondsworth, where she collapsed. There is a culture of disbelief. We recommend a rebuttable presumption in favour of applications to visit close family and the reintroduction of a right of appeal.

Let it not be said, although the Government say it, that contact online is an adequate substitute. How can it be if a child thinks that daddy has no legs because they are not visible on the screen? We heard that:

“Staying in touch online has been a crutch, a necessary evil that we hold onto, like onto a straw while drowning. It certainly does not allow actual relationship to develop and bloom”.

Child refugees cannot sponsor family members to join them. The UK is one of two outliers in Europe on this. We reject the notion of a pull factor and accept evidence of the huge detrimental impact on children who are refugees. Children need their parents and their siblings, at least. Siblings are very important. We heard distressing evidence, and the obvious point that a child’s family will normally still be in the persecuting state; the child will spend most of their time worrying about their family’s safety.

We did not call for comments on Home Office procedures, but we got a great many: about the “punitive” costs, described as some of the highest in the world, which mean some having to choose whose visas in the family can be renewed, or falling off the route to settlement because the fees are unaffordable. We heard how poor the Home Office is at communicating. It is nowhere near proactive. It fails to meet its own standards. The descriptions sounded like the worst of call centres; if you email, you get a standard reply, no matter the question. Ask any MP and you hear the same frustrations about failures to respond. The Home Office is its own worst enemy. It could reduce the burden with less frequent requirements for renewal—and I will not start on backlogs.

Even with more time than most speakers have this afternoon, this is inevitably a quick canter around some of our committee’s 61 conclusions and recommendations. We were united in our disappointment at the Government’s uniform—and, frankly, cloth-eared—rejection. I hope the Minister can be less defensive.

4.38 pm

Lord Hunt of Wirral (Con): My Lords, I draw attention to my interest as a practising solicitor and those declared in the register. Although I am no longer a member of the Select Committee, I am none the less delighted and proud to follow the noble Baroness and to be associated with a notably unanimous report on so contentious a subject. It is now more than 50 years

since I incurred the wrath of many in my own party and beyond by publicly opposing Enoch Powell at our party conference and welcoming the brave and controversial decision of the then Heath Government to offer a safe haven to those Ugandan Asians who had shown admirable foresight by retaining their UK passports at the time of independence.

Growing up in Toxteth, in Liverpool 8, I had early experience of a multiracial, multicultural society and have no hang-ups about it at all. Indeed, I welcome and celebrate it. We should be proud of our position as a global leader in diversity. That is not, however, to deny that any sovereign state, in particular an island nation such as ours, has both a right and a responsibility, principally but not exclusively to its own citizens, to police its borders and control immigration. Of course we do, but we have to exercise that right, power and responsibility with clarity, fairness and empathy.

In too much of our political discourse, any display of empathy is now considered to be a sign of weakness. In our response to the illegal occupation of Ukraine by the criminal regime in Russia, we have shown not just characteristic robustness but empathy for the many victims of the ghastly, unnecessary suffering taking place as a direct consequence of Putin's aggression. Why, then, is so little empathy shown as we consider the plight of other migrants, so many of whom are also fleeing from the most appalling situations?

In this report, specifically in paragraph 40, the committee suggested that

“the Government should revisit existing ‘mainstream’ immigration pathways”

rather than continuing to create a plethora of “bespoke” pathways. Surely that would represent a practical recognition of the sad fact that geopolitical crises are no contemporary aberration. They are now a fact of life and, with the combined effects of political instability and climate change, they are not going to vanish from the scene any time soon.

In paragraph 59, the committee asked why “the Government has not systematically integrated” children

“into its policy and practice”.

That sentiment should not be controversial. In fact, Section 1 of the Children Act 1989 makes it clear that “the child's welfare shall be the court's paramount consideration”.

If that is the case in family law, why not in immigration law? We can pride ourselves that we are a generous country, or we are nothing.

In response to the Home Office deciding that images of Mickey Mouse were too welcoming for migrant children, a band of cartoonists and writers, including Nick Newman and Tony Husband, are creating a welcome to Britain colouring book about life and culture in Britain to raise the spirits of those children. I congratulate them on their timely and heartwarming initiative.

I will conclude by quoting from the only surviving manuscript believed to be in William Shakespeare's own hand. There is a speech delivered to a rampaging crowd by Thomas More, the sheriff of London. More asks the rioters to imagine themselves in the shoes of the immigrants they are attacking:

“Imagine that you see the wretched strangers,
Their babies at their backs and their poor luggage,
Plodding to the ports and coasts for transportation
... would you be pleased
To find a nation of such barbarous temper,
That, breaking out in hideous violence,
Would not afford you an abode on earth”.

At the very least, should we too not occasionally imagine ourselves in the shoes—if they have any—of the desperate souls who want only to find a safe haven, contribute to our way of life and protect their children from danger?

4.43 pm

Lord Blunkett (Lab): My Lords, it is a genuine pleasure to follow the noble Lord, Lord Hunt. I should remind the House that he was never known as a Tory wet. The speech he has made this afternoon indicates that in this House, and across parties, we still retain an understanding of the critical importance of our humanity and how we should treat each other internationally as well as locally. I thank him for his speech.

I reinforce the point that the noble Lord made about the unanimity of the committee, on which I have been pleased to serve and will do so for another three months. I congratulate the noble Baroness, Lady Hamwee, on her chairmanship and the resilience that she has shown in being here this afternoon, because I know how ill she has been. I thank her for her words.

I shall reinforce two or three of the points that have been touched on. It is extremely worrying that our Select Committee system, in this House and the other place, is not treated with the respect that would be helpful to the Government and to the health of our democracy in the way that all of us would wish. It is highly unusual for a Government to simply ignore or dismiss all recommendations put forward by a Select Committee. The terms “brush-off” and “cloth-eared”, used by the noble Baroness, Lady Hamwee, are polite when it comes to what can only be described, sincerely, as contempt from the Home Office for anyone, any organisation or any Select Committee that has the temerity even to raise minor criticisms of how it operates.

The noble Lord, Lord Hunt, referred to the simplification and alignment of different pathways and processes. The rules are applied at the moment in all kinds of contradictory ways that make it difficult for the staff of the Home Office to operate appropriately, not just administratively but in terms of their understanding of the impacts on individuals, and the humanity that goes with that. We also had clear evidence that in local government there was deep confusion about the role that it had to play. That meant that it had to develop an expertise that was not readily available. Although some local authorities shared that expertise, there was little if any understanding by the Home Office about what happens on the ground, at the coalface, for those who face continuing separation and have to deal with the consequences.

We dealt with an issue that has not been touched today: the question of the burden on the “public purse”. It is often said, and often believed, that family reunion will somehow add substantially to the costs for the Government, but we have had clear evidence that, far from doing that, the reunion of families can

[LORD BLUNKETT]

help directly. If an incoming partner, spouse or other close family member is able to get a job, they can contribute directly and lift other members of the family out of reliance on the public purse. They can also contribute to childcare, which is increasingly expensive. The Government themselves indicated that in their forward programme, in the last Spring Budget by the Chancellor of the Exchequer, in terms of the expenditure that we have already in this country.

We all say that we believe in families—all families—and that all families matter. However, as the noble Baroness, Lady Hamwee, said, that seems to stop when it comes to the genuine uniting of families from across the world. Of course we need rigorous rules and of course they must be enforced both fairly and, often, in a way that can obtain public support and respect for the system, but at the moment that is not the case because of the way in which the rules are drawn up and applied. There is confusion relating to why there should be different rules from those of bespoke pathways. Why were the Government not prepared even to countenance taking a look at how the recommendations might cut costs both at the Home Office and in local government? That might improve the processing system itself, which, as the noble Baroness, Lady Hamwee, said, we do not have time to deal with today. That could all be run more smoothly while still adhering to the Government's overall principles in relation to migration.

The report needs to be taken seriously. I hope that at some future juncture it will be possible to pull Government Ministers back to a future Justice and Home Affairs Committee or the Liaison Committee to try to get them to seriously address what was in the report rather than what they thought of in the first place.

4.50 pm

Lord Wallace of Saltaire (LD): My Lords, I want to focus on a particular aspect of family migration: the recruitment of researchers and technicians from overseas, under the global talent and skilled worker visa programmes. I emphasise “recruitment”. Unlike the determination to block immigrants as such, at least part of our current Government positively want to attract large numbers of such talented scientists, technicians and engineers.

The noble Viscount, Lord Camrose, told the House last week, in reiterating the Government's optimistic claim that they will make the UK a science superpower by 2030—that is to say, in seven years' time—that “bringing in overseas talent via the visa system” is vital to that aim. He added that the number of researchers in key science subjects

“will have to increase by around 380,000, and overseas talent will be a very big piece of that”.—[*Official Report*, 13/9/23; col. 1008.] That is what DSIT thinks, as perhaps do the Department for Business and Trade and DfE. The Home Office is pushing hard in the opposite direction.

The visa system is designed to keep families out. It will discourage any applicant with a family from coming. Visa charges have been raised several times in the past 10 years. In addition, an immigration health surcharge was introduced in 2015, initially at a modest £200 a year. This autumn, the health charge will rise from £634 to £1,065 a year, with a discounted rate for children of £776 a year. That is an increase of roughly

400% since 2015. It is payable for an incoming scientist's partner and children and payable up front, on arrival. Alongside this, the visa charge will be raised by a further 20%, also payable up front on arrival on behalf of the researcher and all their dependants. Someone who has been offered a post at a salary quite likely to be under £50,000 a year will be charged up to £25,000 a year at the point of entry.

The Government have abandoned all pretence that these payments are assessed on the basis of regaining direct costs. The rise in visa charges has been justified by the Home Office as helping to pay for the cost of police forces and border services. The increase in the health charge has been hailed in official government statements as contributing to the cost of offering doctors an increase in pay. These charges are far higher than those imposed by comparable countries with which we are competing for this sort of talent.

We are already in a situation in which graduate students who come to study in this country are pressed to leave their family behind: acceptable perhaps for a nine-month course but agonising for people with partners and children staying much longer. For post-doctoral researchers—precisely the people we want to attract—we are expecting some of the world's most talented scientists to leave their families behind when they come here to support the UK's scientific ambitions, or to mortgage their first year's salary to pay these upfront costs.

Some in government have suggested that universities should pay these extra charges themselves if they really want to attract such talented people, or that grants for research should have to include funds to defray these additional costs—taxing universities and grant-giving foundations to avoid having to pay for public goods out of our own taxes. These people will be paying UK taxes from when they start to work here. In effect, they will be paying twice for health services and, if they want to renew their visa after five years, they will have again to pay a similar amount up front.

This represents a total contradiction in government policy: the Home Office doing all it can to keep talented people out while universities and research centres, with the Government's active encouragement, are trying to bring them in. I first came across this mess when my son returned from 10 years working in the United States with an American wife. Some of his friends from Cambridge, working in some of the best American universities, decided to stay in the USA because of the way they thought the British Government would treat their American wives and children if they accepted posts back here.

I understand that the Home Office does not always pay much attention to other aspects of government policy. I know that there are many on the right of the Conservative Party who are hostile to universities as hotbeds of leftie intellectuals. They are happy to undermine their finances and unconcerned about universities' scientific ambitions. But sensible Ministers, such as the noble Lord, Lord Murray, will want their Government to rediscover strategic planning and coherent policy. So I ask the Minister to take this back and tell his colleagues that these increased charges discourage British researchers from returning from abroad and foreign researchers from coming to work here. It is bad enough being nasty to the families of refugees; it

is counterproductive to make talented people we want to attract to the country pay through the nose for the privilege of a family life while working here.

4.55 pm

Lord Loomba (CB): My Lords, I am most grateful to the noble Baroness, Lady Hamwee, for bringing this timely debate to the House. I also pay tribute to the Justice and Home Affairs Committee, which the noble Lady chairs, for its thorough and detailed appraisal of this important aspect of migration policy.

In their response to the committee's report, the Government seek to reassure us that, where applicants can show the required relationship with approved migrants, there is provision for them to be allowed to stay, that the Home Office will recognise where a parent has sole responsibility for a minor and that compassionate visas for extended family members can be granted outside the rules. But the committee's evidence shows that eligible individuals find numerous obstacles in their way. It may not be the rules that are the issue, but their application. Many of the committee's recommendations are aimed at achieving better outcomes respecting the rules we have.

The Government also state:

"Extending family reunion without careful thought would ... place further pressure on Local Authorities".

However, local authorities are unduly strained by the present arrangements. From an economic perspective, we know that the benefit of working migrants is overwhelmingly positive for the Exchequer and public services alike. I echo the committee's view:

"The primary concern of family migration policies should be to allow families to live together. British citizens, permanent residents, and refugees should not normally have to choose between home, safety, and family".

Our understanding of how families are constituted may be changing, but the significance of family as the cornerstone of our value system is undiminished and widely shared in this country. We have seen how these values drove this country's response to the war in Ukraine. Through the Loomba Foundation, here I declare an interest; I was pleased to play a part in helping 1,000 Ukrainian mothers fleeing with their children to meet some of their basic needs through our partnership with Barnardo's last year.

I have seen in many countries in Asia, Africa, the Middle East and south America, the devastating impact when the breadwinner is lost and the remaining parent is ostracised and cut off from wider family support. Many migrants inevitably find themselves in a similar position. Conversely, British citizens or permanent residents working in key professions choose to leave if they cannot bring their dependants.

In conclusion, my plea to the Government on both humanitarian and practical grounds is to see family not as a threat but as an important part of the solution to mitigate the impacts of migration and to support those for whom we are already responsible and who need it most.

4.59 pm

The Lord Bishop of Durham: My Lords, I declare my interests as laid out in the register, both with the RAMP project and RESET. I am pleased to speak

today following the helpful and insightful report from the Justice and Home Affairs Committee. The concept of family, which we all know is much more than just a societal description—it is a fundamental building block of our communal life as a nation—serves as an excellent basis for the review of migration policy. I refer the Minister to the *Love Matters* report from the Archbishops' Commission on Families and Households, which I co-chaired, which has research on how family is now understood in our nation. I commend my friend the noble Baroness, Lady Hamwee, and the committee for their important work.

I shall focus my comments today on family reunification, and particularly its impact on children. As recent debate has focused on channel crossings, this has become a neglected topic, but we must remember that family reunion can transform the lives of those who have already been granted protection as a refugee in the UK and support their integration as they start to rebuild their lives. It therefore remains a mystery to me that the UK, in contravention of legal obligations under both national and international law, still chooses to deprive an unaccompanied child of the right to be reunited with their parents. All EU countries allow separated children this right and, importantly, have not seen an increase in unaccompanied children travelling to Europe as a result. As the committee's report highlights, there is no evidence that this creates a dangerous pull factor and I find the Government's response, which is to say that there is a pull factor, a rather inadequate way of responding. So I would ask the Minister: what is stopping His Majesty's Government, given that the cost of not doing so is the extension of a child's trauma?

I was recently moved by the account of Wasim, an 11 year-old separated from his parents in the chaos at Kabul airport. He eloquently describes that living without his family is like "living in a desert", and he says:

"I feel I have no place, I am all alone".

When will Afghan children such as Wasim, who were evacuated under Operation Pitting and subsequently resettled under pathway 1 of the Afghan citizens resettlement scheme, be given options for reunion with his parents? If his parents are found to have died, why not use kinship care and reunion with appropriate kin?

Restrictive policies should be reformed, but there also needs to be a concerted effort to improve the effectiveness and accessibility of family reunion when a refugee's circumstances are adequately covered by existing policy. The Independent Chief Inspector of Borders and Immigration recently commented that, since his 2019 inspection, the effectiveness of the family reunion route "has further deteriorated." He goes on to say:

"Family Reunion is one of the Home Office's few safe and legal routes and it is failing those who seek to rely on it".

Without urgent intervention, the route will become more inaccessible and, worryingly, this may lead to more family members taking the decision to travel irregularly to be reunited. No one should have to choose between safe travel and family. Can the Government confirm what steps they are taking to consider applications within the service standard timescale of 60 days, and how long current applications are taking to complete?

[THE LORD BISHOP OF DURHAM]

This autumn, the Government are due to consult on safe and legal routes, and I hope that discussion on family reunion will be included in the resulting report. Worryingly, family reunion numbers are at their lowest since 2015—fewer than 5,000 were granted in the year ending June 2023—even though it is one clear way to help reduce the need for people to travel irregularly. Two years on, Wasim has no safe way of being reunited with his parents and many children like him are either prevented from applying for their parents to join them in the UK or are waiting too long in unsafe situations before they can travel here.

As noble Lords would expect, in my role as a Bishop I often pray the serenity prayer:

“God, grant me the serenity to accept the things I cannot change, courage to change the things I can, and wisdom to know the difference”.

The Government have the power and opportunity to make changes that will reunite families and transform the lives of vulnerable children who are here in the UK and those needing sanctuary. I finish with Wasim’s words about his parents:

“If they could come here I would feel like God has given me a second chance”.

I implore the Government to give this second chance to children.

5.05 pm

Lord Griffiths of Burry Port (Lab): My Lords, as I was sitting here innocently awaiting my turn to speak, a whisper in my ear said that I would follow the Bishop. It is the entire story of my life as a Methodist minister that I have always been obliged to follow a bishop. I am always glad to follow this particular one, who has persistently argued his case and put the Government in a place where he and we expect answers.

I use the few minutes at my disposal to take an opportunity that is rarely afforded me. I am part of the delegation that represents our Parliament at the Council of Europe. I sit on its migration committee, which commissioned me to write a report to assess the impact of 70 years of the convention on refugees and displaced people from 1951. I did so three years ago, and that report was subsequently endorsed by a full meeting of the parliamentary assembly in Rome in November 2021.

In the work that I did then, I noticed a certain theme that could be traced through all the ups and downs of the migration question in the intervening years. I start by quoting a sentence or two from the decisions of the conference of plenipotentiaries, which met after the ratification of the convention in which the words appear. The conference recommended that the “unity of ... the family” should be

“maintained particularly in cases where the head of the family has fulfilled the necessary conditions for admission to a particular country”,

by extending the

“rights granted to a refugee”

to cover all the members of their family and providing special protection for

“refugees who are minors, in particular unaccompanied children and girls”.

That is how it started. The convention itself is of course more ample even than that.

In the report that I wrote and submitted, the following proposal appears:

“The Assembly ... notes that recent Council of Europe action plans formulated in the migration sphere, which have focused on the protection of children and vulnerable persons, are set to conclude in 2025. For the period following that date, as part of a succession plan, the Council of Europe ... should consider aligning itself with the UNHCR and its ‘Strategy on Resettlement and Complementary Pathways’. This strategy has set target figures for resettlement of one million refugees and two million others through complementary pathways such as family reunification or labour mobility schemes—targets to be achieved by 2028. A new pan-European action plan to support resettlement and enhance refugees’ self-reliance in the period from 2025 to 2028”

would allow great benefit to the countries involved. That recommendation was made and accepted.

As a cry of despair, really, I ask the noble Lord the governor—I apologise, I cannot even imagine how I could make such a mistake. I ask the lovely noble Lord the Minister: to what extent, and in what detail, does the Home Office look at what comes out of Strasbourg and use the fact that some of us have been there for the deliberations to engage in discussions on the pithy points being made at the heart of these recommendations? This was unanimously accepted: a pan-European approach to the whole problem, with reunification of families at the very heart of that recommendation.

These arguments were presented and the council deliberated in the shadow of the first of those two wretched Acts—the Nationality and Borders Act and the Illegal Migration Act. They have robbed our country of its authoritative voice in speaking to these issues in the meetings of the assembly.

5.10 pm

Baroness Ludford (LD): My Lords, I wanted to speak in this debate because I strongly believe in the importance of the subject—hence my sponsorship of a Private Member’s Bill on refugee family reunion which has passed this House—and because this admirable report makes a very compelling case for a radical improvement in the rules and practice of the Home Office. I have agreed with all the excellent speeches made so far, including that of my noble friend Lady Hamwee.

Humanity and decency should be at the heart of rights-based family migration policies, but instead we seem to have callousness, even cruelty, combined with slow and cumbersome bureaucracy and inconsistent practices. The Refugee Council verdict is that:

“Many people with protection needs in the UK are struggling to reunite with even their closest family members. This is due to a combination of restrictive policies and operational failures”.

The committee’s report says that

“we ... believe that the current rules do not adequately respect the right for families to be together”.

There is also a damning quote from Professor Audrey Macklin of the University of Toronto Faculty of Law:

“What strikes me about the UK system is that it seems to desire to prevent and deter families from living together”.

Amnesty International, the Refugee Council and Save the Children have concluded that the UK’s restrictive policy is in breach of its legal obligations under both national and international law.

If successful settlement, integration and making a full contribution are in the interests of society, as of course they are, then the actions of the Home Office make no sense at all. As the report says:

“We believe ... that policies that respect family life also benefit society”.

There is a sheer—even grotesque—political contradiction. The report quotes the Prime Minister as saying that:

“Family runs right through our vision of a better future”,
and

“Strong, supportive families make for more stable communities”.

I could not agree more, but we want that implemented, because the failure to reunite families has severe consequences for the people who find themselves separated indefinitely from their loved ones. These consequences are particularly acute for children.

I welcome the Labour Party’s pledge to create a system for child refugees in the EU to once again have a facility to join family in the UK. However, we also need to allow refugee children to sponsor family members, which they are not currently eligible to do within the Immigration Rules, with applications “outside the rules” complex, lengthy and frequently unsuccessful.

As the right reverend Prelate the Bishop of Durham described, Afghans evacuated under Operation Pitting and subsequently resettled under pathway 1 of the Afghan citizens resettlement scheme were granted indefinite leave to remain but without protection status. This means that they are not eligible for refugee family reunion. The Home Office has given them no prospect of that. Noble Lords can imagine the anguish of the 11 year-old child Wasim, referred to by the right reverend Prelate. He has been here since he was nine, while his parents are left in Afghanistan. What is the point of that distress to that whole family? The Home Office is both insensitive and inefficient. The report finds that:

“The Home Office is systematically deficient in its processing of family visa applications. Delays pile up, communication is appallingly poor, evidential requirements are excessively complex”—as my noble friend mentioned—

“and fees prohibitive. Applicants are left distraught”.

No wonder the report calls for Home Office processes to improve considerably and family migration rules to be simplified. The committee advises that:

“The process for bringing family members to the UK should be straightforward, affordable, transparent, and fair, with the rules applied as consistently as possible across different pathways”.

You would not think that was an awful lot to ask for. The committee wants the financial requirements for spouses and partners to be made more flexible, focusing on the likelihood of future income of the family unit rather than on one individual’s past income. It calls for reform of the route for adult dependent relatives so as to stop damaging family life and impoverishing society.

The Conservative Party likes to parade its belief in “family values”, but they are pretty much invisible in the field of immigration. Please can the Government put this admirable sentiment into effect in the Home Office? I hope the Minister can assure us of that.

5.15 pm

Baroness Jones of Moulsecoomb (GP): My Lords, the Justice and Home Affairs Committee report covers a lot of territory and has clearly highlighted many of

the real problems with government policy. Its recommendations are, I would say, very sensible—clearly, the Government do not agree with them.

There is one thing that perhaps the Minister can answer now. The committee called for increased funding towards Home Office services to overcome delays and to reduce application fees. We know that the problems we have with the cost of hotel stays and the barges are all down to the Government because they chose not to set up a proper system for all the asylum seekers. I do not see why they could not have taken some advice from this report. The Government’s response is really not very good, which suggests that whoever responded did not read the report properly.

We know that the Government’s treatment of asylum seekers has been abysmal. They have created a backlog that they cannot clear up in the available time before they are thrown out of government, and the next Government will have to do it for them. It is quite shameful that they leave such a mess behind them for the next Government to sort out.

If we put aside all the things that we should feel towards people in such distress—our compassion, humanity, respect for the law and respect for the welfare of anyone in Britain—we could at least look at the financial and economic benefits of immigration. With an ageing population, we need other people. By inhibiting access to this country for people who need to be here to look after their children and so on, the Government are denying the British public all the skills, experience and competence of those who could come here, work and be a benefit to the tax system. They could be taxpayers, and therefore they can benefit us; I do not understand why the Government have such a block about this.

The Minister is clearly a stupendously intelligent person. I wonder whether he has read the report and, if he has, whether he might have a slightly different response from the Government’s, which is quite inadequate.

5.18 pm

Lord Dubs (Lab): My Lords, I appreciate the opportunity to make a small contribution to the debate. I start by congratulating the noble Baroness, Lady Hamwee, both on initiating it and on the committee’s excellent report.

Some years ago I visited Calais, where I was introduced to five Afghan boys who were anxious to come to the UK. I was given their details and asked whether I could perhaps submit the details to the Home Office to speed up the process. I went there very quickly on my return to London, only to discover that they had all got here already; the Home Office had a record that they had arrived. They had arrived on the back of a lorry, not on boats, but they clearly had no faith in the system and managed to get here by what was still a dangerous route.

I will fast forward to the Dublin III discussions we had. At the time of the 2017 Act, this House passed a Motion, which the Commons accepted, that the Government, in negotiating with the EU on our departure, should maintain the Dublin III provisions as regards the right of a refugee child in one EU country to join family in another. It passed both Houses. Then came the 2019 Act and, to my absolute astonishment, the

[LORD DUBS]

Government deleted the provision. Bluntly, I was angry. I am a very calm individual, but I was extremely angry. To mollify me, I was invited to a meeting here in the Palace with three Government Ministers and seven officials, one from the Treasury, all to try to browbeat me into accepting the decision.

I had a conversation with the then Immigration Minister, who looked me in the eye and assured me that it would be all right for children to come here, despite the Government having deleted the measure from the 2019 Act. He said, “Everything will be all right—don’t you trust me?”. My Lords, I lied. I said that I trusted him, although I did not trust the Government. He was wrong: nothing happened, and children stopped coming. Indeed, the Minister was then transferred to another job.

I welcome the report suggesting that these matters should be brought within the Immigration Rules. The Immigration Rules should be modified to allow for some security of access to this country for child refugees. I know we always talk about safe and legal routes, but they do matter if we are to deal with the traffickers because safe and legal routes are one of the alternatives to being trafficked. Surely, at least for children to join their families, we can have some safe and legal routes. We should always act in the best interests of the child.

I believe that the majority of the British public, if faced with the argument that we want to have the right of asylum seekers and refugees to family reunion more firmly entrenched in our system, would be on our side. By denying this, we are acting against compassionate public opinion.

5.22 pm

Lord Paddick (LD): My Lords, the importance of a report such as this, and dare I say the importance of a House such as ours, is to highlight the complexity of issues, the understanding of which reveals what otherwise appears counterintuitive.

Political messages have to be headlines that grab people’s attention. The rule of political press offices tends to be that if you have to explain it, it is too complicated to be used as a campaign tool. In a first past the post democratic system, the space for consideration of complexity is limited. That is why we have committees such as this, comprising such eminent Members and supported by excellent officials, and committee chairs like my noble friend Lady Hamwee, who revels in detail. Her passion for the subject has been clearly demonstrated over many years.

The narrative so often advocated by those who are against immigration is the pressure that migrants place on the National Health Service, for example. As my noble friend Lady Hamwee said, this report provides clear evidence that skilled and experienced nurses and doctors who have come here from overseas are leaving the UK because they cannot provide the personal care that any concerned family member would want to give to their ageing parents and grandparents. They are not allowed to bring their increasingly dependent relatives to the UK, even though they have the means and ability to look after them, while they themselves are providing a vital service to UK society. Indeed, the

rules make it almost impossible for dependent relatives to qualify for a visa. They must be practically bedridden but able to travel, for example. It is no surprise that the number of visas issued under the adult dependant route has diminished from 1,738 in 2011 to just one in 2020 and none in 2021.

As with so much relating to immigration, there are moral and practical issues, particularly in relation to children. My noble friend Lady Ludford quoted the Prime Minister, who has said

“strong, supportive families make for more stable communities”.

But, as the noble Lord, Lord Blunkett, said, it is obvious to those who do not want to wilfully ignore it that the general cost to society of a child with no family to support them—including the detrimental psychological impact on the child and the child’s ability to reach his or her potential, and the cost to local authorities of providing a whole range of services for unaccompanied child refugees—is far greater than the costs associated with those who could be looked after by relatives or even adult siblings, were they allowed to join the child in the UK.

As the right reverend Prelate the Bishop of Durham said, the committee reached the same conclusion as the Lords EU Committee in 2016 that there is no evidence that the prospect of family reunification could encourage families to send children to the UK to act as an anchor for other family members—based not least on the fact that EU states that allow family reunification show no sign of it. The report highlights the fact that some couples, such as same-sex couples, are unable to cohabit in their country of origin because of local laws or social prejudice, yet the UK Immigration Rules set previous cohabitation as a condition before a partner visa can be issued. Rigid rules, inflexibly applied, are unlikely to cope with the complexities of the real world.

The report is careful in a number of places to indicate that uncontrolled immigration is not the answer, but all the circumstances surrounding the application for a visa and the likely impact on the individual, the public purse—both central and local—and society as a whole should be taken into account. The Government have spent a lot of time and energy trying to ensure, for example, that UK citizens who can work do work; yet when it comes to people from overseas working in the UK, they place an income limit that often prevents a second parent or adult sibling coming to the UK, leaving the migrant worker having to juggle work with childcare, when almost all migrants are working in shortage occupations. There is a crisis in immigration in the UK caused by the failure of this Government. A decade or more ago, there were many more asylum applications, far fewer awaiting a decision and far more removals, yet the Home Office makes the problem worse for itself by requiring multiple visa applications.

This excellent report emphasises that all families matter, but it might also have been entitled “An Encyclopaedia of Unintended Consequences”. Like so many other issues, family migration would be better served were it not for party politics—politics by headline—as opposed to the thorough and professional way that the committee has so comprehensively covered the issue.

5.28 pm

Lord Coaker (Lab): My Lords, it is a privilege to follow the noble Lord, Lord Paddick; I agree with much of what he said. I congratulate the noble Baroness, Lady Hamwee, on her report and other members of the committee, both those here and those unable to be present with us. It is an excellent report, and the noble Baroness highlighted much of what was important about it—she is to be congratulated on that.

In passing, and on a personal level, I also want to note the tremendously important comment made by the noble Lord, Lord Hunt; I do not want it to pass without further recognition. I have read about his part as a Young Conservative in standing up to Enoch Powell. I do not think that any of us who have read about that period of history can fail to have been moved by the courage and determination that it took for somebody to stand up to Enoch Powell. He was backed at the time by a surge of populism, which not only the noble Lord, Lord Hunt, but many others—including the Heath Government, as he pointed out—had to stand up to. That should be an example to us all—not that today is like that—that sometimes you have to stand up for what is right and for what you believe, and that is what the noble Baroness, Lady Hamwee, tried to do in her report. But do not mistake me: I am not comparing now with what Enoch Powell said then; none the less, I wanted to pay tribute to what the noble Lord, Lord Hunt, said and not allow it to pass.

I wanted to take just a few minutes to draw attention to something, because it infects the debate that we have on these matters. Page 5 of the committee's report says:

“The Home Secretary told us that ‘it is not feasible for all those people who might wish to come to the UK to do so’, adding that ‘we do not have an unlimited capacity to welcome every single person who is in a difficult situation in their home country’. We do not argue this but we do believe that the current rules do not adequately respect the right for families to be together”.

I say to the Government: if you set this up as being about those of us who are caricatured as supposedly demanding that everybody across the world who wants to come should be able to come here, that you have no rules and no borders with everyone piling in if they want to, how does that help the debate? Nobody is suggesting that; not a single person present in this debate believes that that is the way forward. However, what all of us are arguing for, what the report argues for, and what members of the committee and others here have said, is that it is important, within the rules that we have, that Parliament tries to act in a way which is consistent with the values that we want to have as a country. With respect to that, the debate is about family reunion, which somehow is not right as it stands—we have heard the story that the right reverend Prelate shared with us, and there are others.

I also want to take up the point made by the noble Lord, Lord Blunkett. The Government are quite entitled to say in response to a committee report, “We don't agree with this or that”. However, it is unusual—the noble Lord, Lord Blunkett, has more experience than me, as have others in this Chamber—for a Select Committee report to be virtually just dismissed without hardly any of it being recognised as having a point, which may be pulling the Government up to reflect

that maybe they do not have it all right. When the Minister responds, I hope he does so in a way which reflects the way in which Members of the House have contributed to this debate, not from a negative point of view but to try to say, “Can we not do better with respect to family reunion than we are doing at the present time? Have the Government got it completely right?”

I do not suggest that everybody goes through the response as I did on a Sunday afternoon, but I have marked the places where the Government just dismiss the report, saying that it is not right, it has it wrong: “This isn't right, this isn't true, that's not accurate, the data isn't right”. The Government do not say, for example, which you would expect—many of your Lordships have experience of government—“We are reflecting on the point that has been made here because we too recognise that this is not working in the way that we would want it to”. That is how Parliament should work. Can the Minister also reflect on that when he responds to the debate?

I also wanted to highlight the inspector's report, *A Reinspection of Family Reunion Applications*. It talks about all sorts of things—again, the right reverend Prelate mentioned this—but the independent inspector absolutely says that the situation has “deteriorated” since the 2019 report and that

“the Home Office's performance in this area is ineffective”.

I must say—this is what I asked the Minister about in Questions—that it is unusual for the independent inspector's term of office not to be renewed. We know that Home Office officials have criticised this inspector as being excessively critical and that his term of office is not to be renewed, and I wonder why that is. Maybe it is because he has pointed out that the Government should at the very least consider allowing children to reunite with family members more than it is being considered at the moment.

How can it operate at the moment, with a backlog which was 8,000 when the independent inspector published his report in February 2020 but which, according to the information I have, is now 11,000? What is the backlog of applications for family reunion? Whatever system you have, with whatever rules, it cannot work if there is not basic competency within it and if decisions cannot be made within a reasonable length of time. Can the Minister point out to us the current level of outstanding admissions, what is the average time that these decisions are taking to be made and whether any of the recommendations of the committee of the noble Baroness, Lady Hamwee—the noble Lords, Lord Hunt, and my noble friend Lord Blunkett sat on it—are to be accepted or whether any of them have caused the Government to think, “D'you know what? Maybe we should reflect on this and change something in the light of what is being said to us”?

The last point I want to make with respect to this is to say to the Government that, when we talk about family reunion or immigration generally, we cannot have a situation that operates on the basis of where I said the Government seem to be: saying that that this is an argument between those who wish to open the floodgates and those who wish to control the borders. If that is what the debate about immigration, asylum and refugees has come to, we will get nowhere. One of the things I think about the debate that has taken

[LORD COAKER]

place in the House of Lords it that it has been a calm, rational and reasonable one that has said, “We have a real issue here on the aspect of family reunion”. People who deserve to be reunited, families which deserve to be put back together, are prevented from doing so by the current Immigration Rules and, frankly, the incompetence of how the system works at the current time. Is it really too much to ask the Government to reflect on that and see whether maybe some change would actually make a difference and bring about an immigration and asylum system with respect to family reunion that we could all be more proud of?

5.37 pm

The Parliamentary Under-Secretary of State for Migration and Borders (Lord Murray of Blidworth) (Con): My Lords, like many other noble Lords, I begin by thanking the noble Baroness, Lady Hamwee, for both securing this debate and chairing the committee. I am very grateful to all who have contributed to our discussion today, and I offer my thanks too to the Justice and Home Affairs Committee for its in-depth assessment of the family migration system and its considered recommendations for improvement.

I am sorry that noble Lords were not satisfied with the government response. I can confirm that the Government have read, taken on board and responded to these points, but of course I welcome the opportunity to hear the views of the House on this subject, which is one of wide interest.

I turn to the principal recommendations and will address them in turn. First, on the comments of the noble Baroness, Lady Hamwee, on harmonising routes, I note that the Government recognise that there is a need to simplify and consolidate the family Immigration Rules, and we are committed to doing so in line with the recommendations of the Law Commission’s report of 2020. Our first tranche of updates was introduced in June 2022, alongside the simplified private life rules. However, of course reform needs to be done properly, and the Government believe that there are risks in attempting to harmonise the rules for the sake of doing so. Each route serves a specific customer and purpose and there is a correct balance to be struck to ensure that each route has the right conditions of entry and stay for family members.

Given the broad and diverse offer for family members across the immigration system, it would not be right fully to align all the requirements for the various family routes. There are clear differences in the needs of different groups and the purposes behind the rules. Therefore, it is right to harmonise the rules where we can, but in a sensible way, reserving the ability to vary requirements according to the nature and purpose of the route.

In addition, there is a balance to be struck between an individual’s right to a family and private life and the need for effective immigration control and public spending. Tailored requirements on family routes enable Parliament to determine appropriately where the balance lies for different cohorts.

On the noble Baroness’s comments in respect of the diversity of contemporary families, the report recommends taking a broader approach to the definition of family

members—one that it says would reflect better the diversity of modern families. The right reverend Prelate raised this point. Contemporary families are diverse, and this diversity can affect how and where families might choose to live. We recognise that some elements of the family rules can be difficult to prove, and that, in modern family life, it is not unusual for parents to work, study or even live in different countries. However, it is important to recognise that the Government’s approach to family life is based on well-established guidance provided by the courts in their interpretation of Article 8 of the European Convention on Human Rights.

I turn to my noble friend Lord Hunt’s very moving address and other noble Lords’ comments in respect of the best interests of the child. The Government are confident that mechanisms are in place to ensure that the best interests of children are fully considered at every stage of the immigration journey, in line with the statutory obligations imposed on the Secretary of State by Section 55 of the borders and citizenship Act 2009. Considering the best interests of the child is at the heart of what we do; it is a central tenet in our policy and operational decision-making. Decision-makers are routinely trained and have access to guidance that makes specific reference to Section 55. They also take into account a range of other relevant legislation in their decision-making.

In response to the noble Lord’s comments that the Government should revisit the existing mainstream immigration pathways rather than create bespoke ones, where possible we use existing pathways in response to events. However, there are some events so critical that we need to provide bespoke routes best to serve the issue at hand. One example was the Ukraine emergency. We are always learning from these in order to adjust our offer.

I turn to the comments made by the noble Lord, Lord Paddick, and the noble Baroness, Lady Hamwee, in respect of adult dependent relatives. The Government disagree with the report’s findings that there is no pathway to the UK for adult dependent relatives, or ADRs. The current ADR route is designed to provide settlement in the UK for those most in need of care, but not for those who simply have a preference to come to live in the UK.

The ADR rules are carefully designed to prevent burdens on the taxpayer, to promote integration and to tackle abuse, and thereby to ensure that family migration to the UK is on a properly sustainable basis that is fair to migrants and the wider community by not being reliant on access to public services funded by UK taxpayers. When the policy was reformed in 2012, the Department of Health and Social Care estimated that a person living to the age of 85 costs the NHS on average around £150,000 in their lifetime, with more than 50% of this cost arising from the age of 65 onwards. These rules were upheld as lawful by the Court of Appeal in 2017.

The impact of medical professionals potentially leaving the NHS was raised by the noble Baroness, Lady Hamwee. This has previously been considered by the Home Office and was part of the review of the adult dependent relative rules, which were published in December 2016. That report considered the very point made by the noble Baroness: the suggestion

about the number of NHS staff who support adult dependent relatives overseas is one that should be considered. The report concluded that that number is likely to be a very small proportion of the total population of professionally qualified clinical staff. Furthermore, there is no evidence to show that significant numbers of medical professionals have left or been deterred from applying to work in the UK since the revised adult dependent relative rules were implemented; indeed, record numbers of people are coming from abroad to work for the NHS. In summary, the Government believe that those who choose to come to the UK and ultimately settle here do so in the knowledge that they can be leaving behind family members in their country of origin. There should, therefore, be no expectation that family members will be able to join them in the United Kingdom.

I turn to the financial requirements, which were raised by a number of noble Lords. The Select Committee's report invited the Government to take a fresh look at the financial requirements set out in the family rules. We will do so. The Government continue to keep the family Immigration Rules under review and make adjustments in the light of feedback on their operation and impact. However, the Government remain of the view that family life must not be established here at the taxpayer's expense and that family migrants must be able to integrate if they are to play a full part in British life. The purpose of the minimum income requirement, implemented in July 2012 along with other reforms of the family Immigration Rules, is to ensure that family migrants are supported at a reasonable level so that they do not become a burden on the taxpayer and can participate sufficiently in everyday life to facilitate their integration into British society. It has long been a requirement for a family migrant to demonstrate that they are able to support themselves without becoming a burden on the taxpayer, but the purpose of the minimum income requirement is to ensure that that requirement is consistently applied; that is right and fair.

I turn now to the point made by the noble Lord, Lord Wallace, in respect of fees. I am sure all noble Lords would agree that academia, science and research have an enormously beneficial and enriching effect on our society and way of life. I am proud of this Government for launching the global talent scheme to allow those aged over 18 who work in the fields of science, engineering, the humanities, medicine, digital technology or the arts and culture and can demonstrate exceptional talent or promise to apply for visas. Obviously, that topic is at some remove from the matters discussed in the report.

I turn to the noble Lord's point about the immigration health surcharge. It ensures, I suggest, that migrants make a suitable contribution to the NHS during their stay. The surcharge is set at a level that broadly reflects the cost of providing NHS treatment to those who pay it. Payment of the surcharge enables migrants to access NHS care on broadly the same basis as United Kingdom nationals for the duration of their visa without them needing to worry about healthcare charges or private health insurance. Since its introduction in 2015, the surcharge has raised more than £3.4 billion in much-needed income, which goes to the Department of Health and Social Care and the devolved Administrations for health spending.

As was noted by a number of noble Lords, on 15 September the Government laid regulations that will increase a range of fees across immigration and nationality routes, including those paid by people who want to settle in the UK. The new fees are to come into effect on 4 October. The increases reflect the fact that the majority of fees have not been subject to a significant increase since 2018, despite a context of high inflation and record high migration to the United Kingdom. As the noble Lord, Lord Wallace, noted, fees for immigration and nationality applications play an essential part in the Home Office's ability to operate a sustainable migration and borders system. It is the Government's policy that those who use and benefit from the immigration system should contribute towards the cost of operating the system, reducing the burden on the taxpayer. The increases announced by the Government will mean that a greater share of that cost will be met by those users of the system. This will, in turn, allow more funding to be prioritised elsewhere in the Home Office.

I turn to the short remarks made by the noble Lord, Lord Dubs, on safe and legal routes. I am proud that since 2015, we have resettled over half a million people through such routes, and we agree that safe and legal routes are preferable to making life-threatening journeys across the Mediterranean and the channel. That is why we are launching our consultation on safe and legal routes, as required by the Illegal Migration Act, a topic the noble Lord knows well.

Many noble Lords, including the right reverend Prelate the Bishop of Durham, the noble Lord, Lord Griffiths, and the noble Baroness, Lady Ludford, discussed the topic of family reunion. Between 2015 and June 2023, the United Kingdom issued more than 46,511 family reunion visas. More than half of those were issued to children—this is no small feat. The Government recognise that families can become separated because of the nature of conflict and persecution, and the speed and manner in which people are often forced to flee their country. Our refugee reunion policy allows individuals with protection status in the UK to sponsor their partner or children to stay here with them, provided they formed part of the family unit before the sponsor fled their country of origin to seek protection.

We believe that if children were allowed to sponsor parents, this would create a perverse incentive for more children to be encouraged—even forced—to leave their family and risk hazardous journeys to the UK. This would play into the hands of the criminal gangs who exploit vulnerable people and goes against our safeguarding responsibilities. Our policy is not designed to keep child refugees apart from their parents but, in considering any policy, we must think carefully about the wider impact to avoid putting more people unnecessarily in harm's way.

In response to the point made by the right reverend Prelate the Bishop of Durham, who suggested that the policy was contrary to international or domestic law, a recent judgment of the High Court in the case of *DN v Secretary of State for the Home Department* ruled in favour of the Government's policy on child sponsors. It was not found to be unlawful, so I do not accept his point.

[LORD MURRAY OF BLIDWORTH]

Family reunion in the UK is generous, more so than in some of our European counterparts. Sponsors do not have to be settled in the UK, there is no fee, no time limit for making an application and there are no accommodation or minimum income requirements that applicants must meet. Our family reunion policy makes it clear that there is a discretion—as the noble Baroness, Lady Hamwee, pointed out—to grant visas outside of the Immigration Rules, which caters for extended family members where there are compelling compassionate factors. If children are not able to sponsor their parents or family members to join them under refugee family reunion routes, they may be eligible to be joined in the UK via family Immigration Rules. This is in Appendix FM to the Immigration Rules, which provides a route to enter the UK as the parent of a child who is in the UK. A condition of that is that the child must be under the age of 18, and either British or settled or in the UK with limited leave under Appendix EU. Parent applicants in the UK can seek permission to stay with a child who is under 18, either British or settled, or who has at least seven continuous years of residence in the UK, preceding the application, where it would be unreasonable to expect the child to leave.

In all applications from parents, where the applicant is unable to meet the suitability and eligibility requirements, Home Office decision-makers will consider any exceptional circumstances that would mean a refusal may have breached the right of the applicant or the affected family members to a family life in accordance with Article 8 of the ECHR.

To answer the point raised by the noble Lord, Lord Paddick, about unmarried partners who have the option of getting married or having a civil partnership if they have not cohabited, the department will have regard to that. I hope that provides some comfort.

I have already addressed the simplification of the Immigration Rules, which is being conducted. The work is under way, but I am afraid these matters are complicated and will take time. The Government can see the merit of what was said, so I do not accept the general thrust of the argument made by the noble Lord, Lord Coaker, that we have rejected everything the committee has said.

I turn to the comments made about the burden of family migration policies on the public purse and the impact on local authorities. The final local government finance settlement for 2023-24 makes up to £59.7 billion available for local government in England, which is an increase in core spending power of up to £5.1 billion, or £9.4 billion in cash terms. The Home Office provides a range of services to support local authorities to understand and discharge their duties, in line with their legal obligations in respect of immigration, including the NRPF contract, local partnership managers and on-site immigration officials.

In closing, I repeat my earlier thanks to all who have contributed today and to the committee for its work in producing the report. Family migration is a complex topic and it is right that our approach balance the interests of those coming to this country with those of the British people. The Government remain committed to delivering improvements and reform

across the board, including on family migration, as we strive to deliver a fairer, more effective and more sustainable immigration system.

The Lord Bishop of Durham: Given the time, can the Minister write to me on the specific question I asked about the Afghan scheme?

Lord Murray of Blidworth (Con): Yes, and forgive me; I meant to say that. Of course I will.

Lord Coaker (Lab): Can the Minister write to me with the current figures for applications outstanding and the average length of time spent waiting?

Lord Murray of Blidworth (Con): Of course.

Baroness Jones of Moulsecoomb (GP): Can the Minister write to me about the questions I asked?

Lord Murray of Blidworth (Con): Maybe. No, of course I will.

5.58 pm

Baroness Hamwee (LD): Are there any other bids? I am grateful to the speakers who have added their voices to that of the committee. I clearly cannot go through every point the Minister made, but I will say that my noble friend Lord Paddick's point was not about couples who have not gone through a civil partnership but same-sex couples who cannot cohabit in their own country when a requirement for leave is that they should have cohabited.

I sincerely thank members of the committee for their work on the inquiry. The unanimity was notable; there were no fudges. I also thank our clerk David Shiels, our policy analyst Achille Versaevel, our committee assistant Amanda McGrath, our communications officer Aneela Mahmood, our specialist adviser Helena Wray of Exeter University and, of course, the 100-plus witnesses for their compelling and sometimes distressing evidence. They all helped us to stand in the shoes of the people who are affected by the rules—so far as any of us who are not so affected can.

I will have to see whether I can find any nuggets of cause for optimism in the Minister's response. I commend to him the point made by the noble Lord, Lord Hunt: empathy is not weakness. I well remember the occasion when the Secretary of State in oral evidence to the committee prayed in aid, "We can't welcome everyone". I was quite taken aback: I simply said, "No one is suggesting that".

We clearly approached the issues from a completely different point of view from the Government and with completely different attitudes. I cannot help wondering about the reference to the rules being based on what the courts have ruled regarding Article 8. There is a series of successful appeals on the basis of Article 8 where the appellant has won against the Government. Immigration is a political issue; family should not be. I beg to move.

Motion agreed.

UK-EU Relationship (European Affairs Committee Report)

Motion to Take Note

6.02 pm

Moved by The Earl of Kinnoull

That this House takes note of the Report from the European Affairs Committee *The future UK-EU relationship* (4th Report, HL Paper 184).

The Earl of Kinnoull (CB): My Lords, the European Affairs Committee published our report, *The future UK-EU relationship*, on 29 April this year. We took oral evidence between October last year and March this year, hearing from 43 witnesses, finishing with the Minister for Europe, Leo Docherty MP. We also received 58 written submissions. The Government responded to the report on 28 June and to certain follow-up questions on 31 August. I am very grateful to the usual channels for expediting this debate today.

Put simply, the report looks at the overarching state of the relationship between the UK and the EU and how this might be developed into the future. This inquiry looks forward and not into the rear-view mirror. We did not address issues specific to Northern Ireland, including the Windsor Framework agreement. These are handled by our sister committee on the protocol.

The inquiry focused on four themes: the overall political, diplomatic and institutional relationship; the foreign policy, defence and security relationship; energy security and climate change; and the mobility of people. These do not comprise an exhaustive list of areas in which the UK-EU relationship could be developed. However, we as a committee believe that they are especially salient at the current juncture.

Here, and on behalf of the committee, I thank our staff: Jarek Wisniewski, Jack Sheldon, Nick Boorer, Tabitha Brown, Tim Mitchell and Louise Shewey. Their commitment and professionalism underpin everything in our report.

I start with the overall political, diplomatic and institutional relationship. It was unhappily the case that, during our inquiry, this was impacted by the impasse over the Northern Ireland protocol. Now, however, there are signs of improvement, not least with the recent welcome news on Horizon Europe.

The current institutional framework under the trade and co-operation agreement and the withdrawal agreement includes a total of 32 committees and working groups that bring together the Government and the Commission. Two of these committees are political, with the others essentially powered by officials. It is a double-headed structure, with two sets of committees reporting to one or other of the political committees, each of which is set up under its respective big agreement.

The committee felt that this huge apparatus was operational but not really operating. We recommended that there should be a “considerable increase” in the intensity of activity within these structures. We must optimise matters, and it is vital that the committees hum with activity to the mutual benefit of all concerned. Can the Minister give us an update on the 32 committees’

level of engagement and work, and assure the House that, from the UK side, at least, activity and warm relations are seen as a priority?

Our second theme was the foreign policy, defence and security relationship. We welcomed the “close and productive” co-operation between the UK and the EU following the Russian invasion of Ukraine, as well as the effective co-operation in the imposition of sanctions against Russia, but called for closer co-operation on their implementation and enforcement. We specifically proposed that the UK and the EU agree a memorandum of understanding on the imposition, implementation and enforcement of sanctions, complementary to the G7 enforcement co-ordination mechanism.

In its response, the Government said that they are not currently considering an MoU with the EU but that they

“will continue to review options to maximise the efficiency of our cooperation with the EU going forward”.

I ask the Minister: what factors are influencing the Government’s hesitation about this MoU on sanctions, which I assume would track the enhanced sanctions partnership agreement reached already between the Government and the US Treasury?

We heard a lot on having a structured framework for foreign and security policy. The report recommends that the UK and the EU should “deepen and improve” working relations on foreign and security policy, with some limited structured arrangements for ongoing co-operation. We thought that a purely ad hoc approach was not wise. We felt that any such structured arrangements should include provision for the UK Foreign Secretary to engage with the EU Foreign Affairs Council at least twice a year.

To date, the Government’s responses are none too clear on this. On 31 August, the Foreign Secretary said that

“both sides are focused on making sure our cooperation delivers, rather than on institutional changes”.

Can the Minister give some further clarity here? It seems to me that engagement at the General Affairs Council would improve the chances of delivery.

I turn to our third theme, which is energy security. This is obviously a wide area, and we focused on several specific topics in our report. The committee welcomed the close co-operation with the EU since the Russian invasion of Ukraine and noted that, in part thanks to this, there had been no disruption to energy trading. The report made various recommendations—for example, on the need for more interconnectors. I am glad that the government response materials have been positive on the recommendations. I look forward to others developing this vital area.

Turning to emissions trading schemes, the UK left the EU ETS at the end of the transition period. A separate UK ETS was established, which is very similar in design. This began trading in May 2021, and the carbon price has since broadly tracked the EU scheme. The UK scheme is around 10% of the size of the EU one. We saw

“significant mutual benefits to be gained”

from linking the schemes, citing the Swiss precedent. We recommended entering negotiations in what we called a “can-do spirit” and noted that a link would be

[THE EARL OF KINNOULL]

“easier to achieve sooner rather than later, given the possibility of greater divergence over time”.

The Government’s response says that they

“partially agree with the Committee’s recommendation”,

but it does not make clear which parts they agree with. A follow up in correspondence has not shed much new light on matters.

Commentators are now referring to a growing divergence between the UK and the EU’s Emissions Trading Scheme. As the Government have previously assured us that they are considering linking our respective systems, I ask the Minister: does this remain the case, and what steps are being taken to take this forward?

In December 2022, the EU Council agreed its general approach to a carbon border adjustment mechanism. A draft regulation is now progressing. The EU sees CBAM as a necessary part of its wider efforts to combat climate change. Without a CBAM in place, the EU foresees a risk of carbon leakage, whereby energy-intensive industries might relocate outside the EU and sell their goods back into the EU, effectively undercutting EU-based industry subject to carbon-reduction policies such as the EU ETS.

Under the EU’s current CBAM proposal, countries with an ETS linked to the EU’s would be excluded from such charges. As the UK and EU schemes are not currently linked, it is possible that CBAM could apply to UK-EU trade. I see no reason why the EU’s logic does not apply in reverse to the UK. All this of course strengthens the argument for linking ETSs. The Government have been consulting on measures to combat carbon leakage and their report on this area has not yet been published. Will the Minister say when we might expect the Government to provide an update on their position and where in the existing TCA committee structure CBAMs are being discussed?

The last section of our report examined the broad area of mobility of people, including the implications of the TCA’s provisions for both inward and outward business and professional mobility between the UK and the EU, but I will concentrate only on our work in the education and young persons sectors. The Government have made much of the Turing scheme, and we applauded it in its limited scope. However, we studied the Welsh Government’s Taith scheme. Indeed, we travelled to Cardiff. Introduced in 2022, Taith provides financial support for inbound educational group mobility. A Welsh organisation can apply for funding to send people out of Wales to another country and get funding to bring people to Wales. The Turing scheme provides funding for outbound mobility only. The Scottish Government have recently announced plans for a similar scheme to Taith, although details have not been provided. Of course, students in Northern Ireland can access Erasmus+.

We asked the Minister for Europe whether there are plans to introduce a scheme similar to Taith in England. He said the Government were

“open-minded and we look with great interest at the extent to which we might operate a similar scheme”.

In the most recent correspondence with the committee, the Foreign Secretary said,

“the Turing Scheme’s focus on outward mobility funding has not been a hindrance to forming partnerships between institutions, which may go some way to providing the kind of links the Committee is seeking”.

Three-quarters of the United Kingdom’s nations are already or will be establishing some form of reciprocal student exchange programme. Given the Minister for Europe’s admission that Erasmus+ has been “very beneficial” to the UK and the evidence that Taith has been successful in Wales, will the Minister comment on whether the Turing scheme will be enhanced?

The committee heard evidence that suggested that post-Brexit barriers to mobility between the UK and the EU, in both directions, have had an especially significant impact on young people, including workers and professionals in the early stages of their careers, as well as students across different educational levels. We recommended that the Government discuss with the Commission the possibility of an ambitious reciprocal youth mobility partnership, similar to the youth mobility schemes that the UK and EU member states enjoy with other jurisdictions, allowing young people to apply for fixed-term visas to travel and work. The Government’s response here was lacklustre, saying that the Government are

“exploring bilateral opportunities for reciprocal youth mobility schemes with international partners, including our European neighbours”.

Finally, will the Minister give us an update on discussions with the EU and individual EU member states about youth mobility partnerships?

There are many speakers and I look forward to the debate very much. I beg to move.

6.13 pm

Lord Lamont of Lerwick (Con): My Lords, I thank the noble Earl, Lord Kinnoull, and congratulate him on his chairmanship of the Select Committee. His calm, efficient manner and attention to detail made it a very great pleasure and also made it easier for us to reach a unanimous conclusion to our deliberations. I join him in thanking our staff. I know it is customary and a habit always to say that, but it is well meant. We got some very good advice and service.

I was one of two leavers on a committee of 11, but I strongly support its recommendations. I want to explain today why. I also want to concentrate my remarks, almost entirely on the context, the political background, of the report. The report starts by saying that the relationship since Brexit was initially

“characterised by tension and mistrust”.

I think this is true and awkward. Perhaps it was inevitable. Brexit as an act caused hurt and possibly the desire to punish in some parts of the EU, but as my noble friend Lord Frost said when he gave evidence, the fault was on both sides. We had evidence from a wide range of witnesses. It was interesting that when we had my noble friend Lord Frost and the noble Lord, Lord Mandelson, together, their evidence did not diverge very much.

Brexit has happened. It was a seismic event but, having happened, it is in everybody’s interest that we should have as close and co-operative a relationship as possible. It is not a betrayal of Brexit. It was Boris Johnson who

said after Brexit that we must concentrate on developing a close and co-operative relationship with Europe. On what basis should that co-operation and collaboration happen? Again, I think my noble friend Lord Frost put it well to the committee when he said that Europe was a port of call, not always the first port of call, but an important port of call. We do not want close alignment, rule taking or the imposition of EU law. We are a third party. We accept that we are a third party, but we can still have a close relationship as third party.

It is important while talking about the need for collaboration to be realistic about its limits and about the relationship. We should not delude ourselves that we can sweet-talk our way into a different sort of trade and co-operation agreement while remaining outside the customs union and the single market. It seems to me—I make this point not as a political point but to illustrate my point—that the leader of the Opposition is in some danger of falling into this error, peddling the idea that he can change the relationship profoundly while remaining, as he claims we will be, outside the single market and the customs union.

During the committee, we had a vigorous argument between—if I may still use the terms—remainers and leavers about alignment and divergence. To my way of thinking, both sides make a fetish of this and it is a mistake. We must have the sovereign right to diverge, but we should not diverge in regulations for the point of diverging. We should diverge when it is necessary to diverge and when there is an interest for this country in doing so.

Similarly, what should be our principles in co-operation with the EU programmes? I think an interesting case was that of Horizon. The decision that the Government made to join the Horizon programme got a lot of applause, but at the same time people criticised the delay in reaching that decision. I think that is wrong. I think it was right for the Government to take their time to consider whether this was the only option and whether it really represented value for money. The EU has much to gain from UK participation in Horizon, and it would have been an act of self-harm by the EU to have excluded Britain from it.

Part of our report, perhaps too much of our report, is about how many meetings this committee or that committee has had and which ones were missed. I note the Government's reply which I thought was a masterpiece. They said that the intensity of contact is not a measurement of effectiveness. Hear, hear to that and brilliantly put by the Government.

The most important recommendation of the committee refers to security and foreign affairs, with a call for a more structured dialogue. That does not mean having the bureaucracy or the law of the CFSP. The Government's reply was non-committal. I read in newspapers in July that the Government had rejected a call from the European Council for more structured dialogue, and I would be grateful if the Minister could tell us whether that is true. It seems to me that this recommendation is sensible. Ukraine has reminded us, tragically, that the defence of Britain and Europe goes together. Britain is important to the defence of Europe, Europe is our first line of defence and where there is increasing co-operation, after what has happened in this tragic

war, that can only be in both our interests. I support that, I support the other recommendations of the committee and I commend the report to the House.

6.19 pm

Lord Liddle (Lab): My Lords, this is an admirable report and I agree with virtually all its recommendations. It is a fine swansong for the period of the noble Earl, Lord Kinnoull, as chair of the committee. It is wonderful, in a way, that we were able to reach agreement on the report's important recommendations. It was a great pleasure to work with the noble Lord, Lord Lamont, on the committee; although I do not agree with everything he said in his speech, I agree with quite a lot.

Now that we are outside the European Union, we should be striving for consensus on how we can improve the relationship. Consensus does not mean that everyone should agree—for example, I do not think we should allow the populist right a veto over how we try to improve our relationship—but it means that when we talk to Brussels, whether through the present Government or an incoming Labour Government, it should feel that there is some kind of political willingness on Britain's part to have a constructive relationship.

The big gap in our report, and this was done deliberately, is economics. It is a gap, as the noble Lord, Lord Lamont, referred to, that Keir Starmer was trying to fill when he announced that he was determined to improve the TCA. Obviously there is some scepticism about that, even among the European academic bubble—yesterday I read a report by the UK in a Changing Europe group that was rather sceptical about what it might achieve—but I think change is achievable in the trading relationship.

A big problem that we have had since Brexit is the lack of trust between the EU and the UK. A lot of that is due to the way in which the present Government threatened to breach their treaty obligations on the Northern Ireland protocol. The present Prime Minister, Rishi Sunak, deserves praise for negotiating and agreeing the Windsor Framework, but there is still hesitancy about taking the relationship forward. For example, I do not know how the present Home Secretary thinks that threatening a potential British withdrawal from the EHRC is going to help our efforts to control illegal migration. That would mean a crisis in our relations with the EU and a great interruption in police and justice co-operation. The fact is that we would be less able than we are now to work with our partners in tackling the criminal gangs of people smugglers.

We should stop trying to threaten these things, however sotto voce, and try to build a relationship of trust. Labour can do that. Labour can work strongly with our European partners in the defence of democracy, which is fundamentally what is at stake in Ukraine. If we have a change in the presidency of the United States next year, that will be an existential crisis for whether Europe can work together to defeat the Russian invasion of Ukraine.

Secondly, there is common agreement on large parts of the climate change agenda, although I am sorry to see the Government backing off it today.

Thirdly, there is a lot of scope for industrial co-operation on the new technologies. In the 1970s we had the great Airbus project. Let us think about how

[LORD LIDDLE]

to work together on new technologies so that European efforts can match the challenge of China and the dominance of the US tech giants.

We can build an atmosphere in which change in the trading relationship is possible. We cannot be stuck with David Frost—the noble Lord, Lord Frost—for ever. That, it seems to me, would be fatal to Britain's economic growth prospects. It is therefore worth working hard at trying to build a more constructive relationship with our partners and friends.

6.25 pm

Lord Wallace of Saltaire (LD): My Lords, I wish I could be as optimistic as the noble Lord, Lord Liddle, that Keir Starmer will be able to make Brexit work.

I congratulate the committee on this excellent report. It is useful to focus on the non-commercial aspects of this broad relationship: foreign policy, defence, energy co-operation and the mobility of people.

I found the government response disappointingly thin on content. Its preference for the Turing scheme over Erasmus+ is specifically stated to be because Turing does not offer reciprocal benefits. Searching issue by issue for arrangements in which the UK gains and others give is no way to rebuild a close relationship with the EU and our neighbouring states. Good relations depend on mutual trust and broad reciprocity.

I read the article in yesterday's *Telegraph* by the noble Lord, Lord Frost, on relations with the EU. As he was the Minister who negotiated the trade and co-operation agreement, it would have been valuable for the House to have heard his comments on this report, and he was in the Chamber earlier today. I was puzzled that he claimed in the article that his negotiations on fisheries and on security had been successful, and I was astonished that he made no reference to the impact of the Ukraine conflict on UK relations with the rest of Europe and on European security as a whole.

I agree with the report that UK participation in the loose framework of the European Political Community—alongside 20 other third countries, including Andorra, San Marino, Monaco and Liechtenstein, as well as the European Union—is a useful but small step forward. No doubt its coming meeting in Spain will focus on support for Ukraine and the spillover of conflicts and migrants from north Africa into Europe. I hope that preparations are now well under way for the UK to host the fourth meeting in spring next year, but I note that the Government have already recognised that this is not enough by joining the PESCO Military Mobility project. We need to move much closer towards regular and frequent consultations on foreign and security policy, multilaterally in Brussels as well as bilaterally in national capitals.

I remind the noble Lord, Lord Lamont, that successive British Foreign Secretaries, from Lord Carrington and Sir Geoffrey Howe onwards, were architects of the development of the common foreign and security policy mechanisms, and I can think of no Foreign Secretary, Labour or Conservative, since the beginning of that process under Jim Callaghan who has not regarded that as an invaluable contribution to British foreign policy.

The article in yesterday's *Times* by the noble Lord, Lord Hague, provided another powerful argument for foreign and security co-operation with EU members. We cannot rule out the possibility that Donald Trump might win the next US presidential election. If that happens, the British Government will need to respond with the closest possible co-operation with our European partners, as well as Canada and Australia, and we need to build that relationship now.

The chapter on energy policy restates what everyone following energy policy already knew, but which the proponents of leave denied: our energy supplies are already dependent on interconnectors with other neighbouring states and will become more so as we and others move further towards renewable energy. One might add that these Governments are all now painfully aware that the interconnectors are vulnerable to hostile sabotage and that defence co-operation in protecting the network from attack is a security interest that we share with states across the channel and the North Sea.

The noble Lord, Lord Frost, mentioned extra-European migrants in his *Telegraph* article but had nothing to say about the current confusion over mobility between the UK and the EU, which the report sets out. Policy here is incoherent, with the Home Office wanting to keep as many people out as possible, and DSIT and DfE proclaiming that we are open to foreign workers, foreign researchers and talented students. Some EU states are now imposing restrictions on the number of weeks that British businesspeople, academics and lawyers can work in their countries in return. I fear we will have to wait for a different Government before any reciprocal arrangements can be agreed that will allow a freer flow in both directions across the channel.

The report also recognises the flimsiness of any European strategy or framework for co-ordination across Whitehall. It has not helped that we have had six Ministers for Europe since the 2019 election, one of whom served for two months and another for five months, with the post now downgraded to a Parliamentary Under-Secretary. It is a great contrast with the coalition period from 2010, when David Lidington was in office for five years as a senior Minister of State, with real influence across Whitehall.

The Government are making almost no effort to get their act together in managing the complex relations with our nearest and most important partners, which cover most of the important interests across Whitehall. Furthermore, the cadre of expertise on the EU—its regulations and institutions—that had been built up in Whitehall is shrinking, at a time when even right-wing Conservatives admit that we need to rebuild political and policy links. We need to rebuild the networks of co-operation among officials, Ministers, political parties, schools, universities and civil society that have been so badly damaged in the past five years. I welcome this report's contribution to making such arguments.

6.31 pm

Lord Hannay of Chiswick (CB): My Lords, the report we are debating, so admirably introduced by the noble Earl, Lord Kinnoull, who contributed to great effect to its production, is quite simply the first overall analysis of the future development of the UK's

post-Brexit relationship with the EU by either House of Parliament since we left the EU in early 2020, more than three years ago, so it deserves to be taken seriously. It will not be the last word on a subject which, whatever side you voted on in the 2016 referendum, will be prominent in our politics for the foreseeable future, but its long list of suggestions for developing that relationship deserves careful scrutiny and response.

First, it is a great pity that the Government have yet again rejected the idea of negotiating an SPS agreement with the EU, when it has the wholehearted support of the agri-food industries in all four nations and of most parties in Parliament. That industry, which has benefited to an increasing degree from its access to continental markets, is being sacrificed on the altar of sovereignty—that imprecise and poorly understood concept which is trotted out whenever needed to reject a well-argued proposition.

Secondly, the report's proposal that the UK should establish a structured framework for co-operating with the EU on foreign and security policy issues has been supported strongly by all previous speakers in this debate. It was a concept endorsed by both parties in their joint political declaration, negotiated and ratified in 2019 and 2020, and then dropped by Prime Minister Johnson. Whatever the rights and wrongs of that decision at that time, the case for such a framework has been greatly strengthened since then by the need to respond effectively to two major challenges: Russia's aggression against Ukraine and the rising assertiveness of China worldwide. The Government say that we are getting along just fine by co-operating with the EU on an ad hoc basis on those and other issues, but that demonstrates a not-unprecedented misunderstanding of the way the EU best responds, which is through frameworks for co-operation laid down in advance, while leaving each party autonomy in its own decision-making. Surely this is a moment for a rethink on that issue.

Thirdly, there was the Government's response to the report's proposal that the UK and EU should develop the closest possible co-operation on their climate change policies, in particular linking their emissions trading schemes and ensuring that any cross-border adjustment mechanism did not get at cross purposes and give rise to further friction in their mutual trade. To say, as the Government do, that they agree with the report's views in part, without saying which parts, is just a curate's egg reply. Every single professional witness who gave us evidence urged the need for the closest possible co-operation on those issues, but in the real world the UK's emissions trading scheme is now drifting away from the EU's and the Government have not yet decided even whether to have a CBAM scheme, let alone what relationship it should have with the EU scheme that is already taking shape. What will the Government do if the EU imposes a CBAM on Chinese steel and cement? Will they just sit back and allow the trade to be diverted here?

The section in the Government's response on the report's conclusions on school visits and many other forms of cultural and educational co-operation is, frankly, shameful. The Prime Minister and the French President agreed last March to remedy the free fall in UK-France school visits since Brexit. What has happened

since then? Precisely nothing is the answer; something might happen by the end of the year, we are told. Meanwhile, successive generations of schoolchildren are missing out on those formative experiences, and what could be more self-defeating than refusing to make the Turing student exchange system one which operates mutually and opens up possible co-operation with the EU's Erasmus scheme? There is narrow-mindedness here which is quite shocking.

There is much wrong with the Government's response so far to our report. How best could that be remedied? First, we should open discussions with the EU on how to strengthen the framework for our co-operation on foreign policy and security issues, as we foresaw doing in the 2019 political declaration. At the same time, we should begin exploratory talks with the EU about how to put to most effective use the 2025-26 review of the trade and co-operation agreement, which is provided for in its terms. None of this will be easy or straightforward, so the sooner we begin the better. It will be important for both parties to work for ways to strengthen our co-operation to their mutual benefit, as we emphasised and underlined in our report. That should help to answer silly criticisms of cherry-picking, which are bound to surface from some quarters in Brussels.

The first few years following Brexit have hardly been a happy experience. Now we have a real opportunity to get on to the front foot and treat the existing skimpy system as a floor and not a ceiling. The Windsor Framework and the deal on Horizon are a promising beginning, but we need to be more systematic and determined about the next stages. That is the challenge this report makes to Parliament and to all parties represented here. Let us hope they will rise to it.

6.37 pm

Lord Tugendhat (Con): My Lords, it is a great pleasure for me to follow the noble Lord, Lord Hannay, with whom I first became involved in the European adventure, if one might call it that, as far back as 1977. I have listened to his wisdom a very great deal since then. It is also a pleasure for me to congratulate the noble Earl, Lord Kinnoull, and those who served on the European Affairs Committee that produced this report. I was very sorry when I had to leave the committee earlier this year. I can see that the quality of the work that the committee has done has continued to improve since my departure.

This report is exactly the kind of thing which was needed at present. It is a detailed and workmanlike assessment of how to make the UK-EU relationship work better for this country as a whole, as well as for the EU. When I say as a whole, I mean for individuals, businesses and interest groups. As my noble friend Lord Lamont said, the important thing now is to make Brexit work, and this report is an important contribution towards exactly that aim—towards getting things done which were left undone at the time of our departure, and the sooner that we can act on these matters, the better.

Reading the recommendations relating to creative artists, school visits, higher education and support for small businesses, as well as the sanitary and phytosanitary rules, brings home the extent of the lost opportunities.

[LORD TUGENDHAT]

These are all matters on which my noble friend Lord Frost might have had something to say if he was here today. He could explain how it was that these matters were overlooked at the time of our departure. It is tragic, by which I mean that businesses, interest groups and individuals themselves have all suffered loss and lost opportunities. I am glad that this report has shown the way forward.

There is also much good sense in the report on the big political issues, such as the overall political relationship, defence and foreign policy co-operation, the institutional framework and green-related issues. But these matters will, of course, take time to resolve and will depend very much on circumstances within both this country and the EU. So far as the EU is concerned, they are by no means top of the agenda. The EU has its own problems in relation to immigration, the eurozone, energy security and of course Ukraine.

That brings me to my key point. Looking ahead, it seems that Ukraine will become an increasingly important factor in framing the EU's approach to its relationship with the United Kingdom. Here, I am thinking of two quite separate but interrelated matters. On the one hand are the consequences that flow from Ukraine's application to join the EU and how that is dealt with. However it is dealt with—whether Ukraine joins as a full member at some distant date or whether some special arrangement is made—the consequences of that decision are bound to be extremely far reaching on the structures of the European Union and will also create precedents in terms of relationships between the European Union and other countries. Ukraine is a transformational matter.

Another factor will be the huge costs involved in reconstructing the country and preparing it for eventual EU membership—or whatever other relationship is agreed. In the nature of things, the primary responsibility for financing and carrying through the preparations to bring Ukraine into the EU, or into whatever relationship is decided on, will be for the member states. But surely those countries which have played an important part in supporting Ukraine during the war—the United Kingdom has been particularly prominent in that respect—will also play a part in reconstructing Ukraine after the war, whenever that may be.

That reconstruction will involve the creation of a very close and novel relationship with the EU. The terms and conditions on which we co-operate with the EU in Ukraine will, I think, have a very great influence on the nature of our overall relationship and how it might play out, and it is not too soon for us to start thinking about that now.

6.43 pm

Baroness Blackstone (Lab): My Lords, much of the thrust of the committee's report is on the need for increasing the level and intensity of UK-EU contacts in a context in which Brexit is now behind us. The importance of our relationship with the EU as a bloc and with individual members bilaterally is recognised widely and only disputed by ultra anti-European ideologues who, regrettably, still have some hold in the far-right fringes of the Conservative Party.

The need for close and meaningful contact with the EU has been recognised very recently, I am glad to say, by the leader of the Labour Party. He pointed in particular to the need for a more friction-free trading relationship with Brussels, saying that, if elected, he intends to try to negotiate better post-Brexit arrangements when the TCA comes up for renegotiation in 2025. I would be a little bit more confident that that could produce some improvements than the noble Lord, Lord Lamont, was suggesting—and I think the noble Lord on the Liberal Benches was also a bit pessimistic.

As background, it is also worth noting the results of an opinion poll commissioned by the Tony Blair Institute in which respondents were asked their views about the EU and UK in the post-Brexit environment. Some 53% now think that we were wrong to leave the EU and only 34% still believe the decision was right. They also overwhelmingly support the UK moving closer to the EU in the coming decade, with 73% wanting a closer relationship. Only 7% think it is satisfactory when considering the medium-term future. Their views are surely a consequence of the UK's poor economic performance since leaving the EU, with a serious fall in economic output, trade openness and investment.

This, then, is the context in which the report's recommendations need to be considered. There is a willingness to strengthen our ties with the EU at a political level and in the population more widely. The Government in their reply to the report have responded positively to a number of its recommendations but have pushed back on some of them as either undesirable or unnecessary. I will pick up on four specific examples and I hope that, as the Minister replies, she will be able to say whether the Government will be able to think again on them.

First, while informal approaches are of course of value, attention must be given to the formal institutional structures for meeting to debate key issues, particularly in foreign policy and security, but elsewhere too. The Government claim that "outcomes" are what matters, not the number of meetings, but it is hard to see how key outcomes—or any outcomes—can be achieved without more properly structured meetings in the first place.

Secondly, because the committee is now doing an inquiry on the implications of Russia's invasion of Ukraine for the UK and EU, I will not in this debate go into other foreign policy and security questions, except in one respect. Could the Minister tell the House how the Government intend to respond to the charge made by commentators that their approach to sanctions has been ad-hoc rather than rigorous and well structured? This view was expressed in the committee's report too.

Thirdly, turning to the report's recommendations on energy and carbon emissions, what arrangements are the Government making to reach agreement with the EU on ensuring energy flows in the event of a critical supply shortage? The EU and UK must also work together to mitigate the effects of climate change, as has been mentioned by other speakers. As the noble Earl, Lord Kinnoull, said, and I think the noble Lord, Lord Hannay, did too, there are technical issues to be resolved in the UK and Europe concerning linking their respective emissions trading schemes, where there is a growing gap. Can more be done to link them and to narrow this gap?

My last example concerns the section of the report on the mobility of people. Brexit had a disastrous effect on this in many areas—for example, on the work of musicians and performers undertaking European tours, because of the need to obtain multiple visas. The Government have been engaging bilaterally with EU member states to try to reduce visa requirements for short-term touring, which is welcome, but progress is still needed on solutions in the four member states which have not agreed to this.

School visits are a very important way in which children and young people can learn about the culture of our nearest neighbours. There has been a huge, really regrettable decline in these since Brexit. This has been exacerbated by a refusal to accept collective travel documents and an insistence on individual passports instead. Like the noble Lord, Lord Hannay, I would like to know more about the Government's intentions on finding ways to reverse this decline.

To end on positive note, it is excellent news that, at last, we are going to rejoin the Horizon programme, even if it is only as an associate member. Rejoining means that the UK can combine knowledge and research skills with European partners, which will help innovation in the economy and elsewhere. Going it alone was never going to be a good substitute for collaboration. Let us hope that going back into Horizon is a start to greater co-operation with the EU in many areas, which the opinion poll to which I referred earlier suggests the British electorate want.

6.50 pm

Lord Kerr of Kinlochard (CB): Like previous speakers, I congratulate the committee on its excellent report, and the ex-chairman of the committee on the brilliant timing of this debate. Like previous speakers, I believe that we need to work together with the EU

“to safeguard the rules-based international order”

and

“co-operate against internal and external threats”

to the values and interests that we share. That means rebuilding a relationship extending beyond trade and economic partnership to

“law enforcement, criminal justice, foreign policy, defence and wider areas of co-operation”,

and doing so in an institutional framework, with both sides committed to a regular dialogue and efficient and effective arrangements

“for its development over time”.

The House will recognise that I am quoting from the political declaration referred to the noble Lord, Lord Hannay, which the May Government agreed with the EU—or rather, I am quoting from the revised version agreed by officials but rejected by Mr Johnson four years ago, when he chose instead to go for deliberate distancing. I have to say to the noble Lord, Lord Lamont, who found a splendid quotation about the Johnson desire for close co-operation, that he deliberately went for deliberate distancing, with the noble Lord, Lord Frost, as his disciple. I had hope that the noble Lord, Lord Frost, would explain why, but we are not having that pleasure today.

I do not know why we wanted to burn the bridges. I suppose that we should have seen it coming when Mr Johnson as Foreign Secretary refused to attend the

Foreign Affairs Council when it planned to discuss the significance of Trump's election in America. He dismissed the concerns of the 27 as “Euro-whinge”, and he stayed away. It is usually better to talk and, as Foreign Secretary, the responsible course, if you do not think you like what might be the emerging European consensus, might be to turn up and try to change it.

The problems we share now—aggressive Russian revanchism, the challenge of China, US protectionism, managing migration and the costs of net zero—are problems common to us and the European Union. We live in a world that is more insecure, or feels more insecure—and I think it is more insecure—than it used to be. We could do with precisely the kind of partnership that the EU and we at official level envisaged four years ago. They tell us that they particularly miss our contribution on defence, intelligence and foreign policy analysis of the big geopolitical issues. That is the first bridge that I would try to rebuild.

The Leader of the Opposition was quite right to talk security, not single market, in The Hague and Paris. I look forward to the Minister's answer to the question from the noble Earl, Lord Kinnoull, about the Government's response to the recommendation from the committee on foreign policy co-operation and the Foreign Secretary's dismissive reaction to it. This debate shows that the committee's recommendation is widely supported.

I do not dismiss the possibility of also using the 2026 implementation review of the TCA to correct some of its obvious errors and omissions. There are some additions that would be win-wins for both sides. The report makes very sensible suggestions, but I cannot see any great appetite across the channel for a major renegotiation. The EU has moved on. Rather than try to reopen an agreed text, we might do better to pick up and draw on the one that was agreed. Michel Barnier sweated blood to get this agreed by the Council. Precedent is quite a useful thing to have. It could be best to look at it again.

I have one more point—rather downbeat, I fear. We will be living for some time with the legacy of the posturing and lies, the arrogant amateurism and the dossiers not understood and perhaps not even read, as well as the insult of the deliberate distancing that followed. It will take time to live it all down and rebuild trust. The present Prime Minister has made a good start with the Windsor Framework and, at last, the Horizon decision, but there is a long way to go, and it would help if we could do three or four things.

We could stop making regulatory autarchy paramount and listen to the voice of business. We could stop tabling Bills which, if passed, would break international commitments, and stop threatening to leave the ECHR. We could tone down the bombast a bit—the exceptionalism and chest-beating, as with the Truss trade agreements. It jars a bit here, but it jars a lot more across the channel. Above all, we could try to get the tone right and get away from zero-sum thinking. When things go well for the EU, do we really have to sneer or, when they go badly, cheer? It is our biggest market, and it is in our interests that things go well over there. This is the Ryder Cup that we are playing—we

[LORD KERR OF KINLOCHARD]
are all on the same side. We are in this together and it is a very cold world outside, so let us build bridges and thaw the frost.

6.56 pm

Lord Howard of Rising (Con): My Lords, I congratulate the committee on its report and on recommending closer co-operation with the EU. This is to be applauded, although sometimes I wonder how much lack of co-operation is as much the fault of the EU. I have no doubt that the report will contribute to overcoming impediments to closer ties. At the same time as applauding the committee's desire for closer co-operation with the EU, it is worth pausing for a moment to reflect on how leaving the EU has allowed the UK to pursue an independent trade policy, striking several new agreements with real benefits for the UK economy and leading to closer international co-operation, to the benefit of Great Britain and the EU.

Our free trade agreement with Australia removes tariffs on £4.3 billion of UK exports, making it cheaper to sell iconic products such as ceramics and Scotch whisky. British companies have also been granted the most substantial access to Australian procurement contracts worth billions of pounds. Meanwhile, cheaper imports will save British households up to £34 million each year, and the deal creates new opportunities for young people and professionals to work and travel in Australia.

Last year's deal with New Zealand is expected to increase bilateral trade by almost 60% in the long run, boosting the UK economy by £800 million. The agreement cuts red tape for the 5,900 UK small and medium-sized businesses that export to New Zealand, as well as ensuring that services exporters from accountancy to engineering can compete on an equal footing. Notably, it includes a world-leading environment chapter to encourage trade and investment in low-carbon goods, services and technology.

The UK has just opened a new gateway to the Indo-Pacific by joining the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, building our relationship with economies that will account for most of global growth in the decades to come. No one should underestimate the importance of this agreement. These countries account for almost 10% of investment into the UK, creating over 5,000 jobs in 2021 and 2022, and the CPTPP offers protections, which will encourage further growth. The agreements on rules of origin also create opportunities to diversify our supply chains, and membership allows the UK to shape the CPTPP's fight against unfair and coercive trading practices. Joining the CPTPP also means that the UK will have a trade agreement with Malaysia, to which UK businesses exported £1.7 billion of services in 2022.

Less than two weeks ago, the UK signed a strategic partnership with Singapore to enhance co-operation on the economy, security and innovation. This includes a first-of-its-kind partnership with Singapore's Digital and Intelligence Service, drawing on common strengths such as AI to tackle emerging cyber threats. This builds on our 2022 digital economy agreement with Singapore, which helps businesses seize new trade opportunities by opening digital markets, protecting intellectual property

and digitising trading systems. I look forward to seeing progress in our ongoing negotiations, including work towards new agreements with India and the Gulf Cooperation Council.

None of these agreements impedes closer co-operation with the EU. Indeed, they enable the EU, through having trade accommodations with us, to join in these wonderful things that have been arranged.

7 pm

Baroness Ritchie of Downpatrick (Lab): My Lords, it is a pleasure to participate in the debate this evening. I commend the noble Earl, Lord Kinnoull, and the European Affairs Committee for this very fine report—I agree with its recommendations. I declare an interest as a member of the sister committee on the protocol and Windsor Framework.

I agree with the committee that our relationship with the European Union was characterised by tension and distrust, which is slowly evaporating as a result of the good work on the Windsor Framework and now that we are back in Horizon Europe. I know that, in a Northern Ireland context—the noble Earl, Lord Kinnoull, already referred to this—students can avail themselves of the Erasmus+ programme, and that should be available to all students within the UK.

It is important, like the committee has said, that there are much greater levels of collaboration between the UK and EU in the fields of foreign policy; defence and security, particularly in the whole area of Ukraine; protecting democratic institutions and democracy; energy security; climate change—we can only think of today's announcement, which tries to dilute commitments relating to fighting against and mitigating climate change—and, very importantly, the mobility of people. I think of those in the dramatic arts and music industry who benefit from greater levels of mobility. So those issues are important.

I also concentrate on the area of commercial economics and the need for greater levels of trade between the UK and the EU; I refer in particular to the Border Target Operating Model. I know that many logistics groups have already met with the Minister, but there are certain areas where they feel they still need certain answers. The Government need to urgently share the technical details and guidance that businesses need to prepare. The new barriers could impact the cost and choice of products for UK consumers and risk distorting trade. This means rising prices as well as shortages of fresh food, as the UK is reliant on the EU for these goods, particularly via the short straits between northern France and Kent and during the winter. Small and medium-sized enterprises specialising in grouping multiple shipments in a single load—known as groupage—will be hit particularly hard. It is therefore important that work takes place between the UK and EU to break down trade barriers and to build relationships and collaboration, so as to ensure that trade is made much easier and that there are reduced costs for hauliers and consumers.

I therefore have three questions for the Minister. I know that this has already been referred to—by the noble Lord, Lord Tugendhat, I think—but when will an SPS agreement between the UK and EU come to

fruition? What assessment has been made of the readiness of EU exporters and rest-of-world exporters for importing goods into the UK under the implementation of the Border Target Operating Model? And what assessment has been made of the readiness of EU vets for undertaking processes related to importing goods into the UK under the Border Target Operating Model? In asking the Minister for answers, I am emphasising the importance of greater levels of collaboration in commercial trade policy and in the areas already defined by this very fine report from the European Affairs Committee.

7.05 pm

Baroness Bull (CB): My Lords, I am grateful to my noble friend Lord Kinnoull and his committee for this report and for continuing to highlight the challenges that the TCA presents for the creative sector. In choosing not to focus on this in his comprehensive introduction, he has left a welcome space for my noble friend Lord Clancarty and me to fill, perhaps giving a new meaning to the concept of speaking in the gap.

The latest report from the Independent Society of Musicians provides new evidence of impact 30 months after the TCA came into effect: half the UK musicians surveyed reported less work in the EU, with over a quarter saying that they now had none—lost work, lost income and lost opportunities, but increased costs, increased time and more red tape. Hardest hit are young and emerging artists, who make up the greater part of the sector and who lack the resources to meet the financial and administrative burden of the post-Brexit regime.

The impact of this hostile environment is diminishing the cultural sector, not just in the UK but across the entire continent, with cancellations and economic loss affecting both UK and EU artists. European festivals and venues, which have hitherto relied on the bigger box office appeal of UK artists to drive revenues and local tourism, are forced to look elsewhere. No longer do UK artists “dominate the European panorama”, as the European Commission stated in 2019. EU opera and dance companies cannot call, as they used to, on the UK’s dancers and singers for last-minute jump-ins. Of the musicians surveyed, 39% had turned down jump-in requests because of the 90 in 180-day rule.

Even now, both sides continue to claim that they offered, and the other side rejected, a better deal. The noble Lord, Lord Frost, has admitted that his approach was too purist, yet the Government’s response to this report repeats the line:

“The UK took an ambitious approach ... that would have addressed many of the issues artists now face. Regrettably, our proposals were rejected by the EU”.

There is little to be gained by rehashing these arguments, but this mutual finger-pointing does offer cause for optimism. If where we are is where neither side wanted to be, surely we can work together towards the better place we both say we wanted.

I am privileged to be a member of the Parliamentary Partnership Assembly. Within this group, there is clear appetite—from EU and UK members—to right these wrongs. The PPA has twice reiterated its recommendation to the Partnership Council that both sides be encouraged to negotiate a comprehensive and reciprocal touring agreement. Our own European Affairs Committee

recommends the same and the European Parliament’s Committee on Culture and Education has called on the main committees responsible for TCA implementation to address the absence of the cultural and creative sectors in the TCA. With both sides clearly wanting the same thing, can the Minister explain why it is taking so long to make progress on this issue?

A good first step would be to improve the situation for younger artists by establishing the reciprocal youth mobility partnership recommended in this report—a proposal supported by both the PPA and the European Parliament’s Economic and Social Committee. The chief executive of the Independent Society of Musicians—the ISM—told the committee that such a scheme would be

“important in creating opportunities for emerging artists”, stressing the value to artists of collaboration between the EU and the UK. She makes an important point that, while the economic loss to the next generation of talent is significant, the greater impact is arguably the loss of cultural exchange.

In some industries, growth depends on putting down roots, but artists develop and flourish by moving between different environments and experiences. Touring opens up new opportunities, markets and audiences. It enables collaboration and intercultural dialogue and builds networks and partnerships. The loss of these opportunities is not just personal and professional—it is potentially a loss to the industry, with all the knock-on effects to the UK’s economy, reputation and soft power around the world.

The committee’s report points out that barriers to mobility post Brexit have especially impacted young people—the same young people who were disproportionately affected by Covid and who will suffer most from this economic downturn. The benefits of international exchange for young people are spelled out by the committee: cultural, social, personal, professional and economic. Prioritising youth mobility would demonstrate that the Government are considering the opportunities and life chances of the generation that will, in the end, shape the future UK-EU relationship—the generation that had the least voice in the 2016 decision but that will live with its consequences longest.

7.10 pm

Lord Balfe (Con): My Lords, I congratulate the noble Earl and his committee on not only producing this report but, for once, getting it into the Chamber for debate before it has gathered too much dust. He has done remarkably well there.

The House knows my attitude to things European. I welcome what have been called “changing attitudes”, but I am a member of the Lord Speaker’s panel for schools and there has been no change of attitude there. School pupils were appalled by the referendum result. Every time I speak to a school, I say quite clearly, “I think it was a dreadful thing and we should reverse it as soon as possible. Does anyone disagree?” Occasionally you get the odd hand, but very seldom. Most of our younger generation, including the students at Cambridge University whom I meet from time to time, believe that we should repeal the whole process. That is why I welcome recent statements about looking again at how we can get a closer relationship.

[LORD BALFE]

It is fine to say that you can go around Australia for tuppence, or whatever, but most people want to go to Europe. Most people want the Erasmus programme back and students from the European Union to be able to come here. Most students want to come here. I want to see a Government looking to get as near as they can to the single market and back to the customs union and free movement. It seems incredible that we have such labour shortages but do not allow people to come into the country who would be prepared to work and benefit the economy.

I welcome the European Political Community and Britain's participation in it. I see that we are hosting a summit next year; I hope we will put a lot of effort into it. I have also been interested to see recently that the French in particular are looking at a possible different structure. It has been common gossip in Brussels for years that the EU needs a different structure to enlarge. As someone said to me of the Balkan states, "You let one in and they'll veto all the rest". We have to work out a different structure; this two-tier structure is certainly worth looking at and working on, because I think it would work. It would probably also work for some of the current members of the EU that appear congenitally unable to keep its rules when it does not suit them. They do not seem to realise that the EU is an organisation where you have to compromise and, in the end, agree in order to go forward. That has been the EU's secret—people can talk together. In this landmass, with fewer languages than India and a far smaller population than India or China, we have no option but to work together.

One hundred years ago this year, my grandmother moved into her first married house. She had gas mantles—not electricity—and no radio, and penicillin was a thing of the future. By the time she died, towards the end of the last century, all those things had changed. I say this because my granddaughter, now aged two, will probably be alive for the better part of another 100 years. This world will then be very different. Britain will be a small part of a small continent. It may well be China's century—however much fantasy we have, I can tell noble Lords it will not be Russia's—and we need to come to terms with that. The only way of doing so is to work with our European colleagues and to accept that you have to make compromises in working together—compromises that lead to the better good, a stronger Europe and a better place for us to leave our children to inherit.

7.16 pm

Viscount Stansgate (Lab): My Lords, this has been a very interesting debate and I am pleased to take part in it. It is a pleasure to follow the noble Lord, Lord Balfe, who speaks with a lot of European experience, as do so many other noble Lords taking part. I congratulate the noble Earl, Lord Kinnoull, on a really interesting report; the committee took a lot of interesting evidence and, like others, I am very pleased that we are having this debate sooner rather than later.

It is not often that I have to declare an interest when speaking in this Chamber, but on this occasion I refer to the register of interests. In the last 20 years or so, I have spent a lot of time in Europe, especially France,

where the personal experience I have gained is relevant to this debate. I will return to this later. Speaking of France, the King is making his state visit there today—I hope the weather in Paris is better than here.

I begin by saying one fairly simple thing: the next Government will need to take UK-EU relations seriously, no matter what Government they are. They will also need to improve them. If the present Government are re-elected, they will need to improve them; if, as I hope, a Labour Government are elected, the important difference is that they will want to improve them. I was heartened to read in a recent interview in the *Financial Times* that the leader of my party said he would attempt to secure a "much better" relationship with the EU than the existing TCA. He said:

"I do think we can have a closer trading relationship as well. That's subject to further discussion",
and

"As we go into 2025 we will attempt to get a much better deal for the UK".

I have no time to go into the trade issues, but Europe remains our biggest and nearest export market.

However, trying to negotiate a better deal is a lot easier said than done. I have heard it said that the European Commission will take a limited approach to any renegotiation, as reflected in the remarks of the noble Lord, Lord Kerr, and there may be a limit to what can be achieved. However, if there is a change of government, a new Prime Minister can do some things that would signal from the top that there is a new, more constructive and more stable Government with which the EU can do business. There would be a diplomatic dividend, which would take them so far but would need a lot of work.

In the short time available, I will highlight two areas in which I hope improvements can be made. First, there is the political, diplomatic and institutional relationship. We can make more progress by talking more. I am in favour of more UK-EU summits at prime ministerial and ministerial level. I am in favour of giving more UK momentum to the joint UK-EU partnership councils and the various specialised committees set up under the TCA. I am in favour of the UK-EU parliamentary partnerships set up to exchange views on the implementation and operation of the TCA—I very much endorse what the noble Baroness, Lady Bull, now on the Woolsack, said a moment ago on this. I am also in favour of the UK playing an active part in the European Political Community.

I welcome the Government's decision to re-join Horizon Europe. I have campaigned for it since I joined the House and I am sorry about the damage that has been done by the delay, but it is essential. We cannot hope to be a science superpower unless we take part, and I am glad that we will do so. Now that we have re-joined it and Copernicus, why cannot we re-join the Erasmus scheme also? Perhaps the Minister can say something about that.

This brings me to the second major area I want to mention: the cultural relationship. It is no good talking about the UK's "soft power" if we do not deploy it, or if we cannot deploy it. It is not just in the professional world of the creative industries where damage has been done; it is the amateur world as well. The committee rightly talks about school visits and there has been a

staggering drop in the numbers of those taking place, in both directions. This is utterly self-defeating for the UK. Apart from the professional world of music and creative arts, there is also the amateur world. I want to emphasise the points made by the noble Baroness, Lady Bull, and, in advance, those that may be made by the noble Earl, Lord Clancarty. One of the tragedies of leaving Europe has been that visits to Europe by youth orchestras have been rendered well-nigh impossible, and here I speak from personal experience. For years, I have travelled round Europe in support of my own children, a violinist and a cellist, who were members of the Stoneleigh Youth Orchestra. They were invited to play all over Europe in the summer: in Austria, Spain, Italy, France, Germany, Slovenia, Poland and other countries. It was a deeply enriching musical experience for the orchestra and audiences alike, and in many cases, it was the first time those young people had been abroad at all. One litmus test of better UK relations in the future will be the restoration of this kind of important cultural link, and I hope the Minister will be able to say something positive about a youth visa that may make this possible.

In conclusion, I welcome the fact that we are now talking about a new and different relationship with the EU; accepting the committee's report and everything in it would be a very good basis for approaching the task ahead.

7.21 pm

Baroness Bennett of Manor Castle (GP): My Lords, it is a pleasure to follow the noble Viscount and to join everyone in thanking the noble Earl, Lord Kinnoull, for securing this debate in such a timely manner. I thank him and his committee for the excellent report. I note the noble Earl's comments, and those of the noble Lord, Lord Hannay, about emissions trading schemes and carbon border adjustments. I will not repeat them, but I associate myself with the concerns expressed.

We have here a committee report which has produced a huge amount of sense in the midst of so much nonsense from the Government. To take just one recent example, there was the long, unnecessarily drawn out, politically biased delay, which was so deeply damaging and draining to the scientific community, to the process by which we finally re-joined the Horizon programme.

I feel I should begin by setting out the Green Party's position to demonstrate to your Lordships' House, and to the country, that there is a political force ready to stand up for the country's clear, best economic, social and environmental interests and for the wishes of the people. The Green Party is working to make us "rejoin ready", so the UK can rejoin the EU when the political conditions are right. In the meantime, many of the worst problems created by Brexit would be eased by rejoining the customs union, negotiating the return of freedom of movement of people between the UK and the EU, and signing up to a comprehensive agreement covering the protection of human, animal and plant life.

Brexit has been all pain and no gain. I start where I always start, and that is with the losses of all Britons, but particularly the young, who have suffered from the loss of freedom of movement. The noble Lord, Lord Balfé,

referred to their awareness of this. These are the young people who in 2016 overwhelmingly voted to maintain their European future, and who no doubt today would do so even more overwhelmingly, although, as we have seen from the Prime Minister's speech this afternoon, the Tory Party is clearly no longer interested in attracting the votes of young people.

Young people today have considerably fewer freedoms and opportunities; the loss of Erasmus+ is only one part of that, and I am delighted the committee recommends resuming participation. But far larger is the fact that they can no longer start a journey to Poland or Finland, Spain or Croatia from Victoria Coach Station, just down the road from where we sit. I looked it up: tomorrow at 7 am, they could have got on a coach to Warsaw for £91 and they could stay there or anywhere else across the EU. They could explore, find work or study, make friends or find a partner, or settle down across a continent with the wonderful freedom that their parents enjoyed but young people no longer have. Youth mobility schemes are clearly essential, as the committee recommends in paragraph 333.

Then there are the economic effects, and I hope the noble Baroness, Lady Bull, and the noble Earl, Lord Clancarty, will forgive me for joining their chorus that focuses on the creative sector: the musicians, the theatre groups and many others who have been forced to lay down their careers on the altar of so-called sovereignty. Also hit hard are the small and medium enterprises which have lost half or more of their markets, blocked by the impossibility of import controls and custom duties, from customers who have now been forced to go elsewhere. Their businesses were sacrificed on the false promise of replacement trade with distant Japan or Australia, with trade deals that not only hold no hope for those businesses but threaten the futures of our farmers and our already dangerously inadequate food security.

I turn to a couple of specific environmental elements of the committee's findings, which I am afraid may well have been overtaken by the events of this afternoon. Paragraph 192 recommends regular meetings between the UK Secretary of State for Energy Security and Net Zero and the European Commissioner for Energy. Well, yes—although I doubt whether they will regard us as in any way a serious partner after this afternoon's climate horror movie starring Rishi Sunak. In paragraphs 206 and 207, the committee suggests full membership of the North Seas Energy Cooperation, with which the UK signed an MoU to support offshore grid development and renewable energy potential in the North Sea. Again, yes—although our offshore wind programmes, both those already supposedly in train and those not bidding in the latest contracts for difference auction, are in grave question. Why would the NSEC want to bother?

7.27 pm

Lord Howell of Guildford (Con): My Lords, this report is an impressive survey of our current relations with our European neighbours and the noble Lord, Lord Kinnoull, and his committee deserve congratulations. For those of us who have spent half a lifetime working on, first, how best to get the UK to fit in to the European Union and, once we were in, how the UK could best help shape its further evolution from within,

[LORD HOWELL OF GUILDFORD]

and help it escape from its original cocoon of 20th-century protectionism, this debate gives a strong sense of déjà vu and having been here before many times. The dulcet tones of the noble Lord, Lord Kerr, are very evocative of night after night of debate in the past, going round and round old treaty issues, long forgotten, and coming to the same conclusions as before, which were usually very negative.

The missing element, if I may begin on a negative note, is that the discussion continues scarcely to touch on the changing nature of European governance and the enormous momentum for European reform, as the world alters rapidly around it and entirely new challenges emerge. We talk about more co-operation and trust; that sounds splendid, but exactly with whom or what? Are we talking about the 32 committees—this army of committees that we have to work through and do not meet often enough? The EU institution is in flux, and understandably so. Talking about it is like being confronted by a chair with one leg missing, and the missing leg is the fast-changing nature and direction of the EU itself as an institution. We may say that perhaps that is inevitable because we are outside the EU, but I am not so sure. We are, after all, just as much a European power as before, and just as much affected by the major common issues of today as we were before. Indeed, I find the chorus of “losing influence” in the whole European scene utterly self-defeating, as well as self-fulfilling.

Indeed, you could argue that today there are more common issues for us and the rest of Europe—and, as my noble friend Lord Hague remarks in his evidence, more need for a new framework for the future—than when we first joined the European Union 50 years ago. For one thing, the whole nature of modern defence has changed but the EU has not. The Ukraine outcome will change everything further, as my noble friend Lord Tugendhat reminded us. For another, free trade is under threat as never before in the last 50 years. There is the biggest migrant surge of all just beginning, as we saw over the weekend. There are deep divisions on Europe’s relations with and dilemmas about trade with China and whether it will start a new trade war by trying to ban Chinese vehicles and getting a sharp rebuff, as it will, from China. Our transatlantic relations need revising and, as your Lordships remarked earlier, even more so if Mr Trump is elected.

As for energy and climate issues, which are addressed extensively in this report, a European system of energy co-operation is really urgent. What has been delivered from the EU side is a fragmentation that will tear apart the whole energy market, and the European Green Deal is in a terrible muddle. For example, Germany’s latest energy package is a real go-it-alone strategy, and there is no unified view of nuclear power in Europe at all. I hope that in this country we will not give up or turn shy on all our work addressing these enormous crises, and all the work we have put into handling them, intellectually and creatively, with very wise minds over the last 50 to 60 years.

The Europe-wide reform cause is growing stronger all the time. The slightly supplicant note of some of HMG’s utterances and some reports should be replaced by a much more positive tone. By that, I do not mean

concentric circles and all that rubbish, which we have discussed endlessly before and should put aside. For these reasons I strongly welcome the support given though membership of PESCO—advanced defence co-operation—where we can update Europe’s woeful defence inadequacies for modern war conditions. I also welcome our participation in the European Political Community, as this report does, and the North Sea energy co-operation—although goodness knows how we get electricity to market from the coming offshore forest of wind pylons being planned, since no one has begun to work that out or how to pay for it.

At the end, this report rightly asks how the laser beam coherence we need here at home to focus creatively on all these issues can be concentrated and directed by the united efforts of the FCDO, the Cabinet Office and other departments—indeed, the whole Whitehall machine. I confess that I see little or no sign of that in the Government’s response to these urgent matters of supreme national interest and importance.

7.33 pm

The Earl of Clancarty (CB): My Lords, there were various reasons on both sides why people voted the way they did in 2016. My main personal reason at the time was to protect freedom of movement, in particular the right of young British citizens to be able to move freely across their own continent and live, study and work there without hindrance, as the noble Baroness, Lady Bennett, talked about. We have lost that freedom—although that loss was not a given and could have been avoided, even while leaving the EU. Of course, it is a loss that affects not just young people but people of all ages: students, workers and retirees who have wanted to spend their latter years in Spain or France, for example, many of whom voted for Brexit.

While important for UK citizens, that movement has been vastly overshadowed in the media by movement in the other direction. This report, so ably introduced by my noble friend Lord Kinnoull, is a very helpful corrective to that media bias by looking at both inward and outward movement. The chapter on mobility notes that in 2019, the last pre-Covid year when the UK was a member of the EU, 4.8 million UK nationals visited the EU for work purposes. We have made constructive use of this benefit, which many on the continent understand today less as a benefit and more as a democratic right.

The importance of freedom of movement within Europe to our service and creative industries cannot be overestimated. The TCA was, in effect, a no deal for these industries. The report says that Deborah Annetts, chief executive of the Independent Society of Musicians, referred to by my noble friend Lady Bull, described post-Brexit arrangements as an “unmitigated disaster” for the music industry. It also quotes her as saying that “musicians are telling us that it is simply economically not viable to tour into the EU anymore”.

The current feeling of the music industry—indeed, the arts as a whole—is one of frustration, of the sense of a Government dragging their feet on facing up to a litany of Brexit-related concerns: on visas and the need for a visa waiver or cultural touring agreement with the EU; on work permits; on the cost of carnets; on musical instruments and cabotage, where exemptions

need to be urgently negotiated; on costs and red tape around merchandise, which is so important for up-and-coming bands; on making Eurostar St Pancras a CITES-designated port, which so far the Government have refused to do; on the 90 in 180 day limit. Vision engineer Tim Brennan of Carry on Touring tweeted this month to the Prime Minister, as one can:

“I’m out on tour at the moment in the EU, building the LED screens for a gig. After my next tour I will have run out of Schengen allowance. Who do I send the invoice to for the following 90 days that I’m unable to work”.

Other areas of the creative industries are also affected, including the visual arts, as this excellent and detailed report points out. Recently, an artist said to me that Brexit has turned her and other artists unrepresented by galleries into smugglers: unwilling smugglers of their own work when they transport it for exhibition in Europe, since the costs and red tape of declaring themselves as exhibiting artists would be prohibitive. As I am sure the Minister agrees, this is a truly absurd situation. Even the noble Lord, Lord Frost, who is not in his place but whose ears must be burning this evening, said in his Zürich Churchill lecture in 2020:

“We should take another look at mobility issues”.

A few weeks ago I had the experience of helping my daughter obtain a visa to study in France, starting this year. I know at first hand how difficult, time consuming, expensive and frankly off-putting that process is, and will be even more so for less privileged members of society.

On the subject of visas, while rejoining Horizon was very good news for scientific co-operation, the fact remains that, as long as we are outside the single market, UK scientists will always be at a disadvantage to our European counterparts, who enjoy free movement with each other. In music and the other arts too, there are finite barriers for young UK musicians or performers unable to obtain a permanent post in Europe as part of an accepted career path because those positions are advertised only for EEA passport holders. It is very difficult indeed to see how we can get over that, other than by rejoining the single market. Even with the best will in the world, which we seem still not to have, despite the thawing in UK-EU relations that the noble Lord, Lord Hannay, indicated, there will nevertheless be a limit to what can be achieved in the longer term. My own hope is that, say, two years into a Labour Government, Keir Starmer will turn to the people of this country and say, “Well, I tried to make Brexit work”.

7.38 pm

Lord Jackson of Peterborough (Con): My Lords, I welcome this report, which I think is reasonable, balanced and realistic. I also welcome the Government’s response. I speak as a veteran of the Brexit wars, having been chief of staff and special adviser to the Secretary of State in DEXEU in 2017-18. One of our jobs was to meet heads of different Governments on a bilateral basis and explain Brexit from the UK perspective. It was also important for me to understand the European perspective, which for many was that the EU was a redemptive project to avoid the horrors of war.

On the issue of Horizon, which the noble Viscount, Lord Stansgate, has so ably enunciated over many months, I welcome the decision. But I have to say that

I was disappointed by the somewhat churlish tone of some noble Lords when the decision was made, given that the issue was weaponised by the European Union for many months, notwithstanding the fact that it was laid down in the TCA. The tone was: how dare perfidious Albion have the temerity to seek a better deal and better value on behalf of British taxpayers?

The future relationship with the European Union should of course be seen through the prism of British national interests. Our relationship with the EU matters: in 2022, 42% of total UK exports went to the EU and 48% of imports came from the EU. We also have to give consideration to the wider health of the European economy and the UK’s role as a global soft power nation, militarily, diplomatically and economically. Brexit catastrophism has been somewhat overplayed. Even the *Economist* has conceded that, notwithstanding that goods trade has remained becalmed, service exports since 2021 have risen 3.6%—significantly higher than most G7 countries.

On the subject of being churlish, it would be churlish not to admit that the Windsor Framework has changed the playing field in respect of our relationship. I neither supported nor voted against it. I believed that it was an unacceptable interference in the territorial integrity of a sovereign nation and that the continued jurisdiction of a foreign legal entity was wrong in principle—but we have to see our future relationship in an unsentimental, realistic and pragmatic way. I believe there will be great opportunities in the reboot of the TCA in 2025-26; we will have a new Commission and new bilateral relationships. But we also must remember the thoughts of Martin Selmayr, the former chief of staff to Jean-Claude Juncker, who said at the time of Brexit that the EU’s strategic objectives were twofold: to make Brexit as difficult and fractious as possible to encourage others not to leave, and to prevent the UK, as a third country, obtaining a competitive economic advantage. This is in the context of a situation where the EU’s share of world trade by dollar denomination—which, 30 years ago, was 30%—will probably be around 15% by the end of this decade.

I welcome the positive aspects of the report and the encouragement to work closely with the European Union on defence, security, intelligence, technology and energy. I agree that we should utilise the existing institutional framework structures for more regular meetings—I think there is a consensus across the House on that. We should have more comprehensive engagement at a bilateral level, such as, for instance, the successful engagement we have had with Portugal, our oldest ally.

In the context of Ukraine, I support involvement with the Permanent Structured Cooperation—PESCO—project, which my noble friend Lord Howell of Guildford referred to, provided that there is adequate oversight and transparency and proper accountability to this Parliament, as my right honourable friend in the other place David Jones raised in the European Scrutiny Committee. Of course, there will still be problems, including with rules of origin, electric vehicles, the coupling of fishing and energy policies, carbon pricing and people mobility. The UK adequacy decision for the exchange of data is bound to be a temporary issue, and we will have to come back to the issue of GDPR.

[LORD JACKSON OF PETERBOROUGH]

The EU lacks the bandwidth to consider the relitigation and renegotiation of the TCA. Germany has its own problems, and the wider EU has problems with demographics, climate change, mass migration and geopolitical issues involving Russia, China and the tilt to the Pacific. In addition, associate membership is pie in the sky. As my noble friend said, variable geometry models are 20 years old—they will not work. We do not want less accountability and democracy at the centre of the EU, and to pay in but not have our voice heard.

Finally, the report outlines the path to a mutually beneficial, respectful and pragmatic relationship between the EU and the UK, and, in that spirit, it is timely and very welcome.

7.44 pm

Viscount Waverley (CB): My Lords, trade is the engine room of the UK's national interest. So, while economic issues might not have been put centre stage by the committee, I hope that this debate will be interpreted as a bridge-building exercise to build on trust, if you will.

Pragmatism might dictate at least listening to any outreach that the EU offers on single market access, rather than dismissing it out of hand. This might become increasingly relevant for the UK, given also the implementation plans of the EU's strategic autonomy agenda, published in July. To put things into perspective generally, and to have an understanding of the challenges being faced by UK exporters to the EU, it would be helpful to have a relevant comparison provided by the Government to confirm, first, the trading figures for the latest calendar year of 2022 and to compare them with 2019; and, secondly, the calculated projected figures for exports to the EU for 2022 if the UK had remained in the EU. That might focus minds.

For UK business to fully succeed with the large near neighbour already requires navigating the labyrinth of regulations and EU support programmes, so the EU's economic security strategy is not good news for UK businesses wishing to deepen their relationship with the EU. This is compounded by the EU focus on single market integration and shift towards economic security and industrial policy, advancing with an industrial policy emerging with investment and deal-making decisions taking place in an increasingly politicised environment. What is the Government's reaction to all this?

The strategy provides a comprehensive picture of the economic risks that the EU deems it faces from an increasingly challenging geopolitical environment, from supply chain resilience to economic coercion, and building on how to de-risk international supply chains in the context of rising tensions with China. On the flip side are UK border issues, but here challenges remain with UK customs border policies between the UK and EU not being aligned. Ensuring a future-ready customs infrastructure that streamlines and modernises trade and customs procedures that foster economic growth, enhances our global trade position and ensures swift and compliant cross-border trade, is paramount. Effective customs systems alignment would lead to more accurate and timely revenue collections, with streamlined and transparent processes building on stakeholder trust among traders and foreign investors.

This requires fully digitising and modernising our customs and trade procedures. Are the Government satisfied with the necessary improvement strategies in infrastructure that will enhance and facilitate transit procedures and reduce internal bottlenecks? The Government's Ecosystem of Trust evaluation contained in the 2025 border strategy is planned to combine data and technology to move processes, where possible, away from the border. What progress is being made with the digital transformation and implementation of electronic data interchange systems to replace the outdated manual processes and development of single trade window systems, thus enabling traders to submit all documents at a single point? This would significantly improve the import process for traders and improve their border experience.

HMRC is currently engaged in two consultations with trade, one on the future of customs declarations and the other on a voluntary code of conduct for customs intermediaries, which many in the trade would like to see become mandatory. Many are questioning why HMRC is not using the existing authorised economic operator framework, which already requires applicants to demonstrate standards of competency and security. Delay to implementation of sanitary and phytosanitary checks outlined in the border target operating model is a cause of frustration and prolongs the imbalance between the regulations faced by UK food exporters. EU exporters have no such controls on sending their goods to the UK.

So questions remain among many. What of the establishment of risk assessment frameworks to prioritise inspections and the development of compliance benchmarks and monitoring tools? Where are the Government on their review and recommendation for policy reforms aligned with international best practices and harmonisation with standards to boost international trade relations? Do border capacity building and training remain a challenge? Are the Government engaging with trade associations and businesses to understand and cater to their needs and, if so, what are the take-aways from such discussion?

7.49 pm

Baroness Lawlor (Con): My Lords, I am grateful to the noble Earl, Lord Kinnoull, and the committee for this very stimulating report, which aims for a constructive approach to the EU and its institutions over four well-chosen areas. I agree on the importance of a constructive dialogue. I see Brexit as an opportunity to renew the ties which have historically bound the UK to so many of her continental neighbours—but on a different basis.

Co-operation must be two-sided. One approach is to inspire trust and hope it is repaid, while another is to withhold co-operation until it is forthcoming from the other side. Which is best is a matter of tactics. Consider the memo of understanding on which the committee urged progress—I am delighted that its voice was heard and the report has now appeared. A guarded welcome is justified if the EU shows itself to be open to moving to financial services trade based on mutual recognition of laws and outcomes. Now that the UK intends to revert to the common-law approach for the sector as it sheds layers of EU law, will the EU do business on that basis, or will it press the UK to agree to shadow

EU law or absorb the corpus bequeathed in the 2018 Act into UK law, and give precedence not to the common law tradition, which is open, flexible, transparent and predictable, but to the EU approach, which is based on code and the precautionary principle? That would not be in our interests. It would obstruct the people of this country—and indeed the EU—from benefiting from Brexit freedoms for one of the world's great financial centres, second only to New York.

The committee welcomes the UK's involvement in the European political community. However, I share the caution expressed by the French historian John Keiger, who traces this initiative of President Macron throughout the period from the early 1950s. The EPC was initially proposed in 1952 when the European Coal and Steel Community sought to set up a European political community to co-ordinate the foreign policies of the six member states. It resurfaced in 1961 with the Fouchet Plan for intergovernmental political co-ordination of Common Market states, and then again at the beginning of the 1970s. François Mitterrand came up with a similar idea for a "European confederation" in 1991 to draw in East and West. Although it has never firmly taken root it has paved the way, and was seen to pave the way, for further integration.

Integration is not a UK aim, and we should beware that a desire to "co-operate" and strike deals should not be pursued at the expense of the very different interests globally which the UK can have, even with a country as old an ally as France, and as good a neighbour. It is for the EU to recognise that this country is a sovereign power—I am sorry that there is some concern about what was described as rather a nebulous phase—with a different legal and constitutional as well as economic tradition from that of the EU. We have seen the difficulties created when the EU refuses to embrace that reality to drive through its own interests, as happened in Northern Ireland—which the Windsor Framework may ameliorate but cannot resolve. It is on the basis of mutual recognition and respect of important differences, and only that basis, that both parties can work fruitfully together.

7.54 pm

Baroness Ludford (LD): My Lords, I thank the noble Earl, Lord Kinnoull, for his excellent stewardship of this report.

As most speakers in this debate have commented, we seem to be in somewhat calmer waters of UK-EU relations after the welcome agreement on the Windsor Framework regarding the Northern Ireland protocol. Indeed, as in the delightful pun of the noble Lord, Lord Kerr, we are "thawing the Frost". However, a big question is whether this benign scenario will be maintained. I think some of us live in nervous anticipation—due to squabbles inside the Tory party—of some other ruction in the relationship, created for internal party or electoral reasons.

When we debated last week the report from the sub-committee of the noble Lord, Lord Jay, the noble Lord, Lord Frost, objected to what he described as a change in the Government's stance on the protocol, saying:

"The Johnson Government, of which I was part, always took the view ... that the protocol was unsatisfactory and temporary.

We always hoped that, ultimately, divergence by GB would produce the collapse of the protocol arrangements"—[*Official Report*, 11/9/23; col. GC 110.]

Therefore, there is a faction of the Tory party—quite a large one—which does not want or offer stability in our relationship with the EU. Rather, it favours disruption, which seems very unconservative.

The Prime Minister's disruption today of green targets will surely undermine and embarrass the King, who, on his current state visit to France is set to host a climate mobilisation forum. It certainly angers business. I fear that the perception will be once again that Tories never stick to their promises, which is damaging for them but also, sadly, for our whole country. The chair of Ford UK reacted furiously this morning to being blindsided. She said:

"Our business needs three things from the UK government: ambition, commitment and consistency".

That is surely what many want from government for our EU relationship.

What we and the EU need now in this relationship is stability, consistency, reliability and a basis for trust; then, we can start to aim for some improvements, modest at first but not insignificant, and, I hope, then growing. Are we going to get this stability? The screeching U-turn on net zero is not reassuring, but I hope the Minister will be able to reassure me.

The Government continue to kick the can down the road on border checks on imports, leading to uncertainty and extra cost to industry, as well as concern about food safety if disease or unsafe food slips into the UK due to laxness.

Of the several specific co-operative initiatives proposed in our April report and previously, two have in fact been achieved; such is the influence of our former chair, the noble Earl, Lord Kinnoull. Those are the association with Horizon Europe and a memorandum of understanding on financial services. The achievement of an SPS agreement would be of great value but unfortunately, the Government say that they will agree one only if there is recognition of regulatory equivalence. That is of course utterly unrealistic, so our farmers and agri-food industry will continue to suffer from red tape and cost burdens.

In some quarters, as I already mentioned, regulatory divergence is seen as a good and an aim in itself, apparently to display our "sovereignty". I regard that as an empty project, and I am glad to say that I seem to be on the same page as the noble Lord, Lord Lamont, on that point; there is no point in it for its own sake. Of course, keeping in step with EU rules without having a say is second best—to which the solution is of course to rejoin the single market—but our economy and business demand it.

If the UK were to depart from the European Convention on Human Rights, that would throw a huge spanner in the works. We might kiss goodbye to the data adequacy agreement that is so valuable to business and torpedo any chance of, for instance, access to EU crime-fighting instruments such as the Schengen Information System or deeper co-operation on justice and extradition.

Much dismay has been expressed at the stalemate on touring for creative professionals and on student exchanges, school visits and a youth mobility programme.

[BARONESS LUDFORD]

The noble Lord, Lord Hannay, referred to government narrowmindedness on this. Can the Minister dispel the perception that on these projects the Government know the price of everything but the value of nothing?

The body that represents English language schools, a sector worth £1.5 billion a year, laments its difficulties in securing visas, and my noble friend Lord Wallace of Saltaire referred to current policy as incoherent.

Of course, the Russian invasion of Ukraine has brought the UK and EU together in supplying Ukraine, operating sanctions and planning reconstruction. The Government have taken part in the intergovernmental European Political Community and will host it next year. All this is good, but it is a bit of a jumble without any firm security partnership, either on internal or external security, within which to operate.

The Government have rejected an EU offer of strategic dialogue and do not want co-operation on sanctions encompassed in an MoU. Our committee's current inquiry on the security and defence relationship heard very interesting evidence yesterday from senior MEPs on the scope they identified for intensifying that relationship, on which they are keen. Nathalie Loiseau, the EU co-chair of the Parliamentary Partnership Assembly, regretted the departure of the UK from two military operations in particular: Althea in Bosnia-Herzegovina and Atalanta on piracy at sea, which was in fact UK-led.

Can the Minister tell us what scope there is for re-establishing or furthering such co-operation under PESCO or projects with the European Defence Fund and European Defence Agency? Given that the NATO summit expressed a desire for the fullest involvement of non-EU allies in EU defence efforts, the Government surely cannot claim any tension on that score.

The Minister for Europe told us in evidence that he was open to the idea of regular UK-EU summits, but, disappointingly, the responses to our report have not confirmed that. Can the Minister say whether the Government see value in structures and predictable fora over ad hoc informality and claimed flexibility? Does she agree that a rationalisation and merger of the various committees under the withdrawal agreement and the TCA could be a focus for the 2025 review?

In conclusion, I feel reasonably confident that if Labour forms the next Government, we will not experience the ghastly turbulence in the UK's relationship with the EU that we have experienced for the last seven years. I am glad that the Opposition leader was meeting President Macron yesterday and visited Europol and Eurojust in The Hague last week, sending, I think, signals on security. But the current red lines Labour has adopted—no to the single market, customs union or rejoining—though apparently designed to reassure some parts of the electorate, are, I think, likely to take some battering from voters who are already rather ahead of the Labour leadership in their ambition, and will increasingly become so as young people come of electoral age. The noble Lord, Lord Balfe, mentioned that.

There is some excitement about a new report commissioned by the French and German Foreign Ministers which suggests our old friend, concentric circles, with the outer one being associate membership,

but even that would mean participating in the single market. I hope and believe that such participation may well happen under a Labour Government, though I am sure the noble Lord, Lord Collins, will decline to assure me of that.

8.03 pm

Lord Collins of Highbury (Lab): I start by congratulating the noble Earl, Lord Kinnoull, and his whole committee, remainers and leavers alike, who clearly adopted the same attitude in terms of its recommendations. I welcome the report, the concerns expressed in it and its recommendations, many of which reflect those under consideration by my party. One thing that struck me during the debate was that, after many years in the trade union movement, I have learned that trust and confidence are essential ingredients for successful negotiations and the sustainability of any final agreement. My hero, Ernest Bevin, certainly knew that from his dealings in the Foreign Office.

As we have heard, the committee acknowledged that the political relationship between the UK and the EU was in the first two years of the TCA “characterised by tension and mistrust”.

As the committee states, there has been a welcome “change in mood” around UK-EU relations since the autumn of 2022, particularly since agreement was reached on the Northern Ireland protocol, after months of uncertainty, hostility and, may I say, the madness of Liz Truss suggesting that President Macron may be a foe. Do not underestimate the sort of damage that such language can do. But there is still a broader repair job to do to put the UK and EU relationship on new and strong foundations in political and economic terms. These are our neighbours, partners and allies, and this is our most important economic relationship. We are democracies occupying the same corner of the globe at a time when there is a brutal war of aggression taking place on our continent.

A Labour Government would prioritise building a new, ambitious partnership with the EU and with European member states. As we have heard in the debate, business thrives on certainty. Therefore, we have made clear that under Labour, Britain will not rejoin the EU, the single market or the customs union. I know that that disappoints some people—certainly my Liberal Democrat friends—but we are now in a totally different political context. Revisiting old rows would be a recipe for even more division. Frankly, I think the EU is in a different place too. It wants a stable and constructive relationship, and that is what a Labour Government would build: an ambitious new partnership, based on turning the page on an era of acrimony that this Government have overseen, which has seen trust undermined, co-operation stall and our economy damaged. As my noble friend Lord Liddle said, we know that the Government's Brexit deal has caused real economic damage. We are well aware of that. Trade has been undermined, exporters have struggled and red tape has grown.

Conservative Governments have done serious damage to our country's relationships and reputation, and now is the time to restore them. Labour has already laid out some of the ways we will seek to improve the agreement with the EU. As the noble Lord, Lord Hannay, urged and my noble friend Lord Stansgate said, we

will use the scheduled renegotiation of the TCA to seek practical and achievable ways to remove barriers and improve opportunities for people and businesses. We have already laid out a number of ways that we could do this. As the noble Lord, Lord Hannay, and my noble friend Lady Ritchie mentioned, negotiating a veterinary and SPS agreement to ease food and agricultural trade would be good for goods going from GB to Northern Ireland but would benefit the whole of the country. We would strengthen mutual recognition of qualifications and, as the noble Baroness, Lady Bull, and the noble Earl, Lord Clancarty, said, new flexible labour mobility arrangements for those making short-term work trips and for musicians and artists seeking short-term visas to tour within the EU. We would seek to agree mutual recognition of conformity assessments across sectors, so that our producers no longer need to complete two sets of tests, or two processes of certification. Restoring co-operation, as the new Horizon agreement has done, is vital to ensure co-operation among scientists and ensure our researchers are not missing out on access to funding and vital cross-border research programmes. We also want to maintain Britain's data adequacy status, meaning our data protection rules are deemed equivalent to those in the EU, helping UK digital services companies compete. We would seek a new foreign policy and security partnership with the EU.

There is a lot we can do to strengthen and deepen the relationship from our position outside the EU. We have said that we want to be pragmatic, not ideological, in our approach. This is not just about the economic relationship with the EU. After the invasion of Ukraine, the whole European political and security order is being looked at again. We have seen the emergence of new forums, such as the European Political Community. We have seen deepening co-operation between European countries on energy, defence and sanctions. If Labour were in government, we would be right at the heart of those discussions, helping to lead them, not on the sidelines. That is why we have proposed a new UK-EU security pact that would cover deeper co-operation on internal security and law enforcement as well as foreign policy and defence.

We want to deepen the security and foreign policy relationships between Britain and the EU, and Europe more broadly. There is no reason why leaving the EU should weaken our security capabilities.

While the EU relationship is crucial, we need to strengthen bilateral relations. Our bilateral ties have been damaged by this Government. Let me mention three crucial ones. We have a long, close and complicated history with Ireland. We are fundamentally connected. We share a border and responsibilities under the Good Friday agreement. Trust has become seriously undermined. This is a crucial relationship for both parties. We are determined to rebuild it.

France is a crucial partner and ally, but our relationship has been in a bad shape. Johnson and Truss did dreadful damage to it. Sunak is trying to repair it but is working from a low base. We will work side by side at the UN. We have close defence co-operation and the E3 format with Germany, working on the Iran deal. We have specific shared interests, such as managing migration across the channel.

Both the UK and Germany have big ambitions around the climate and energy transition, which I believe have been seriously damaged by today's announcement. Germany intends to invest significantly more in defence, so there is space for greater security, defence and industrial co-operation. Labour will seek a new bilateral treaty with Germany, covering security and defence.

This report will be a valuable contribution to the ongoing debate about how we rebuild and strengthen our relationship, and ensure that we can make the most of leaving the European Union but staying firmly within Europe.

8.12 pm

The Minister of State, Cabinet Office (Baroness Neville-Rolfe) (Con): My Lords, I particularly thank the noble Earl, Lord Kinnoull, and all noble Lords on the European Affairs Committee for their wide-ranging report. I take this opportunity on behalf of the Government—and, I believe, the whole House—to thank the noble Earl for his skilled chairing of the committee since 2019 and the collaborative approach he has taken to engaging with the Government. He has deservedly gone on to become Convenor of the Cross Benches, and we will all benefit from his calm, wise and intelligent leadership. I am sorry that the new chair, the noble Lord, Lord Ricketts, is absent today, but delighted that he is in Paris to celebrate His Majesty the King's first official visit to France.

I am also extremely grateful to all noble Lords who have taken part in today's debate for their insightful contributions, which are a tribute to the report and its authors. My noble friend Lord Howell of Guildford was right to emphasise how much the EU has changed and the changing context in which it operates. My noble friend Lord Jackson of Peterborough pointed out that there will be a new College of Commissioners next year and elections in various places.

We are committed to a mature, constructive relationship with all our international partners. That, of course, includes the European Union. As we stated in our response to the report in June, we intend to realise fully the potential of the trade and co-operation agreement, including in a range of crucial areas such as energy, trade, security and AI.

I cannot agree with view of Brexit expressed by the noble Lord, Lord Collins of Highbury. Brexit has brought us an independent trade policy, the growth of our green and digital industries, the introduction of sanctions legislation, early approval of the Covid vaccine, and a points-based immigration system.

To return to the report, relations have improved, and continue to do so, under this Government. In particular, I am pleased to say that the UK and EU already enjoy close collaboration and co-operation in their support for Ukraine and over the imposition of sanctions against Russia. I was particularly pleased that, on 7 September, the UK and the EU announced agreement for UK association to Horizon Europe and Copernicus. UK scientists will now have access to the world's largest research collaboration programme. This will help to ensure that we are on track to deliver on our ambition to grow the economy and make the UK a science and technology superpower. It has indeed

[BARONESS NEVILLE-ROLFE]

taken time because, as some have said, the Prime Minister was rightly determined to ensure that the deal was in the UK's national interest, strengthening UK science and delivering value for money for UK taxpayers. We are looking forward to working closely with European and international partners to maximise collaboration under these excellent programmes. We have the same approach as on the Windsor Framework—I agree with the noble Lord, Lord Liddle, that this was a major step forward—of getting into the detail and doing what is right for Britain, resisting pressure to accept a boilerplate deal no matter what the terms, and delivering terms that work for us.

As we highlighted in our correspondence with the committee, tackling illegal immigration is a top priority for the Government. We continue to seek EU co-operation in tackling illegal migration—a common challenge, of course, as we can see the boats crossing both the Mediterranean and the channel. The UK-FRONTEX working arrangement, which is currently under negotiation, is an example of joint working on what is clearly a pan-European issue that requires a joined-up effort.

I have dealt with the EU all my working life. I started in the rather powerful cereals management committee as a civil servant in 1974, and eventually was the UK Minister in the Competitiveness Council for three years, where my French opposite number was a certain Emmanuel Macron. I then served with great pleasure with some noble Lords who are here this evening on the EU Committee. I therefore understand the value of engaging the EU while being clear about our interests. Accordingly, I agree with the committee and the noble Earl, Lord Kinnoull, on the importance of maintaining a regular dialogue. We will continue to do so under the formal treaty framework—for example, the Partnership Council, which the Foreign Secretary attended in March—or in the technical committees, which oversee implementation, and through other avenues, such as the dialogue established by the memorandum of understanding on financial services. I should say in passing that I noted my noble friend Lady Lawlor's concerns that we should retain our own legal traditions in financial services.

On the importance of dialogue, the Prime Minister also engages at leader level with our EU and European partners on a regular basis at multilateral fora, the G7, the G20 and more recently with the European Political Community, which brings together the whole European continent. Indeed, the UK will host the fourth EPC summit in 2024, as my noble friend Lord Balfe pointed out.

However, I am not convinced that we should seek extra meetings, as proposed by the committee. As the Foreign Secretary said in his letter to the committee, the frequency of meetings should not be seen as a measure of success. What matters is outcomes. Noble Lords must remember that like other third countries, albeit we are special because of our mutual history, we must focus our demands on what really matters to our people and our businesses.

The TCA has now underpinned our trade and wider relationship with the EU for more than two years. Its committees meet regularly—more than 40 times since the beginning of 2021, with 15 more planned

over the next few months. There is also extensive engagement with the EU and with individual member states outside the TCA structures. For example, the Deputy Prime Minister, Oliver Dowden, was in Italy last week and spoke on security and AI at the Pontignano conference. To pick up a point made by the noble Earl, Lord Kinnoull, we work hard to make engagement warm and trusting where appropriate. As my noble friend Lord Lamont said, improving our relationship with the EU is not betraying Brexit. I think there was agreement on that point.

The committee's report rightly focused on our foreign, security and defence relationship with the EU. As our integrated review refresh makes clear, although we have left the European Union, the UK retains a significant role and stake in the future of our home region. It is essential that we work together to respond to common geopolitical threats and in support of our shared values of freedom and democracy.

In response to points made by a number of noble Lords—including my noble friend Lord Lamont, the noble Lords, Lord Wallace of Saltaire and Lord Hannay, and the noble Baroness, Lady Ludford—let me say that we do not currently consider that bringing co-operation on these matters into a formalised structure would lead to more effective co-ordination. We are focused on the substance of our co-operation and what we want to achieve together where our interests align, rather than the form. Close co-operation is vital in, for example, developing military mobility, crisis response, resilience and countering disinformation and hybrid threats where NATO and the EU have complementary strengths and tools.

The UK's focus is strongly on strengthening our foreign and security policy relationship with the EU on Ukraine. As my noble friend Lord Tugendhat said, that is very important and likely to be important well into the future. The UK-hosted Ukraine Recovery Conference was a shining example of what can be achieved. We must remain steadfast in our support.

I say this in response to the noble Lord, Lord Wallace of Saltaire: our approach is essentially practical. Our co-ordination with the EU demonstrates our shared commitment to European security. We are working closely not only on PESCO, where the UK is negotiating terms to better enable us to shape the rules on cross-border military transport, but on providing Ukraine with military training, equipment, cyber resilience, humanitarian and economic support, sanctions, energy resilience and countering Russian disinformation.

On the question from the noble Earl, Lord Kinnoull, about the formalisation of sanctions co-operation, it is our view that our existing arrangements for co-ordinating sanctions with the EU are working well. However, I wish to pick up a point made by the noble Baroness, Lady Blackstone. The UK, along with our international partners, has the largest, most rigorous package of sanctions ever imposed on a major economy. I think it is fair to say that we surprised Russia with the scale and level of international unity on sanctions. We will continue our efforts to combat circumvention.

Our officials are in regular contact with EU institutions and member states. We co-operate on all elements of sanctions policy, from design to implementation. Although

we constantly keep our processes under review, we do not assess that a more formal arrangement would improve co-ordination. Furthermore, the enhanced partnership between the US Office of Foreign Assets Control and the UK Office of Financial Sanctions Implementation reflects the closely corresponding function of those organisations within our respective systems. That is the answer: this structural similarity is not present in the case of the EU, which has no equivalent.

More broadly, we look forward to establishing dialogues on the important areas of cybersecurity and counter-terrorism.

Close co-operation on energy security between the UK and the EU is crucial as Europe decouples from Russian hydrocarbons. We expect to continue proactively engaging on planning for next winter and beyond, ensuring stable energy supplies while reaching our respective decarbonisation goals. We are also pleased to have resumed participation in the North Seas Energy Cooperation with both the EU and other friends. Exploiting the huge renewable potential of the region will boost European energy production, enhance our energy security and support the transition to net zero.

I am afraid that I cannot agree with the noble Baroness, Lady Ludford. Today, the Prime Minister reiterated our commitment to net zero by 2050 and set out a path for achieving it in a fair, proportionate way. Our new approach is pragmatic, proportionate and realistic because the key is maintaining the British people's consent on reaching net zero by 2050. I think people will come to understand that.

The Government are committed to working with partners such as the EU to find international solutions to carbon leakage, an issue that was raised by the committee. We are following developments on the CBAM closely ahead of the transitional reporting phase, which will launch on 1 October, and engaging with the Commission to discuss technical considerations relevant to UK manufacturers. The UK raised the CBAM at the Trade Specialised Committee on Goods in 2021 and 2022 and is currently in discussion with the EU on the agenda for this autumn's committees. The noble Lord, Lord Hannay, will be glad to know that the Government have consulted on measures to combat carbon leakage, will consider the responses carefully and will issue a response in due course.

The UK has ambitious carbon pricing through our emissions trading scheme and carbon price support mechanism. The TCA commits the UK to co-operating on carbon pricing; discussions on this issue would be covered by the Trade Specialised Committee on Level Playing Field for Open and Fair Competition and Sustainable Development. We remain open to the possibility of linking the UK ETS internationally and continue to work collaboratively with a range of like-minded nations to tackle our shared climate challenges. We will update noble Lords in due course. I will write to the noble Baroness, Lady Blackstone, on the subject of energy flows but I think she is probably aware of the interconnector arrangements that we have.

The issue of mobility is an important part of our relationship with the EU. The withdrawal agreement provided for the protection of the rights of more than 5 million EU citizens to remain indefinitely in the UK,

as well as to work and access public services as they did before the UK left the EU. Since leaving, the Government have focused the immigration system towards securing the skilled labour that businesses need to stay competitive and innovative.

The Government agree on the value of cultural and educational exchanges between the UK and other nations and will continue to support opportunities for young people, which have featured in the comments of several noble Lords this evening. We are exploring new bilateral youth mobility schemes with international partners, including our European neighbours. In response to the request from the noble Earl, Lord Kinnoull, for an update on discussions with the EU and member states, he will understand that I cannot go into detail but there are live discussions and I can confirm that Parliament will be updated as appropriate; I hope that will also be welcome to the noble Baroness, Lady Bull. We already have 10 youth mobility scheme agreements with other international partners, including Canada, New Zealand and Japan. We recently agreed arrangements with Andorra and Uruguay. The majority of EU member states have working holiday agreements with third countries so we continue to explore the possibilities.

We also recognise the enormous contribution of the UK's creative and cultural industries. Since we left the EU, we have engaged with EU member states on entry requirements and the difficult issue of touring artists, which we used to discuss when I was on the committee. Now, only three member states—Portugal, Malta, and Cyprus—do not offer any visa or work permit-free routes.

Noble Lords have talked about Erasmus+. The Government chose not to participate in Erasmus+ for the 2021-27 programme, deciding instead to introduce a global scheme and provide more opportunities for students from disadvantaged backgrounds. The Turing scheme now funds 40,000 placements in 160 destinations across the world. The Government believe that it is right to prioritise funding outbound mobilities under the scheme at the present time. As the report made clear, there have been considerable benefits for that, including for disadvantaged students.

As my noble friend Lord Howard of Rising said, Brexit has allowed the UK to carve out its own trade policy. As an independent trading nation, we now have 70 trade agreements in place, including new deals with the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, with Australia, with New Zealand and through the new Singapore partnership, which was mentioned during the debate. The freedom to strike such deals opens up many new opportunities in goods as well as services, our exports of which reached record highs in 2022 under current prices. We should of course celebrate the facts that the TCA is the world's biggest zero-tariff, zero-quota FTA and that the EU collectively remains our largest trading partner.

A number of noble Lords mentioned our border target operating model, which was published in August. It set out our new approach to how security and SPS controls would be risk based and benefit from our new ambitious single trade window, which is designed to simplify and digitalise border trade in goods, and help smaller businesses. The noble Viscount, Lord Waverley,

[BARONESS NEVILLE-ROLFE]

referred to it. We continue to work with stakeholders to prepare and we updated the House in a definitive Written Statement at the beginning of September.

The noble Baroness, Lady Ritchie of Downpatrick, raised some questions and concerns about small businesses. There has been a small delay to help businesses to adapt, which will also minimise the inflationary impact. I confirm that we did discuss these matters with the EU and member state veterinarians and there were extensive discussions with trade bodies.

The committee recommended that the Government should seek an agreement with the EU on SPS controls. The Government are open to this and, with the advent of the BTOM, there is more incentive for a deal. However, it must be based on equivalence and not on alignment to EU rules.

As several noble Lords said, the leader of the Opposition recently called for a much closer trading relationship with the EU. This is puzzling and, my experience would suggest, naive. It also risks returning us to the divisions of the past seven years after the referendum instead of focusing, as we should, on our national priorities. The Government's approach, building incrementally on what we have already achieved, is much more likely to bear fruit.

We have heard a range of opinions in this place. Many—I think most—think that leaving the European Union was a mistake and that we should be binding ourselves closer to the EU. Others favour divergence. The Government are taking a pragmatic approach. We believe in a mature relationship with the EU—maximising the TCA, tackling shared geostrategic challenges such as Russian aggression against Ukraine, which has brought the defenders of democracy together, and respectfully disagreeing on areas where we have different views. That is the best approach for the UK.

I am grateful to noble Lords for this debate. The House will be glad to know that the Foreign Secretary will be addressing members of the European Affairs Committee in an evidence session in October.

Viscount Waverley (CB): My Lords, I clearly cannot speak for Portugal, but I understand that it is looking for reciprocal arrangements in the matters to which the noble Baroness referred.

Baroness Neville-Rolfe (Con): I thank the noble Viscount for that information. Perhaps we could have a word on the detail.

8.33 pm

The Earl of Kinnoull (CB): I thank the Minister who, as ever, gave a very polished performance. Her speech was rich in detail and I look forward to reading it tomorrow morning. I must say that I am always amazed by her capacity for hard work. I have been interacting with her this week and we all owe her a lot of thanks for that hard work and for that effective response.

I also thank everyone else who has spoken; it has been a most interesting and wide-ranging debate, which went all over the place. As this is my last report—my swansong, as someone said—I thank all the people

who have been on the committee with me. I have actually been on it since before the Brexit vote, for more than seven years, and it has been enormous fun. Strong comments have been made across the table, at times, but the committee has always ended up in a good place, with good humour. I hope we have produced things that will have a long shelf life and will be helpful to those who seek to improve matters through the years.

I finally thank my noble friend Lord Ricketts, who has taken on a jolly difficult task. He asked me to say how sorry he is not to be here—as noble Lords will know, he is on duty at the state visit—but I suspect he only half-meant that because I am sure he is being very well fed. I will quiz him on that when he gets back.

I want to underline three points. The first was on the comments about these 32 committees. Yes, just the number of meetings is not going to do anything, but the committees do publish their agendas and minutes. So when we on the committee say that we do not feel that these committees, which are forums for mutual opportunity, are firing on all cylinders, we mean that we have been looking at the agendas and minutes, not just at how many times they have met. And, as I said, these are mutual things, so if we can follow them up, everyone will benefit.

Secondly, the most popular theme among the speakers was some form of co-operation on foreign policy, defence and security. I heard what the Minister said on this, but I and quite a lot of people around the House regret that. These people have a lot of experience of knowing that ad hocism brings risk, and it is risk that we do not need. We have spoken a lot about having, as an absolute minimum structure, the Foreign Secretary visiting the European Foreign Affairs Council twice a year. I did not think that was too much structure. Certainly, if I were the Foreign Secretary, I would want to meet my opposite numbers from other countries—at least the major countries—regularly. I want to stress that.

Finally, in the category “boring but important” is the whole saga that occupied about half my speech on ETS and CBAM. I am sorry to go into jargon. The thing is, the more you look at that and understand it, the more you realise that this is potentially quite a big problem and it is solvable—and solvable now, if there is a will. I do hope the Government will look at all that again. From the Minister's speech, it did sound as though this is happening. Now that there are those, as I said, rather boring but really accurate and informative chapters of our report, that will tell you about the issue and I think it is something that we can solve.

We are fated to have a close relationship with Europe. The ties of blood, culture and history are so strong. I am not talking about a political relationship; but, as liberal democracies, that is something we share greatly with them. As the noble Lord, Lord Kerr, was saying, it is a pretty wintry world outside liberal democracies, which are rather rare. So we should stick together and use the very good apparatus we have built—the powerful trade and co-operation agreement, and others—to optimise things and build something friendly and proximate, and that will have to be dynamic. I beg to move.

Motion agreed.

Children's Social Care Implementation Strategy (Public Services Committee Report)

Motion to Take Note

8.38 pm

Moved by Baroness Morris of Yardley

That this House takes note of the Report from the Public Services Committee *A response to the Children's Social Care Implementation Strategy* (3rd Report, HL Paper 201).

Baroness Morris of Yardley (Lab): My Lords, I am pleased to move this debate on the response to the children's social care and implementation strategy. I am conscious that this is a debate on a response to a consultation to a report, and that we are still awaiting the final report, so I suspect this will be one of the conversations and discussions we have about this very important issue—one I know the committee will wish to return to as things progress.

I thank everybody who has helped us bring about this report. First, the many witnesses who appeared for us and sent written evidence gave us their expertise and wisdom, and we could not have come to our conclusions or understood the topic without their contribution. I also put on record the thanks of all the committee to our team: Tom Burke, Claire Coast-Smith and Lara Oriju, led by our clerk, Sam Kenny. Their ability to draw together all the different strands and help us make sense of what we heard is invaluable and underpins the report we are discussing today. I personally thank the members of the committee, who have been enthusiastic and assiduous in our work on this topic, as they always are, and I am grateful to those who could turn up today.

I give a special mention and thanks to the young people we spoke to as part of our inquiry. The part of our report that summarises what they said is worth reading. If there is one thing we can do at ministerial and committee level, it is to keep that by our side and judge our success by how much we can say, "That will never happen again", and that people in care will get a better deal. All those young people were doing good things with their lives and making a success of things, but not one of them was doing it because of the quality of social care they had received. They were doing it despite it. That really sums up where we are.

Unusually, perhaps, for a policy area of such importance, there is a shared understanding across the nation, not just across politicians, of the importance of this area, what has gone wrong and what needs to be put right; and a shared ambition that this needs to be a priority for everyone and we need to make things better.

Every single witness we spoke to and who wrote to us welcomed the direction of travel the Government have set out. It surprised some of them that the Government had gone further in their ambition than they said they wanted to, and that might have been expected. I acknowledge, as the committee does in its report, some important individual policies that were good and welcome and will make a small difference.

To put kinship care firmly in the policy was important, because it has been ignored in the past. Although we could debate that and talk about improvements, the Government have shown a commitment to kinship care, and we see from what they say that they intend to take it forward. We are pleased that the Government's response to our comments on the importance of independent advocacy shows that they listened, and some change there is promised. We welcome the increase in the foster care allowance the Government have announced.

However, just as I can confidently say that almost everyone who appeared before us shared the ambition and understanding, they also all said, without exception, that there was a lack of urgency or boldness. I want to focus on that today, because that and the recommendations around it are the main part of our report. I could use many words, but it is perhaps worth quoting from our report what Josh MacAlister, who led the independent inquiry, said. He said two things, and both are true:

"I genuinely think this is the right direction and that the Government made some very positive announcements."

In the same set of evidence, he went on to say that this was a "missed opportunity" and that

"it is not of the scale of ... change that will see a tipping point in the system for some time."

That was backed up by a lot of witnesses. Joe Lane, head of policy and research for Action for Children, said:

"We could easily be sitting here in three or four years, potentially longer, with the same problems."

That is what worries us, not the lack of ambition. People say that the response is not ambitious enough. I think it is, but it does not have the means of achieving that ambition. That is very different. Politicians are good at words, and it is easy to write a report that is ambitious. It is more difficult to write a report that convinces people that there is a route to implementation of that ambition. That is what is lacking and what I want to focus on now.

The evidence for that can be seen in the language of the report and its approach to the key policies. If you go back and look at Josh MacAlister's independent review, you can pick up the words again and again. It calls for a radical reset. It calls for a fundamental shift. It talks about policies being delivered at pace and with determination. When you look at the Government's response, you see the same shared ambition and the same common understanding of what is wrong with the social care system, but what comes out again and again are words such as "we will consider the options", "encouragement to review" and "we will explore the case for". That is the problem. That language underpins the approach that seems to be there in the Government's response. I was left thinking that where boldness was called for, caution has been offered, and therein is the problem.

That approach can also be seen in the two key policy areas at the centre of the proposals. We all agree that trying to move the focus of social care to prevention rather than dealing with crisis is fundamental to getting that right. If not, we are constantly spending resource too late on things that are happening and it is likely to have too little effect. One bit of information that our

[BARONESS MORRIS OF YARDLEY]

committee picked up from Barnardo's in response was that of the £800 million increase in spending last year—more money has gone in—80% was spent on late intervention. That is the shift needed. Unless we can turn that round, nothing will change. That is a big task that calls for boldness and huge commitment, but what we have instead in this early help is pilots.

I am all for evaluation, and it is crucial that we use evidence to take us forward, but I am confident—and the committee and our witnesses are equally confident—that there is enough evidence available from over the years to make a start in every single area of this country. Go back to Sure Start, look at the Government's family hubs, and look at what the research centre the Government set up—I think it was called Early Help—decided. There is ample evidence in our report of what works in early intervention so that every area of the country could have started now on something, with some resource, with some encouragement. Then if we want to experiment further than that, we can roll out a pilot of it. The truth is that, where we are at the moment, it will be 2026 before the rollout of a national programme begins, and that is not achieving the ambition and is not bold.

If you look at the second key area, which the committee said was workforce reform, we know there is a problem. There are 8,000 vacancies and 18% of children's social care staff were agency workers only last year. There is good stuff. I think the early years career framework could be the spine of something exciting that can attract people and retain them in the profession. However, the national rollout will be from 2026, whereas the committee recommended that some measures be implemented this year and that we adopt ambitious targets. That is the problem. This report says that all we are going to do until 2026 is trial things. That means that lots of areas of the country will see nothing, or very little, not enough to make a change, and change in all areas for every child has to start now. Even then, it is only the beginning of a journey.

The last thing is that, whereas the report called for £2.6 billion over four years, there is £200 million over two years. I want to give this example of what I think we are trying to say which for me summarises it best. Take two initiatives from the last Labour Government and the present Conservative Government: the literacy and numeracy strategies from the last Labour Government and the academy strategy from the present Conservative Government. It does not matter whether you agree with them or not; no one was in any doubt that they were going to be implemented. With literacy and with academies, they were not implemented in full in the first year. It was an evaluation. We were trialling, but no one did not believe that resources would be found to carry that policy forward. I always knew that we would carry forward literacy and numeracy. Every Government Minister has believed that they would take forward the academies programme, and we are not convinced of that in this policy area. There is neither a timeframe, a promise of legislation, political leadership or resource set out that gives the committee the confidence to think that action will definitely follow these initial stages.

I finish by asking for some more information on one or two key areas. The one area where we disagreed, were very uncertain and definitely asked the Government to go slow and evaluate was regional care co-operatives. It was not just local authorities, which could be said to have a vested interest in this, but some of those representing user groups who were not convinced that the argument had been made for regional care co-operatives, so we ask that they be kept under review. There was also very little mention of residential homes. However well we do, there will always be a need for some children, at some point in their care journey, to be in a residential home.

The phrase “once in a generation opportunity” is overused, but it is apt here. I think the stars are aligned—the need is proven, the wish is there and the ambition is shared—but we need a plan that convinces everyone on the ground that it is actually going to happen, and on that the report falls short. I hope the Minister will reflect on our comments and perhaps reflect them in the report that is eventually published. I beg to move.

8.51 pm

Baroness Tyler of Enfield (LD): My Lords, I declare an interest as co-chair of the All-Party Parliamentary Group for Children. I congratulate the noble Baroness, Lady Morris of Yardley, on opening the debate so compellingly, and I congratulate her and the whole committee on this excellent report.

It happens that it follows, helpfully, the recent debate on the implementation of the Children and Families Act 2014. We were told then by the Minister, who is on duty again tonight, that many of our recommendations would be considered and taken forward as part of the implementation strategy we are debating tonight. I welcome that commitment and look forward to working with Ministers on it.

In the short time available, I shall make some general points about children's social care. As the noble Baroness, Lady Morris, has reminded us, the independent review of children's social care called for an immediate investment of £2.6 billion to address the existing crisis in children's social care. It talked about a revolution in family help to prevent children entering care where possible. It talked, as we have been told, of a

“once in a generation opportunity”

to better protect children, deliver the right support for families at the right time and create a sustainable system that delivers value for money.

However, more than a year later we seem to be little further forward on the reform that is so urgently needed. The Government have pledged just £200 million over a two-year period to fund 12 family first pathfinders and regional care co-operatives, but the national rollout of new family help services will not happen until 2026 at the earliest, and there is no legislative timetable for introducing further reform. I agree that we need to see a far greater sense of urgency and pace to these reforms.

Recent analysis commissioned by some of the UK's leading children's charities reveals that the funding will now need to exceed £2.6 billion due to the impact of inflation and the cost of delaying reforms. That research supports the Public Services Committee's

finding that the level of investment in the stable homes strategy is “inadequate” and will have long-term social and financial costs.

I underline the importance of a shift to a focus on early intervention. As we have heard so many times, not least in reports from the APPG for children in recent years, we need to switch from crisis to preventive work to protect children properly. That means championing the importance of family help and support.

The research that I mentioned by children's charities has already found that local authorities across England increased their spending on children's services by £800 million in 2021-22, a substantial 8% surge from the previous year. However, as we have heard, over 80% of that increase was funnelled into crisis intervention: safeguarding, child protection and the ever rising number of children in care. In short, of the additional money spent, £4 in every £5 went on late intervention services. In the light of that research, the Public Services Committee's recommendations—to roll out early help nationally and to ensure that this is linked to family hubs—are welcome. Unless this pattern of expenditure is shifted significantly, frankly, nothing is ever going to change.

Turning very briefly to child protection, the record number of children who are now looked after by the state, the horrific killings of Arthur Labinjo-Hughes and Star Hobson, and the abuse of disabled children recently uncovered in residential settings in Doncaster are powerful reminders of the urgent need for reform. Meaningful, sustainable change requires long-term investment, yes, but the Government must also introduce an emergency package of measures to stabilise the current child protection system. Can the Minister please provide an update of what is happening in this area?

We also need to see sustained funding for family help services, ranging from children's centres and youth clubs to targeted support on issues such as drug and alcohol misuse, to stop problems further spiralling. Of course, we cannot ignore the workforce challenges, which we have already heard about from the noble Baroness, Lady Morris.

Finally, on links with wider policy, particularly on health and disability, what assurances can the Minister give that the major conditions strategy will focus on children and young people, in particular mental health, to help alleviate the additional pressure that the crisis in mental health support places on social care? Can the Minister say what support will be made available to adopted children needing help to overcome trauma and what special measures are being put in place for children in care, who are four times as likely to experience mental health issues as their peers?

The Government's test-and-review approach to reform is unlikely to lead to the level of investment and changes so desperately needed. I conclude once again by urging the Government to reconsider the scope for further investment at their next spending review.

8.56 pm

Baroness Armstrong of Hill Top (Lab): My Lords, I thank the committee for this report. It is a fair and, in a sense, generous report to the Government but it

raises some serious issues, as my right honourable and noble friend Lady Morris did in her excellent opening speech. This could not be more serious for thousands and thousands of children and families. We want to see that urgency and challenge in the Government's implementation of the MacAlister report.

This report demonstrates the value in the House of a committee which is ongoing but can keep returning to serious issues. Under my chairmanship, I think we had two or three reports. This one follows those up and, as my noble friend Lady Morris made clear, the current committee will also do that, which is a very important aspect of our work.

In the short time I have—I have already used far too much—I do not have time to comment on everything, so I will be very specific. I am currently chairing an advisory group to the North East Child Poverty Commission and really want to talk about what I have been learning from that. The north-east has experienced the steepest increases in child poverty in the country over much of the last decade. It has risen from 26% in 2014-15 to 35% in 2021-22. The north-east has the highest proportion anywhere in England, by a fairly significant amount, of looked-after children. It also shares the highest proportion of children within kinship care settings. All of those things matter, and they add up to really effect the fabric for children in the region.

In a joint submission to the initial report, the north-east's directors of children's services—all of 12 them—said:

“Exceptional levels of poverty in the North East are driving dramatic rises in child protection intervention and the number of children in care. The cost of this cannot be afforded. Exacerbated by reductions in government funding, spending on early help has reduced at a time when it has been most needed. This vicious cycle can only be broken by different ways of working, backed up by adequate investment”.

They submitted another joint response to what the Government had to say in response to the MacAlister report. Their concern was:

“The long-term intergenerational impact of poverty and deprivation is not being addressed and will continue to feed rising demand for services. A new national child poverty strategy is needed”.

An academic study last year, I think by the University of Liverpool, found that rising child poverty can be linked to an additional 10,000-plus children having been taken into care across England between 2015 and 2020. The problem with this is, as my right honourable and noble friends said, the more that services locally are having to spend on the crisis in the care system, the less they are spending on prevention. That has become more difficult in the last year, rather than easier. We really have to face up to that.

The other thing is that during austerity the north-east suffered the highest level of funding cuts to local government. Child poverty increased and local government services were reduced by 26% across the region on average, which means that the support and help for children and families simply was not there. Is it any wonder that I want to associate myself with what the report says in its plea for the Government to show more “pace” and “ambition” to enact the review? We need that in the north-east. The children in the north-east need it and the Government really must respond.

9.02 pm

Lord Willis of Knaresborough (LD): My Lords, I thank the chair, the noble Baroness, Lady Morris, for her excellent introduction and the brilliant way in which she chairs the committee. I also thank her predecessor, the noble Baroness, Lady Armstrong, for her continued commitment to child social care. It is very rewarding to see.

Oddly for me, I also thank the Government for recognising that there is a crisis and for their willingness to take on board the urgency of the findings of the plethora of challenges outlined in Josh MacAlister's independent review. Unfortunately, despite some positive recommendations, the Government's response is neither radical, urgent or financially credible considering the scale of the challenge. Far too many calls for further evidence is incredibly disappointing.

The challenge was illustrated to me when the committee had the opportunity and privilege to meet a number of young people with direct experience of the current social care system. One highly articulate young woman, now aged 20, had, together with her twin sister and younger sibling, been placed in care at the age of 11. Her grandmother had previously cared for the children but was deemed unsuitable due to financial reasons—an issue for kinship carers that we highlighted in our report. After a year, the children were split up. The youngest child stayed, but the twins were put into residential care, only to be moved through four different foster homes before eventually being separated. “Stable homes built on love” is a distant dream.

On her journey, our witness was moved without explanation from inner London to a rural setting, where she felt totally out of place and was bullied. She regularly asked social workers to move her back to London and an urban environment, which did not happen until post-16, when she was moved to a hostel in London. To the committee's amazement, she was not bitter. She recognised the challenges of the care system, but urged the committee to plead with the Government for the voices of children to be heard and for changes to be explained by those making decisions before the changes actually happened.

She commented to the committee:

“I am not a number, I am a person ... we are all humans”, as she reflected on the inability of the system to act as corporate parents and the lack of time that social workers have to work with individual children. What was so rewarding for me was that, despite the frequent changes, she had really enjoyed her schooling, had now secured a care leavers' internship and was able to articulate her concerns just a few weeks ago on an ITV programme.

I have spent most of my adult life, 36 years, working in the most deprived areas of Leeds and Cleveland as a youth worker, teacher and head, and I know the price that society pays for its lack of investment in our most at-risk young people. More than half of children in care have a criminal record by the age of 24—four times more than those not in care—with 18% receiving a custodial sentence before they are 16. That is a staggering set of statistics. Only one in 50 of these children gained five GCSEs, and 92% had special education needs and disabilities.

It is so important to recognise that, to children in care, education is a vital key to help solve so many problems. But, as the recent findings of Action for Children reported, between 2019 and 2021 more than half of children with social care referrals failed either English or maths at GCSE. Trying to separate school from social care, when a third of a child's early life is spent in education, is a gross mistake. They are part of the same. It is this need to fundamentally change how we approach the education and support of children in care that makes me urge the Government to think again about their funding proposals.

It is difficult to know what to think when an inquiry which looked at the whole detail looks for £2.6 billion, and we end up with £200 million to be spent over two years. It is really quite insulting to all the people who made such a commitment not only to our inquiry but constantly to the issue of trying to make a better life for children.

My worry with regard to this report, which I think has been well received not simply by the Government but by all the organisations involved in child social care, is that next year when we have a general election and things get knocked even further back, there will be yet another set of reports and ideas. What we will see is not 2026, as the noble Baroness, Lady Morris, indicated, but 2036 coming without a great deal of change. This is far too important for party-political diversity. It is such an important issue and we all, whatever our backgrounds and political requirements, must get behind this report and seek from the Government the sort of commitment they have. I plead with the Minister to ask young people what they think when they are in care, because that is one of the key principles that should be added to the six principles that they have quite rightly put in their answers.

9.08 pm

Lord Carter of Coles (Lab): My Lords, it has been a harrowing privilege to serve on the committee that produced this report. Before moving on, I pay tribute to the highly consultative but steely chairing of this inquiry. It has been extremely well done, and we are all very grateful to the committee clerk, Sam Kenny, and Tom Burke and Claire Coast-Smith, who have really backed us up and have been tremendous.

Going back a little bit, many years ago in my late teens I spent a number of vacations working in a home for children in care. The local authority was the LCC, now redundant, and the model of care, now redundant, was a large campus with hundreds of children, based on the public school model of houses, playing fields, a chapel and a lot of open space. Since then, we have moved on; we have moved people back into the community by and large and have provided local services—standards have improved. But here we are at a moment of inflection, when radical change is needed: just as it occurred all those years ago when we changed the model of care, we have to do it again. So we have this opportunity—and the MacAlister report showed us the way. However, as other noble Lords have said, it could be characterised as high on ambition and aspiration, but I do not quite see how it is going to happen. I shall return to the money in a minute.

I turn to the question of pace. It is wonderful—I sometimes wonder whether all government reports are like this: you commission a report, you buy a bit of time, you consult, you buy a bit more time, you run a pilot, you buy a bit more time, then it fades away—time and again. This, however, has to be different, because this is a critical group of people.

I want to touch quickly on four areas, which cover the generalities. First, there are 13,000 children in residential homes. That is still an enormous number. There should be better ways of caring for them. However, while we have them, we also need better regulation. We need to see what Ofsted is doing to develop that inspection framework. Another point is proximity. Those children are often sent away to care homes that are remote, and they are often remote because the property is cheap. In other services, proximity has become key. We should be moving the children closer, not only culturally but physically, to where they come from.

Other noble Lords have talked about voice. We heard about some very moving cases. It seems that, at both the micro and macro levels, the voices have not been listened to. We need to get out there. Again, the concept is there; we know that we need to develop opt-out advocacy services. We need to develop these things, and it should be a question of when, not if. It is easy just to say the policy.

Other Members have touched on workforce. How can we be 7,900 people short? That is bound to lead to bad care being provided. Similarly, in residential care, people are badly paid and the churn is colossal. There may be the right number of people for the CQC inspection, but the fact that some are coming and some are going obviously affects the quality of care. Can the Minister say when the shortfall in care workers will be eradicated? Are we paying enough? How do we get this level of temporary labour down. It is amazing—it is a sign of a bad system.

For me, perhaps the most important thing—beyond early intervention—is kinship care. The report touched on this. Some estimates show that there are about 150,000 to 200,000 in such care, as opposed to 57,000 in foster care. This is a worthy thing of course—it is how families used to do it; they would group together. In recent times, the funding has made that much more difficult; it is patchy and depends on the postcode. We need to see what we can do about that. A review is due, so let us hope it is comprehensive and has some money attached to it. If, however, it is another aspiration and another pilot, taking longer and longer, we will fail to grasp the opportunity. This is a terrible situation. Often, a grandparent is taking a grandchild, and it often means the grandparent walking away from their own children; they are separated from them. That is harrowing, and we need to back those people up as far as we can and as quickly as we can.

As others have said, it all comes down to being long on aspiration. It would be really helpful to put some dates on things, and then put some money behind it all, so that progress can be monitored rather than the can constantly being kicked down the road. Pace and ambition have been mentioned but, for me, it is about the practicality of how we do it. As ever, we know what to do; the fault often is that we do it only once. This is about taking forward a national programme.

I end quickly by quoting Barbara Kingsolver's book *Demon Copperhead*—many noble Lords may have read it. She says in her dedication:

“For the kids who wake up hungry in those dark places every day, who've lost their families to poverty and pain pills, whose caseworkers keep losing their files, who feel invisible, or wish they were: this book is for you”.

I hope that the Government can make it for them as well and move on.

Lord Evans of Rainow (Con): My Lords, I briefly interrupt to remind noble Lords that there is a five-minute advisory speaking time. There have been some wonderful speeches and we want to hear everyone in the fullness of time.

9.14 pm

Lord Hampton (CB): My Lords, I echo the thanks to the noble Baroness, Lady Morris of Yardley, for tabling this Motion and for the very real concern she and the committee have shown for such an important issue. There are many others in this Chamber far more expert than me on social care, but I was moved to speak in this debate by the fact that I see the results of these policies weekly. As some noble Lords may know, I am a teacher in a state academy in Hackney. Like the noble Lord, Lord Willis of Knaresborough, I am at the gritty end of this subject, where the consequences of these decisions are often manifest.

As Action for Children recently reported, 53% of young people with a social care referral failed either English or maths at GCSE. Of the 2004-05 birth cohort, 58% of young people with a social care referral were persistently absent at some point in their school careers, missing 10% or more of their classes in a school year.

Schools can provide a safe, structured environment for children, and teachers are the weathervanes of social care. We are trained to spot signs of abuse, neglect and bullying and most schools have a clear system of reporting. Those reports, often of tiny changes or instinctive hunches, can become part of a jigsaw puzzle whose final picture could lead to a referral and future action. A case study in the strategy talks about two young people who disclose physical abuse to their teachers. It is the referral from the school that leads Jackson and Madison to be placed with foster parents. Children will often open up to a trusted teacher when they will not talk to anyone else. Through teachers, the missing voices of young people can be heard—something the strategy has been heavily criticised for.

When I talked to members of the safeguarding team at school, one of their top concerns was the wide variation in care between boroughs—some are excellent, while others do not even answer phone calls or emails about referrals. A child can get lost in the cracks if they move boroughs, which can be used deliberately by the families to disappear from the system. As the response says, the strategy will have an impact only in a few areas, and then only as a pilot programme. This will surely exacerbate the problem.

It was also said that the threshold is exceptionally high. For social care to open a case, there needs to be a significant risk. This is completely understandable, as

[LORD HAMPTON]

it does not have the resources to complete early intervention work, but this results in firefighting as opposed to early help in prevention when it could be most effective, as the noble Baronesses, Lady Morris of Yardley and Lady Tyler of Enfield, have said. If care workers are transitory and lasting relationships can never be built, that is never going to happen. The focus on recruitment and particularly retention of staff as a priority is vital. Otherwise, much of the other work is pointless.

All this, I am afraid, is dependent on money. If the committee's report is true and the strategy lacks the political buy-in and funding to deliver reforms for young people and families, it would be a huge lost opportunity for change. I am also concerned that, in the strategy and the report, the increasing burden of work that falls on schools is hardly acknowledged. I am also unclear quite how schools are to be embedded into the new plan. The strategy recommends that schools should be made a statutory safeguarding partner and contribute to the strategic and operating delivery of multiagency working. It also recommends that they have a greater role in supporting and protecting vulnerable children without making clear how or what budget will be provided for the extra training, and necessary staff, that will inevitably be needed for the extra responsibility alongside their main job, which is usually to teach.

The strategy is called *Stable Homes, Built on Love*. Might it not be better to aim for stable lives, built on love?

9.19 pm

Lord Bach (Lab): My Lords, it was a pleasure to serve on the committee, which was so well chaired by my noble friend Lady Morris of Yardley. I agree with the committee's conclusions and recommendations, particularly its comments relating to legal aid in kinship cases. Of course we welcome the extension of legal aid to prospective special guardians, but the concern was that many kinship carers would be unable to access it.

However, I want to talk about residential homes and their system, and emphasise, as our report does, the essential need for radical reform of residential homes. Alas, the Government's proposals do not go anywhere near far enough. The issues facing residential homes are stark and, in my view, one of those hidden, rather British, deep scandals that are not talked about nearly enough, and are not acted on by the political class. What persuaded me that radical change is necessary was my five years as a police and crime commissioner. Indeed, I was on the way because of 25 years as a criminal law barrister, defending in the Crown Court countless young people who had been in residential care. As a police and crime commissioner, it was painfully obvious to me that vast amounts of precious police time were taken up dealing with offences, serious and not so serious, committed by those who were or had been in residential care, as the noble Lord, Lord Willis, mentioned a moment ago.

If it was not offences to deal with, then it was the constant issue of missing persons, regularly young girls picked up by bad men outside their homes and taken God knows where, to do God knows what, before being returned. Please do not misunderstand

me: it is not the fault of the local authority, let alone the vast majority of staff in residential homes, all of whom perform as well as they are allowed to by the system—I pay tribute to all of them. It is the fault of an underfunded, underresourced, often ignored system that results too often in the most vulnerable children—many of whom are traumatised when very young—not receiving the care, protection and love they need and deserve. What chance do many of them really have?

A major part of the problem is that if any system should be solely in the public domain, it is surely a system that is responsible for bringing up, educating, housing and, indeed, parenting young people, who are our fellow citizens and future participants, we hope, in our society. However, I am afraid that we have seen fit to allow the profit motive—often a good thing in society—to play a leading part in this precious, vital and difficult area. One of our prime witnesses, John Pearce, a vice-president of the Association of Directors of Children's Services, said this in paragraph 121 about regional proposals, but it applies to my point just as much:

“With about 80% of the residential care provision currently sitting with independent providers, many of which are backed by private equity, the suggestion that in the North East the 12 authorities coming together are going to have more influence over a substantial provider backed by a state investment fund than an individual local authority, and that that is going to change the dynamic, is flawed”.

That is an understatement. This area needs drastic, fundamental, urgent and radical reform so that, instead of the near conspiracy of silence that has existed, we can be proud of how we help our most vulnerable children. It is time to act.

9.24 pm

Lord Shipley (LD): My Lords, I have found this a very helpful, focused debate. I hope that the Minister will find that this debate and our report will be a useful aid to government thinking on the implementation strategy, and on the kinship care plans to be published later this year.

As the noble Baroness, Lady Morris, said, we heard from many young people who are doing positive things with their lives, despite all the disadvantages of being in the care system. It was impressive to listen to witnesses who supported the Government's desire to improve the children's social care system. Generally speaking, people want it to be done more quickly. The strategy is going in the right direction. It can be improved, but can it be sped up? The strategy is to have trials and pilots, but some have a sufficiently robust evidence base now to be rolled out more quickly. For example, elements of family help could be rolled out nationally faster than currently planned. It would be good if all young people could see some benefit from the Government's strategy over the next couple of years.

We ask the Minister: can we speed up? We can, but the strategy lacks the funding needed to deliver the reforms. As we have heard, the Independent Review of Children's Social Care in 2022 said that investment of £2.6 billion was needed over the next four years, and that so far only £200 million is being provided over two years, which is simply not enough. To quote paragraph 28, as a committee our formal conclusion was:

“The level of investment outlined in the Strategy is entirely inadequate and will ensure the Government will fail to achieve its vision for children’s social care”.

It would be helpful if we could have a specific comment from the Minister about that.

We say things in the report around young people’s need for advocacy. It was instructive to hear from young people themselves, who said that they were not listened to by those making decisions about their care. The strategy on advocacy is currently too vague about how to listen to young people, and establishing clear standards will be very important. Can the Minister tell us what the plan is? Will it be an opt-out model, and can she guarantee that it will be independent of local authorities, for it must be?

We were told that there are some 20,000 children in England living as separated siblings. Of course, as we heard from the noble Lord, Lord Willis, in one case they were twins. Many children are being placed too far from home. It is essential that this issue is addressed, partly through funding, and partly through the structures, which I will come back to in a moment. If there is to be a radical reset in the system, it needs far better cross-departmental co-operation and policy alignment. I am pleased that there is a cross-government care leaver Minister now, but Whitehall needs to be a great deal more joined-up than it is.

We have heard about kinship care. The strategy is due by the end of the year, and it is clear that increased support for kinship carers is needed. It is hard to see why we should wait until spring next year to know what that amounts to, for 150,000 children are living in kinship care, and the Nuffield Trust has shown that young people in kinship care have better outcomes than young people in foster or retirement care.

I ask the Minister, on foster care, whether setting national or regional targets actually works. Are they local enough? The shortage of foster carers seems to me to need to be dealt with at a local level. Getting prospective carers is a much more local matter than the Government realise. On workforce issues, there are apparently going to be 500 apprenticeships in children’s social care. I would be interested to know what the timelines around that are. However, there is an 8,000 staff shortfall in the children’s care system. The Competition and Markets Authority has said that the children’s care market in “dysfunctional”. The demand is not forecast accurately, demand for placements is higher than the supply, young people are being sent too far away because of a lack of placements, and providers can profit from the shortage of placements.

In our committee report, we raised questions as to whether regional care co-operatives are seen as the solution. Are they? Is the Minister confident of that? They are not local, and I do not understand what their accountability regime actually is. It is possible that Ofsted gave evidence to support the suggestion that a regional care co-operative model could cause more children to be relocated further away from their home area, but I hope not. Will regional care co-operatives work in restoring a functional market? Will smaller providers, not only big providers, benefit from procurement? Might the Government look at subregional procurement as opposed to regional procurement, if they are unhappy with very local procurement?

In conclusion, as we have heard from various speakers, we have had lots of reviews in recent years but we need to beware of yet more reviews, because we need action to be taken. The evidence base is there, and we need to ensure that we have more children in safe, loving homes.

9.30 pm

Baroness Wilcox of Newport (Lab): My Lords, I declare that I am a vice-president of the Local Government Association, as noted in the register. I thank my noble friend Lady Morris of Yardley and all members of the Public Services Committee for this excellent, direct and wide-ranging report on such a vital area of our social services provision. It is indeed always worth listening to our young people.

The Government’s strategy, published in February 2023, followed an independent review of children’s social care, which recommended wide-ranging reforms based on principles such as family help providing the right support at the right time; unlocking the potential of family networks; and creating a system that learns, improves and makes better use of evidence and data. To where we are currently, we have seen the erosion of children’s services for more than a decade, while poverty and inequality have increased—points strongly made by my noble friend Lady Armstrong of Hill Top. It is acute in the north-east and severe elsewhere. Preventive services have been stripped back, leaving the need for costly crisis interventions soaring. The independent review on social care described a system that is

“skewed to crisis intervention, with outcomes for children that continue to be unacceptably poor and costs that continue to rise”, and called for a “radical reset”. So what will this Government do to address the huge deficit in children’s social care?

The strategy contains 12 local areas which will receive £45 million of additional investment for a new pathfinder role to test models of family help. The Government also committed to providing new multiagency child protection standards in 2023, amending guidance to local authorities, police and health partners to give greater clarity on their responsibilities. There will be trials of kinship care support packages. Other measures include £27 million in funding for foster carers. This is all just a sticking plaster.

According to the review, the strategy lacks “scale, ambition and pace” and will impact “only a few areas, and then only as a pilot programme”.

There is no guarantee of long-term reform, which is badly needed. Some of the proposed pilot programmes already have strong evidence behind them, so they would be ready to be rolled out nationwide. The committee felt that, although the strategy had aspects to recommend it, it was being rolled out slowly and would therefore leave many children behind. Improvements for residential care were almost entirely absent from the strategy, and my noble friend Lord Bach has made the strongest of arguments for urgent review of this sector.

We in the Labour Party believe that the strategy represents a piecemeal approach to long-standing and entrenched issues in children’s social care. It does not provide the serious strategy needed to fix the crisis in the workforce, to help kinship carers and to deliver on

[BARONESS WILCOX OF NEWPORT]

the greater protections that vulnerable children and families desperately need. As my noble friend Lady Morris quoted, this is what Josh MacAlister called a “missed opportunity”.

The Local Government Association analysis of the strategy prior to high levels of inflation indicated an existing shortfall of £1.6 billion per year simply to maintain current service levels. The independent care review recommended an additional investment of at least £2.6 billion over four years, prior to the impact of inflation. The LGA further suggested that multiple factors would be key to the success of regional care co-operatives, including resourcing, IT systems, and clarity on structure and roles held between councils and providers. The LGA also argued that the strategy “could have gone much further”

in relation to the provision of mental health services for children in care and care leavers.

Although the Government opened a consultation into the use of agency social workers, there is no plan to end the domination of for-profit children's home places, which account for 78% of places in England. Some of these providers have been the subject of inquiries into abuse in children's residential care. I remember well when leader of Newport City Council the eye-watering sums that private providers demanded for places in their establishments for our children and young people—goodness knows how much those sums have increased in the past few years. It is not about the money but about the quality of provision for children and young people, which always had to be the main criteria despite the cost.

The 20 largest independent sector children's social care providers had an income of £1.7 billion in 2021, an 8.3% increase on the year before. In October last year, a report by the Child Safeguarding Practice Review Panel identified a “culture of abuse”, including violence and sexual harm, in three residential schools run by one of the largest private providers. Given that the taxpayer is paying huge amounts for children to be given at times appalling care, why on earth is this strategy not tackling the role of private providers in children's care?

We recently discussed the review of the Children and Families Act 2014. There are issues left unaddressed by that Act, such as kinship care, that have been given some consideration in this strategy. However, one aspect of the Children and Families Act that struck me was the lack of ongoing data collection and impact evaluation. As the implementation of this strategy progresses, what will the Government do to ensure that it is regularly analysed and evaluated? Do the Government really believe that the strategy will make the difference needed to improve the 43% of children's services departments rated “inadequate” or “requiring improvement”?

According to the Association of Directors of Children's Services, across regions in England there are varying degrees of interest in taking up a RCC pathfinder opportunity—but, at present, no region seems to be interested in adopting the approach outlined by the DfE. The ADCS recently published a position paper coming after the collapse of a joint procurement framework for children's residential care involving seven

local authorities across the north-east of England. It raised concerns over whether government plans to move to regional commissioning of children's social care services should indeed be re-evaluated. While ADCS members acknowledge that regional collaboration could offer some opportunities, including regional sufficiency audits, workforce gap analysis, and the opportunity for joint commissioning in areas of greatest need, a number of concerns about the model described by the DfE remain for the association; thus, the position paper offers strong solutions for the Government.

In conclusion, as the final sentence in the report, which we all hope will be taken up by the Government and acted on, notes,

“we need to ensure that all children and families engaged in the care system see some immediate benefit and can be sure that significant change will follow”.

9.39 pm

The Parliamentary Under-Secretary of State, Department for Education (Baroness Barran) (Con): My Lords, I congratulate the noble Baroness, Lady Morris of Yardley, on securing this debate and express my thanks on behalf of the Government to the whole committee for the important work it has done and the valuable insights in its report.

As we have heard in a series of powerful speeches this evening, children's social care has the potential to transform lives for the better. Sadly, as the independent review and two other key reports set out last year, the system is not delivering consistently enough for the children and families it supports. The Government have heard the call for whole-system change and are committed to responding. Earlier this year, we published our implementation strategy, *Stable Homes, Built on Love*, which set out our bold and ambitious plans to transform children's social care. I heard clearly from the opening remarks of the noble Baroness, Lady Morris, the need to convince not just her but others in this House of the urgency with which the Government are approaching this task. We have previously debated in this House the tension between really high-quality implementation and speed, and I hear and will take back to the department the concern about and criticism of the Government's approach. However, I will try to reassure the House that it is based on a determination to get the implementation right, even if that means some delay in national rollout.

We have also published our draft children's social care national framework and dashboard, which sets out in one place the outcomes that should be achieved for children, young people and families through local authority practice. It will aim to set national direction and raise the quality and consistency of practice. The noble Baroness, Lady Wilcox, asked about the use of data. I reassure her that that is central to our plans.

We heard from thousands of individuals in our three consultations, which launched in February with the strategy. Most particularly, I acknowledge the remarks of the noble Lord, Lord Willis of Knaresborough, and the personal story he told about one of the young people who gave evidence to your Lordships' committee. I echo that the stories we heard from young people

were the most powerful and were invaluable in helping to shape the strategy; we thank them for sharing them with us.

The committee launched its inquiry over the same period and assessed whether the reforms would achieve the transformative change the system needs. The report concluded that our strategy sets the right direction for the system. That mirrors what we heard through our public consultation on *Built on Love*. We will publish our response to this and the national framework consultation tomorrow—apologies to committee members that the timing did not quite align perfectly. We know there will be areas to go into further and that we will need to make available more detail on how we intend to deliver that reform, but we wholeheartedly support the case for urgent and extensive system-wide reform of children's social care.

The £200 million investment over this spending review period sets the path for longer-term reform and provides an opportunity to test and learn from some of the most complex elements. Your Lordships made the comparison between the four-year national rollout in the independent review and the £200 million for the pathfinders. To be fair, we are not comparing like with like. The Government completely understand that this is not the scale of investment required for national rollout. Transformation on this scale will take time and commitment, and we need to balance the necessary reform with the need to ensure that we have interventions that we know work and that can be rolled out safely and effectively.

A number of your Lordships, including the noble Baroness, Lady Tyler, asked about the wider package of support and commitment that the Government were making. This funding of course builds on the £3.2 billion announced at the last Autumn Statement for adult and children's social care and on further investments we have made, including the £259 million over the 2021 spending review period to maintain capacity and expand provision in secure and open residential homes, £230 million over this SR to support young people leaving care, £160 million over the next three years to deliver our adoption strategy, and £142 million to take forward reforms to unregulated provision in children's social care.

A number of your Lordships, including the noble Lord, Lord Bach, and the noble Baroness, Lady Morris of Yardley, expressed very clearly their concerns about residential children's homes. I absolutely hear and recognise some of the stories that the noble Lord, Lord Bach, referred to. When I worked in the area of safeguarding before joining your Lordships' House, it was extraordinary how perpetrators could spot vulnerable children and adults like homing pigeons. So, sadly, I recognised the stories he told.

In addition to the capital investment and addressing the disproportionate role of private sector-run children's homes in the sector, there is obviously the whole issue of recruitment and retention, which your Lordships understand very well and is a particular challenge in the residential children's homes market. We are exploring options to introduce professional registration for staff working in children's homes, alongside a national leadership programme aimed at recruiting new talent

into the sector. We are clear that we need to raise the status and profile of those working in the sector to address the recruitment issues.

With regard to family help, as we heard in a number of your Lordships' speeches, these reforms are central to ensuring that children grow up with loving relationships and stability. The noble Lord, Lord Hampton, talked about stable lives rather than stable homes. I would challenge him and say that the probability of having a stable life vastly increases if you start with a stable home. I do not think he would disagree too strongly—but, equally, stable lives are a great outcome also.

Through family help, we want to create a service that meets the whole needs of a family, works at building on their strengths, is delivered across multidisciplinary teams and makes sure that there is collaboration within local areas between partners. In July, we announced the first three local authorities that will be taking part in the Families First for Children pathfinder, to help us codesign this new model of working. It will go live in three areas in the autumn.

We also recognise the vital role that kinship carers play, as the noble Baroness, Lady Morris, and the noble Lord, Lord Shipley, acknowledged, in providing loving, safe and stable homes for children. We absolutely agree with the review's finding that that support must improve. They are at the heart of our strategy. We have announced the local authorities involved in our family network pilots, which will promote the use of a family-first approach to children's social care and test the impact of financial and practical support for families to support children to stay safely at home. We have also invested £2 million to deliver high-quality peer support groups, as we know from talking to families who offer kinship care that these groups can build very powerful supportive communities for them. We are also establishing a training and support offer, which will be accessible to all kinship carers within this SR period.

We are also rightly championing foster carers and all that they do to provide loving homes. We know that fostering can be hugely rewarding, but obviously recognise that it takes hard work, skill and dedication. We are investing £27 million to deliver a recruitment and retention programme so that foster care is available to more children who need it. I hope that the noble Baroness, Lady Armstrong of Hill Top, will be pleased that this will start in the north-east—her voice has been heard—before a wider regional rollout. The pathfinder will be fully up and running in the autumn.

The committee raised some important notes of caution with regard to regional care co-operatives. We think that this new model will represent a radical shift away from the way the sector currently commissions and delivers care placements, which is why we are working closely with Health and Justice to co-design it. We have invited local authorities to express interest in setting up a regional care co-operative pathfinder; we are now in the second phase of that process. However, I will take back to colleagues in the department the concerns that the committee raised in this regard.

Our strategy made firm our intention to put loving and stable relationships at the heart of children's social care. We must have a system that empowers children and young people to feel seen and heard, whatever

[BARONESS BARRAN]

their needs. I note the remarks from the noble Lord, Lord Hampton, about the important role that education can play. As I think the House is aware, we are exploring how we can increase the role of schools and other education settings in multiagency safeguarding arrangements. We have consulted on our statutory guidance, *Working Together*, and will use learning from that to form the proposals on whether and how to make education a safeguarding partner.

Obviously, advocacy is incredibly important; your Lordships who bring great experience to this issue will have heard that again and again. We want to update and improve the system so that we can help children navigate it, particularly at times of transition, but we also want to be sure that we include ways that standards apply to some special residential settings and develop new standards for non-verbal children so that they too can access advocacy. We plan to consult on the guidance and standards in relation to this.

I want to update the House on where we are in relation to supporting our social work workforce. If I may say so, I take slight exception to the remarks from the noble Baroness, Lady Wilcox, about the Government's strategy overall, including in this area. She often makes reference to what is happening in Wales; she did not do so on this occasion but I remind the House that, in its annual report, Care Inspectorate Wales talked about the real challenges around recruitment and retention, the real shortages in provision for children with additional needs, and the unprecedented increase in demand for care. I in no way wish to diminish the challenges that we face, but they are not unique to England or this Government.

The Government are already investing £50 million each year during this spending review period to recruit, train and develop our child and family social workers. However, we know that there is more to do to ensure that we fulfil our ambition of having a valued and skilled social worker for every child who needs one. Since publication, we have appointed eight early adopter local authorities to help design our early career framework and we are supporting local authorities to offer up to 500 social work apprenticeships.

We are also tackling working conditions. We have launched a national workload action group to make recommendations so that we can support social workers to spend more time with children and families. We will respond to our consultation on the agency workforce rules later this year; a number of noble Lords raised that issue.

The noble Baroness, Lady Tyler of Enfield, asked about therapeutic support for children who are adopted. Since 2015, over £300 million has been made available through the adoption support fund to help fund therapy for adoptive and special guardianship families.

She and the noble Baroness, Lady Wilcox, asked what we are doing in relation to mental health for children in care. In the Government's strategy is a clear mission to reduce disparities in both long-term physical and mental health outcomes for children in care and care leavers. To do that, we have to work closely with our health partners. We will set out clear expectations of practice, including service planning and commissioning, through updated joint guidance

with the Department of Health and Social Care. We want to make sure that that reflects the most recent published research on the emotional well-being needs of care leavers. We will revise and strengthen levels of knowledge and skill in relation to mental health in the social care workforce, including through the early careers framework.

I will finish by outlining some of the additional steps that we will take in the coming months to progress further in delivering our reforms. The Government will shortly publish responses to our recent consultations. The families first for children pathfinder and the "foster with the north-east" support hub will be live in the autumn. We will publish a kinship care strategy by the end of 2023, setting out our national direction, and a children's social care data strategy. We will publish the national framework as statutory guidance by the end of the year. The dashboard rollout will be phased from 2024 to help us all learn and understand how well we are achieving the outcomes for children's social care.

By updating our key statutory guidance, *Working Together to Safeguard Children*, we will clarify and simplify the existing requirements of practitioners to reflect updated best practice and support new policy. Our national implementation board continues to support, advise and hold the Government to account for the reform programme. I know that the noble Lord, Lord Carter of Coles, was particularly concerned about advocacy and the voice of children and young people. We are seeking to develop a children and young people's advisory board to ensure that we hear the voices of those young people right at the heart of our decision-making.

I again thank the noble Baroness, all noble Lords who contributed to this important debate, and everyone who contributed to the inquiry and to our public consultations. I extend my particular gratitude for their courage to those with lived experience of the system who have spoken to us and to all the professionals whose work supports children and families across the country, every day. Delivering on this will take great commitment and focus from the Government, working together with local authorities and our partners in the system. We will prioritise working with those on the ground to make sure that we achieve the kind of change in children's lives that everyone in your Lordships' House wishes to see. I will end where the noble Baroness, Lady Morris, started: it is one thing to write words on a page, but we need to make it work in real life.

9.58 pm

Baroness Morris of Yardley (Lab): My Lords, indeed it is, and I think that is part of the problem. I thank everybody who has contributed to the debate, and the Minister. Inevitably, she was not going to be able to persuade us that the Government are right and we are wrong, because she would inevitably reiterate the paper that has already been published. However, we look forward to the paper that we now understand is being prepared tomorrow; this is something ongoing to which we will return. I do not doubt the Minister's personal wish and determination to get this right; I do doubt the Government's ability to get it right or to have the means to get it right at the moment. That is the discussion of which we want to be part.

The Minister said that people spoke with passion and I think that is true. One thing that has always struck me is the title of the report, *Stable Homes, Built on Love*. One reason why that hit me quite forcibly when I saw it is that there is probably no one in this Room who does not know the importance of that phrase, either because they received it when they were children or they gave it to those who they care for.

For the children who do not have that, we are corporate parents—we are part of that system. I genuinely think that the Government are not entitled to understand

how bad things are and not be more determined to get them right. That is part of discharging their responsibility as corporate parents. That is what is to be won, to be gained, but also what is to be lost if we do not do this with greater determination than is shown at the moment. I am grateful to everybody for their contribution. I look forward to continuing consultations.

Motion agreed.

House adjourned at 10 pm.

