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PARLIAMENTARY DEBATES  
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# HOUSE OF LORDS

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

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# House of Lords

Friday 6 September 2024

10 am

Prayers—read by the Lord Bishop of Southwark.

## Asylum Support (Prescribed Period) Bill [HL] First Reading

10.05 am

*A Bill to introduce a minimum period of 56 days after an asylum claim is determined before an asylum claim is considered to be determined for the purposes of ending asylum support; to make provision about the serving of documentation relevant to the ending of asylum support following an asylum determination; and connected purposes.*

**Baroness Healy of Primrose Hill (Lab):** My Lords, in introducing this Bill on behalf of my noble friend Lady Lister of Burtersett, I declare my noble friend's interest that ad hoc research and advisory support is provided by the Refugee, Asylum and Migration Policy project.

*The Bill was introduced by Baroness Healy of Primrose Hill (on behalf of Baroness Lister of Burtersett), read a first time and ordered to be printed.*

## Non-Consensual Sexually Explicit Images and Videos (Offences) Bill [HL] First Reading

10.06 am

*A Bill to create offences relating to the taking of a non-consensual sexually explicit photograph or film; and the creation of, or solicitation to create, a non-consensual digitally produced sexually explicit photograph or film; and for connected purposes.*

*The Bill was introduced by Baroness Owen of Alderley Edge, read a first time and ordered to be printed.*

## Marine Protected Areas (Bottom Trawling) Bill [HL] Motion to Withdraw

10.07 am

Moved by **Baroness Ritchie of Downpatrick**

That the Bill be withdrawn.

*Motion agreed.*

## Support for Infants and Parents etc (Information) Bill [HL] Second Reading

10.08 am

Moved by **Lord Farmer**

That the Bill be now read a second time.

**Lord Farmer (Con):** My Lords, a vast amount of evidence unambiguously points to how critical the first 1,001 days of life, from conception to age two, are to the health, well-being and opportunities of children throughout their lives. Those days are also incredibly stressful for the vast majority of parents. Is the baby feeding properly? Is she putting on enough weight or too much weight? Why will she not stop crying? Is she sleeping too much? What am I doing wrong? What should I be doing? What information can I rely on? Why are we arguing so much? These questions are typical during those early days after a baby is born. This is therefore a vital stage of family life to support.

I know that one of this Government's key missions is to turbo-boost opportunities for babies, children and young people. Parents are a key means of achieving gains in this area. Being child focused requires being parent and family focused, as I am sure they are aware. Finnish research shows that the bond a parent has with their child is the most potent and all-consuming form of love. Using MRI scans, researchers could see how feelings of parental love provoked the strongest level of brain activity and fired up the largest number of regions within the brain, sparking areas untouched by other forms of love. Support to harness, encourage and strengthen that parental love, also known as kin altruism, complements the clinical support that everyone needs when a baby is born and is the heart of the intent of this Bill.

In outlining the Bill, I declare my interest as a guarantor of FHN Holding, the not-for-profit owner of the Family Hubs Network Ltd. Vital though they are, GPs and health services cannot do it all. NICE reports that in the first year after birth, around 15% to 20% of women and possibly one in 10 men experience depression and anxiety. This is frequently missed or undertreated in general practice. The risk is greater if new parents are isolated, or relationships are not good between parents. Many break down in these early days. These non-medical issues have massive knock-on effects on mental and physical health, requiring a holistic and whole-family approach. My interest in the Bill stems from an awareness that many fathers are treated as incidental in the antenatal and postnatal periods, yet they are often the mainstay of support to the new mother and will, of course, be of considerable importance to the growing child.

A new joined-up and continually improving Start for Life offer was the focus and first action of Dame Andrea Leadsom's early years healthy development review. This reported in March 2021 and named a welcoming family hub as the place where families could access those Start for Life services. Although much support and many services were available to new parents, her review established how hard it is for families to access information about what is available so that they can draw on it when they need it most.

[LORD FARMER]

Moreover, access to help is often inconsistent across the country. For example, great ambitions over several decades to increase breastfeeding will be constantly thwarted if parents do not get the support and information needed to keep breastfeeding beyond the earliest days, when extreme tiredness, pain and mastitis often set in. Baby tongue-tie is another issue, but many must go private to resolve it or for accessible advice. Many go online for help, without knowing how reliable that will be. But now, thanks to the family hubs and Start for Life programme, mothers in Derby, for instance, have support from breastfeeding experts and from each other in their local family hub. Peer support can be decisive for women to keep breastfeeding. This is one of the five named services that the early years healthy development review said should be universally available to support parents and carers and to ensure babies' sound cognitive, emotional and physical development from pregnancy to age two.

But, as the 2023 progress report from this review points out, just providing better services does not go far enough: all families need to know what support is available to them and be able to access it easily. Funding was provided to ensure that expectant parents in the 75 eligible local authority areas receive a physical copy of their local Start for Life offer and can find it online. However, without the Bill, which simply and modestly requires all local authorities to publicise their Start for Life offer to all new parents, future funding is not guaranteed.

The Start for Life offer is information on services that a local authority is aware are available in its area for infants, parents or carers of infants, and prospective parents or carers, provided by or on behalf of public authorities. The named services in the Bill are maternity; health visiting; services promoting positive relationships between infants and their parents or carers; mental health; and breastfeeding and other infant-feeding services. Local authorities should also provide additional information on other services as appropriate. The Bill includes a regulation-making power so that the Secretary of State can include information on other specific services in the future. This future-proofs the Bill by ensuring that services that become indispensable are also systematically included.

The transformation fund for 75 local authorities, mentioned earlier, is allowing much innovation and good practice to emerge. This could eventually become universal. For example, family hubs in Bishop Auckland in County Durham have begun to offer birth registration to make this process easier for new parents, starting with just one day a month—but this could grow with demand. There have been many calls over the years to make this standard across the country. The Bill introduces a further duty on the Secretary of State to publish guidance to local authorities relating to those duties. Current guidance is non-statutory and does not include the learning from the Government's family hubs and Start for Life programme, because evaluations from these have not yet been completed.

Finally, the Bill requires the Government to publish an annual report that sets out information about support being provided in England for infants, their parents and carers—and prospective parents and

carers—as well as outcomes. Certainty about what can reasonably be expected and where it can be accessed makes a great difference during a phase of life when very little is certain and everything is being experienced for the first time. Everyone wants to enjoy this period when a new baby comes, but not knowing where to find help if things go wrong puts a major dampener on that.

Information is vital, which is why we need family hubs right across the country so that parents can access that joined-up early support to help them overcome difficulties and build strong relationships. Family hubs do not replace children's centres. Many local authorities still run these nought-to-five facilities and integrate their work into the family hub network of buildings and services across an area. Family hubs do not deliver everything but are the access and connection points for families of children aged nought to 19, and up to 25 where there are special educational needs. They draw together all the family support available, which combats fragmentation of help and costly duplication.

Many family hubs in Essex provide paediatric healthcare that would otherwise be delivered in hospitals far from the community, as well as inoculations and oral health drop-ins for children aged nought to 19. Westminster includes GP clinics in family hubs so that families have access to a wide range of other support. GPs report how working in this way facilitates early intervention, holistic practice and a better grip on the myriad determinants of health.

Family hubs also draw in support provided by faith and other community organisations, in which parents place a high level of trust. Relationships are key to how they function. Family hubs in North Tyneside and Camden, among many others, adopt a “barefoot professional” model, which recruits local people from communities of greatest need and who have experienced poverty or family difficulties. Through peer-to-peer learning and appropriate supervision and support from the family hub, their ability to overcome adversity becomes a transferable skill set.

For family hubs to be sustainable, they need to draw in and on the local community and build prosocial peer support networks. Research has shown that these are invaluable to health visitors and other professionals, and certainly do not replace them—but they can never on their own address the problems of isolation I mentioned at the beginning. University College London research proves that well-functioning relationships are themselves health assets, and the relationships that parents have with their children can be most powerfully so. I reiterate that information about where help is available supports these from the earliest point before birth and afterwards, giving all children the best start for life. I beg to move.

*10.19 am*

**Lord Blunkett (Lab):** My Lords, it is a pleasure to follow the noble Lord, Lord Farmer, and I congratulate him on bringing this Bill forward. Its antecedents were in the previous Parliament, in the House of Commons. I commend the speech that he has just delivered; I did not disagree with a single word of it.

I start by paying tribute to Dame Andrea Leadsom, who is viewing our debate this morning from, I think, the Throne steps. I was not sure whether I should call it the Throne or not—but she was certainly the queen of the review and the Start for Life initiative. I played my part in discussions with Dame Andrea, and I see the initiative as a valuable starting point for rebuilding the Sure Start initiative, for which I was partly responsible. I see the Start for Life initiative, and all the elements spelled out by the noble Lord, Lord Farmer, as the granddaughter of Sure Start—and, as with all granddaughters, we want it to grow into adult life and be able to provide the range of services and comprehensive approach which the noble Lord, Lord Farmer, spelled out.

Information and guidance are a no-brainer; it is obvious that people need that from the time when they become pregnant all the way through those early two years that are so important, as we acknowledge. This is acknowledged and supported by parties of all persuasions. I noticed that the new Liberal Democrat MP for Torbay put a Question down very quickly on this issue. I also noticed that his dog got a lot more publicity than mine, for which my dog is deeply resentful.

The Bill takes a step forward, because it requires co-ordination and mapping of what is available at local level, and it requires thinking about how you reach people, particularly those hard to reach, in that early period. When Tessa Jowell and I, among others, were responsible for developing Sure Start, we discovered that the crucial element, which the noble Lord, Lord Farmer, mentioned at the end of his speech, was the outreach to community and the strength of community. I happen still to be a communitarian and I believe that it is not just about the professional delivery of services, critical as that is—the noble Lord, Lord Farmer, spelled out a whole range of professional services that should be involved—but actually should be seen as growing the strength and social capital of the community to surround and support families of whatever persuasion and size.

It seems to me also that, in providing that information, we highlight the inadequacies of what is already available. My right honourable friend the Secretary of State for Education and her Ministers are deeply committed to developing and building on Start for Life in terms of getting the resources over the years ahead to be able to provide comprehensive support, childcare and nursery education. There is a commitment from the new Government to developing that with primary schools so that continuity and support are available, seeing this on a timeline and a continuum, rather than as a one-off. If we can get the information, guidance and important support immediately available, it will help families to flourish and overcome the gross inequality that we see in this country and elsewhere, in terms of that start for babies.

The problem is, of course, that even with the resource for the limited number of hubs we are covering only part of England. It will be critical that we extend this right across the country and that, in mapping the available resources, public, private and voluntary, in an area, we can highlight what the need is and resource it in due course, despite the miserabilist picture at the moment. I should not say things like that, should I?

I want to put it on record that getting information, advice and support to the most vulnerable and more widely is not easy. Most parents do not access local authority websites; they do not even know about them. From the moment when a mother touches services when she discovers that she is pregnant, and the support services click in, that information and advice should be readily available—and, with consent, overcome data protection problems. Furthermore, we need to use new ways of reaching people as we have not done in the past. I am working with the University of Sheffield on this; it has an action research project using smartphones to reach families—because even the poorest families these days tend to have a smartphone—to provide direct advice by text and WhatsApp to those families, for them to be able to reach advice and support very quickly at the time they need it.

The noble Lord, Lord Farmer, was right to spell out the real challenges and pressures that exist on a new family and the dangers of underestimating the mental health problems. By such immediate access to advice, we can add to the multiplicity of commitments that would be available at local level if we managed to develop the services that this Bill would allow the local authority to highlight.

We have a long way to go and we know that there is a massive shortage of provision and that the workforce challenges are equally enormous in terms of childcare and nursery education provision, but we need to put them all together. If we do that, and the information is readily at hand, it will be possible to intervene and offer that help at the time when it is needed most.

We all know how to develop a child long after we have failed to do it really well—I speak as a father, and it was very important that the issue of fathers was mentioned. It is partly about overcoming child poverty, by the way. People in the debate about child poverty seem to forget that there should be a father as well as a mother available, and it is their duty and responsibility to contribute to the well-being of the child in all kinds of ways, including monetarily. So this is about fathers as well as mothers and it is about grandparents and support from the wider family—but it is also about ensuring that we connect with the community.

I commend this small but important contribution to a wider debate about how we get this right and I commend the noble Lord, Lord Farmer, for his initiative.

*10.28 am*

**Baroness Miller of Chilthorne Domer (LD):** My Lords, it is a great pleasure to follow the noble Lord, Lord Blunkett, and his very positive comments. Indeed, I congratulate the noble Lord, Lord Farmer, on using his high position in the ballot to continue his long-term campaign to secure a firm foundation for young families.

The Bill's intention is excellent; my concern is that, given the extreme financial constraints on local authorities at the moment, loading them with extra duties may not be very easy or realistic. However, I hope that this Bill progresses and that I will have the opportunity to propose some constructive amendments to progress an absolutely foundational area for babies that impacts on their health for their entire life. The noble Lord, Lord Farmer, mentioned this, and it is, of course, feeding.

[BARONESS MILLER OF CHILTHORNE DOMER]

How babies are fed in the first months of their life is absolutely crucial. I am sure that noble Lords here do not me to spell out the advantages of breastfeeding in terms of health. But the shocking statistic for this country is that 81% of mothers start breastfeeding but by six months—and the World Health Organization and all the health organisations suggest that it should go on for six months—only 1% are still breastfeeding.

There was an infant feeding survey, which was discontinued in 2012 but then restarted in 2023, which is positive. Can the Minister tell me whether the results of that survey are expected shortly and whether the Government intend to continue this survey from now on? We need to do all we can to help those who breastfeed, at least for those first six months.

At the moment, however, the push all comes from the other direction, and has for 40-odd years—well, more. That was why the World Health Organization brought in the *International Code of Marketing of Breast-Milk Substitutes*, because the heavy way that the substitutes are marketed means that the incentive to breastfeed, the image of breastfeeding and the positive aspects of it are really undermined. In 2007, the previous Labour Government recognised how important this was and brought in the Infant Formula and Follow-on Formula (England) Regulations, which attempted to put the code on the books in the UK. The UK legislation on infant formula incorporates some but not all of the code into law. Would the Minister consider incorporating more of it into law?

UNICEF has some really helpful ideas specifically for the UK, including:

“Develop a National Infant Feeding Strategy Board ... promote, protect and support breastfeeding in all policy areas”—as the noble Lord, Lord Farmer, mentioned—and:

“Implement evidence-based initiatives that support breastfeeding”.

In 2023, the *Lancet* ran a very interesting three-paper series about the impact of the amount of advertising from the commercial formula manufacturers, which is used to target parents, healthcare professionals and policymakers. There are marketing practices which, on the face of it, comply with the law but actually undermine breastfeeding—that is the fact. The *Lancet* found that the monitoring and enforcement of UK legislation is very weak, which means that companies are rarely prosecuted for breaking the law. I cannot remember a case and I have been following this since about 1980.

That is an area where I would like us to be able to table some amendments to this very constructive Bill and make sure that the work of the WHO, the *Lancet* and UNICEF is underscored by our legislation.

10.32 am

**Lord Hannan of Kingsclere (Con):** My Lords, it is a great pleasure to be able to congratulate my noble friend Lord Farmer and my friend, the right honourable Dame Andrea Leadsom, formerly of another place, on this proportionate and timely, but none the less hugely important, measure.

One thing that I have noticed throughout my adult life is a change in political vocabulary—a semantic shift—whereby the word “investment” has tended to

lose its literal meaning of an outlay that produces some kind of return and has become a general euphemism for any kind of public spending. This, however, really is an example of investment in the most literal sense, where, for a tiny sum relative to what government spends, we are investing in the most important resource we have: human development.

There is a wealth of evidence, as my noble friend suggested, that the first years are the critical time. It is when the prefrontal cortex of the brain is forming and when all the neural pathways are being formed. Being able to reach parents and, particularly, more vulnerable children in that time is not only a monetary investment but of course an investment in human happiness. I will not repeat what the Bill will do, because the noble Lord, Lord Blunkett, and my noble friend Lord Farmer set that out very well, but the value of having one place, either physically in a hub or through the virtual side-effects of this, where you can learn about all these things—antenatal classes, midwives, breastfeeding, what is available for children with disabilities or special needs—is hugely important and valuable.

I say all this with feeling. I remember when our first child was on the way, 23 years ago, being very reluctant to go to antenatal classes; I thought there would be way too much information and that they would be talking about disgusting things that I really did not want to hear about. I said to my wife by way of compromise, “Look, I will come to one”. I had only recently been elected to the European Parliament and I thought that that would be my excuse: “I can’t be there on Monday nights, darling, but I’ll come to the first one”. In fact, I turned up to the first one and there, sitting in front of me and looking unusually glamorous, was the brilliant actress Cate Blanchett—this was 2001, when she was at the height of her fame with the first of the “Lord of the Rings” trilogy having just come out. I told my wife that, actually, I had better support her through the rest and would turn up in future weeks. I am jolly glad that I did because, 14 years later, when our youngest child was born in our remote farmhouse, the midwife did not turn up on time—talk about “You had one job”—and I found myself falling back on a great deal of the information that I had picked up at those antenatal classes in order to take charge of a quite stressful situation. These things really do matter immensely.

I hope that there will be a measure of cross-party support for what I think is, just in terms of the ratio of investment to outcome, an extremely well put together proposal. Two principles have guided me all the way through politics: localism and political frugality or economy. Decisions should always be taken as close as possible to the people they affect, and we should try to get away from the culture that we sometimes have in both Houses of people airily demanding things without any talk of who is paying for them. This proposal, it seems to me, plainly passes both tests. It does not impose new, burdensome duties on local councils; all it does is require them to tell people what they are already doing and thereby, in some cases, enable people to shop around and go to neighbouring local authorities if a particular service is not available locally. We have seen already the huge success of some of these schemes, as the noble Lord, Lord Blunkett, discussed earlier.

As for the cost, Dame Andrea tells me that the cost is something like £750,000. That is what the Government spend every 21 seconds. Indeed, in the time that I have been on my feet, the Government have spent something like £9.5 million—so I had better sit down.

10.37 am

**Baroness Finlay of Llandaff (CB):** My Lords, I am most grateful to the noble Lord, Lord Farmer, for having brought this measure back to the House and indeed for all the work that he has done in looking at the investment in new life for the next generation.

Clause 5 is particularly helpful by defining what an infant is and being clear that the first 1,001 days of life are particularly important. Of course, there is the time before the child is born as well, before that clock starts ticking, which is very important. As the noble Lord, Lord Blunkett, has said, this builds on communities. We live in an increasingly fragmented society, and many women are pregnant a very long way away from any relatives or even friends. They may find themselves in a community that they do not know well, and those community attachments and links can be established if there is somewhere to go.

Another important point, which I will cover as I go through, is that this will take some of the burden away from the NHS. The panicking parent who does not know what to do phones 111 and gives a bizarre description of what is going on and then ends up in an emergency department. That is not an appropriate place for a panicking young mum, particularly one with feeding difficulties.

I am most grateful to the noble Baroness, Lady Miller of Chilthorne Domer, for covering breastfeeding, so I will not repeat the very important points that she has made. Many women think that they will try breastfeeding, they start and then they give up. There are huge pressures to give up, as if it is somehow better or more fashionable to use formula when, actually, the convenience of breastfeeding, particularly in the long term or if you are travelling and going places, is really never advocated.

Mothers are not told what they are doing well; they keep on being given advice as to what they should do differently. Certainly, for myself, the most helpful thing when I was breastfeeding was my mother-in-law saying, “You are doing really well, dear.” That was very reinforcing, because I was worried about what I was doing. A friend of mine just said, “Why don’t you put the baby in a different position, on a cushion under your arm, and you’ll be more comfortable.” Those were really simple things, but the thing about that peer support is that it needs to be available out of hours, at nights and weekends—somebody you can contact.

Concern has been expressed—I am grateful to the NSPCC for its briefing—about messaging and the problem with the digital divide. As the noble Lord, Lord Blunkett, said, people have mobile phones and we are very used to getting advertising messages on the mobile, or messages about NHS appointments, so once a woman is known to be pregnant, some of the messaging can just go in short messages by mobile phone, with who to contact, where to contact them and where to go locally. This should not involve any great expenditure.

On hubs, the work done so far has already evaluated very well. On investment, the Sure Start programme has shown that individual educational outcomes, especially for disadvantaged and racially minoritised children, have seen a huge benefit. Those eligible for free school meals who grew up near a Sure Start centre outperformed their peers by three grades at GCSE, so this is a really long-term investment in society and in the future for these children.

Worryingly, a recent survey of over 1,000 expectant mums by the Parent-Infant Foundation found that 73% of women surveyed said the information and advice they had about bonding with their baby was not given throughout their pregnancy, and that 71% would have liked much more support to help them bond with their baby. Yet this is a crucial time. We know that perinatal mental illness is a real scourge: 27% of new mums end up with some mental health problem. That is a huge number, and we know that suicide is the leading cause of maternal deaths. We cannot ignore that distress and the need to do something about it in our communities.

There is also evidence that one in 10 fathers experience depression during the time of pregnancy or after a birth, and we know that that is a time of high risk of domestic abuse as well, both towards the mother and the new baby, and any other children in the family. There is evidence that the attachment, which can be enhanced by good support, of mums and dads to the unborn baby also has an effect on siblings and the emotional relationship between siblings. There is a real need to make sure that support is available right the way through so that, by strengthening our communities, this does become an investment for society.

I turn to financial investments. Insecure attachment to mothers costs one-third more than cases where children have secure attachments, and that amounts to an average difference of about £3,500 a year. The cost difference for insecure attachment to fathers is even more substantial, running at about £12,700 a year. Insecure attachment is fundamentally linked to an increase in antisocial behaviour, conduct disorders, violent offending, drug misuse, teenage parenthood and reliance on state benefits. The estimated cost in adulthood for typical conduct disorder cases in the UK is £260,000 per person—more than a quarter of a million pounds per person. This makes financial sense, quite apart from the emotional and societal impact.

I should declare that I chair the Commission on Alcohol Harms, and it would be remiss of me not to remind your Lordships that the UK is estimated to have the fourth highest rate of alcohol use during pregnancy in the world, with an estimated 41% using alcohol during pregnancy. All the evidence around foetal alcohol syndrome and all the harms that go along with alcohol intake is really powerful, but the messages are not getting through to the parents, and they are not accessing the support they need to tackle alcohol and drug abuse during early pregnancy. Research from the Alcohol Health Alliance UK indicates that one-third of people are unaware that it is safest not to drink while pregnant.

I hope that the Bill progresses and that we do not try to over-amend it, which might result in it not progressing. There may be some imperfections—we can always

[BARONESS FINLAY OF LLANDAFF]

want something slightly better somewhere—but this is a really important initiative and we need to support it as it goes through, because all the evidence is that these programmes work for the child, for the parents, for the siblings and for the future of our society.

10.46 am

**Baroness Uddin (Non-Affl):** My Lords, it is a privilege to follow the noble Baroness, Lady Finlay, and all the other powerful contributions to this debate. I welcome the Bill and I thank the noble Lord, Lord Farmer, for introducing it and for so eloquently describing the complex nature of services required to support parents. I take this opportunity to commend Dame Andrea Leadsom for her continuous commitment to women's services.

Parents and mothers require a wide range of care and support during pregnancy. I should know: I gave birth to five children. I love the idea of the noble Lord, Lord Hannan, coming along as a fathers' champion and bringing Cate Blanchett; I think she might still attract many fathers from different quarters. Ideally, there should be a seamless structural system of care in place as the child navigates their new world. The discourse surrounding parental support and infant care may have gained some momentum, not least from these debates; however, a holistic framework tailored to the needs of parents and children remains inconsistent and erratic, and absent in some communities. Parents' and families' voices need to be heard and reflected in the diversity of our communities. We do not need to reinvent services or programmes; there are countless pockets of best practice for us to reference and to inform national standards of care.

I want to highlight the work of one such organisation, which has lasted for 40 years. In the early 1980s, a group of women of Bangladeshi, Somali and Vietnamese heritage set up an advocacy scheme as a response to a lack of adequate prenatal and postnatal maternity care. At the time, urgent attention was required to prevent postnatal deaths and trauma. Research was conducted by Jean Taylor, a Tower Hamlets midwife who highlighted the immense deficit in maternity care for a significant group of black and Asian women, which led to establishing the first women-led advocacy scheme in the country. It was enthusiastically supported by visionary leaders in the NHS and local government, with funds, who recognised that structural discrimination was a harmful factor that significantly impacted the physical and mental well-being and health outcomes for the mother, the family and the child.

Through the advocacy service, at the point of entry, each woman would receive a comprehensive and detailed plan for the family for the duration of their pregnancy and up to the age of two years, with a holistic plan for postnatal support taking on board the physical and mental health needs of mothers. Each woman received a detailed package of information on how to access health visitors, postnatal check-ups, mental health screening, support for breastfeeding, such as breastfeeding buddies, and infant care.

The evidence demonstrated that early intervention was conclusive with regards to empowering parents. This was possible due to the statutory role of health

visitors and the associated community health services in place at the time. In addition, there was a broad range of NGOs that provided a wraparound system of support for families, including advice on housing, finances, social care, training, language and leisure facilities. All of these, incidentally, address the first 1,001 days of children's lives, providing a vital foundation for both the emotional and physical well-being of mother and child and for the early indication of any vulnerabilities and complex needs of mother and child in their family setting.

Overall, there was regular co-operation and co-ordination with statutory and voluntary organisations, with an agreed referral system to flag up any concerns, as well as successes, which evidently resulted in confidence and trust among parents and professionals alike. There were no smartphones or emails for communication, and I can still remember the many handwritten posters and leaflets, in many languages. We were all willing to do it, whether as volunteers or paid workers.

We have to accept that many such organisations that took decades to develop have suffered from neglect and deep cuts; this, along with essential community centres shutting down, has had huge long-term negative consequences on parents' and children's welfare and health. It must be said that most women of affluent backgrounds or from affluent areas may not experience similar challenges, unless, of course, they have a black or Asian heritage, when their education or social economic advantage may still be overshadowed by discrimination in the services. Even now, many women I have spoken to are not sufficiently aware of the information they are entitled to and, more so, are not given it with consistency. Many women are simply instructed to find information on Google or on a website, when advice and guidance from properly trained and skilled staff who are present for the duration of new parents' and children's lives is more impactful.

In addressing support for all parents and children, it is imperative to consider the detrimental effect of continuous and persistent inequalities and discrimination experienced by a substantial number of women in the maternity care services. It is nothing short of a crisis. The facts have been well-recorded, again and again, in countless research, that black and Asian women in our statutory system are four times more likely to die during childbirth than their counterparts. The status quo continues unabated. As the mother of a son who suffered injury during birth 46 years ago, I am shocked at how many parents still say that they did not have sufficient support or information about birth trauma and its prolonged consequences.

Incidentally, I spoke to the mother of Tafida Raqeeb, who is currently residing in Italy; she is waiting for her daughter to return to the UK to be supported in our system. She referred to other parents who feel unsupported by hospital administration and staff during critical care crises. Many women are grief-stricken, in their own words, due to systemic racism and failures which profoundly impacted their maternity care and mental well-being.

We seem to be living in the dark ages when it comes to the treatment of certain groups of women, who feel dismissed by healthcare professionals, their concerns



ignored and their pain undertreated. We know that the result is often delayed diagnoses and treatment, resulting in complications that could easily have been avoided. It is a tragic outcome that should be unthinkable in a modern healthcare system. If we are speaking here about proper information, there has to be clear messaging about a safe route for parents to raise their concerns in confidence and safety. I did not see that in the Bill.

The transition into parenthood can be emotionally and physically overwhelming. Postnatal care remains woefully inadequate in the UK, particularly for women of my colour and faith. Women's voices and participation in shaping services is fundamental to best practice. It is about their right to dignity in care. Also fundamental is investment in the workforce for midwives, health visitors and advocacy staff, without which we will not tackle persistent social determinants of poor health as it disproportionately affects women and their families. All parents are entitled to the highest quality of services and information. That is the mark of a just and civilised society. Given the pressures on the NHS and all other public services, does the Minister agree that holistic statutory provision will safeguard parents and their children's well-being and be cost-effective in the long term?

10.55 am

**Lord Bird (CB):** I congratulate the noble Lord, Lord Farmer, on this very simple—you could almost say dumb, in the best sense of the word—concatenation of a Bill, which brings together things that should have been brought together hundreds of years ago, or certainly since the creation of the welfare state.

I will give an example which is not from the area we are talking about. About 20 years ago, in Bakersfield, down there in southern California, a doctor noticed that there were lots of homeless people living on the streets. He worked out one of the problems. The police were involved in the disorder that came from street living, the doctors were also involved, as were the psychologists, the local authority and all sorts of others who had a vested interest in concatenating all of the services. That is the dumbness, so to speak, of this thing; the cleverness of simplicity, is how I would describe it. What actually happened is that, in a very short space of time, they managed to dismantle poverty and homelessness for many hundreds of people in southern California.

This thing which is now called Housing First is all over the world. The people who lead on it are the Finnish, as the noble Lord, Lord Farmer, referred to. They are in love with the idea of putting things together—why deal with things by themselves? Why say that people should go here for breastfeeding and there for psychological support? When I read the Bill I thought, “Great! We are entering a new period of government”. In my opinion, we are entering a new period where we might all try to concatenate ideas; joined-up thinking, as John Battle talked about 30 years ago—a wonderful man who tried to get all of the homeless organisations back together. I pat the noble Lord on the back—this is great.

What is hidden behind all of this—dare I come back to the issue I am always trying to address?—is poverty. Clause 1(2)(c) mentions

“services promoting positive relationships between infants and their parents or carers provided by or on behalf of a public authority”.

We have to do something about turning the tap off. Most of the people we are referring to have problems because, largely, with some notable exceptions, they have inherited poverty. I pat the noble Lord on the back and praise him, because what we are doing here—and, God willing, it will go through—is putting one brick in the wall of dismantling poverty.

However, we will not dismantle poverty unless we actually tie that in with other things. For instance, I suffered when, aged five, my mother took me to the school gate at our little local Catholic school in Notting Hill and said, “Get in there and behave yourself”, not, “Get in there, get educated and get socially transformed, so you can have a full and complete life”. The problem is that we can try to address questions of breastfeeding and various other things but, if we wanted to do something really dramatic and dynamic, we would begin to turn off the tap. In spite of the fact that we have a social security system, an education system, and a prison system—where people go in bad and come out worse—we are not addressing poverty. Instead, we are responding to the problems of poverty.

I am not saying that every poor person will have problems with breastfeeding. I am saying that until we intellectualise this argument into one about education, social justice and training people on how to be parents before they are even parents, we will be playing catch-up. This Bill is unfortunately a catch-up, because the social training that most people in the middle and other classes get was not there. The people who are left behind are the people we are talking about now.

I now move on to my favourite subject, which is the ministry of poverty prevention. I have been banging on about this, and I have just enlarged its remit to become MOPPAC: the ministry of poverty prevention and cure. We have eight different government departments not concatenating over poverty, but that all have a finger in the poverty pie. If this Government—or the next Government—were to work on concatenating poverty and bringing it together, it would save 40% of the cost of government. Looking deep into the figures, we see that 50% of those who present themselves to the hospital service in cardiac arrest suffer from food poverty. These are the majority of people we are talking about now.

I have advocated—and will continue to advocate—for this. When are we going to dismantle poverty? When are we going to turn the tap off? I am very happy to say to the noble Lord, Lord Farmer, that I am in the process of building a simulated government department outside Parliament. I would love for his work to be one of the bricks in the wall that we need to create, because we need to end the inheritance of poverty. That is the big issue today.

11.04 am

**Lord Meston (CB):** My Lords, it is impossible to disagree with anything said in this debate so far. The motives and thinking behind the Bill cannot be questioned: seeking to support the physical and emotional development and security of any child's crucial early

[LORD MESTON]

years, and underpinning initiatives already in place. The Bill would require a local authority to make information available about existing support services in their area, but it should be recognised that the proposed duty would not make support available from local authorities which would not otherwise be provided.

Moreover, beyond the primary duty to publish the information about services on a local authority's website, the duty to go further in bringing information more directly to the attention of parents and carers is qualified by the terminology used in Clause 1(4), which leaves a discretion with expressions such as

“by any other means it considers appropriate”

and

“such steps as it considers appropriate”.

In most normal situations, new parents will have only limited contact with those who might provide the information the Bill wishes them to have, so local authorities will have only limited opportunities to convey it to individual parents and carers. Presumably, this can and will be done through the NHS, involving midwifery and health visiting services, and, I suggest, on registration of birth, which still requires a face-to-face appointment. In addition, social media and messaging will play a part, but I suggest we resist the temptation to see that as a panacea and certainly not as a substitute for direct contact, where possible.

Clause 1(3) refers to services available to prospective carers, as well as to others. It is therefore to be hoped that the benefits of the Bill will extend to other family members who find themselves taking responsibilities of kinship care or are considering doing so, not necessarily just in respect of children under the age of two. Kinship carers may be called on at short notice and will need to be supported as soon as they are known to the local authority.

I do not wish to take more time on the mechanics of the provision of information, which no doubt will be covered by guidance. Rather, I wish to raise questions about the reach of the information and support on offer. I look at the Bill by reference to my experience as a family court judge, dealing mainly with public and private law cases relating to children, which inevitably have a short and long-term impact on those children, their parents and wider family. They also have severe financial impact on hard-pressed local authorities. It is estimated that the total cost of care proceedings to the state each year is £1.2 billion, with a single public law case costing a local authority on average £120,000. This total annual cost incurred by central and local government represents 10% of all direct annual expenditure on the children's social care system.

Anything the Bill can do to prevent litigation and to mitigate those costs must be of value. However, it has to be recognised that there are limitations. Some of the most complex cases that come before the family courts concern newborn children with mothers who have unaddressed drug or alcohol addiction, or mental health difficulties. The baby's early weeks in hospital may have to be spent withdrawing from the drugs ingested in pregnancy. The noble Baroness, Lady Finlay, referred to foetal alcohol syndrome, which of course causes even worse long-term problems.

Typically, the mother will not have had or kept prenatal appointments, even if her pregnancy was known to the health services, which is not always the case. There may be little or no reliable family support available to her; there may be a background of intergenerational problems. These are the parents who are likely to be resistant or indifferent to the provision of advice and information. It is not through any fault, but they can lack insight and tend to make things more difficult for themselves. They can be mistrustful of children's services, and resentful and dismissive of advice and help, fearing stigma and outside involvement. Sadly, those parents and their wider families—who are difficult to identify and engage—can also be the people most in need of the support which might be on offer.

Accordingly, all those who receive and might benefit from the information to be provided in accordance with the Bill will need to be given the confidence to find and use the support services offered. Visible and accessible support services will depend on the further development of the network of local family hubs. In the area in which I was the designated family judge, there is an excellent and well-regarded family hub aiming to provide holistic support from pre-birth onwards. The guide for all such hubs, issued in August 2022, set a high bar when it stated:

“The workforce should proactively reach out to vulnerable and seldom-heard families”.

It is therefore to be hoped that the present Government will extend the distribution and reach of family hubs, particularly, but not exclusively, in areas of deprivation and confirm a commitment to those hubs.

I will make two further points. First, the saddest statistic relating to care proceedings is that at least one in four women will return to court having had a previous child removed. The struggle to prevent recurrent removals has been highlighted by research done by the Nuffield Family Justice Observatory. Too often, some mothers have reacted to the removal of a child or baby with an ill-considered decision to have another baby, with all too often the same consequences. These are often mothers who find it so difficult to seek or accept help. For the courts, they can be truly wretched cases to deal with. Therefore, I repeat the hope that this Government will endorse the intensive support from, and expert work by, the charity Pause in the prevention of the cycle of removals. Pause has pointed out that the point at which a child is removed is also the point at which the mothers lose access to support and information, leaving them more vulnerable to further removals. These may not be “prospective parents” within the meaning of the Bill as currently drafted, but they are clearly parents who may later have children again in their care and who clearly have a continuing need for information, support and advice. I therefore hope that consideration is given to the use of this Bill to address the predicament of these parents and to reduce the misery and expense of their cases.

Secondly, I ask that the Government indicate their response to the powerful recent report by the Centre for Justice Innovation about Family Drug and Alcohol Courts—FDACs. They are truly problem-solving courts which achieve considerable savings and better outcomes for children and their families.

This Bill is to be applauded, but I suggest that some modest amendments could be made. These should be seen as steps that will greatly add value and save the costs of later and more complicated interventions by local authorities when children are older and the family's difficulties more entrenched. The provision in Clause 3 for an annual report is welcome; it will allow for monitoring of compliance and will provide an overview, as the clause itself states.

As to amendments, I agree with what the noble Baroness, Lady Finlay, said about trying to avoid overloading the Bill. However, I cannot help noting that the short title contains the abbreviation "etc". I remember a legislative purist telling us to be wary of any Bill that contained that abbreviation in its short title; however, in this case, perhaps the use of that wording may give permissible scope for the sort of amendments suggested.

The Government have stated their wish to "fix the foundations". If this Bill helps to reinforce the stability of children and future generations, it will indeed help to fix the foundations for children and underpin relationships within families.

11.14 am

**The Lord Bishop of Norwich:** My Lords, I apologise to noble Lords for speaking in the gap. I did not expect to contribute today, but listening to the contributions so far, I was struck by the crossover with work underway by the Church and the Mothers' Union, particularly when the noble Lord, Lord Farmer, mentioned the role of churches and faith communities.

I welcome the Bill and congratulate the noble Lord, Lord Farmer, and the right honourable Dame Andrea Leadsom on their work on this issue. Churches across the country offer support to new families and parents, providing spaces for parents to meet, share experiences and be directed to support, if needed. They provide child development services through toddler and children groups, which are essential for the formation of children before they start nursery or reception classes in school. Through Messy Church and these toddler groups, hundreds of churches are already implementing many of *The Best Start for Life* recommendations. Churches are delivering perhaps more than 18 of the 24 recommendations and are often partnering with local authorities to develop joint working on issues that affect all our communities.

I have seen work such as the project "Who Let the Dads Out?". The noble Lord, Lord Hannan, mentioned his attendance at antenatal classes, which brought back many memories for me, although I imagine that my wife would say that they were not much use. How we support dads to be good dads is an important area for a national conversation. We must enable good role models, where being a good dad is about love, support, patience and commitment, all aspects that are very important in fatherhood. That was identified in the Archbishops' Commission on Families and Households report *Love Matters* and the recommendations it raises. A copy of that report is in the Library. It recognised that we must value families in all their diversity, that we need to support relationships throughout life, that

we need to honour singleness and single person households, that we need to empower children and young people and that we must build a kinder, fairer and more forgiving society.

The noble Lord, Lord Bird, spoke about the scourge of poverty. In my own diocese, in Dersingham in the west of Norfolk, a wonderful charity, Baby Basics, fills Moses baskets with all the essentials for those first few weeks of being a parent. An incredible group of volunteers does that work. Its referrals have increased hugely from 49 in 2019 to around 400 last year, supporting some of the poorest young families in west Norfolk.

There is much to be commended in this Bill. I congratulate the noble Lord, Lord Farmer, on bringing it forward, and I give it my support.

11.17 am

**Lord Addington (LD):** My Lords, sometimes, when you deal with a certain piece of legislation, you get the feel that it is very close to a finished and polished article, and that is what I get here. Thought has clearly gone into it. It is not trying to reinvent the wheel. Although all politicians have that Christmas tree urge to ask, "What can we stick on this?", I encourage noble Lords to resist on this occasion; the decorations are fine. We must make sure that we can get this through. If the Government are willing to accept this, which I hope they will be, they will be doing a good thing, and they are not doing something that costs a lot. The Bill is merely bringing together everything the Government are doing and letting those who should access them know.

As has already been mentioned, there are different groups of people. Those who most need to know what support is there are those least likely to look for it or to understand it. I am afraid that that is a circle we have not yet squared, but it is true. However, if you have it in one place, you stand an infinitely better chance of doing it, or allowing those who are trying to support them to do it. This is something that this Bill addresses, so that people have a chance of finding the support that is out there.

The noble Lord, Lord Meston, added necessary cold water in saying that there is a group of people who have persistent problems. The noble Lord, Lord Bird, used the word "concatenation"; I had no idea it existed, so it has expanded my knowledge. Everything he said was right. He described this as a brick in the wall to build something better. Although I would have said that it is a bit of the foundations, I agree that it is a good thing.

I could go on at considerable length on this, but I will resist that temptation. Anything that has guidance coming out to deliver it and the Secretary of State reporting back afterwards in order to make an asset to be used in all these things has to be positive. I think that anybody who has been involved in any part of politics or government knows that we have bits of government going off at tangents and not talking to each other.

I hope that the Government will give a positive response to this and tell us the timetable so that we can all cheer it on the way through, because it is good. It will not solve all the problems of the world, but it

[LORD ADDINGTON]  
might be that little bit of foundation of doing things a bit better. I wish the Bill well and look forward to the Government's response and to the assurance that they will make sure that it becomes law.

11.21 am

**Lord Evans of Rainow (Con):** My Lords, I begin by congratulating my noble friend Lord Farmer on securing time for his Private Member's Bill. I also pay tribute to his work over many years on family policy, preventing family breakdown, and on the welfare of children, and especially to his work on creating and growing the family hubs network, supported by Dr Samantha Callan. I also pay tribute to my right honourable friend Dame Andrea Leadsom, who has worked tirelessly on this subject. There is no doubt that my noble friend's passion and commitment are behind the Bill today, and his belief, shared by many noble Lords, that we need to give all newborn babies the best possible start in life, no matter what their background.

The importance of the Start for Life approach cannot be underestimated. It ensures that there are welcoming family hubs, usually run by local authorities, through which new parents of newborns can access a wide range of family support services such as parenting support, help for relationships between new parents and between parents and new babies, health visitors, breastfeeding and other infant feeding services and mental health services. These services are provided by local authorities, the voluntary sector and private sector partners.

My noble friend Lord Farmer has highlighted how local authorities that receive Start for Life funding are required to publish their offer. Indeed, it is one of the conditions for local authorities receiving transformation fund money. The Bill is in some ways simple in its aim, which is to ensure that they contribute to offer Start for Life beyond the end of that fund. Of course, this will require additional funding, but in the context of some of the larger sums of billions that we debate in this Chamber, we are speaking about only £500,000 per annum across England. As with any taxpayer spending, my noble friend Lord Farmer proposes that there should be a proper procedure in the Commons to make this relatively small sum available.

It may be argued by some noble Lords that, with £500,000 here and another £500,000 there, pretty soon we are talking serious money. However, against this we need to consider the cost of family breakdown in the UK. Aside from the emotional, social, mental health and societal costs of family breakdown, the Centre for Social Justice think tank estimates that the cost to the Government and ultimately the UK taxpayer is at least £51 billion a year.

In terms of societal costs, the Centre for Social Justice also found that those who experience family breakdown when aged 18 or younger are more than twice as likely to experience homelessness, twice as likely to be in trouble with the police or spend time in prison, almost twice as likely to experience educational underachievement, and almost twice as likely when they themselves become parents to break up with the other parent of their children. They are also more

likely to experience alcoholism or teenage pregnancy, suffer from mental health issues, fall into debt or experience being on benefits.

Much has been said by my noble friend Lord Farmer and noble Lords on all Benches about the importance of support for newborns and their families to give our nation's children the very best start in life. My noble friend has committed his political life to founding and growing the network of family hubs to help parents and children of all backgrounds, and for this reason, I commend him for his equally noble work in this area.

Some noble Lords may say that we should leave this to the decisions of integrated care boards and partnerships or health and well-being boards. However, giving the best start in life to children involves far more than just being health focused. From speaking to my noble friend Lord Farmer, I understand that he believes that it is important to keep Start for Life as integrated as it currently is, with a wider remit than just health.

In preparing for this debate, my noble friend Lord Kamall contacted the office of the Minister, asking for an indication of whether the Government are inclined to support the Bill. The Government were not able to tell him whether they will do so. However, that fateful—but we hope not fatal—day for my noble friend Lord Farmer's Bill has now arrived.

I have a few questions for the Minister. Do the Government intend to support or reject my noble friend Lord Farmer's Bill? If the Government are not minded to support it, where do they disagree with it? If the Government are not supportive, are they considering introducing their own Bill for Start for Life? If so, what timeframe can we expect for such a government Bill, and in the meantime what will happen to the funding for the Start for Life programme?

My noble friend Lord Farmer has devoted his life to family hubs. He has made a compelling case for the Start for Life programme. I am sure that he and other noble Lords, including the Opposition Front Bench, are looking forward to the Minister's answers to these questions.

11.26 am

**The Parliamentary Under-Secretary of State, Department of Health and Social Care (Baroness Merron) (Lab):** My Lords, I thank the noble Lord, Lord Farmer, for his thoughtful introduction of the Bill, and I pay tribute to him for his work not just on the welfare and well-being of children but on prison reform over many years. It is also a pleasure to see the right honourable Dame Andrea Leadsom on the steps of the Throne today.

I am grateful for the many contributions to this debate, and I have listened closely to them. This debate shows just how passionately your Lordships' House feels about early childhood development, and I very much welcome that, because nothing says more about us as a nation than the health and well-being of our children—the noble Lords, Lord Evans and Lord Addington, were good enough to thoughtfully acknowledge that.

I assure your Lordships' House that the Government absolutely recognise the importance of the earliest days of an infant's life and that we are committed to raising the healthiest generation of children in our

country's history. In general answer to the noble Lord, Lord Evans, we will be going beyond simply the provisions of a Bill such as this, and I very much look forward to being able to update your Lordships' House when I am able to do so.

However, as regards this Bill, I absolutely recognise the good intentions in the Bill, and I also want to acknowledge the importance of information and guidance which it shines a light on. However, as the noble Lords, Lord Farmer and Lord Evans, are aware, the Government have reservations about the detail in the Bill itself, which I explained in discussion to the noble Lord, Lord Farmer, when we met earlier this week. I was most grateful to him for his time but also for the manner of our discussion.

This Government need to do things differently from the last Government, and will indeed do so in order that we can improve the lives of all our children through our health and opportunities missions and by driving long-lasting and sustainable change for children, both now and in the future. We need the time and we need to be able to roll out our own cross-government package of support for infants, children and families, as noble Lords have today asked us to do. This needs to be comprehensive, rather than piecemeal. Unfortunately—and I do not like to disappoint the noble Lord, Lord Farmer—while the intent of the Bill is certainly to make a contribution in the right direction, it does not align with how this Government intend to deliver the comprehensive change that our children need, not least because we do not wish to limit ourselves in how we deliver on our commitment to raise the healthiest generation of children ever.

The need for change is compelling. England compares poorly with other nations on a range of child health outcomes, while children in the most deprived areas suffer far worse health outcomes than those in better-off areas, and we have an absolute duty to close that gap. The noble Lord, Lord Hannan, the noble Baroness, Lady Miller, and other noble Lords referred to the situation in regard to local authorities and the fiscal state in which they find themselves and how the Bill would manage any additional strain on them. I agree with noble Lords that we exist in a very challenging fiscal environment, which is exactly why we must consider our child health action plan in the round, ensuring it is sufficiently considered and funded. We are very conscious of introducing new burdens, no matter how small they might appear, given the reductions to local authority budgets and the constrained finances—a situation that has been the case for many years.

Over 4 million children are growing up in low-income households and, last year, a million children experienced destitution. This cannot go on. It not only harms children's lives now but damages their future prospects and holds back our economic potential as a country. The noble Lord, Lord Bird, was very energetic on this point—and rightly so. I hope he will be pleased to know that we have set up a cross-government child poverty task force to develop an ambitious strategy to reduce child poverty, and its work is under way.

I was proud to serve in the Government who did not just pioneer Sure Start, to which my noble friend Lord Blunkett led the way, but brought in the indoor

smoking ban in 2007. Through the Tobacco and Vapes Bill, we will continue the task of improving life chances for children. We will continue to tackle the harms of smoking, break the cycle of addiction, and pave the way for a smoke-free UK.

I know from the debate today that your Lordships' House is well aware that this Government were elected on a mandate to deliver change. As the Prime Minister said just last week, this will not happen overnight. We will not cover up the problems; we will lay the foundations. We will do that ensure that we raise the healthiest generation of children ever through our work to tackle childhood obesity, improve mental health and ensure that children have good oral hygiene. I very much look forward to debating these important topics and others over the coming months.

To the points raised on alcohol and drugs by the noble Baroness, Lady Finlay, it is right to acknowledge the growing problem of alcohol and drug use among parents and carers, which affects their capacity to parent well. The Government are absolutely committed to addressing that. This year, we will make over £300 million of additional investment in this regard. I thank the noble Lord, Lord Meston, for bringing the matter of the family drug and alcohol courts to my attention, and I would be very pleased to meet him to discuss it. Furthermore, I can assure the noble Lord that the Government are aware of the work of Pause, which indeed met officials at the Department for Education just this week. We will continue to work with Pause to ensure that a better system is built for all children and parents in future.

The noble Baroness, Lady Uddin, raised a crucial point about inequalities in maternity care. I thank her for her powerful contribution in this regard. She is right to describe the ongoing inequalities as truly shocking. I can assure her that I have already met officials and asked for urgent advice on immediate action to tackle inequalities for women and for babies, addressing racism in maternity services and determining what ambitions are needed and how we might get there. To the noble Baroness, Lady Miller, I am pleased to share that we will publish the infant feeding survey in summer 2025. To the right reverend Prelate, I want to acknowledge the contribution that not just churches but synagogues, mosques and other faith institutions make to supporting the well-being and development of children and infants.

In conclusion, while we are not supporting this Bill, I am very grateful to the noble Lord, Lord Farmer, and to noble Lords who have taken such an interest today in how we might seek to raise the healthiest generation of children ever—which is, I believe, however noble Lords regard this Bill, exactly what we all want.

*11.36 am*

**Lord Farmer (Con):** My Lords, I should start by welcoming my right honourable friend Dame Andrea Leadsom. I was not aware that she was on the steps of the Throne, and I welcome her here today to hear this debate. Obviously, I am saddened and disappointed by the Government's response. However, I want to thank all noble Lords who have contributed to this debate,

[LORD FARMER]

which has been wide-ranging; a lot of deep thought has been put into it and there has been agreement from all sides of the House on this matter.

In answer to the Government, we are talking about information. I understand the Government's argument that they are working on a comprehensive plan for families and children for addressing poverty among children, but this is just a small point about getting information out, and information can deal with a lot of problems quite quickly. The noble Lord, Lord Bird, talked about poverty, and we have heard from other people. I have found throughout my life that poverty is caused by a lack of information. When we learn something, it helps us to deal with it. I ask the Government, if they are not supporting this Bill, that they might nevertheless instruct departments to encourage councils to improve information given to families on what services are available for the whole natal area—prenatal, perinatal and antenatal. It seems to me that it would not be that difficult without a statute to get departments of government to see this as important, because lack of information is causing so many problems—I come back to the poverty issue as well.

I thank all noble Lords. I was very honoured by the noble Lord, Lord Blunkett, saying that it was a granddaughter of Sure Start. I should mention that I once attended a Labour conference in Brighton on a very blustery day. I was placarding a meeting about family hubs. I was being blown about all over the place and all of a sudden I heard, "Lord Farmer, what are you doing in enemy territory?". I turned around and there was the noble Lord, Lord Ponsonby. I said, "Family hubs, family hubs. Building on Labour's Sure Start centres." That is what family hubs are doing, so I really press that point.

I thank noble Lords for some very good contributions; I hope that the Government will pay attention to them and move quickly, even in this area. I would be very happy to work with the Minister. I thank her for the meeting and the advice. Obviously, it is disappointing—this is a simple Bill that could be enacted quite quickly and would bring immediate benefit—but things are as they are. With thanks to all noble Lords who contributed, I would still like to press on.

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

## **Lithium-ion Battery Safety Bill [HL]** *Second Reading*

*Relevant document: 1st Report from the Delegated Powers Committee*

11.41 am

*Moved by Lord Redesdale*

That the Bill be now read a second time.

**Lord Redesdale (LD):** My Lords, House of Lords Private Members' Bills are rarely successful in reaching the statute book. I should know—I have introduced quite a few over the years. Their purpose is often to raise the issues in the Bill and encourage the Government to bring forward their own legislation. In that regard,

the lithium-ion safety Bill has been incredibly successful: we have only got to Second Reading and already the Government have responded by publishing the Product Regulation and Metrology Bill.

Of course, as the Minister will say, that Bill will cover many of the areas in my Private Member's Bill. In the light of that, I will therefore look to amend the Bill in Committee. However, while going through the clauses, there are a number of areas where I would like to question the Minister concerning the scope of the Product Regulation and Metrology Bill. I start by welcoming the Minister to her new role and thanking her for arranging a briefing from the Bill team, which was incredibly helpful and constructive.

The basis of this Bill is about protecting the public. Lithium-ion batteries are a vital part of the UK's transition to a greener, lower-carbon future. Indeed, the acceptance of these batteries as an integral part of our lives ranges from laptops through to the electric bike I have parked outside the building today; it is, of course, an issue that we are not allowed to bring electric bikes into the building because of the potential fire risk.

The way we treat lithium-ion batteries shows how safe people feel about them. Although the vast majority of batteries are safe, there are two areas that need to be focused on: the fires that can be caused by poor-quality batteries and chargers; and the problems associated with disposal. Electrical Safety First, a prime mover in drafting this Bill, has calculated that, on average, an e-bike fire or e-scooter fire occurs once every two days in London—a worrying trend that is happening across the country. Since 2020, lithium-ion battery fires linked to the charging of e-bikes and e-scooters have been linked to 13 deaths in the UK, with many other people seriously injured or hospitalised—including, of course, members of the fire service—and significant damage caused to property.

Lithium-ion battery fires are caused by thermal runaway. The reaction in the cells of the lithium-ion battery produces an exothermic reaction that cascades through all the cells of the battery; this causes a prolonged release of energy and results in fires with temperatures exceeding 600 degrees Celsius. The batteries release toxic gases such as hydrofluoric acid, which corrodes the lungs. Once they have started, lithium-ion battery fires are almost impossible to extinguish with traditional firefighting methods as the battery creates its own oxygen.

Although the risk of fire is low, the ways in which people charge their e-bikes and e-scooters mean that these fires can be particularly dangerous. Many devices are charged in halls or stairwells—and often overnight, which is one of the reasons for the number of deaths associated with fires at home.

**Lord Howell of Guildford (Con):** Forgive me for interrupting the noble Lord's extremely interesting and important speech so early. Can I just ask at the outset whether this legislation proposal addresses the future? We know that a great tide of new technologies is going to replace lithium-ion. I have a list in front of me now: sodium-based batteries, graphene batteries and manganese oxide batteries. Most of them are

being pushed by the Chinese. Does the noble Lord's legislation look forward to this new scene and in any way address the obvious problems that are going to come with this new generation of different technologies for batteries?

**Lord Redesdale (LD):** The simple answer is no, I am afraid. Obviously, there will be a new generation of sodium batteries with their own problems, but they will, I hope, be extremely safe when brought to market.

There is a growing awareness of the fire risk from faulty batteries or defective chargers. However, less well known is the area of disposal. Many batteries end up in the waste stream without being segregated. Batteries are presenting acute challenges for operators in the metal recycling industry. The British Metals Recycling Association has estimated that each year more than 200 fires at metal recycling plants are caused by lithium-ion batteries, with damaging environmental impacts including harmful emissions being released into the atmosphere and contamination of firefighting waters. The insurance company Zurich has seen claims for lithium-ion fires increase significantly over the past few years, and research from Recycle Your Electricals shows that battery fires in bin lorries and at waste sites in the UK have reached an all-time high of more than 1,200 in 2024—an increase of 71% from 700 in 2022.

A consultation by the Government on battery disposal is planned. That is timely, but we should recognise that the rate of recycling is low; I suggest that the figures on recycling mask that because fewer batteries are actually recycled than are reflected in the figures. When I met it, the British and Irish Portable Battery Association set out some of the problems associated with recycling. One area worth considering is working on solutions to regulations to allow batteries to be collected, perhaps by delivery companies or supermarket delivery drivers. This could be a safe way of recycling the millions of used batteries that are in people's drawers around the country without people dumping them in the rubbish; I suggest that many noble Lords have a whole box full of unrecycled batteries that they leave in places and always forget to take to the recycling centre.

I was going to give a long speech about disposable vapes, another real issue here. However, due to time, I will leave my noble friend Lord Foster to deal with that and instead move on to the clauses in the Bill. Clause 1 details the purposes of the Bill, including

“to better protect ... householders, and ... communities from the dangers of lithium-ion batteries”

and

“to increase public confidence in, and acceptance of, Battery Energy Storage Systems”.

Clause 2 would require the fire service, the Environment Agency and the Health and Safety Executive to be statutory consultees on planning for new stand-alone battery energy storage systems. This would allow for a greater understanding of the risk profile and necessary planning to allow any future incidents to be responded to by the relevant services. This clause may be addressed by Defra and the EA in the consultation they are taking forward and the work they are undertaking,

but making sure that the fire and emergency services can access these batteries in the unlikely event of a fire is really important—especially if the batteries do not need planning permission because they are retrofitted into sites close to residential areas.

Clause 3 would require the Secretary of State to make regulations requiring the operator of online marketplaces to take reasonable steps to ensure that the products sold on their platforms conform to the relevant safety standards. Currently, substandard and dangerous products relating to and including high-risk lithium-ion batteries, such as universal chargers or ill-made conversion kits, are continually bought and sold across a plethora of online marketplaces, presenting risks to those purchasing and using such products. The health briefing from the Bill team indicates that this clause will be covered in the new Bill coming forward. However, I hope that the Minister can ensure that there is a focus on conversion and charging kits because this is where most of the fires occur.

Clause 4 would introduce third-party certification of all e-bike and e-scooter batteries before they can be placed on the UK market. This is a similar requirement to that for other high-risk products such as heavy machinery and fireworks. Having a dedicated safety standard to monitor and enforce compliance would also aid trading standards and the Office for Product Safety and Standards in their duties. This morning when I took my bike out, I read the back of the charger. It does have a CE mark, which gave me confidence—until I talked to members of the industry, who said, “That might not give you all the confidence that you really need”. I am fortunate that I charge my bike in a bike shed outside, on that basis.

Clause 5 would introduce safety standards for ancillary products associated with these devices, such as a standard for conversion kits and chargers. This would reduce the risk of improper battery systems powering converted e-bikes and the risk of overcharging the battery, which can lead to thermal runaway.

Clause 6 would introduce regulations for the disposal and safety information supplied with the battery, giving clear information on the disposal requirements and the cell chemistry in the battery. This clause would help to reduce the number of fires at waste disposal sites and in bin lorries and provide information about the chemicals that people may have been exposed to, helping healthcare professionals to administer appropriate treatment.

I look forward to the Minister's response. In light of the Product Regulation and Metrology Bill, I have feeling that this Bill might not sail through the House and on to the Commons. However, I will be looking to perhaps move forward to Committee, where I would address any concerns, especially those raised by the Delegated Powers and Regulatory Reform Committee. If the Minister can give me assurances at a later stage, I may even withdraw the Bill.

Much of the meat of the new metrology Bill—I keep thinking of it as “meteorology”—will come in secondary legislation. I hope that the Minister will hold consultations with all parties going forward, especially on this issue.

[LORD REDESDALE]

To help me decide whether to withdraw the Bill, I hope I can have a meeting with some of her officials and the relevant parties before the next stage.

I thank all noble Lords who are taking part in this debate. I beg to move.

11.54 am

**Lord Berkeley (Lab):** My Lords, it gives me great pleasure to follow the noble Lord, Lord Redesdale, and to congratulate him on winning a place in the ballot and on his very interesting speech. I shall come back to the issue of the support from the Government that seemed to come yesterday, which is rather good.

I and many other noble Lords have had concerns about lithium-ion batteries for a long time. I am honorary president of the United Kingdom Maritime Pilots' Association. At its AGM a couple of years ago, a retired pilot gave a presentation about a ship a few miles off the coast of the Netherlands that was carrying several hundred lithium-ion battery cars for export to somewhere in the Far East. One of the cars caught fire. As the noble Lord, Lord Redesdale, says, that is quite possible. The frightening thing is that the fire from these cars goes downwards, hits the floor, then goes sideways and of course, the fire says to its next-door neighbour, "Do you want to join me?" In the end, the whole ship caught fire. Worse still, the emissions from the fire were heavier than air, so they affected the lifeboat crew, who by that time were trying to save the crew and possibly the ship. As far as I know, the crew were saved. The ship sank.

That confirmed to me that there is no way of putting these fires out, as the noble Lord said: seawater, freshwater—it makes no difference. Then there were reports of a fire in a multi-storey car park at Luton Airport a year or two later. The local fire brigade said that it had nothing to do with lithium-ion. I thought, "Do I believe them?" Of course, everybody thinks that lithium-ion batteries are the answer to our green agenda and not having to use diesel and petrol in our vehicles, but we have to make sure that they are safe. This Bill is a really good attempt to ensure that the product used in these things is safe. Also, the London Fire Brigade persuaded TfL to ban e-scooters from the Underground because, as the noble Lord said, there have been a number of instances of e-scooter batteries catching fire on the Underground, which is clearly highly undesirable.

That, of course, leads on to the attempts many of us have been making over the last few years to persuade government not only to introduce some product regulation, as the noble Lord's Bill attempts to do, but to link that with how these things are used. A lot of people like using scooters, for example. Some noble Lords may not agree on this, but I love using scooters—the legal ones, of course—and I have an e-bike. However, we do not want to be seen to be contravening the law every time we use them, because we do not know whether the batteries are safe as they do not have the conformity stamp, for example. So there is a lot of work to be done on this. This Bill and my noble friend's Bill, which we heard about yesterday, are essential parts of getting the conformity issues correct.

There is the parallel side, which probably comes under transport, of making sure that the people who use these things use only batteries that are sound and that they comply with the law on riding on pavements, which we will no doubt be debating next week. However, on this Bill and the issue of conformity, it is terribly important that the whole thing be seen to be done properly. For example, to judge by the report on the Grenfell Tower fire, the insulation clearly was not done properly. It is fine saying that there is a stamp, but if it is not properly delivered on, that does not help. At the moment, I remain to be convinced that lithium-ion is the answer to everything that people say that it should be. I do not like petrol or diesel cars either—I would rather have cycle power—but there we are.

We also need regulation as to what size of batteries are used where. Two or three months ago, your Lordships' House debated a regulation that allows batteries in freight bicycles, if we can call them that—you see them on the streets quite often—to have double the power output. I remember asking the Minister why we need double the power output in cargo bikes. The Minister replied that it would enable them to carry bigger loads. But are the brakes tested? He said, "If you want to get up the hill to Hampstead Heath, you need power". But what about coming down? You have to be able to stop. It seemed a rather odd regulation that was brought in for no particular reason. I am sure the cargo people are very happy, but it does not help safety or anything else.

I hope that the new legislation that my noble friend has promised is going to cover everything that we have talked about today, and that she will encourage her colleagues in the Department for Transport, and I suppose the Home Office, to look at the other side of the coin and make sure that people comply, with enough people to enforce and inspect users, and take them to the cleaners if they do not—otherwise, we will have failed.

The fires that the noble Lord, Lord Redesdale, and I have mentioned are frightening. People do not know about them because they are kept under wraps. London Fire Brigade has done a great job warning people, but the solution is not to stop people using these things; the solution is to have a conformed battery that works and is safe. It must be safe and it must be seen by independent regulators to be safe—otherwise, it will not have done its job.

I was interested in the Minister's letter to noble Lords on 5 September about the introduction of the Product Regulation and Metrology Bill. It is a good start, but it estimates that

"at least 300,000 UK businesses must adhere to product safety legislation".

How many people will inspect that and check that the legislation works and that people are complying? I am not really expecting my noble friend to answer that today, but she can try.

We have to tackle non-compliance and make sure that, to start with, the regulations do the job that they are intended to do, rather than giving in to the manufacturers' pressure that it will be all right on the night and we will have a better model next year. Next



year's problem may be different or it may be the same, and I am sure that the noble Lord, Lord Redesdale, will be looking at whether the current Bill covers the future. We have to get this right and make sure it is tight. If Grenfell is not a good example, I do not know what is. I wish the Bill well.

12.04 pm

**Lord Holmes of Richmond (Con):** My Lords, it is a pleasure to take part in this Second Reading and to follow the noble Lord, Lord Berkeley. I congratulate the noble Lord, Lord Redesdale, on his Bill and on the impact that it has already had on the new Government. It means that, unusually for a Second Reading, I can indulge in more questions to the Minister than may otherwise be the case.

It is clear that we cannot turn our energy system green and we cannot reach net zero without batteries. The questions are what batteries and with what chemistry within them, and around how they are constructed, controlled and deployed. That goes to the heart of the noble Lord's Bill, which I support and wish well on its journey. It seems it may have a longer and more winding journey—or perhaps shorter and more winding—than other Private Members' Bills.

I have a number of questions for the Minister, not least on the Product Regulation and Metrology Bill, which encompasses much of the noble Lord's principles in his Private Member's Bill. First, would it be a good idea to have a complete prohibition on charging any of these batteries, whatever device they are in, in any hallway or common parts of shared dwellings?

Secondly, are the current sanctions against those who manufacture and produce batteries that are not of the requisite standard and quality at an appropriate level? I am also interested to hear what representations the Government have had from our courageous firefighters on what is happening out there? Do we have a clear picture of the number of fires caused by lithium-ion batteries? Do we have that mapping exercise and is it clearly understood? What do the Government need to do to support our firefighters to face different challenges? There will be an exponential increase in the number of these batteries, not just on our person but moving around on small, large and mega mobility devices. What is the Government's plan to control and effectively deal with these devices when, in tragic and horrific situations, they go wrong?

Looking broader than the Bill, it is clear that the Government need an overall battery strategy. We saw issues with Britishvolt in the north-east, so I am interested to hear from the Minister about the Government's current strategy for battery use and development, and to get the UK to the level of battery manufacture that it requires to deliver on net zero and our mobility needs.

I refer the Minister to a report on this issue of the Science and Technology Committee, on which I was involved, a couple of years ago, called *Battery Strategy Goes Flat*. I cannot claim to have been the author of the title but, as it referred to the previous Government, perhaps the Minister can tell us the current Government's strategy for the battery needs of the country.

Similarly, what level of investment is going into developing and understanding not just current battery technologies but—as the debate already referred to—all the new technologies coming on stream and very nascent technologies that are likely to form a large part of our battery need in a short time? All have potential, but allied to potential risks that need to be understood and legislated for.

Finally, on the future, what is the Government's grand vision for the role of batteries and fuel cells across our economy and society, so that we have a safe, positive transition to green energy, to mobility for all in an inclusive manner, and a situation where the chemistry and science are fully understood so that, most importantly, we can all go about our business safely. I wish the Bill well and look forward to seeing how it interacts with the product safety Bill to put the country in a far better situation for the generation and storage of energy, and, crucially, our safety.

12.10 pm

**Baroness Finlay of Llandaff (CB):** My Lords, it is a great pleasure to follow the important remarks by the noble Lord, Lord Holmes of Richmond. I congratulate the noble Lord, Lord Redesdale, on the drafting of this Bill. I think it has made an impact.

My interest in this was sparked when I was on a visit to the London Fire Brigade headquarters, because of the research it has done into low-level carbon monoxide poisoning in people who are living on houseboats—I chair the CO Research Trust. The senior officers who I saw that day were really shocked, because they had just had a call to a fire triggered by one of these batteries being charged in a living area in a flat, and the child to whom the new scooter belonged had sustained terrible life-changing injuries. They were devastated by what they had encountered. I feel that this Bill is incredibly important.

The London Fire Brigade told me that it has seen a stark rise in e-bike and e-scooter fires; on average, there was a fire every two days in 2023; and, last year, three people died as a result of these fires, including Sofia Duarte, who on New Year's Day was the first Londoner to die as a result of an e-bike fire. She was at her boyfriend's house celebrating the new year when disaster struck. Five people escaped through the second-floor window, but she was trapped inside. Her family are now petitioning for new legislation on e-bikes and e-scooters.

The Bill aims to increase product safety of e-bike and e-scooter products, as sold online in particular. As the noble Lord, Lord of Howell of Guildford, raised, there needs to be future-proofing. I hope that the Bill will provide a template that can be built on as new products come online, because we need to have a starting point and the Bill is trying to provide that. It needs to include all high-energy and lithium battery types and materials, as well as non-rechargeable lithium batteries, all of which pose a real fire risk to the public, as well as the incredible risk to the firefighters themselves who need to tackle these awful blazes. The number of e-bike fires in the capital has risen from just 13 in 2020 to 143 last year and, by September this year, the

[BARONESS FINLAY OF LLANDAFF]  
 numbers had risen even further. It is a prime example of how quickly new technologies can present a real risk and why future-proofing is so important.

E-bikes and e-scooters catch fire incredibly quickly if their batteries become damaged or begin to fail, but they can just catch fire spontaneously. Although privately owned scooters remain illegal in public places and on London's roads—and, very fortunately, are not allowed on the Underground—they are not illegal to purchase. New York has taken the issue so seriously that it has banned the sale, use or rental of e-mobility devices and related storage batteries that fail to meet recognised safety standards.

When these batteries catch fire, as has been said, the temperature is astounding. They can reach a temperature of between 700 and 1,000 degrees centigrade spontaneously, and the fire comes with outreaching plumes of flame, so it is not just that the device burns but that it seems to explode. These plumes of flame cause life-changing injuries to anybody nearby, and they happen so fast that it is before people can take action to avoid being near them.

Many of us have devices in the home with Li-ion batteries in them, and we are often completely unaware of the future potential of these. I noticed that I have a vacuum cleaner which has one of these batteries in and is rechargeable, and I recharge it within the flat. I have become aware that this may be quite dangerous. It is of crucial importance that they are not charged near any exits or in bedrooms. In blocks of flats, it is important they are not charged indoors, as this endangers the lives of many people and blocks the exit from the building.

A problem area is when these batteries are bought over the internet, from places of dubious provenance in particular, and then charged without the correct charger. One brand of battery has been particularly dangerous.

Conversion kits are a major problem. The London Fire Brigade believes this innovation has come ahead of proper safety standards, and there is inadequate regulation for e-bike and e-scooter conversion kits and accessories. Many of the lithium battery fires have been caused by faulty or mismatched and unsafe products. Clause 5's focus on conversion kits is an important inclusion to protect the public. People can modify bikes to e-bikes with a conversion kit. These kits involve sourcing a battery and a charger separately, which may not reach correct safety standards. The batteries are then more susceptible to catastrophic failure when the incorrect charger is used. It is essential that all the data on these is collected centrally to allow people to better understand the risks relating to these conversion kits and that regulation is robust. I hope that the Government will look at the importance of data collection nationally—I mean across the four nations—to understand where these fires are breaking out and exactly what is being used.

The danger, of course, comes from online marketplaces. People from all backgrounds use e-bikes, and people on low incomes are more likely to report being regular users. They are then at higher risk. These include people working in delivery companies, as has already

been said, and people living in high-rise properties, who are at greater risk of charging them in hallways and communal areas. The London Fire Brigade has recently worked with Deliveroo to try to reach delivery riders with important messaging about e-bikes and e-scooters, because although they provide cheaper and sustainable transport in London, the batteries present a unique fire challenge.

Regulating the sale of batteries to online marketplaces is vital to increase standards to protect people. I know the London Fire Brigade has been working with Amazon to ensure anyone buying an e-bike or related products gets safety advice emailed to them after the purchase.

The Clause 3 provisions to regulate online marketplaces are welcome, but consideration must be made for how this will work for second-hand products sold online through online marketplaces such as eBay, Facebook Marketplace and Gumtree. That must also cover e-bikes and chargers and batteries, because of the ferocious fires. During a London Fire Brigade investigation, it has seen second-hand products involved in incidents across the capital, including the lucky escape already referred to at Sutton railway station where, thankfully, there were no injuries. The Bill must align—and, from the way the debate has gone so far, will probably be replaced—with the Product Regulation and Metrology Bill, which looks to address product safety and online marketplaces.

There are two brands of e-bike battery that have had withdrawal notices issued on them. These are UPP and HL R-Team batteries. Unfortunately, they are still around and being used.

The term “micromobility vehicles” needs to be clearly defined so we cover all types of e-bikes and e-scooters and other battery-type devices. The conformity standards have been partly defined through the European or UK conformity assessment markings but, as has already been said, these need to be enforced, and we need to ensure that the inspection of these is adequate.

In the last moments, I will tackle disposal of batteries. People are completely unaware of how to dispose of these batteries. Recycling centres and scrapyards have had terrible fires, which are difficult to extinguish. People need to be able to dispose of them easily and safely through local advice. The inclusion in the Bill of how to dispose of batteries is really important. I hope that the lessons from it can all be taken forward.

12.19 pm

**Lord Winston (Lab):** My Lords, in principle I completely support the Bill. We must, however, look at the detail more closely. For example, we have to recognise that there are large numbers of different chemistries used to make batteries—the lithium battery is only one such. I was interested to see how we label them so I went outside for a magnifying glass to look at my hearing aid batteries, to see what the chemistry was. It turns out that the label does not tell me. It tells me that they may catch fire if I throw them on to a fire. On the other hand, these might be silver zinc batteries, in which case they are completely safe and unlikely to overheat or cause fires spontaneously.

The problem with lithium is that it is the lightest metal, one of the lightest elements, and is highly volatile. It burns very easily and there is pure lithium in batteries. What happens, as the noble Lord has mentioned, is a kind of chain reaction—the thermal continuation that feeds itself. All batteries will produce heat as part of the energy that they produce, and so produce the seeds of their own eventual destruction if they get overheated.

Clearly, therefore, labelling must be considered very carefully in the Bill. How you keep your batteries might be important. There is no question, for example, that charging a bike with a lithium battery overnight without supervision might be more serious than one realises, but it might be completely safe with many other different technologies and chemistries. One of the issues, therefore, is that the chemistry has to be labelled.

I do not want to add difficulty. Every time we table an amendment to a Bill we make it more difficult to pass, and I do not want to see that happen—this is a good idea and it is important. However, we must recognise, as the noble Lord, Lord Howell, said, that there might be technologies that change things. In the lithium battery you have lithium cobalt on one side, for example—incidentally, the cobalt is there for concatenation, which is interesting given the previous debate—and on the other side at the anode you have carbon, or graphite. The ions pass across and when they reach the anode they oxidise and you get power—and that is a rechargeable battery. There is of course a separator in the middle to prevent that, although at the moment these separators are permeable, not solid, and perhaps, with better technology, one solution would be that if the separator responds to heat and becomes completely solid the battery could not continue in that sort of way. Those sorts of technologies might make a difference. We should not condemn these batteries out of hand whatever happens, because that is something that we might feel important.

There is clearly more need for education about the subject. I will not go on at great length but I want to suggest a few points. I do not know whether my hearing aids have lithium in them; they might be lithium-air, but they have not so far caused my ears to burn while I am sitting by the fire—that happens only when people talk about me.

We have not dealt with something important in the Bill. Lithium is a rare resource. It is difficult to mine and there are not many places in the world where you can mine it. There are many of these technologies, such as silver, and zinc too to some extent—all of these things are precious and we cannot renew them. The noble Lord pointed out in his speech—nobody else has properly pointed it out—that when you come to recycling it is difficult to separate the elements. The problem is that if you take, for example, a hearing aid—it is tiny and one could ask whether worth recycling, but a deaf person using a hearing aid for five years will build up quite a lot of batteries—there are no instructions as to whether we should preserve that material and find some ways of better recycling it. There is more to be done to separate the various metals, and there are

large numbers of different metals in batteries that we need to consider. The chemistry needs to be thought about in the future.

I do not think it is part of the Bill, but the labelling is relevant in terms of public consciousness. Above all, we must recognise that if we continue to overuse the world's resources, such as lithium, we will run out of what could be a valuable element in other ways. That is one of the important points in this issue.

**Lord Foster of Bath (LD):** I just want to draw attention to the very point that the noble Lord has made about the waste of these materials. If we look at the disposal just of disposable vapes in this country alone, it is estimated that that is the equivalent of throwing away 10 tonnes of lithium each year.

**Lord Winston (Lab):** I am grateful to the noble Lord. That would make a fantastic bonfire, would it not? You would not want to pour water on it.

Some batteries do not have that kind of technology. Silver zinc is an aquatic substrate in the battery, so will not get very hot—at least it cannot burn at the sort of temperature of 700 degrees Celsius.

Finally, some years ago I tried to introduce a Private Member's Bill about the labelling of drugs. I wanted particular labelling—which I will not go into as it is not relevant to the Bill—as I felt that it was missing. The Government at the time were well disposed towards the Bill, and we went through Committee without any problem. However, the noble Lord, Lord Pannick, took me to one side and pointed out that this might affect EU legislation. At the time of my Bill labelling any product would be subject to EU regulation, and it was clear that we would not get it through the EU. We are now, of course, free of that—I am not a Brexiteer by any means, by the way—but there is still a problem about labelling. We must ask ourselves how we can get a decent label on a small package and what we put on it, with some kind of legal advice—maybe even commercial advice—to make certain that we can sell our batteries in the EU. We are trying to expand the industry in this country, with gigafactories and so on. We need to think about it very carefully, as clearly it would be valuable, having made safe batteries, to be able to sell them globally. I commend the noble Lord and support the idea of taking this to Committee.

12.26 pm

**Baroness Brinton (LD):** My Lords, it is a pleasure to follow the noble Lord, Lord Winston, who in his own way has made us think more deeply about the chemistry, which we often do not. The specific points he made about the chemistry would probably be covered by secondary legislation or below that in regulations from the OPSS.

I congratulate my noble friend Lord Redesdale on bringing his Private Member's Bill and on securing such an early Second Reading. His speech and the description of the clauses of the Bill have set the scene very well for us. I thank the organisations that have given us briefings, including the London Fire Brigade, Electrical Safety First, the Institution of Engineering

[BARONESS BRINTON]

and Technology, the House of Lords Library and the LGA. I declare my interests as a vice-president of the LGA, and as vice-chair of the APPG on Fire Safety and Rescue, which I have been for over a decade.

As an officer of the APPG on Fire Safety and Rescue, I had a meeting with the Minister responsible for regulation and representatives of the Office for Product Safety and Standards in the Department for Business earlier this year, along with other officers from the APPG, on this issue of regulating lithium batteries and their safe disposal. I will come on to some of those details later.

The fire background is stark. I say to the noble Lord, Lord Holmes of Richmond, that our fire services absolutely know what is happening, and the APPG has been seeking meetings with Ministers at, I think, four different departments and counting. Part of the problem is that there are many different areas to be covered, so it is wonderful that we now have a Bill which enables us proper parliamentary time to discuss it. We heard from the noble Baroness, Lady Finlay, that the London Fire Brigade told us that London alone had 143 fires last year, in which there were three deaths and 60 injuries. In the first eight months of this year alone there have been 127 e-bike and e-scooter fires.

Last year in Cambridge, Gemma Germeney and her children, Lilly and Oliver Peden, lost their lives when an e-bike bought online exploded and set their flat on fire. Her partner, Scott Peden, was in a coma for a month and has prolonged injuries as a result. He has demanded tougher regulations for such devices. He had no idea of the dangers of the item he bought online. Cambridgeshire Fire and Rescue Service wrote to the coroner to ask for better regulation of online sales of e-bike batteries. Although the inquest has been opened and adjourned, it has not yet come to its final conclusion, and it will be interesting to hear the coroner's views on what should happen.

The All-Party Parliamentary Group on Fire Safety and Rescue has seen videos of lithium battery fires. The description of the fire by the noble Lord, Lord Redesdale, was helpful, but actually watching that white explosive fire burning at 1,000 degrees gives a lasting impression of how dangerous they can be.

The Institution of Engineering and Technology provided a helpful focus on how regulation and development might work in practice. Thinking about building in safe design alongside assessing product risks is vital. If there are clear standards and firm regulation in design, the sector will work much better. The institution also suggests greater OPSS involvement with international alert systems for dangerous products—for example, Safety Gate—but this must be adequately funded and staffed. There has already been reference to global online markets these days, and it is really short-sighted to think that self-regulation could ever stop at our borders. I will return to that in relation to flying with lithium batteries.

The OPSS also has a role in raising consumer awareness levels and changing purchasing behaviours, which would thereby complement enforcement measures.

That is the biggest thing that we need to do. Just having adverts saying these things might be dangerous is not enough. None of us is aware of how many lithium batteries we have around us every day.

The LGA forwarded the data on fires in waste trucks and waste sites, which is really shocking. Local government and large retailers, such as supermarkets, can and should help to raise awareness about the disposal of batteries, especially those that cannot be removed from small appliances, for example, electric toothbrushes.

Most people do not know that the act of crushing even a healthy battery is likely to cause a fire. It is the act of crushing that does it. Anything that goes into the waste could be compacted either in a truck—there have been fires in trucks—or on the waste site itself.

The London Fire Brigade suggests some possible strengthening of the Bill. That has been covered by other noble Lords and I will not repeat it. I shall move to the LFB's concerns about Clause 4, which states that lithium-ion battery-powered vehicles must have a safety fire certificate. There has been mention of micromobility vehicles needing to be clearly defined. The LFB suggests that perhaps mobility scooters ought to be added to the list of registrations.

The noble Lord, Lord Berkeley, talked to us about doing regulation properly, which relates to one of the problems that the all-party group faced. I want to come on to the details of why this is. We are thinking only about where there has been a fire, but we have not yet got to grips with how people's lives can be affected by the poor regulation that we have at the moment, but not in a fire-safe way. I apologise for using personal examples, but scooters and wheelchairs with lithium batteries are a real problem for disabled people. We had a debate in your Lordships' House last year where I said:

“The noble Lord, Lord Blencathra ... talked about the ridiculous process we have to fill in for our wheelchair dimensions and battery details when booking the flight, then again when the airline confirms the booking, then again when you check in online to get your seat, then again when you arrive at check-in and again when you arrive at the departure gate”.—[*Official Report*, 23/11/23; col. 97GC.]

That is because everybody in the airport is worried about batteries. They cannot take the evidence that you have given them.

In an APPG meeting with the Fire Minister last year, we were told that there was a plan to produce wheelchair and wheelchair-battery passports. That seems to be really helpful because not only would it act as evidence that the battery had been bought safely and approved but there would be the numbers of the batteries in the passport and it could act as a logbook. I know I have to have my electric wheelchairs maintained at least twice a year to make sure that the batteries and other parts are safe, so that is important. However, I have had three experiences in the past year where there has been an issue with my wheelchair batteries. First, an airport refused to allow my wheelchair on a plane because it said, incorrectly, that the lithium batteries were too big even though they met the IATA regulations. Secondly, after I flew to Bucharest using not my lithium battery chair but my bus battery chair, the ground services manager told me that I personally had

to physically lift out my two bus batteries and carry them on to the plane because I needed to have them with me in the cabin. Thirdly, I hit a problem when I got to Sweden: I had been allowed out there with the wheelchair with the lithium batteries but was refused a flight back. I persuaded the company that that would not look very good because they had flown me out three days earlier. We need to think about this sort of thing because if we start regulating only for safety, we will completely miss the way that all of us live with batteries in our lives. For those of us for whom lithium batteries make travel easier, if we are buying the right things, we should not be penalised.

I shall end a point about making sure that all departments are involved. It is right that the Department for Business and Trade and the OPSS lead on this. However, as far as fire is concerned, we already have a problem with where the dividing line is between the Ministry of Housing, Communities and Local Government and the Home Office. There are other issues as well, particularly for disabled people, so there needs to be involvement from the Disability Minister too. Will the Minister ensure that, as the Bill progresses, the discussions that were beginning to happen between Ministers across departments in the previous Government continue, and that, particularly for issues affecting disabled people, the Disability Minister and disability organisations are kept informed as well?

12.36 pm

**The Earl of Erroll (CB):** My Lords, that was a most useful speech because it went into great detail about things that I just had not thought about. It is ridiculous when you cannot use things to make your life easy. As we get older, we are all going to end up using such things, and the amount of checking that goes on everywhere just gets worse.

The noble Lord, Lord Redesdale, has introduced a timely, useful and important Bill. I am sure that it needs to cover all lithium-ion batteries as they are all potentially dangerous if they are not manufactured to the right standards and used right. As has been said, the real problem is that standard foam, wet chemical, powder or water extinguishers are ineffective for lithium-ion battery fires. They do not form long-lasting oxygen barriers, they deliver insufficient cooling and they are unable to stop the thermal runaway. You must use specialist fire extinguishers for them, so a provision needs to be added mandating the presence of such extinguishers in flats, houses or places where these batteries live for any period of time or are permanently installed, which is what I want to deal with.

Apart from small scooter batteries, large batteries are going to be used in houses, blocks of flats and places like that to store the excess energy being generated by solar PV at any given moment. I am looking at this issue right now for a house, and it will end up with two or three large lithium-ion batteries. We are dealing with a reputable company, so I am sure the batteries will be to the right standards and everything will be right, but it had never occurred me that we also ought to have the correct fire extinguisher, accessible and near them, just in case. I was thinking of putting the batteries in a nice inaccessible place out of the way,

but I now wonder whether that could be a danger as well because you presumably have to have access to these things in order to check them. We need to think about these things. It is the large batteries that are worrying me, as everyone is thinking so hard about e-scooters and so on.

We have got the grid, and I can feed excess electricity into it to a limited extent. However, we are paid very little to do that and what I draw from it when we need it back is really expensive, so it is just not economically sensible. It is much cheaper and more effective for me to install these batteries, but that is not as safe. You should be able to take your electricity out of the grid for a very small marginal cost, having lent it to it for a while. In fact it probably ought to pay you since you have lent it to it for that period, and maybe you should get a small percentage on top of what you put into the grid because it has saved putting up yet another large windmill that is made of steel all the way up with carbon fibre in the rotor blades that cannot be recycled, so is not entirely environmentally friendly.

The other danger is that it is not helping the move to get people to use public transport. I was faced with a large poster on my Thameslink station this morning that said, “You cannot take e-scooters, electric bikes or hoverboards on to the station or the train”, so how do you get to your final destination affordably? Okay, if I come into London there is public transport, but if I go back home at night and I want to get a taxi—if I could get one—from the station at Sandy back home, it will cost £25 to £40. It is just not affordable. Therefore, if I were to do that, I would love to have some form of e-transport—except in midwinter.

Also, you have to be careful if you are flying. If, so that you do not run out of battery just when you are about to show your electronic ticket to the right face, you have a top-up battery pack for your telephone in your hold luggage, that will get scanned by scanners in many airports just to make sure there are not any batteries in your hold luggage. So, you are not allowed to do that. If the airport detects them, it will remove your bag. We had this problem in India. We arrived at an Indian airport to find that one of our bags was not there because of exactly that: the lithium-ion battery in it had been removed, although I cannot remember quite how. Anyway, it was sent to the airport early the next day, but the airport doubled as a military airport and was not open until 11 am, so we spent a lot of time sitting around when we were meant to be off doing other stuff. It wrecked that part of the day of the tour. You need to be very careful of that.

If we had safety standards for lithium batteries that ran across all devices, all batteries and so on, maybe we could do something about that. When the technology moves on, which I am sure it will, the problem will be solved, but maybe in the interim we could do something about it. I do not know what. My key point is about the large batteries in offices but particularly in dwelling places, because you do not have the back-up people to do something about it. I hope the Government will use this debate to usefully inform amendments they might want to put forward to their own Bills, because it has been incredibly knowledgeable, wide-ranging and useful.

12.42 pm

**Lord Foster of Bath (LD):** My Lords, I begin by welcoming the Minister to her new role. I am certainly delighted, as others have been, to support this Bill. I congratulate my noble friend Lord Redesdale on his excellent introduction to it and on doing so well in the ballot, since I have twice been less lucky than he has with a not dissimilar Bill.

With the help of Electrical Safety First and Mr Ron Bailey, I have been raising issues around the safety of lithium-ion batteries over the past few years. For example, during the debate on the pedicab Bill in the last Session I pointed out, echoing what my noble friend said in his speech, that lithium-ion batteries are becoming increasingly important because they store more energy—in fact, the equivalent of six hand grenades in the case of an e-scooter battery—than any other type of battery, allowing for much longer use. But, as he and other have pointed out, if those batteries are overheated through misuse, damage or using substandard chargers, they can create those fierce fires that people have referred to, with very high temperatures, and which, as the noble Earl, Lord Erroll, and others have pointed out, are extremely difficult to extinguish. I argued for the introduction of measures in the pedicab Bill not dissimilar to those in the Bill before us.

More recently, on Monday this week, during a debate on children vaping, I expressed concern about disposable vapes, which are also powered by lithium-ion batteries. In arguing for a ban on the sale of such disposable vapes, I pointed out that over 84 million are thrown away each year in the UK, most frequently into domestic waste. The same is true for many other discarded lithium-ion batteries. They get picked up by refuse vehicles, and they can then, as my noble friend Lady Brinton pointed out, be compacted, which can cause damage to some of the batteries and lead to thermal runaway fires in the vehicles. The compacting process in landfill sites can cause the same problem. As a result, as we have heard, there are over 1,200 such fires each year in the waste industry.

Indeed, my interest in the safety of lithium-ion batteries began when Zurich Insurance drew my attention to the rapidly increasing number of fires caused by lithium-ion batteries at waste and recycling plants that it insures—fires which cost millions of pounds each year and risk lives. Sadly, as we have heard, there are far too many examples of lithium-ion battery fires that have cost lives, both here and around the world. The noble Lord, Lord Berkeley, referred to the devastating fire on board a ship, and over this summer 22 people died in a South Korean factory when some lithium-ion batteries exploded. On almost the same day, here, in Cambridge, a mother and her two children died in a fire after an e-bike exploded.

Damage to or inappropriate charging of batteries in e-bikes and e-scooters has become a major concern, as many noble Lords have said. As London Fire Brigade points out, fires in e-bikes and e-scooters are one of the capital's fastest-growing fire risks:

“On average there was a fire every two days”

last year. It goes on:

“Sadly, there were 3 deaths and around 60 injuries caused by these fires”.

Again, as we have heard, many local transport bodies now ban them. Chiltern Railways has posters everywhere stating: “No e-scooters allowed on trains or stations. Lithium batteries are a fire risk”.

Electrical Safety First has produced an excellent in-depth report, *Battery Breakdown*, on the safety of lithium-ion batteries in e-bikes and e-scooters. It shows the huge increase in fires caused by damage to or inappropriate charging of them, the financial cost and, more significantly and tragically, the cost to life. Fire brigades around the country report similar increases in such fires and have indicated strong support for the introduction of the types of measures in my noble friend's Bill.

Indeed, there is very widespread support for such measures. My own unsuccessful but similar Bill had support from nearly 90 national organisations, including the National Fire Chiefs Council, the Association of British Insurers, Which?, Brompton Bicycle UK and the British Burn Association. Equally importantly, support came also from numerous local organisations, from large councils such as Newcastle upon Tyne and Brent to smaller town councils, parish councils and community councils from all over the country. All wrote in support of the types of measures contained in my noble friend's Bill.

Posters and other publicity material have been placed on hundreds of parish noticeboards across the country. Parish council magazines and local newspapers, such as the *Hawick Paper* in the Scottish Borders, have contained articles alerting people to the dangers. Jura Community Council in the Hebrides supported the measures and told me in a letter

“our extremely remote location can cause huge difficulties in accessing appropriate disposal facilities”,

a point raised by a number of noble Lords. The parish meeting of Redlingfield in Suffolk—population 140—supported the campaign, and, spurred on by its excellent clerk, Sue Squire, Chulmleigh Parish Council in north Devon has displayed posters about it. Deal Town Council in Kent, Dyserth Community Council in north Wales and the Alford Hub in Lincolnshire were among the 400 other local councils that wrote in support. Some had special reason for doing so. Soham Town Council explained that its support was especially because

“people in our own community have tragically died as a result of batteries catching fire”.

I have provided these examples to illustrate how widespread are the concern and the support for action, including from many noble Lords in the debate.

I am pleased that, at last, there appears to be some progress. As we have heard, this week the Government published the Product Regulation and Metrology Bill. I genuinely hope that it will address many of the issues raised in my noble friend's Bill. Sadly, however, it is somewhat difficult to tell from the Government's Bill as it stands, since we understand that much of the detail will come later in secondary legislation.

Can the Minister tell us whether or not the secondary legislation will cover some of the key issues? Will regulations require, prior to the sale of e-bikes, e-scooters and their batteries, independent testing and a requirement to carry relevant markings to show it has happened? Will there be regulations about the safe disposal of

lithium-ion batteries? Will there be regulations covering both the safety of chargers and of conversion kits, such as those that turn pushbikes into an e-bikes, as mentioned by the noble Baroness, Lady Finlay?

Many of these products, such as e-bikes, e-scooters, chargers and conversion kits, are purchased online. So, finally, I raise another issue I have previously raised: the safety of electrical goods purchased online. At present, we have the unacceptable situation whereby a high street shop has responsibility to ensure the safety of the electrical goods it sells, whereas online traders have no similar responsibilities. There are numerous examples of unsafe electrical goods being sold online. It is even possible to purchase online electrical products no longer available on the high street because they have been recalled by manufacturers. This cannot continue. Can the Minister assure us that the Product Regulation and Metrology Bill will ensure that online traders have the same responsibility as high street traders for the safety of the electrical goods they sell?

As my noble friend said at the start of his speech, it is not important whether the measures contained in his Bill come into being through the passage of his Bill or through the Government's own legislation. However, bearing in mind the urgent need and huge support for such measures, I hope the Minister will assure us that we will not have to wait long for action to be taken—either through my noble friend's Bill or the Government's own proposals.

12.52 pm

**Viscount Camrose (Con):** I join other noble Lords in thanking the noble Lord, Lord Redesdale, for bringing this hugely important topic to us today. I thank all noble Lords who have spoken so well and so fascinatingly in this debate. I appreciated the horrifying example offered by the noble Lord, Lord Berkeley, of the fire on board a ship started by an electric vehicle. My noble friend Lord Holmes was on the money, as ever, in calling for an overall governmental battery strategy. The noble Baroness, Lady Finlay, and the noble Lord, Lord Foster, also stressed the importance of working with the online marketplaces, as they are a really dangerous source of some of these unsafe items.

The noble Lord, Lord Winston, in addition to giving an—in my case, rather overdue—erudite chemistry lesson about batteries, made a very important point about the role that education can play in driving the safety of batteries. The noble Baroness, Lady Brinton, powerfully supported this argument with accounts of her own. I was struck also by the call of the noble Earl, Lord Erroll, for mandating specialist fire extinguishers; that is a very interesting idea.

I am also grateful to the London Fire Brigade for its comprehensive briefing, and to the other groups which gave us briefings. Like, I think, almost every other speaker, I latched on to the statistic of 143 e-bike fires—a fire every two days—in London, resulting in three deaths and 60 injuries. It is a very powerful statistic, and we should really take note of it. I will not talk more about the importance of safety because other noble Lords have made this point so clearly and so well.

I turn to the market for lithium-ion batteries. The global market is expected to grow from \$56.8 billion last year to \$187 billion in 2032. I hope and think that the UK has a significant role to play in the safe development of this huge and hugely important industry. Without it, we will not realise our ambitions for electric vehicles; renewable energy and storage; tech innovation of all kinds; environmental and productivity improvements to manufacturing and supply chains; the circular economy and recycling; and a range of export opportunities. So we on these Benches absolutely support the Bill's goals. It is essential for both safety and growth that lithium-ion batteries are safe.

That said, we need to be satisfied on a range of questions about the Bill's workability, effectiveness and proportionality. First, how does this work alongside both existing and planned legislation? As others have raised, I ask the Minister to give the Government's assessment of the existing product safety laws. I believe that lithium-ion batteries are already subject to the Electrical Equipment (Safety) Regulations 2016. Are these regulations inadequate, or is there an issue of enforcement? The Bill proposes a role for conformity assessment bodies, and I would welcome more clarity on the role of these CABs, as opposed to the OPSS and the local authority trading standards, both of which have relevant enforcement powers. Like other noble Lords, I look forward to hearing more about the Government's Product Regulation and Metrology Bill, particularly with respect to lithium-ion battery safety. I would certainly welcome a sense from the Minister of the overlap between the two Bills.

Secondly, we are not, of course, the only nation wrestling with battery safety. I would welcome the chance to understand the Government's view of the international context: which countries have implemented the most effective regulatory systems, and what can we learn from them? I was interested to hear briefly from the noble Baroness, Lady Finlay—I am sure she has more to say on the subject—about some of the regulations in New York in this respect.

Thirdly, how do we ensure that these regulations are proportionate? A BESS can be anything from an enormous industrial site to a domestic appliance. I would welcome the views of the noble Lord, Lord Redesdale, on the applicability of the same regulation and the same enforcement bodies to these very different participants in the marketplace. Equally, will it really be necessary or achievable for a proposed BESS to consult separately with three different public bodies in seeking approval? Is this an appropriate way to achieve our growth means?

Finally, is it appropriate to focus solely on lithium-ion batteries? A number of noble Lords raised this, particularly the noble Lords, Lord Winston and Lord Holmes, who spoke compellingly on the different chemistries of other batteries and how they may also form part of this legislation.

Lithium-ion batteries are important, but their safety clearly needs to improve. As I have set out, we have some questions about the approach taken in the Bill, and I look forward to hearing from both the Minister and the noble Lord, Lord Redesdale.

12.59 pm

**The Parliamentary Under-Secretary of State, Department for Science, Innovation and Technology (Baroness Jones of Whitchurch) (Lab):** My Lords, I thank the noble Lord, Lord Redesdale, for tabling this Bill. It has enabled us to have a fascinating and wide-ranging discussion. I have certainly learned a lot about the issues as we have gone forward.

At the outset, I should say that I share the concerns of noble Lords at the number of traffic deaths that have occurred, and we share that determination to make sure that we prevent further deaths by whatever means possible. I also assure noble Lords that we have received proper briefings from the fire service. We have met and talked with it and take its concerns very seriously. I hope that, as a result of this debate and the issues that I shall come on to, we will have a common cause on the way forward.

The Government recognise the intent of the Bill and the importance of safe storage, use and disposal of lithium-ion batteries. However, for reasons that I will set out, and as I think noble Lords already know, we have reservations about this particular Bill. I hope that I can reassure noble Lords about the alternative that we propose.

First, I reassure your Lordships that the Government take product safety extremely seriously. As such, we are already taking significant steps to protect people from the types of harm that the Bill aims to address. The Office for Product Safety and Standards, which sits within my department, has been working with colleagues from across government and industry to ensure that action is taken to protect consumers and remove dangerous products from the market. For example, action has focused on assessing the compliance of manufacturers and importers to ensure products are safe when placed on the market; issuing guidance for repairers to make them aware of their responsibilities to be competent to complete safe repairs and modifications; giving consumers clear information to enable them to purchase and use products safely; and ensuring that online marketplaces play their part in keeping consumers safe.

The OPSS has been working with local authorities and has successfully targeted unsafe and non-compliant products at the border to prevent them entering the UK in the first place. We have also engaged with UK businesses to ensure that compliance with regulations is carried out, and we have worked with the fire and rescue services to identify products involved in incidents and to take action where unsafe products are identified. Our efforts have led to 18 separate product recalls and 20 other enforcement actions for unsafe or non-compliant e-bikes or e-scooters since 2022. The OPSS has issued 26 withdrawal notices on eight online marketplaces and two manufacturers and across 16 separate sellers to stop the sale of dangerous models of e-bike battery manufactured by Unit Pack Power that were identified by the fire and rescue authorities' investigations.

While batteries and chargers may individually be compliant with the law, we know that if they are used in a combination that is not compatible there is a risk of product failure leading to serious fires. This may also be the case when an e-bike or e-scooter draws

more power from a battery than it is manufactured to supply safely. The emerging evidence base also suggests that, when these products are modified inappropriately, they can pose a high safety risk. The noble Lord, Lord Redesdale, and the noble Baroness, Lady Finlay, were right to make the point about the dangers of modification and conversion; evidence shows that there is a particular danger of fire when that occurs.

Based on this evidence, earlier this year the OPSS launched the e-bike and e-scooter repairer project, working with local authorities across the UK to conduct inspections at local businesses involved in the maintenance and modification of e-bikes and e-scooters. Those inspections are focused on providing advice and guidance on businesses' legal responsibilities to complete safe modifications and repairs. In addition, the OPSS published a safety message for consumers in the run-up to Christmas last year, with five steps to follow to reduce risks when purchasing, using or charging an e-bike or e-scooter. This followed guidance on safe charging published by Fire England. Further guidance was also published by the Department for Transport in February this year. We continue to work closely with fire and rescue services and other stakeholders to raise consumer awareness and reduce the risk of fire.

Noble Lords are right to raise concerns about how easy it can be for unsafe products to find their way on to the market through online marketplaces. That is why, in addition to the action that I have just referenced, the OPSS wrote to major online marketplaces earlier this year to express its concerns about the availability of unsafe products online. We have demanded action on the need for user instructions to be supplied with all e-bikes and e-scooters, including batteries and accessories. In addition, online marketplaces must comply with legal notices that prevent the supply of specific products.

Existing product safety law is clear: products must be safe before they are placed on the market, and those seeking to profiteer from the supply of products that are unsafe will be dealt with. However, while a significant amount has already happened to ensure that people are kept safe, we know that much more must be done. As noble Lords will be aware, the Product Regulation and Metrology Bill was introduced by the Government on Wednesday. It will have its Second Reading here on 8 October. In answer to the noble Lord, Lord Foster, I hope that many of the points he raised will be raised at that Second Reading, when there will be a proper, thorough debate.

This Bill will ensure that we have a regulatory framework that is agile and adaptable in a digital world. The potential fire risks posed by lithium-ion batteries is today's challenge, but it is not the first and it will not be the last. As the products we buy and the way we buy them adapt in a digital world, it is essential that we have laws that can adapt and go forward when we need them to protect the public. This is what the Product Regulation and Metrology Bill will deliver. Through the powers in that Bill, we will be able to respond to emerging risks in product safety. This includes, where necessary, strengthening regulation to respond to risks from a range of products such as lithium-ion batteries and e-bikes, protecting consumers. It will also allow us to look more closely at those who



are making these products available on the market, including online marketplaces, and to take the necessary steps to stop unsafe goods reaching consumers.

I agree with the noble Baroness, Lady Brinton, that product safety should start with safe design and I very much hope that our Bill will be at the heart of that. I also agree with the noble Viscount, Lord Camrose, who said that this is an opportunity for us to be trail-blazers in global safety standards. There are huge opportunities in the marketplace for us to set standards and to maximise our growth in this market if we get it right, so there is a win-win in pursuing this with vigour.

**Lord Berkeley (Lab):** My noble friend has given the House a good list of the work that has been done recently to make the whole system safer, and I am hoping that the new Bill will do that, but have the Government got as far as being able to persuade the London Fire Brigade, for example, to withdraw its ban, or recommended ban, on scooter batteries on trains and things like that? In other words, are they happy that the new regulations will enable people to use these things safely wherever they want to go?

**Baroness Jones of Whitchurch (Lab):** I do not know the answer to that specifically. My instinct is that there needs to be a policy of “safety first” on issues such as the London Underground, but we may well get those standards to a high enough level. I was very interested to hear what the noble Baroness, Lady Brinton, said about passports for batteries. There may be schemes like that that we could adopt. I do not know the answer, but it is a very good point that I think we can pursue outside this Chamber.

I am grateful to my noble friend Lord Winston for delivering an interesting lesson on the science and chemistry behind these products: I know that we all learned from it. I reassure him that the Product Regulation and Metrology Bill will allow for changes to labelling to ensure that proper details are updated and safety information on products is made clear.

**Lord Winston (Lab):** I thank my noble friend for that helpful point. Does that mean that there is a possibility that the chemistry might be labelled? If we could actually teach people a bit more about the chemistry, it would do no harm. Also, of course, we are dealing with products that are going to become scarcer and scarcer and which will be thrown away, or not recycled. There is a public lesson that is rather more important than the average labelling that we see on many foodstuffs, for example.

**Baroness Jones of Whitchurch (Lab):** In fact, I am going to come on to the point about the availability of lithium, so bear with me for a second. I reassure the noble Lord that we are taking greater education very seriously, and we will be running more consumer campaigns. The composition of the products might be included in that. I recognise, however, that more can be done.

A number of noble Lords, including my noble friend Lord Winston, made a point about the new technology implications of this. I assure them that the

Product Regulation and Metrology Bill will allow us to regulate for developments of innovation and technology in UK energy going forward, because there are new issues that a number of noble Lords have raised. It will enable powers to change the regulations, to future-proof full technological advancements.

To noble Lords, including the noble Lords, Lord Holmes and Lord Howell, and my noble friend Lord Winston, I say that at the moment lithium-ion batteries are the most efficient way of powering vehicles; we should not lose sight of that. We will, however, continue to keep the mining of critical minerals and their use in our green technology under review. We have to do that because, as my noble friend quite rightly said, if we do not, we are in danger of scarcity on these issues. We have to keep moving forward. There is not an endless supply of these minerals, so we have to make sure that those in circulation are protected and properly recycled.

My noble friend Lord Berkeley made a point about battery safety being a wider issue and gave some very vivid examples of why that was the case. I assure him that we continue to liaise with the Department for Transport on these issues. Similarly the noble Baroness, Lady Brinton, raised an important point about wheelchair travel. She mentioned the issue of wheelchair passports, which was an interesting conversation. I assure her that we will continue to liaise with departmental Ministers across the board, including the Disability Ministers, because we need to get this issue sorted.

I have spoken a lot about product safety, but I am aware that the noble Lord’s Bill goes further in scope, so I will now turn to battery energy storage systems, which are also covered by the Bill. The flexibility offered by grid-scale lithium-ion batteries will play a vital role in the decarbonisation of the grid, enabling Britain to balance the system at lower cost while maximising the efficiency of intermittent low-carbon generators such as wind and solar—a point the noble Earl, Lord Erroll, quite rightly made.

The Government agree with the intent of having robust measures in place to manage the risks associated with facilities that involve the use of large numbers of lithium-ion batteries. In terms of the proposals in this Bill, powers already exist under the Pollution Prevention and Control Act 1999 to bring new sectors and pollution sources in scope of the Environmental Permitting Regulations (England and Wales) 2016. Similarly, the Government do not believe currently that there is a need for additional statutory consultees on planning applications for standalone battery energy storage systems. However, my officials continue to work closely with the industry-led electricity storage health and safety governance group to ensure that a robust health and safety standards framework is maintained.

A number of noble Lords talked about disposal. The Government are deeply saddened at the recent increase in the number of fires at waste treatment facilities caused by batteries. We are committed to cracking down on waste as we move towards a circular economy where we keep our resources in use for longer and reduce waste. The existing producer responsibility scheme for batteries and waste electricals makes producers responsible for the cost of end-of-life treatment.

[BARONESS JONES OF WHITCHURCH]

Under the existing legislation, it is already mandatory for all batteries placed on the market in the UK to be clearly marked with the crossed-out wheeled bin symbol. This symbol indicates that batteries should not be disposed of by throwing them in the bin. This symbol is also mandatory on electrical products containing batteries. Existing legislation also requires those selling batteries to provide a means to take back waste batteries—for example, the waste battery collection bins at supermarkets, which many noble Lords will be familiar with. Similarly, sellers of disposable vapes, which were mentioned earlier, are now required to provide take-back of waste vapes. Producers of industrial batteries, including e-bike and e-scooter batteries, must take back waste batteries free of charge on request. This means that a shop selling e-bikes, such as Halfords, must take back a waste e-bike battery if asked to do so by the owner of that battery.

There are also existing public awareness campaigns such as the HypnoCat Recycle Your Electricals campaign, funded by industry to educate the public on safe battery disposal. Ministers are reviewing proposals to consult on reforms to UK battery regulations before setting out the next steps. However, I agree with noble Lords that we need to find more imaginative ways to help consumers dispose of batteries more conveniently and in greater numbers than is currently the case.

In summary, I thank the noble Lord, Lord Redesdale, for the debate that this Bill has enabled. As I have laid out, my department is already working across government to identify the key aspects of lithium-ion battery safety and has taken action where needed. The Product Regulation and Metrology Bill, which will soon be debated by your Lordships' House, will enable us, where necessary, to make regulatory change to keep our product safety framework up to date. We are seeking to address this complex issue while ensuring that we have the evidence to help prevent further injury and loss of life. We will continue to engage with all noble Lords on these critical issues as we develop our regulatory approach.

I can of course assure the noble Lord, Lord Redesdale, that we will continue to consult with him about his Bill, which will happen at a ministerial and official level, as necessary. I hope that the noble Lord has heard my request for him to consider withdrawing this Bill and I look forward to his response.

1.17 pm

**Lord Redesdale (LD):** My Lords, I start with utter shock and surprise that the Minister could ask me to go down that route. It seems to be traditional on every Private Member's Bill for that to be added at the end of each speech.

The Minister has made a very comprehensive reply and I will obviously take on board her views that I should look at the next stages of this Bill. I thank her for the opportunity to talk to her officials before I make that decision. I know that many of the bodies involved in this will perhaps look at giving their views before I do that.

On the Bill itself, the noble Viscount, Lord Camrose, raised two issues. The first was about the three bodies that will be looking at this, but of course they each have very separate responsibilities. It is a problem across the board, with the EA, health and safety and planning, that some of these issues fall between the cracks. One issue that I was particularly concerned about and is raised in the consultation is retrofit. You can take out a generator and put in a battery and no consultation would have to take place if original planning permission was sought. That will be a real issue, especially, as the noble Earl, Lord Erroll, said, these batteries will be put in places to fit within the building envelope, which sometimes might not fit within the envelope that the fire brigade would wish for.

The noble Viscount also asked why I stuck with only lithium-ion. As was raised by other noble Lords, with a Private Member's Bill, you can of course do only so much. The purpose of the Bill is to have a first bite of the cherry, looking at how the issues are going to be raised in the forthcoming Bill. I look forward to having a second try in that Bill, but I do not think I will be alone in that. There will be a very long list of people who want to partake in that Bill, and I wish the Minister all the luck with some of the issues that will come forward.

I should say for the industry that while there is a risk from lithium-ion batteries, that risk is obviously not high; otherwise, my noble friend Lady Brinton would not be sitting on two large lithium-ion batteries at this very moment in time.

I thank all noble Lords for taking part. I should mention something raised by the doorkeeper when he asked for my notes, which is that there is a battery disposal point at the entrance to the Commons Terrace, if anybody wishes to make use of it. The Minister raised the problem of disposal, which I might come back to in Committee. There seems to be a massive problem, not from the industry nor from the waste industry but from the public, in making sure that the large amounts of batteries that people happily throw away do not end up in the waste stream.

On that basis, I beg to move.

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

*House adjourned at 1.21 pm.*



