

Vol. 823
No. 41



Thursday
21 July 2022

PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS
OFFICIAL REPORT

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The abbreviation [V] after a Member's name indicates that they contributed by video call.

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

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

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House of Lords

Thursday 21 July 2022

11 am

Prayers—read by the Lord Bishop of Carlisle.

Introduction: Baroness Willis of Summertown

11.09 am

Katherine Jane Willis, CBE, having been created Baroness Willis of Summertown, of Summertown in the City of Oxford, was introduced and took the oath, supported by Lord Krebs and Baroness Parminter, and signed an undertaking to abide by the Code of Conduct.

Retirements of Members Announcement

11.13 am

The Lord Speaker (Lord McFall of Alcluith): My Lords, I should like to notify the House of the retirement, with effect from today, of the noble Earl, Lord Listowel, and the noble Lord, Lord Colwyn, pursuant to Section 1 of the House of Lords Reform Act 2014. On behalf of the House, I thank both noble Lords for their much-valued service to the House.

Crypto Asset Technology Question

11.13 am

Asked by Lord Davidson of Glen Clova

To ask Her Majesty's Government what progress they have made towards their ambition to make the United Kingdom a global cryptoasset technology hub.

Baroness Penn (Con): The Government's clear message to crypto asset firms is that the UK is open for business. The Government have announced a range of reforms to position the UK as a crypto asset technology hub, including legislating to bring stablecoins into payments regulation, committing to consult on regulation on a broader set of crypto asset activities later this year and exploring ways to enhance the competitiveness of the UK tax system to further encourage the development of the crypto asset market.

Lord Davidson of Glen Clova (Lab): I thank the noble Baroness for her Answer. Cryptocurrencies are characterised by opacity, volatility, lack of intrinsic value and bare regulation. In recent days, even stablecoins have exhibited a lack of stability. The Government seem to be content for cryptocurrency to form part of the UK's financial architecture. My question is: if the Government see a virtue in cryptocurrencies that transcends the way in which a fiat currency or a central bank digital currency operates, what exactly is it? Would the Minister kindly explain why cryptocurrencies operate as a better means of exchange?

Baroness Penn (Con): My Lords, it is not necessarily the Government's position that crypto assets offer a better means of exchange, but they represent part of a trend of rapid innovation in financial technology. That is something we want to encourage, particularly because of some of the technology underlying some crypto assets. But the noble and learned Lord is right that they also pose risks to consumers. That is why we have already taken action on, for example, financial promotions of crypto assets and are looking at the wider question of crypto asset regulation in a consultation later this year.

Lord Vaizey of Didcot (Con): My Lords, I refer to my registered interests, particularly my work with Bifinity. The UK has no crypto unicorn. In fact, the one crypto unicorn founded in the UK has now moved abroad. Even Austria has a crypto unicorn. It is a tragedy that the FCA is not working harder to regulate crypto companies, which would provide much better protection for consumers. Given that successive Chancellors of the Exchequer have quite rightly said that the UK, with its history of prudential financial regulation, should be a hub for crypto, can the Minister update me on when we are likely to see progress on the regulation of crypto companies?

Baroness Penn (Con): I would like to reassure my noble friend that we are taking a staged and proportionate approach to crypto asset regulation that is sensitive to the risks posed but also responsive to new developments in the market. I have referred to a number of areas in which we have already regulated for crypto assets, and in the forthcoming Financial Services and Markets Bill we will legislate to regulate stablecoins. Later this year, we will also consult on the wider regulation of the sector. I absolutely agree with him about the opportunities this market can provide for the UK economy.

Lord Flight (Con): My Lords, if the cryptocurrency market got so huge that it posed a major credit threat, would the Government consider introducing some form of regulation?

Baroness Penn (Con): The Government are considering some form of regulation; that is why we are consulting on it later this year. My noble friend is absolutely right that financial stability is one consideration that we have to bear in mind when looking at this market.

Viscount Stansgate (Lab): My Lords, if the Government are to consult on this area later this year, can the Minister give the House an undertaking that they will consult scientific bodies such as the Council for the Mathematical Sciences or the Institute of Mathematics and its Applications? Underlying cryptocurrencies is a very complicated system of mathematics and, to be quite honest, I would challenge any Member of the House easily to be able to explain the nature of what a cryptocurrency is.

Baroness Penn (Con): My Lords, I am glad the noble Viscount did not challenge me to explain the intricate details that lie behind crypto assets. The consultation will be public and we will make sure we engage a wide range of experts in the area to ensure that we are best informed of the way forward.

Baroness Altmann (Con): My Lords, given the cybersecurity and the anonymous and open nature of risks in blockchains, this seems to be rather inconsistent with money laundering rules in the rest of the financial system. Can my noble friend comment on inconsistencies in the environmental protection issues that this Government have worked so hard to achieve, given the environmental dangers of the proof-of-work cryptocurrency development and the risk to consumers, even in stablecoins?

Baroness Penn (Con): My noble friend is right about the risks around money laundering and illicit finance. That is why crypto assets were brought within the anti-money laundering regime a few years ago. She is also absolutely right that some crypto assets can have a significant environmental impact. It is about the method by which they are generated or proved, and that is something we will consider as part of our consultation later this year.

The Lord Speaker (Lord McFall of Alcluith): I call the noble Lord, Lord Jones of Cheltenham, for a remote contribution.

Lord Jones of Cheltenham (LD) [V]: My Lords, has the Minister seen research from cybersecurity company NordVPN about cryptocurrency scammers targeting British pension pots? Fraud losses were more than £226 million in the year to May 2022, up 58% from £143 million in the previous year. To protect British citizens from these bitcoin bandits, will the Minister issue advice to “Beware of dodgy downloads; don’t be rushed; do your homework; be suspicious of celebrity endorsements; and use a virtual private network service so that hackers won’t be able to see what you do online”?

Baroness Penn (Con): My Lords, I have not seen the specific report the noble Lord refers to, but he is absolutely right that the risks of online fraud are significant, particularly for potentially vulnerable people. The Government put a huge amount of effort into our anti-fraud measures, including some of the public messaging the noble Lord referred to.

Baroness Wheatcroft (CB): My Lords, as the Minister has already said, derivatives of cryptocurrencies are regulated. However, for many years now, the FCA has been considering regulating cryptocurrencies. Can the Minister tell the House exactly how many years it has been considering it and what it would take to make it actually do something?

Baroness Penn (Con): My Lords, as the noble Baroness noted, there have been a number of different interventions to regulate this market over the years, including the regulation of derivatives, including bringing crypto into anti-money laundering regulation, into the regulation of financial promotions and, in the forthcoming financial services Bill, the regulation of stablecoin. Action is happening now but, in terms of the broader market, there will be action this year in terms of the consultation on future regulation.

Lord Tunncliffe (Lab): My Lords, during the SI debate earlier this week, the Minister and I discussed the need to better regulate crypto assets, particularly in relation to money laundering. In her answers today, she seems to accept that cryptocurrencies potentially facilitate money laundering. Does she not feel that this is very important and must be gripped quickly?

Baroness Penn (Con): I absolutely agree with the noble Lord about the importance of ensuring that crypto assets cannot be used for money laundering or, for example, for the avoidance of sanctions when it comes to Russia and its invasion of Ukraine. That is why we have brought it within our anti-money laundering regime. We have extended the scope of those rules. The SI that we were debating this week is part of the action to do so. We will also continue to work internationally on the regulation of crypto assets, because that action is needed to ensure that other jurisdictions cannot become areas where people use crypto assets for illicit finance.

Lord McNicol of West Kilbride (Lab): My Lords, as we have heard from across the House, regulation is the key to this. How stable does the Minister think that stablecoins are? Some Governments are looking at introducing a central bank digital coin. Do Her Majesty’s Government have any plans to introduce a CBDC?

Baroness Penn (Con): My understanding is that the Bank of England is looking at the question of introducing a CBDC. In terms of stablecoins, the name derives from them being linked to other assets, rather than because of any inherent stability. We are seeking to regulate them because of that link to other assets. They may become a form of payment within the wider system, which would raise questions of financial stability and is why we have prioritised regulation in that area.

Primary Care: Quality and Access Improvements Question

11.24 am

Asked by **Baroness Merron**

To ask Her Majesty’s Government what assessment they have made of the variations in the quality of primary care across England, including access to GP services; and what plans they have to improve quality and access.

Baroness Penn (Con): My Lords, we are working to expand and diversify the general practice workforce to create an additional 50 million appointments a year, which should improve access for patients across England. NHS England continues to provide support to practices working in the most challenging circumstances in order to provide better access to patients via its accelerated access improvement programme.

Baroness Merron (Lab): My Lords, clearly the Government have no chance of meeting their target of 6,000 additional GPs, or rather, GPs—they might be happy with that at the other end—by 2024, when this month the BMA is reporting that there are over 1,700 fewer GPs. More GPs are seeking to leave, the

population is growing and, as we know, health problems are ever more complex. In the light of this, will the Government review the numbers of promised GPs? What urgent and specific action can the Minister offer to those who cannot get an appointment, particularly in the more deprived areas and those places identified for levelling-up support?

Baroness Penn (Con): My Lords, we have 1,400 more full-time equivalent doctors working in general practice compared with March 2019. But the noble Baroness is right that we must do even more to expand the numbers. We have a record 4,000 trainees who have accepted a place on GP training this year. Another element is the wider primary care workforce, where we are on track to meet our commitment of 26,000 additional patient care staff working in primary care. The most deprived areas are being targeted for the accelerated access improvement programme, which is providing tailored support to practices in those areas to improve access.

Lord Patel (CB): My Lords, in a recent inquiry by the House of Commons Health and Social Care Committee, the Minister in the Commons was asked whether he thought that general practice was in crisis. He disagreed but did agree that there were some serious challenges to be faced. Can the Minister say what the Government think that these challenges are in the short term and how they intend to address them? Furthermore, the long-term sustainability of primary care and community care will require some reforms, as suggested by two recent reports: the Policy Exchange report and the report by Claire Fuller, a practising general practitioner. I will be glad if the Minister can answer.

Baroness Penn (Con): My Lords, I absolutely recognise the pressure that GP practices are under. To name just two of the factors, we have seen increased demand on the practices, which are seeing more patients than ever before, but we also have reports of people struggling to get access. There are workload pressures on those working in those practices and the need to increase staffing numbers, not just of GPs but those wider primary care staff. In terms of reform, I have not seen those specific reports, but the noble Lord will know through the Health and Social Care Act that was passed recently that the creation of integrated care boards and integrated care systems will, I hope, bring primary and secondary care closer together and enable local areas to design care that is meeting the needs of their populations better.

Baroness McIntosh of Pickering (Con): My Lords, I declare my interests with the Dispensing Doctors' Association, based in North Yorkshire. Will my noble friend restore the funding to general practice of 11% of the overall health budget? Will she immediately allocate £1 billion of that to primary care networks, for the reasons that the noble Baroness opposite gave?

Baroness Penn (Con): My Lords, we have increased funding to general practice and primary care to address some of the pressures that they have faced. In addition to funding, we are seeking to give greater support to those practices in the most challenged areas to improve

their ways of working; for example, with their telephony systems, to ensure that patients can get through to their practices and book the appointments that they need.

Lord Winston (Lab): My Lords, traditionally general practice has been one of the most satisfactory things for many doctors, who have been very proud of being GPs. The current crisis is critical. Just two weeks ago, the noble Lord, Lord Patel, suggested that we might have a Select Committee to look at why there is so much dissatisfaction now among general practitioners. I am sure there would be broad consideration of that across the House if it were something that the Government were interested in trying to promote. What message can the Minister take back to the Department of Health about this?

Baroness Penn (Con): The Department of Health and Social Care is cognisant of the pressures on GPs and is looking at improving the retention as well as the recruitment of GPs to increase their numbers. A number of programmes are in place looking at tailored solutions in certain areas to see why GPs are leaving the profession. We continue to work with the NHS and the profession to understand how we can help GPs and improve their working environment.

Baroness Jolly (LD): I understand that we do not yet have enough UK-qualified clinicians. Is the Minister confident that trained practitioners from the rest of the world wishing to work here will be welcomed by both the Department of Health and Social Care and the Home Office?

Baroness Penn (Con): In terms of GPs specifically, my understanding is that because general practice is quite unique to the UK, we have a large number of people who have done their basic training elsewhere and then come to the UK to do their general practice training. That is something that we continue to support and encourage. With regard to trained people in general practice, that training tends to happen only in the UK so we do not tend to have a great number of people coming in at that level.

Baroness Blackwood of North Oxford (Con): My Lords, the Carr-Hill funding formula is based primarily on ageing, not need. The RCGP and NHS England have called for this to be reviewed. We saw during the pandemic how outcomes can vary due to inequalities. What is the Government's view on reforming that funding formula?

Baroness Penn (Con): I am afraid I do not have the specific details of that funding formula to hand so I will write to my noble friend.

Baroness Masham of Ilton (CB): My Lords, how much infection control is taking place in the community now that testing for the coronavirus is no longer free? Are there effective vaccines for the most recent variants of Covid-19, and is there sufficient vaccine for the monkeypox?

Baroness Penn (Con): On infection control, the NHS continues to keep in place the right infection control measures proportionate to the risk. While free

[BARONESS PENN]

testing is not available to the general population, tests are still available where they may be needed. On the vaccine, my understanding is that it continues to be effective against the variants, and last Friday we announced our acceptance of the JCVI recommendation that all over-50s be offered a booster this year. We will also continue to keep in place the extended flu vaccine eligibility that we had last year.

Lord Watts (Lab): My Lords, is it not the case that this crisis has been made worse by the changes to the pension scheme for GPs? What are the Government going to do about that?

Baroness Penn (Con): My Lords, the Government have taken action in terms of the annual pension allowance. We are also aware of the issue of the lifetime allowance for GPs. However, it is generally still in the interests of GPs to stay in the profession even when they hit their lifetime allowance. The NHS is working to raise awareness of pensions and the true value of the pension reward package. We know that the lifetime allowance is not the only driver for early retirement. Last year's GP Worklife Survey reported that the most considerable job stressor is GPs' increasing workloads, which is why we are so focused on increasing the number of staff in those practices to help deal with that workload.

Baroness Symons of Vernham Dean (Lab): My Lords, would the Minister be kind enough to address the question asked by my noble friend Lord Winston, which was specifically whether or not the Government support a Select Committee being established to look at the current difficulties for GPs? That was the specific point put, and maybe she would be kind enough to answer it.

Baroness Penn (Con): My understanding is that the establishment of Select Committees is a question for Parliament, not the Government.

Lord Bird (CB): Is it possible to look at the fact that 50% of the people who present in the NHS are suffering from food poverty? Of those suffering from cardiac arrest, for example, 50% are to do with food poverty. When are we going to address the long-term overriding problem of poverty, which destroys our NHS?

Baroness Penn (Con): I am not aware of the specific statistic that the noble Lord refers to but we are doing a huge amount to support people, particularly during this difficult economic time. People are facing increased costs, which is why we have put in £37 billion worth of support this year, focused on the most vulnerable and those on the lowest incomes.

Channel 4: Annual Report Question

11.35 am

Asked by **Lord Bassam of Brighton**

To ask Her Majesty's Government whether they have made representations to Channel 4 regarding the contents of its annual report and, if so, why.

The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Lord Parkinson of Whitley Bay) (Con): The department laid Channel 4's annual report before Parliament on 13 July with no changes to its content from Channel 4's draft. The timeline for the department receiving the draft annual report from Channel 4 and laying it before Parliament follows last year's timetable. It is usual practice for departments to review annual reports ahead of publication.

Lord Bassam of Brighton (Lab): My Lords, rather than trying to sex up Channel 4's annual report to suit the privatisation agenda, is now not the time for the Government to do a bit of a Lynton Crosby, "scrape the barnacles off the boat" and finally admit that neither the public—nor, for that matter, the parliamentary Conservative Party—want Channel 4 flogged off?

Lord Parkinson of Whitley Bay (Con): My Lords, given that Channel 4 is currently publicly owned, the Government are fully entitled to comment on the contents of its annual report. As I say, it is usual practice for departments to review annual reports. We cannot direct a public body to change what it says but it is quite proper for us to make representations. The Government are clear that we have the long-term interests of Channel 4 at heart in want to ensure that it continues to access the capital and funding it needs to continue doing the brilliant work that it has done for 40 years.

Lord Hannan of Kingsclere (Con): My Lords, is my noble friend the Minister aware of something that struck me as quite a striking feature of this report, which is that the chief executive of Channel 4 has had a 20% pay increase? Obviously, I look forward to the day when this is none of the Government's business but, as long as we have the current arrangement, perhaps he would like to comment on the disparity between many viewers of Channel 4 dealing with real-terms pay cuts and what strikes me as an extreme level of high remuneration in this instance.

Lord Parkinson of Whitley Bay (Con): My noble friend is correct. The chief executive of Channel 4 received a 20% pay rise last year, taking her total salary to £1.2 million. That is twice the salary of the director-general of the BBC and more than the chief executive of ITV. Salaries are a matter for Channel 4 but I think this shows that the company is in rude health, one of the many things that make it an attractive asset to a potential buyer.

Lord Foster of Bath (LD): My Lords, the Minister says that the Government are happy with the Channel 4 report, which he will know shows that Channel 4 has significantly exceeded the quotas set for it. In the unnecessary privatisation plans, the Government say they want the new owner to "deliver outcomes in line with those we see today".

Can the Minister explain whether those are the outcomes that the channel is actually achieving, the ones we see today, or the much less ambitious outcomes laid out in the remit?

Lord Parkinson of Whitley Bay (Con): My Lords, we want Channel 4 to continue what it is doing in terms of commissioning from the independent sector. The difficulty is that, because of the global streaming giants driving up the costs of our thriving and very successful independent production sector, Channel 4 needs access to larger sums of money in the decades to come. That is why we want to ensure that it is able to raise that private capital and continue to compete in the global market.

Lord Vaizey of Didcot (Con): My Lords, I refer to my entry in the register of interests, including my work with LionTree. When I was Minister, I would regularly review the reports and accounts of the bodies that I oversaw and we regularly had huge rows, mainly because there were not enough photos of me or sections detailing my excellent work as a Minister. Is it not the case that while the Government own Channel 4 they are perfectly entitled to see a draft of its report and accounts and perfectly entitled to have a grown-up discussion with Channel 4's very grown-up board, which of course includes my wonderful noble friend Lord Holmes?

Lord Parkinson of Whitley Bay (Con): My noble friend is right. I have been looking through the annual reports of many arm's-length bodies that it is my responsibility to lay before Parliament. The Government are entitled to make representations to Channel 4 as its current owner. Of course, if it were privately owned, we would not have that role. We cannot force it to change things but we are perfectly entitled to disagree. In this instance, Channel 4 laid the annual report it had originally drafted.

Lord Stevenson of Balmacara (Lab): My Lords, Parliament was involved in the setting up of Channel 4. Indeed, it was an Act of Parliament that created it. In that sense, we in this House and the other House have an interest in the arrangements under which Channel 4 is supervised. The Minister did not give a very explicit Answer to the original Question from my noble friend. Could he sketch out for us, very briefly and perhaps later in writing, what the points were that the Government wished to raise with Channel 4, so that we are better informed about the debate?

Lord Parkinson of Whitley Bay (Con): My Lords, I am happy to say that we wrote to Channel 4 on 9 June, three weeks, I believe, after receiving the draft copy of the report, outlining our concerns relating to some of the language in the report, which we believed to be at odds with commitments, given to the department at official and ministerial level, to work collaboratively on this issue of its future ownership. As I say, we may have disagreements with some figures at Channel 4 about that, but the Government's intention is to ensure that Channel 4 has a secure future and the access to capital it needs to continue to entertain and inform audiences in the decades to come.

Lord Kirkhope of Harrogate (Con): My Lords, the Government very rightly supported the headquarters of Channel 4 moving to Leeds. Those of us from Yorkshire are particularly proud that we now have that Channel 4 presence in Leeds. I think some Ministers

indicated that it was part of the so-called levelling-up process. Can my noble friend confirm that whatever decision the Government might take, they will do their very best to ensure that the headquarters of Channel 4 remains in Yorkshire?

Lord Parkinson of Whitley Bay (Con): We are very proud to see the benefits that Yorkshire and other parts of the country have accrued from Channel 4 moving its headquarters. Under private ownership, we will maintain Channel 4's existing obligations for regional production across the whole of the UK. That is one of the things that is so distinctive about the channel, and which would make it an attractive asset to a buyer.

Lord Addington (LD): My Lords, if the Government have decided that Channel 4 is doing well, which apparently it is, and they would like it to carry on with some of the things it has been successful with, where is the Conservative principle of "if it ain't broke don't fix it", or have we dumped that?

Lord Parkinson of Whitley Bay (Con): It is not about this year's results; it is about securing the long-term sustainability of Channel 4. Channel 4 is particularly dependent on advertising revenue. Fewer people are watching live advertising. The cost of independent production is rising because of the entry into the market of global streaming giants, so we want to make sure that, in the decades to come, Channel 4 is able to raise the capital to continue doing what it is doing so successfully now.

Lord Berkeley of Knighton (CB): My Lords, is the Minister at all concerned that privatisation might mean that artistic innovation is sacrificed? Very often, that is where money can be lost, simply in terms of views, as the Minister has just outlined. Therefore, that is the first thing that tends to go.

Lord Parkinson of Whitley Bay (Con): No, I am not. According to PACT, only 7% of the total independent production sector revenue came from Channel 4 commissions. Channel 4 spends less on commissioning than ITV, which is of course privately owned. We think the things that Channel 4 does are what make it so successful. We are convinced that any future owner would want to continue to build on those things.

Lord Watts (Lab): My Lords, the Government continue to say that they do not like to interfere with board decisions, and here is a board that has been very successful. The reason members had that salary increase was that it was linked to the company's productivity, yet this Government think they know better than the board about the future of the Channel.

Lord Parkinson of Whitley Bay (Con): As I say, this year's report shows that Channel 4 is performing well. It is doing well in the current climate but, as the responsible owners of Channel 4, the Government are looking to the decades to come to make sure that it can continue to do that for the next 40 years and beyond.

Lord Hamilton of Epsom (Con): My Lords, is it not a Conservative principle that no Conservative Government have any business owning television companies?

Lord Parkinson of Whitley Bay (Con): My Lords, the Government do not own the BBC. It is set up in a particular way to make it a state broadcaster, not a government broadcaster. We benefit from having a range of different channels with different ownership models. We are focused on making sure that Channel 4 can continue to thrive in the market, which is fast evolving.

Baroness Featherstone (LD): My understanding of the public consultation was that 96% of respondents wanted Channel 4 to remain as it is. So why are the Minister and the Government not listening to people?

Lord Parkinson of Whitley Bay (Con): My Lords, we had a referendum and the noble Baroness's party did not listen to the latter. We received 56,000 responses to the consultation, 40,000 of which were organised by the campaign group 38 Degrees, which is perfectly entitled to make its views known. We looked at all the consultation responses, but the Government have set out their thinking and their rationale for safeguarding the future of Channel 4.

Sri Lanka Question

11.45 am

Asked by Lord Moylan

To ask Her Majesty's Government what plans they have to give urgent material assistance to Sri Lanka to alleviate the economic crisis in that country.

The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con): My Lords, we are closely monitoring the humanitarian and economic situation in Sri Lanka. The United Kingdom provides assistance to organisations in both these areas in Sri Lanka, including through the Red Cross and the Disaster Relief Emergency Fund; the UN Central Emergency Response Fund, CERF; the World Bank; and the Asian Development Bank. We have offered to support a key role in the UN on humanitarian co-ordination. This is in addition to our existing £11.3 million CSSF programme funding focused on addressing the legacy of conflict.

Lord Moylan (Con): My Lords, when I asked a similar Question on 16 May, the Government said they were monitoring the situation; it is hard to fault them for lack of consistency—they are still “monitoring”. The situation in Sri Lanka is dire: people are starving, people are dying for want of medicine, and fuel and electricity are scarce. Practical and immediate help, more than monitoring, is needed. Britain, as a leading figure in the Commonwealth, should surely be doing more and acting more vigorously in relation to this Commonwealth country that has been hit with this disaster. Sir Peter Heap, a former British diplomat, has described the British Government's response as

shameful. I do not expect my noble friend to agree with that, but surely he could agree that this Government should be doing more.

Lord Ahmad of Wimbledon (Con): My Lords, in my Answer to the original Question I outlined the financial support we are giving, so I disagree with my noble friend. Of course we are monitoring the situation. We are not intervening militarily; it is for the people of Sri Lanka to determine their future. We should be supporting the right to free protest, which we are. We should be working with international partners on the ground and UN agencies, which we are, and we are working directly with Commonwealth partners. I am looking to engage with the Foreign Minister of India, and we have already reached out. I am looking to have a call next week with the new president, who has just been elected. My right honourable friend the Prime Minister engaged with the new president directly when he was the prime minister. We are working with the Government, we are working with UN agencies, and yes, we are monitoring. By monitoring we ensure that any intervention we make is the right one.

Lord Howell of Guildford (Con): My Lords, is my noble friend aware that the Commonwealth Secretariat is in close touch with the situation and seeking ways in which it can assist in this very difficult position. Would he make sure that his colleagues in the Foreign Office co-ordinate closely with the Commonwealth Secretariat, as this may be the best channel, or one of the best channels, to co-ordinate efforts to ensure that Sri Lanka does not fall too rapidly into the Russian orbit, the Chinese orbit, or indeed both?

Lord Ahmad of Wimbledon (Con): I can give that assurance to my noble friend, not least in my role as Minister for the Commonwealth. I reassure him that, during the Kigali summit, we met directly with key Commonwealth partners. Foreign Minister GL Peiris was there, who is still in situ in the new Government. We are engaging directly and bilaterally, and scoping what level of co-operation we can offer Sri Lanka, including on the positive progress that has been made thus far, in a dire situation, through the IMF support, to ensure that Sri Lanka sustains itself as a democracy that is inclusive to all people.

The Lord Speaker (Lord McFall of Alcluith): My Lords, we have a remote contribution from the noble Lord, Lord Howarth of Newport.

Lord Howarth of Newport (Lab) [V]: My Lords, will Her Majesty's Government urge the Americans to provide more assistance to the people of Sri Lanka? After all, are not the woes of developing countries such as Sri Lanka compounded by the strength of the US dollar, itself largely the consequence of belated remedial action to raise interest rates following the excessive stimulus provided by Washington to the US economy during the last two years? Should not the Americans take account of the impact of their domestic policy on other very vulnerable countries both for humanitarian and geopolitical reasons.

Lord Ahmad of Wimbledon (Con): My Lords, what I can talk to is the response of the British Government. We are working closely with all key allies, including the US, which, like the United Kingdom, plays an important role within the context of the support being given on the ground—tantamount to several hundred million dollars—through the World Bank.

Lord Purvis of Tweed (LD): My Lords, I agree with the noble Lord, Lord Moylan, that fuel is of acute importance to this crisis in Sri Lanka. Its previous president negotiated a purchase of Siberian oil, brokered through our allies in Dubai. The current, new Administration are also seeking to purchase new Russian supplies of oil and Putin has offered Russian wheat to Sri Lanka. What is the UK doing specifically to prevent Sri Lanka becoming, effectively, a purchaser of Russian oil? The geostrategic interests of the European war are now moving to Asia, and the UK is not part of these discussions.

Lord Ahmad of Wimbledon (Con): My Lords, I disagree with the noble Lord. We are engaging quite directly with key partners in Asia and south Asia. As I have already alluded to, I shall be speaking to Foreign Minister Jaishankar in the near future, because India has a key role to play. On the issues of fuel and Russian supplies, the UK has a robust sanctions regime in place, which we are co-ordinating with our key partners.

The Lord Bishop of St Albans: My Lords, do Her Majesty's Government agree with those commentators who believe that part of the issue has been an overclose relationship between the ruling family and China? Does the Minister also agree that this is a wake-up call to those countries which are now being courted by China? What else can Her Majesty's Government do to increase our soft power among the Commonwealth at this time when people are vying for power in this volatile part of the world?

Lord Ahmad of Wimbledon (Con): My Lords, I agree with the right reverend Prelate. We have discussed before in your Lordships' House the ever-growing role of China, and it is important that we work not just as the United Kingdom but with key allies, including the European Union, America and other like-minded partners, to offer economical alternatives for long-term infrastructure development. He is correct that we have seen the key port in Sri Lanka being financed by Chinese money, which then leads to a large level of debt being held by the Chinese. Current stats show that China holds 10% of Sri Lanka's external debt stock. Although at a similar level to Japan, that debt is nevertheless on a rate which disables the economy rather than enabling it.

Baroness Amos (Lab): My Lords, can I press the Minister on the humanitarian support that we are giving to Sri Lanka? Last month, inflation on food prices was 80%. There is rising unemployment and the World Food Programme has talked about 3 million people in need of dire humanitarian assistance. Supporting a co-ordinator in New York is not going to deal with the immediacy of that humanitarian crisis.

Lord Ahmad of Wimbledon (Con): My Lords, it is not just the co-ordinator role; we are providing support through CERF and money through the World Bank. But the noble Baroness is quite right about further direct support, and I have tasked officials—I have seen one submission already, but sent it back to them—on enhancing support bilaterally for the funding we can stand up, specific to the very point she raises about humanitarian support. The noble Lord, Lord Purvis, mentioned fuel, as did my noble friend in his original Question, but it is equally important that we look at averting further famine on the ground, if indeed that is the next repercussion. We are encouraged by the incorporation of a degree of political stability, which we see with the swearing-in of the new president. As I said earlier, I will be looking to engage with him directly over the coming days.

Baroness Uddin (Non-Affl): My Lords, I have two questions. First, the Minister mentioned India, but are the British Government also in touch with Bangladesh, which has a high-quality supply of medicine? Secondly, what are the Minister and his Government doing to ensure that there is no violence against women or rape in any upcoming conflict that there may be? Can he assure me that his team is watching this situation?

Lord Ahmad of Wimbledon (Con): My Lords, the noble Baroness raises a valid point about Bangladesh. We are talking to key Commonwealth partners in this respect; I mentioned India because it has a key role to play in direct economic support. On the issue of violence more generally, and specifically to women, we are of course looking at that constructively. We are offering direct support on the ground through the Conflict, Stability and Security Fund, where money has been stood up and is invested in projects. When I said in my original Answer that there was monitoring, of course we are monitoring the security situation and working with key partners. We are imploring the importance of peaceful protest, which should be sustained. Underlying issues still remain, such as the historic conflict which gripped Sri Lanka. We need to ensure that we stay focused, so that the current political and economic instability does not lead to communal violence.

House of Lords Appointments Commission

Private Notice Question

11.55 am

Asked by Baroness D'Souza

To ask Her Majesty's Government, in the light of recent press comments, what plans they have to alter the role or composition of the House of Lords Appointments Commission.

The Minister of State, Cabinet Office (Lord True) (Con): None, my Lords.

Baroness D'Souza (CB): My Lords, I thank the minister for his Answer.

The Burns report, commissioned by the noble Lord, Lord Fowler, was warmly received in this House and by the Government of that time. Its recommendations included a limit to the number of Peers appointed to

[BARONESS D'SOUZA]

the House of Lords and changes to the authority of the House of Lords Appointments Commission. Will the Government now undertake to be guided by these recommendations, or are they to be abandoned?

Lord True (Con): My Lords, I have answered on a number of occasions in relation to the Burns committee. On the specific question of whether the Government have plans to alter the role or composition of HOLAC, I repeat: we have none.

Baroness Smith of Basildon (Lab): My Lords, we are no better informed than we were previously. Debates in this House have strongly endorsed the Burns committee and the calls of the noble Lord, Lord Norton, for the House of Lords Appointments Commission to be on a statutory footing. The reason for this is the scale and controversial nature of appointments made by this Prime Minister. For this House to work at its best, it needs to be smaller and to be assured of the integrity of all appointments. Anything else undermines those who take on their positions to contribute in the national interest.

I have two points for the Minister, which I hope he will take back to Downing Street, whoever happens to be in occupation at the time. First, this House needs assurance that the Prime Minister will not make appointments that do not have the approval of the House of Lords Appointments Commission. Secondly, is not this the first time in history where the House of Lords, instead of resisting government reform, is leading the calls for a smaller house and the end of hereditary Peer by-elections, and for HOLAC to be listened to, while it is the Government who are resisting reform?

Lord True (Con): My Lords, the role of the House of Lords Appointments Commission is greatly valued. It is advisory and one of its primary purposes is to vet nominations to the House of Lords. Your Lordships' House is in need of being refreshed constantly. We have had the pleasure today of welcoming a new Member, just as yesterday we heard the valedictory speech of one of our most beloved and long-serving Members, my noble and learned friend Lord Mackay. There is a difference, although it is unchivalrous to point it out, of 37 years between those two Members. Refreshment is part of that and any Prime Minister will always seek to do it. My observation is that there is a need for an urgent refreshment of the Front Bench opposite, whose work is outstanding and presses hard on them. I have long advocated, and hope it will happen, that there should be a refreshment of the Front Bench opposite. I hope that will not be resisted by your Lordships.

Lord Forsyth of Drumlean (Con): Perhaps my noble friend might suggest to the Prime Minister that, in making appointments, he adopt the policy pursued for Cross-Benchers who come here via HOLAC of getting assurance that those who are appointed will take this place seriously and do the work.

Lord True (Con): I can certainly agree with my noble friend and the implication of the question put earlier by the noble Baroness, Lady Smith. To be a

Member of your Lordships' House is one of the highest privileges that any person can ever receive. I have always tried to attend and do my duty here. I would hope that those who are appointed would behave in the same way.

Lord Newby (LD): My Lords, is it the Minister's view that, to protect the integrity of your Lordships' House, the Prime Minister should always follow the advice of the Appointments Commission?

Lord True (Con): My Lords, any Prime Minister would normally pay heed to the advice, as this Prime Minister has made clear. There is a particular case to which your Lordships continually return, where the Prime Minister made an appointment on his own judgment. I defend that particular person; he plays a valuable role in our House.

Lord Burns (CB): Since the establishment of the Lord Speaker's committee, some three-quarters of political appointments have been made to the Conservative Benches. There are now 89 more Conservative Members than Labour Members and there are more Conservative Members than Labour and Liberal Democrat Members combined. If there were to be a change of Government at the next election and similar partisan behaviour were to continue, would the Minister be comfortable with a House of 900 or more Members?

Lord True (Con): My Lords, the reality of this House is who comes here and who works. Sometimes, those who do not come here very often make enormous contributions; I can think of a very distinguished scientist who comes on occasion. The Prime Minister has appointed—I should say recommended; Prime Ministers do not appoint—91 Peers since he became Prime Minister. That is not out of order with numbers in the past.

Lord Cormack (Con): Would my noble friend accept that, at the moment we are in a—to use the word correctly—unique situation? We have a Prime Minister who we know is going. Can my noble friend assure the House that, whatever the Prime Minister does with a resignation honours list, to which Prime Ministers are entitled by tradition, he will not issue another list while he is the caretaker of No. 10 Downing Street?

Lord True (Con): My Lords, the Prime Minister is the Prime Minister and the Queen's principal adviser. It is for the Prime Minister of the day to advise the sovereign on appointments to your Lordships' House. I observe that, were there to be a resignation honours list—these things are all speculative—it is highly unlikely that people in other parties would be on it.

Baroness Hayter of Kentish Town (Lab): My Lords, I follow what the noble Lord, Lord Burns, has said about the numbers, given that the Conservatives already outnumber the joint Opposition. There is a likelihood that Labour will form the next Government. That would offer two choice: either we have to do exactly the same and stuff this place to get the business through—which is not in the interests of this House—or there would be a major and rather dramatic cull of the

sort that might not support the work of this House or our democratic function. Can the Minister take back the very serious implications of what will happen if the continuing dominance of the present Government outweighs the Opposition to the extent that they do at the moment?

Lord True (Con): My Lords, I did not notice that dominance in the massive number of defeats suffered by the Government in your Lordships' House in the last Session. However, the noble Baroness, whose wisdom and experience I always heed, makes an important point: your Lordships' House is a House that advises and has the capacity to ask the other House to think again; its conduct must be based on restraint and, above all, a good understanding across the Front Benches between Her Majesty's loyal Opposition and the Government of the time. Historically, this was founded in the arrangement known as the Salisbury/Addison convention. I hope that we will continue to heed that doctrine, whoever is in office.

Lord Balfe (Con): My Lords, when I came into this House, I was told by the Conservative Chief Whip that the difference between this House and the Commons was that in the Lords you had to win arguments to win votes. It seems that we are moving towards an untenable situation where one party in this House is trying to get a majority.

Will the incoming Prime Minister commit to working with this House to achieve the aim of the Burns report? That aim was to have a responsible second House that can challenge the Government; although, as my noble friend Lord Cormack and I both know, in the final event we accept the primacy of the elected Chamber. All we are asking for is balance. When I am told the Labour Benches are going to be strengthened by eight new Peers when we get 20, I am not sure that is balance.

Lord True (Con): My Lords, I am not certain it is the role of your Lordships' House to challenge the other place, although I agreed with the later points made by my noble friend. I believe your Lordships' House worries at this question too much. I repeat that I do not believe fundamentally—as I have said many times from this Dispatch Box—that your Lordships' House, which is unelected, can aspire to dictate who and how many Members are in it.

Lord Winston (Lab): My Lords, the Minister referred to the numbers of government defeats in recent Sessions. Would that not be a case for refreshing the Government Front Bench, rather than the Opposition Front Bench?

Lord True (Con): My Lords, there is an instant when you are thinking, then you have to stand up and give a reply to your Lordships' always-penetrating questions. I was going to say in response to my noble friend Lord Balfe that I must have been pretty awful at putting arguments from this Dispatch Box because I have lost quite a few. I think the phrase is: "them's the breaks". We listen to the arguments put forward by your Lordships. I have had the privilege of taking—and am currently taking—legislation through your Lordships'

House, and have gained very much from the engagement and events with Peers on all sides, and indeed in Her Majesty's Opposition.

Lord Wallace of Saltire (LD): My Lords, the Minister makes the best of sometimes rather weak cases when putting them forward. He knows the Prime Minister much better than I do. Does he occasionally wonder whether the Prime Minister—a declared disruptor of our institutions—wants to undermine the current constitution of our second Chamber by flooding us with more and more appointments, and whether that will push us towards the next stage of much-needed reform?

Lord True (Con): My Lords, disruption is in the eye of the beholder. The historical policy of the Liberal Democrats is to replace your Lordships' House with an elected Chamber.

Lord Randall of Uxbridge (Con): My Lords, if he has the figures, or if he knows, can my noble friend say how many Peers previous Prime Ministers appointed? How many Peers were appointed by Tony Blair, for example?

Lord True (Con): My Lords, it was 374.

Lord Foulkes of Cumnock (Lab Co-op): My Lords, further to the excellent question from the noble Lord, Lord Forsyth, will the Minister admit that there is a genuine problem with a perception of a Peerage as merely an honour one above a knighthood? The reality is that we need people who will be working Peers and who will scrutinise legislation and question the Government. Surely it is right to ask anyone who is nominated to membership of this place for a guarantee that they will attend at least a minimum number of sittings and, as far as is possible, play a proper and full part in our work.

Lord True (Con): My Lords, I know that many of your Lordships feel that way, and I have intimated what I think about that in one of my earlier answers. Having been an observer of your Lordships' House for a long time before I had the honour of becoming a Member, I can put the point that, while it is true that there are some noble Lords who come here infrequently, they none the less make very major contributions to specific and specialised debates. In addressing the challenge put forward by the noble Lord opposite, I beg your Lordships to recognise that quantity of speech is not necessarily consonant with value or quality of contribution.

Baroness Jenkin of Kennington (Con): My Lords, only a matter of months ago, the Prime Minister said:

"There is one 'first' that is still long overdue and that is the moment when—for the first time—we finally achieve 50:50 ... in our Parliament."

The only place in which the Prime Minister has the power and opportunity to make progress towards this ambition is here in your Lordships' House. Like other noble Lords, I hope he will show restraint but, if there are more Members to come, it is worth noting that he has so far appointed seven women and 29 men to the

[BARONESS JENKIN OF KENNINGTON]

Conservative Benches. It is not too late to put this right. Does my noble friend the Minister agree that a new list is an opportunity to redress this balance?

Lord True (Con): My Lords, my noble friend makes a very good point, to which every past, present and future Prime Minister should pay heed: this House is enriched by all manner of diversity. I strongly agree with what she said about the great importance of a full contribution by women in your Lordships' House.

Heatwave Response

Statement

The following Statement was made in the House of Commons on Wednesday 20 July.

"I would like to make a Statement on this week's heatwave. Coningsby in Lincolnshire broke records yesterday when it registered a provisional reading of 40.3 degrees centigrade. According to the Met Office, no fewer than 34 locations around the United Kingdom exceeded the country's previous highest temperature of 37.8 degrees centigrade, which was set in 2019.

We have seen a collective national endeavour to prepare for and manage the effects of the heat, from town hall to Whitehall and across various industries, to keep people safe and infrastructure functioning. From water companies and rail engineers to public servants across the land, everyone has pulled together, with members of the public responding in a responsible way that took the pressure off vital public services.

Our national resolve has been exemplified by our fire and rescue services, for many of which yesterday was the busiest day since World War II. They were undoubtedly stretched, but coped magnificently. The systems in place to make sure that the fire services can operate nationally as well as locally worked well. In tinderbox conditions, they have dealt with dozens of wildfires around the country over the past 24 hours. Fifteen fire and rescue services declared major incidents and handled emergency calls the length and breadth of the country.

Sadly, at least 41 properties have been destroyed in London, 14 in Norfolk, five in Lincolnshire and smaller numbers elsewhere. On behalf of the Prime Minister, the Cabinet and, I am sure, the whole House, I would like to pass on our sincere condolences to those who have lost their homes or business premises. I know that my right honourable friend the Secretary of State for Levelling Up, Housing and Communities is working closely with local authorities to provide support to them.

Throughout recent days, the Prime Minister has monitored our work and has been specifically briefed on a number of occasions; we briefed him again this morning. The Prime Minister was briefed during the wildfires by Mark Hardingham—the chair of the National Fire Chiefs Council—and the civil contingencies secretariat. He has passed on his thanks to all the brave firefighters who have sought to control the flames in such debilitating conditions. I would also like to pay my tribute to the fire control staff, officers and support

teams for their essential work and to the other agencies that have made such tremendous efforts in recent days: the NHS, our emergency call handlers, the police and the Maritime and Coastguard Agency, among many others.

Honourable Members will be relieved to know that some pressure on these services will now ease as the fiercest heat has subsided. Many incidents are now being scaled back. Thunderstorms are likely this afternoon, but for much of the country, more clement, dry conditions are the pattern for the coming days. The Met Office, however, stresses that the summer is likely to bring further hot weather and wildfire risk remains elevated. That is why we are treating this heatwave as an exacting test of our national resilience and contingency planning. As always, there is no room for complacency.

We have seen over the past few days what we can achieve when we prepare properly and then work closely together. Owing to the technical expertise of the weather forecasters who predicted with admirable precision the peak of the heatwave and how high the temperatures would be, the Government were able to launch an advance campaign of comprehensive public advice. Our early data shows how, well before the heatwave arrived, people were taking on board that advice from the UK Health Security Agency, the NHS, the Chief and Deputy Chief Medical Officer, emergency services and key agencies on the ground.

Because of our established local networks and colleagues in the devolved Administrations, we had people spread across the UK ready to step in when it mattered. I am particularly grateful for the co-operation and support that we received from the Scottish Government, the Welsh Government and the Northern Ireland Executive. We all need to manage these events together.

I would like to give some examples of how people taking the right action helped to mitigate the effects of the extreme weather, starting with the heeding of advice. Fully five times as many people accessed NHS England internet pages on how to manage the symptoms of heat exhaustion in the critical week beginning 11 July. We had feared that our vital 999 call services would come under untold pressure, yet as the mercury climbed inexorably on 18 July, fewer 999 calls but more 111 calls were made than the week before. That suggests that the public had heeded the advice to avoid 999 except in emergencies.

With travel, once again people were playing for the team. The public stayed at home to avoid the heat, not venturing far. The data bears that out: on Monday, footfall at major London stations was at approximately 35% of normal post-pandemic levels. Network Rail reports that passenger train numbers yesterday were approximately 40% down on the previous week. We did not forget those who cannot easily leave their homes; we asked people to look out for the elderly and for vulnerable family members and neighbours.

Tragically, 13 people are believed to have lost their lives after getting into difficulty in rivers, reservoirs and lakes while swimming in recent days; seven of them, sadly, were teenage boys. I would like to pass on our sincere condolences and those of the whole House to the families of the victims for their terrible loss.

Of course, we have still to work through the longer-term consequences of the heatwave. The true picture will not come until all incidents are analysed, all emergency teams are debriefed and all incident logs and data reconciled. A great deal of data has yet to come in from colleagues in the devolved Administrations and from local authorities and agencies around the country. We recognise that we are likely to experience more of these incidents, and that we should not underestimate their speed, scope and severity. Britain may be unaccustomed to such high temperatures, but the UK, along with our European neighbours, must learn to live with extreme events such as these.

The Government have been at the forefront of international efforts to reach net zero, but the impacts of climate change are with us now. That is why we have a national adaptation programme under the leadership of the Department for Environment, Food and Rural Affairs. As we have seen in recent days, we will continue to face acute events driven by climate change. It is the responsibility of Cabinet Office Ministers to co-ordinate work across government when those events take place.

The Government will continue to build our collective resilience. To that end, the national resilience strategy, about which I was asked on Monday, will be launched at the earliest possible opportunity by the incoming Administration. In the meantime, I will continue to co-ordinate the work of teams across government in building resilience to make sure that the country is ready to meet the challenges of the autumn, the winter and beyond. In that spirit, I commend this Statement to the House.”

12.12 pm

Baroness Smith of Basildon (Lab): My Lords, it would be helpful for the House to hear me read out again the points I made yesterday. I say to the Minister: yesterday's scenes from Wellington, and other places, of homes and lives devastated are shocking and heartbreaking. As a former fire and safety Minister, I pay tribute—and I am sure the whole House will join me—to all our emergency services for their extraordinary efforts, especially the London Fire Brigade, which faced its most challenging day since the Blitz.

I hope that even those in this House who derided the concerns about extreme weather when we had the Statement on Thursday, with fond memories of the summer of 1976, will now recognise that the current events are very different. This week's events in the UK and across Europe, when added to the previous extremes we have seen causing flooding and weeks of power supply problems, are a stark reminder that the climate emergency is real and pressing.

I am grateful to the Minister for responding in writing to my question about funding support for local resilience forums and confirming that this could be reviewed. However, given the damage and destruction we have seen—lives being devastated and the potential for it to happen again—will the Government commission a lessons-learned review on how local emergency services, LRFs and the Cabinet, which has been distracted by internal politics, can be better prepared? Can he make sure that the right funding is in place to ensure that, when these events occur, we are properly prepared at every level to respond to them?

The Minister of State, Cabinet Office (Lord True) (Con): I am very grateful to the noble Baroness. I entirely endorse what she said about the horrific nature of some of the pictures and films we saw, behind each of which is a person whose life has been affected; our hearts go out to all those people. I also wholly agree with what she said about the role of fire services in this particular instance, as well as all the other emergency and response services, which have worked so hard during those events.

I take the point the noble Baroness made about needing to learn lessons, and hopefully this will be one of the things that feeds into the new resilience strategy under preparation at the moment. I can certainly assure her that, in both the national security risk assessment and our work on resilience, the lessons of the last few days will be taken into account. I am grateful for what she said about those who have worked so hard.

Lord Wallace of Saltaire (LD): My Lords, the response to this extraordinary event has been extremely good. I hope the Minister will agree with me that the local responses were as important as the national effort. This reinforces the argument that we need to pay more attention to ensuring that our local authorities, their public health officers and others play a larger role and have the resources necessary to help their communities, because not everything can be done from London or Whitehall.

I hope that the events of the last two or three days have finally killed off the views of climate change deniers and those in the Minister's own party who say that climate change adaptation is better than attempts to stop the transition in its tracks. While a more active Government would mean a larger state, that is less disastrous, they would argue, than climate change. I hope that he would also agree that the active interventions needed to stop climate change will involve a good deal of long-term public investment and that this may need to take priority over tax cuts. Those who insist that tax cuts are what come first under any circumstance—which seems to be the major theme of the current Conservative leadership contest—should take account of what we need to do if we are to adapt to climate change. This includes water storage—which the east of England in particular needs to invest in more—and ways of changing the built environment, particularly by greening our cities and providing houses and flats built not just for keeping warm but for keeping cool in the summer by, for example, reducing the amount of glass. In the longer term, a whole range of measures will be needed to ensure that we cope with the international transition. Can the Minister tell us a little more about the national resilience strategy: how do the Government plan to present that, and how will it engage a national conversation on the very substantial transition we need to make over the next five to 10 years?

Lord True (Con): My Lords, I am grateful to the noble Lord for his questions, and he knows that I share his deep and profound respect and affection for local government and the astonishing public service given by local government officers and councillors up and down this country. The local resilience forums referred to by the noble Baroness, Lady Smith of

[LORD TRUE]

Basildon, yesterday have performed admirably—I endorse what was said—during this response and are mitigating almost all the problems before escalation. DLUHC and partners held four resilience co-ordination group meetings, some of which were attended by the Secretary of State, and strategic co-ordination groups have overseen the local response. We have also welcomed co-operation with the devolved Administrations.

On the noble Lord's broader points, I speak for Her Majesty's Government, not for who one might want to lead a future Government. This Government, under the leadership of my right honourable friend Mr Johnson, have been, as I said earlier in the week, absolutely at the forefront of progress towards net zero. Our objective is that, by 2030, 95% of British electricity will be low-carbon. We are looking for 40,000 more jobs in the clean industries—a figure that we think will reach almost half a million by 2030. COP 26 shows the deep commitment of this Government to that battle. The resilience strategy is nearing completion and will be published after the Recess. I cannot advise your Lordships on the actual timing and date of its publication, but work is well advanced.

12.20 pm

Viscount Stansgate (Lab): My Lords, we have all seen the dramatic pictures of this week's extreme heatwave, and I pay tribute to all those involved in trying to deal with it, but perhaps I might bring to the House's attention other aspects that have not been seen. For example, I do not know whether your Lordships know this but a major London hospital this week lost all its computing power, and all the back-up servers went down. By any standards, that is a failure of real importance. It is not just the dramatic television pictures that we need to worry about. As a member of the Joint Committee on the National Security Strategy, I can say that we are examining the issues of resilience in great detail, and I dare say that the House will have other opportunities to debate it, but will the Minister take back from this exchange the fact that some really important things can go wrong that you do not see?

Lord True (Con): As ever, the noble Viscount speaks wise words. I shall take back what he said. The reality is that, despite the pressures that there were in various places, the NHS emergency call handlers dealt with record numbers of calls to 999. All those public servants involved have done an outstanding job. One thing that helped was that the advance warning process worked very well, and people were able to prepare. Indeed, the weather forecasters take a bit of a pasting in this country—it is a favourite pub conversation—but I think that they did pretty well on this occasion, enabling everyone to be put on the right footing. However, I agree with the noble Viscount that there are issues that do not necessarily always come to the forefront, and all of them must be swept in and considered as we prepare for future similar events. I have no doubt about that.

Lord Krebs (CB): My Lords, according to climate change risk assessment evidence produced by the Climate Change Committee every five years, up to 90% of

hospital wards in this country are at risk of overheating, because they are not designed for the kind of weather that we are going to get in future. Could the Minister tell us how many of the 40 new hospitals that the Government have committed to build by 2030 will be built in a way that is resilient to extreme heat?

Lord True (Con): My Lords, I can hear some chuckling about the 40 new hospitals, but I have no doubt that those facilities will be built and must be built. Setting the chuckling aside, the serious question put by the noble Lord is one that I shall take away and seek advice on. Obviously, it is not my department that is supervising that, but the noble Lord makes an important point, and I shall report back to him on it.

We must be responsive to the challenge of climate change. However, we must not forget that there are other challenges at the other end of the spectrum. We also need to continue to protect elderly people against the effects of cold in winter. It is very easy to obsess about extreme heat now, and rightly so, but other dangers also lurk in the natural world that we inhabit.

Lord Trefgarne (Con): My Lords, we read that a comparatively small number of people had their houses either completely destroyed or very seriously damaged. Should not special provisions be made for such people in the circumstances that my noble friend has described?

Lord True (Con): My Lords, the reports were certainly shocking. At the moment, the data is provisional, but we expect there to be up to 100 damaged properties, with at least 41 damaged and destroyed in London alone. In the wildfire in Wennington, Essex, 88 properties were evacuated and 15 damaged and destroyed. Data is provisional at the moment, and we will have to watch that as it comes in.

As for what is done in individual cases, every one of those cases will vary, and I do not think that it is for me at the Dispatch Box to say what might or might not happen in the individual circumstances of a particular family whose house has been destroyed or damaged. I hope that all the authorities concerned will approach those families with the utmost sensitivity and understanding.

The Lord Bishop of St Albans: My Lords, it is right that we think about the effect on human beings, but these high temperatures have a huge effect on our agricultural sector, particularly on livestock. Extreme heat reduces milk yields from cattle, for example, and reduces fertility and increases the number of miscarriages. What work is being done by government scientists to prepare our agriculture industry if this continues, and what advice is being given in the short term to help our first-class British agriculture sector adapt and continue to provide the food as it does so well?

Lord True (Con): The right reverend Prelate makes an important point, as did the noble Lord, Lord Krebs, earlier. I regret that I am not in possession of advice on that point at the moment, but I shall certainly pass on his comments to my colleagues in Defra, and will do so with some urgency, because he makes an extremely important point. The countryside suffers as well as the urban areas, and we need to be prudent and thoughtful custodians wherever we live.

Lord Harris of Haringey (Lab): My Lords, I refer to my interests in the register. The Minister has several times referred to the importance of local resilience forums. He has been asked in the past what their current level of funding is, and whether it has been maintained. Could he also tell us whether that funding is going to be properly ring-fenced? The other day I asked him about the Civil Contingencies Secretariat. Can he tell us whether that still exists, or whether it is continuing but on a basis of a 30% vacancy factor?

Lord True (Con): My Lords, I very much regret that, although I wrote to the noble Baroness opposite about the resilience forums and funding, which is embedded and due to continue, I did not reply on the question that the noble Lord has asked and has asked again. That is a deep fault within me; I apologise to him and to the House, and I shall come back with an answer on the point that he asked about. I hope that he will pardon me for a day or two, until I get that information to him.

Baroness McIntosh of Pickering (Con): My Lords, I support entirely what the right reverend Prelate said with regard to farming and livestock, given the extreme conditions this week. The last time we had a drought and appointed a Drought Minister, it was followed by significant floods. Will my noble friend support the idea of considering a national grid for water, like the regional grid set up by Yorkshire Water in the whole Yorkshire region, which is able to feed water through pumps and pipes to those areas where there is water stress or shortage? That would enable areas of the UK which suffer water stress, such as East Anglia and the south-east of England, to benefit in this way in future years, if this is going to be a regular occurrence.

Lord True (Con): My Lords, again, I am tempted to speak outside my brief. Perhaps I could express a personal response: the water that “droppeth as the gentle rain from heaven”

is a precious resource given to us and to people in every nation, and we have the duty to do the best that we conceivably can to preserve that precious resource in our own nation, as well as an enormous responsibility to bring the gift of clean water to every person and nation of the world.

Baroness Neville-Rolfe (Con): Could the lessons learned, or the resilience strategy, study the weather this week in detail and the local impacts and assess the likely frequency of future heatwaves? Has the Gulf Stream changed; is hot weather more likely to be pushed up from Europe than before? We need to invest in the right things and not the wrong things and I think a proper assessment of the weather, rather than ex cathedra statements about climate change, are really needed if we are to do the right thing.

Lord True (Con): My Lords, my noble friend has just made a point, as did so many noble Lords who have contributed, that should not be characterised as a sceptical point, or whatever, as so often those kinds of responses are. Our response should certainly be scientific and based on information and I am not going to talk at this Dispatch Box, as a member of this Government,

about what might be the meteorological reasons for this particular invasion of Sahara air. Obviously, the jet stream this year is deflected in an unusual way, but I agree that we should study these things carefully and I hope that my colleagues and the Government’s scientific and meteorological advisers will continue to do so.

Lord Foulkes of Cumnock (Lab Co-op): My Lords, the Minister said, quite rightly, that this crisis was well predicted in advance. In the event of any major crises in the future that are either predicted or predictable, what arrangements could there be for this House to return to hybrid operation, so that people who are not able to make it to London could fully participate? There has been some concern over the last couple of days that some people were unable to make it here.

Lord True (Con): My Lords, again, I think that is a matter not for the Executive but for the parliamentary authorities. I am sure they will have heard the noble Lord, who is a most assiduous attender—nobody will have thought of him when people who do not attend very much were spoken about earlier. I think people have heard what he said. Obviously, these things have to be held in balance. Overall, as a parliamentarian and someone who loves your Lordships’ House, I prefer to be able to look somebody in the eye, hear what they say and accept the challenge. I think that is the proper role of Parliament, but I am sure the authorities will consider what the noble Lord has said.

Baroness Fox of Buckley (Non-Affl): My Lords, first, there was a comment earlier that some noble Lords derided concerns about extreme weather. I actually heard those comments and saw them as balanced and proportionate. Will the Minister comment on another danger, which is scaremongering and sensationalism that can create a climate of fear? I watched the news with pictures that were described as, “We are witnessing Armageddon.” Many elderly people, children and so on must have been very frightened when they saw that, so is that a different kind of danger?

Secondly, on infrastructure, it was certainly shown up to be a bit creaky. On Sunday, before the heatwave, the trains I was trying to get were not running because of the weather, and neither were they running yesterday, after the heatwave. Could there be an opportunity for the Government to use their levelling-up initiative to improve infrastructure so that it can cope with weather challenges?

Lord True (Con): My Lords, there were number of points there, and I could quite easily be tempted to go rather further than I should. I said when we were discussing this earlier in the week that I do not really care for project fear in any form. My mother used to tell me the tale of the boy who cried wolf. There is a wolf, actually—there is climate change—but I think it is very important that this be tempered. People can be easily frightened and should not be frightened, because the response that needs to be made is a collective, international response and individuals should not be subjected to unreasonable stress by exaggerated and alarmist reports; there is a balance there.

[LORD TRUE]

As for trains on Sunday, it would be a fine thing to be able to get to Stansted Airport on a Sunday, would it not? UK rails are stressed to withstand temperatures of 27 degrees, which is the mean summer rail temperature in this country. Obviously, other countries, where the kind of weather we had earlier this week is normal, stress their rails to higher degrees, but obviously if you stress your rails to too high a temperature, you have problems at the lower level and we are told that there is the wrong kind of snow on the line. Network Rail needs to consider, and I am sure is considering, these matters. Three-quarters of UK track is modern and set into concrete sleepers, which helps prevent rails buckling in the hot temperatures, but I am sure the good railway people will have heard what the noble Baroness said.

Baroness Healy of Primrose Hill (Lab): My Lords, I declare an interest as my husband represents a part of east London where there were two devastating fires. I have seen film footage by the fire brigade of the two communities and it is complete devastation. I hope the Government can manage to provide some extra funding, because it looks like a complete war zone. People would have lost their lives had the local community not managed to help evacuate them just in time. It was literally just in time and it is complete devastation—they have lost everything. If the Government could see their way to providing some extra funds to the local authorities, I think it would be appropriate.

Lord True (Con): My Lords, I greatly welcome what the noble Baroness has said, and I tried to make the same point earlier: 45 members of the public at Wennington had to self-evacuate; 10 members of the public were evacuated to a rest centre; and 10 firefighters were affected by heat exhaustion, two of whom went to hospital. It was a horrific and shocking event for those involved. I hear what the noble Baroness said but I can only repeat what I said earlier: that I hope all the authorities involved—some of those will be private as well as public—will address with sensitivity the cases she referred to.

Baroness Bennett of Manor Castle (GP): My Lords, the Minister referred to difficulties getting to Stansted Airport on Sunday. That is, of course, contributing to the problem, whether you travel by rail or road. He may be aware of the report this morning from UCL and LSE academics and Carbon Tracker showing that the oil and gas industry has delivered profits of £2.3 billion a day over the last 50 years to multinational companies and petrostates: that is a total of \$52 trillion. Should that industry not be paying a lot more in tax instead of, in the UK, just since the Paris agreement was signed, the Government subsidising it to the tune of £13.6 billion?

Drawing on the point made by the noble Baroness, will not the people of Wennington and the other parts of east London and the other parts of the country so affected by these events, by wildfires that are entirely outside the British general experience, be thinking that those oil and gas companies should be paying into our long-awaited national resilience strategy and making a contribution for the conditions of the Anthropocene that they played a huge part in creating?

Lord True (Con): My Lords, the noble Baroness comes from an extremely radical anti-capital stance, which she has exemplified. I will not be an advocate for any particular company, but I think many of the companies in the industry concerned are bending many tens of millions of pounds towards investment in renewable and positive energy developments. It was incautious of me to mention Stansted Airport—it was a remark that was made to me this morning when I was coming to the office—but I sincerely hope that the Just Stop Oil protesters who blocked the M25 arrived either on foot or by bicycle.

Northern Ireland Protocol Bill

First Reading

12.39 pm

The Bill was brought from the Commons, read a first time and ordered to be printed.

Food Insecurity in Developing Countries due to Blockade of Ukrainian Ports

Motion to Take Note

12.40 pm

Moved by Lord Alton of Liverpool

That this House takes note of (1) the impact of the Russian blockade of Ukrainian ports on food insecurity in developing countries, and (2) its contribution to the danger of famine in (a) the Horn of Africa, and (b) East Africa.

Lord Alton of Liverpool (CB): My Lords, in opening today's debate I should like to thank all noble Lords who are going to take part, especially the right reverend Prelate the Bishop of Southwell and Nottingham, who will make his maiden speech. I couple those thanks with my thanks to the House of Lords Library, Dr Ewelina Ochab, the World Bank and others who have provided us with such excellent briefing material. I draw attention to my non-financial interests, including being a patron of the Coalition for Genocide Response and co-chair of the APPG on Eritrea.

Our debate is taking place as Russia, Iran, and Turkey, with its responsibility under the 1936 Montreux convention for naval traffic entering the Black Sea, have been meeting in Tehran. Turkey has proposed that Russia allows Ukrainian grain ships to leave Odessa on designated routes—grain corridors—so long as checks are made that the ships are not carrying arms. Beware Putin, broken promises, blackmail and Potemkin village scams.

This debate is also taking place against a backdrop of mass displacements, thousands of deaths and devastation, all unleashed by Putin's war on Ukraine, with Europe left facing its worst energy and economic crisis since the 1940s. The war's effects reverberate around the globe: food price inflation and supply disruptions from the war in Ukraine have left millions, in Africa especially, vulnerable to famine and starvation.

In 1988, before the collapse of the Soviet Union, I visited Ukraine and met political and religious leaders, some of whom had spent nearly two decades in the

Kremlin's prison camps. It was inspiring to watch people lay flowers each day at the doors of churches closed by Stalin 40 years earlier. They proudly held aloft their blue and yellow flags of defiance. Putin's deluded idea that these brave people would now line the streets with flowers, cheering the new imperial occupation and the reconquest of their country, simply beggars belief.

An abiding memory from that time is of conversations with families who had personally experienced Stalin's Holodomor, which translates to "death by hunger", and had occurred 50 years earlier from 1932 to 1933. Stalin's Holodomor, like Putin's today, was an entirely man-made catastrophe, leading to anything from 3.5 to 5 million deaths and is regarded by many historians as a genocide. The Holodomor was methodically planned and executed by denying the producers of the food the sustenance necessary for survival. It seems especially cruel and perverse to have used food as a genocidal weapon in the breadbasket of Europe.

While people were starving to death, the Soviet state stole over 4 million tonnes of Ukraine's grain, enough to meet the needs of 12 million people in a year. As Ukrainians resorted to eating grass, acorns and even cats and dogs, Stalin banned any reference to famine. His decree of "Five Stalks of Grain" stated that anyone, even a child, caught taking produce from a collective field, could be shot or imprisoned for stealing socialist property. In 1933, 2,000 people were executed.

The Holodomor, also known as the Terror Famine, was caused by a dictator who wanted to replace Ukraine's small farms with state-owned collectives and punish independence-minded Ukrainians who posed a threat to his totalitarian authority. Does that sound familiar? Today, in a mirror image of Stalin, it is Putin committing food terrorism by purposefully destroying Ukraine's agricultural infrastructure and stealing Ukrainian grain and agricultural machinery. Last week, we saw vivid footage of his militias setting fire to fields, scorching the earth and reducing crops to ash. Along with the blockading of ports, this is using food as a weapon of war—a war crime. The weaponising of mass hunger is straight out of Stalin's playbook. Protocols added to the Geneva conventions state:

"Starvation of civilians as a method of combat is prohibited".

The Rome statutes of the ICC codify it as a war crime and the 2018 Security Council Resolution 2417 condemned the use of food insecurity and starvation as a tactic of war and laid duties on the Secretary-General when such situations occur.

When the Minister, the noble Lord, Lord Ahmad of Wimbledon, who will reply to our debate, recently met Karim Khan QC, the ICC prosecutor, I wonder what he learned about the prosecution of those responsible for this and other war crimes, including the mass killings and atrocities in Mariupol, Bucha and elsewhere, the use of cluster munitions and much more besides. Notwithstanding vetoes, how are the Secretary-General and the UN Security Council holding Russia to account for its violation of Resolution 2417?

Putin's militias and missile strikes have damaged and destroyed many farms, stocks of food and seeds, silos, warehouses, oil depots and agricultural machinery

and equipment. Unharvested winter crops across many of the war-affected areas have resulted in an estimated \$1.4 billion of damage. Will seized Russian assets be used to provide restitution and reconstruction?

In addition to destruction, there are credible reports of Putin's military looting around 500,000 tonnes of grain from the occupied territories of Luhansk, Donetsk, Kherson and Zaporizhzhia regions—a third of the stocks required for sowing and domestic consumption. The grain is then shipped from the Russian-controlled Crimean port of Sevastopol and from the port of Berdyansk. To date, satellite imagery has identified 41 bulk carriers, mostly under Russian or Syrian flags, transporting plundered grain. The BBC says that in many instances these ships switch off their automatic identification system transponders to hide the origins of the looted food.

Now put this into context. The scale and nature of Ukraine and Russia's role in global food supplies is phenomenal. As such, the lack of access to Ukraine's grain has catastrophic global consequences. In 2021, the Russian Federation or Ukraine, or both, were ranked among the top three global exporters of wheat, barley, maize, rapeseed, rapeseed oil, sunflower seed and sunflower oil. Agriculture and food represent almost 10% of Ukraine's GDP. Last year Ukraine exported food products worth almost \$28 billion to the world, including \$7.4 billion-worth of food to the European Union.

As many as 25 countries import more than one-third of their wheat from the two countries. Some 400 million people in the world depend on grain from Ukraine. This raises long-term questions about the need for greater diversification and about overconsumption by us in some parts of the world.

The immediate crisis, however, is best understood by figures from the Ukrainian Ministry for Foreign Affairs, which told me that 2021 saw a record-breaking grain harvest that collected 107 million metric tonnes, while so far this year Ukrainian farmers have threshed just 3.6 million tonnes of grain. Before the war, every month, Ukraine exported between 5 million and 6 million metric tonnes of agricultural products, 90% from the seaports on the Black Sea and the Azov Sea. In June, by using trucks, railways, rivers and its three Danube port terminals, which are all at capacity, it managed to export 2.1 million metric tonnes, but even with welcome adjustments it would take years to export the current stockpile of grain, let alone a new harvest, unless the sea routes can be reopened.

The war has also contributed adversely to a sharp rise in the cost of fertilisers and transportation. The cost of transporting one tonne of barley via the Romanian seaport of Constanta has risen from \$40 to \$160. Unsurprisingly, in May, the price index on cereal was up by 29.7% on May 2021 value, with wheat prices up on average by 56.2%. The UN food price index puts food prices at their highest since records began 60 years ago, with the World Bank reporting several countries introducing bans on the export of their wheat. This will all hit the poorest hardest. Between 2018 and 2020, Africa imported \$3.7 billion-worth of wheat from Ukraine; some of those countries most dependent include Somalia, Libya, the Gambia, Mauritania, Tunisia and Eritrea.

[LORD ALTON OF LIVERPOOL]

As of June 2022, 89 million people, nearly one-third of the population, are food-insecure across east Africa, with pockets of famine-like conditions in Ethiopia, Somalia, and South Sudan. The World Food Programme says that a record 345 million people across 82 countries are facing acute food insecurity; that is up from 276 million at the start of this year. Up to 50 million people in 45 countries are on the verge of famine and 880,000 are already living in famine-like conditions in Afghanistan, Ethiopia, Somalia, South Sudan, and Yemen. The grain crisis has amplified an already precarious situation in an Africa beset by raging conflicts. Think of the man-made disaster in Tigray alone. It has amplified the drought, locusts and climate change that they all face. The OECD says that the cumulative impact will make it impossible to end hunger by the UN's stated goal of 2030, and we can assume it will also add to the now 100 million displaced people—recent figures from the UNHCR—as they flee existing instability, riots and unrest. The International Committee of the Red Cross has scaled up its operations in 10 countries, including Somalia, Kenya, Nigeria and Burkina Faso, and says that

“more than a quarter of Africa's people—346 million—are facing a food security crisis”.

It describes it as an “alarming hunger situation”.

The World Food Programme, which has seen a 44% rise in its operating costs, warns of an “unprecedented hunger challenge”. Noble Lords should read the exchange of 9 June between the House of Lords International Relations and Defence Committee and the Foreign Secretary, Liz Truss, in which we warn that the war in Ukraine has left

“millions of people facing an impending famine and starvation.”

In reply, the Africa Minister said:

“It is President Putin's responsibility to lift this blockade so that Ukraine's food can feed the starving.”

Yes, but we too have responsibilities, not least under the genocide convention, as we see the serious risk of genocide and Putin imposes conditions calculated to bring about the destruction of the group, in whole or in part. We also have responsibilities in the context of the cuts that we have made to our development and aid programmes. Never has the WFP's funding gap been so wide. In 2021, the value of UK contributions to the WFP in east Africa stood at just over one-third of the 2018 value. In 2021, the value of contributions to the WFP in Somalia, where there are currently pockets of famine-like conditions, stood at just 9% of the 2018 value. In 2021, the value of contributions to the WFP in Sudan stood at 18% of 2019 funding. Does the scale of our response now meet the moment? No, it does not.

I hope the Minister will tell us what plans the Government have to increase humanitarian funding for food assistance programmes to reflect the increase in global food and fuel costs, which are driving up the operational costs of agencies such as the admirable World Food Programme. I hope he will elaborate on what plans we have to work through the G7 Global Alliance for Food Security to develop international solutions to the global food crisis. Specifically, is the £130 million pledge made to the World Food Programme on 24 June additional funding, and not to be diverted

from other programmes? Can he confirm that, as indicated by Minister Cleverly on 5 July, the proportion to be provided as unearmarked funding will be additional to the FCDO's core contribution to the World Food Programme?

For the sake of millions of beleaguered people in poor countries, beyond immediate famine relief, we must do all we can to help Ukraine survive this existential assault and restore its place as the breadbasket for millions of people. We must hotly dispute the outrageous, toxic Kremlin narrative that attempts to blame western democracies for food shortages and escalating prices. It may take years for Ukraine's farm sector to fully recover from the invasion. Fields have been destroyed, poisoned or mined, and they have been cluttered with abandoned Russian trucks, tanks and munitions. Farmers' livelihoods will be at risk if their ability to trade is not restored. There are practical things that can be done immediately; for instance, we should welcome and join the agreement signed on 29 June by Ukraine and the EU to speed up road freight transport and the opening of what the EU has called solidarity lanes to increase throughput at EU border checkpoints. We should also help in the development of GrainLine, a grain trading platform aimed at aligning supply and demand; then there is the railway system and the need for temporary grain elevators, all of which I am sure will be explored in this debate.

To conclude, this debate is an opportunity to reiterate our condemnation of Putin's war; to shine a light on its consequences; to demand the withdrawal of his troops from Ukraine; to call for an end to the blockades of the Ukrainian ports and to relentlessly demonstrate how Putin has precipitated a humanitarian catastrophe through the worsening of world hunger, the use of starvation as a weapon of war and his complicity in a war crime. The message should go out loud and clear from this Parliament that consumer countries should not buy stolen, plundered Ukrainian grain; that we will document every illegal shipment of stolen grain and lay the evidence before the prosecuting authorities; that we will not be blackmailed by the Kremlin; and, in the absence of an agreement, that we will work with our allies under the auspices of the United Nations to open a Black Sea humanitarian corridor to enable functioning maritime routes for the export of Ukrainian agricultural goods. I beg to move.

12.56 pm

Lord Hannan of Kingsclere (Con): My Lords, what a pleasure and privilege to follow the noble Lord, Lord Alton of Liverpool, the breadth of whose interests matches the depth of his humanity, and how sobering that he should have begun by reminding this House of the Holodomor, and the horrors and monstrosities experienced by Ukrainians. I recently read an eyewitness account of a hideous scene that unfolded in the spring of 1933 in the market in Kherson. It is almost unbearable to read, even after the passage of nearly a century. It concerned a dead mother with a still living infant, trying to suckle the last few drops. What was most shocking to the observers was that they had seen that exact scene many times before—it was no longer shocking to them. I think we can all agree in this House about what is happening in Ukraine and where the blame

lies. This is a territory twice targeted by hunger, first by Stalin and then by Hitler. As the Yale historian Tim Snyder points out, it was the most dangerous place to live in the world between 1933 and 1945.

I should like to talk about how we respond. What do we do to lessen the effects of this disaster and, as importantly, what do we not do? First, do no harm, because something that alarms me is the way in which in every continent, on every archipelago, we hear people responding in a way that is emotionally understandable but intellectually very dangerous, by retreating into the illusion of self-sufficiency and protectionism. People will say that because world food supplies are being disrupted and prices are spiking, we need to be more self-sufficient—we need to grow more of our own food and be secure in our own supplies. That, it seems to me, is this worst possible response. If countries around the world begin to do this, they will exacerbate the problem and, indeed, tip the problem into a spiral of unmitigated calamity.

It is happening. Xi Jinping recently summoned a meeting of the rubber-stamp Parliament in Beijing and said, “We need to be self-sufficient in food. The lesson we must draw from this is that we cannot rely on the West”. He proposed setting aside 300 million acres of Chinese land purely for agrarian use, not to have to depend on international trade. Ukraine has, perhaps understandably, imposed a grain export limit, but it is being followed by other countries across Asia and Africa. If this carries on, we really do risk turning a problem into a calamity.

It seems to me that we are responding, as people do, in a very natural, instinctive way. We want to have food supplies close at hand because we are still thinking with our palaeolithic brains. We want to have a hoard of food nearby to survive the winter, and we struggle with the reality of the modern globalised economy, which depends on this rather counterintuitive—in the literal sense—notion of depending for our key supplies on strangers whom we cannot see. That, however, is what has eliminated famine from the world. It was at the end of the 1960s, when countries, particularly in Asia and South America—and, to a degree, in Africa—began to understand that there was a difference between food security and self-sufficiency, that famine began to disappear as a regular feature of our lives.

The reality is that food security depends on having the broadest range of suppliers—the most diverse group of suppliers possible—so that you are immune to a local shock or disruption which might as easily take place in your own territory as anywhere else. But that idea goes to a mental blind spot. It offends our inner caveman, and runs up against these inherited instincts. I am afraid that I see the world devolving into more and more barriers, which means more and more hunger.

The tragedy is that this war has come just after a pandemic which primed those caveman instincts even more. I was shocked repeatedly during the lockdown by how many people who I had down as reliable free marketeers were suddenly saying to me, “Surely, Hannan, even you must now accept the need to grow more of our own food—even you must see that it’s very dangerous to be importing 40% of our food into this country”. Is that really what people got from the lockdown? Let us

recall that it happened at the end of March 2020, at the beginning of what our farmers call the hungry gap: the time of year when we do not really produce much food in this country; when we have reached the end of the winter harvest and are not producing any more turnips, potatoes and cabbages, but have not reached the start of the main summer harvest. Between the end of March and the beginning of May, other than rhubarb, asparagus and maybe a little bit of purple sprouting broccoli, we basically do not produce food in this country—but fortunately it did not matter, because we were able to rely on global markets.

That same lesson applies in spades to countries which are poorer than us. They need access to cheap, accessible global food supplies rather than the illusion of self-sufficiency. To illustrate this, you might say in an extreme way, I give your Lordships the countries at the furthest ends of that spectrum. First, consider North Korea, the country that has turned self-sufficiency into its ruling principle. “Juche” is the idea that there should be import substitution and that you should grow and produce everything possible at home. It is the last place on the planet that still experiences manmade famines. At the other end of the scale is Singapore, which does not produce one edible ounce. Singapore is wholly reliant on imports for its drinking water, food and electricity. Where would you rather live? Singapore has the cheapest and most secure food supplies in the world because food security and self-sufficiency are not the same thing. It was understanding that difference that brought our planet to a level of prosperity that previous generations could not have imagined. The worst possible thing we could do would be to turn back the clock decades, or even centuries, and thereby return to the poverty that our ancestors took for granted.

I am proud to have played some role in persuading our Government to lift all tariffs on Ukrainian exports, setting a precedent for others to follow; I was very pleased that the European Union followed suit five or six weeks later. That is of great value to Ukraine at the moment, because it has no sea access and therefore all of its exports must pass through EU territory. Can we not extend the principle? At a time when the world is dealing with a cost of living crisis, and when every country and every continent is touched by the scourge of inflation, could we not extend that principle and remove trade and other non-tariff barriers to the free flow of basic commodities such as food? Tariffs and non-tariff barriers on food fall hardest on the people who are poorest, because they have to spend a higher proportion of their income on the basics.

The United Kingdom raised itself above the run of nations in Victorian times by being the first place to have unilateral tariff removal and to invite the traffic and commerce of the world without hindrance. Let us live up to what our ancestors did, and let us lead the world a second time.

1.04 pm

Baroness Smith of Newnham (LD): My Lords, it is fascinating to speak immediately after the noble Lord, Lord Hannan, whose contribution advocating global free trade was nothing if not passionate, and clearly extremely well-informed. It was a thought-provoking

[BARONESS SMITH OF NEWNHAM]

contribution, but perhaps one that did not speak to all the problems in the question raised by the noble Lord, Lord Alton, in this debate. Discussing insecurity and self-sufficiency might matter at certain times for certain countries, but the Horn of Africa and countries that are on the verge of starvation already are not saying that they must be self-sufficient. They are facing extreme poverty and food insecurity precisely because of manmade problems caused by the war led by Russia. Although there is a lot we can talk about around free trade and the ideas put forward by the noble Lord, Lord Hannan, I would like to take the House back to Ukraine, and think about the implications of this war and starvation as a weapon of war.

We are already five months beyond the Russian incursion into Ukraine—five months that appear to have gone very quickly. When the invasion happened, Ukraine was at the top of the headlines. People in western Europe were listening very closely; we were following everything that happened. Five months on, if you follow the British media, one would be hard pressed to know that there was anything going on other than two days of climate crisis—a heatwave—and a Conservative leadership campaign, one of the leading candidates being the Foreign Secretary. One wonders whether she has time to be doing the day job while vying to be Prime Minister, but I will leave that aside.

For five months, the Ukrainian people have sought to defend themselves. The food insecurity they are facing is manmade; it is caused by Russia. One of the questions I would like the Minister to think about and respond to is whether Her Majesty's Government have looked at the 1977 protocols to the Geneva convention and the 1998 Rome statute of the ICC. Have Her Majesty's Government thought about whether the actions of Russia could be tantamount to using starvation as a tool of war, and so potentially a war crime? If that is the case, should Russia be brought before the ICC on those grounds?

The war in Ukraine shook Europe. It shook the very foundations of people like me: liberal, European integrationists who thought that European integration had kept the peace in Europe for 70 years, and that we were not likely to see war again in our continent. Lest anyone pop up to say, "But there was Bosnia, 30 years ago", I have not forgotten that. For those of us in the United Kingdom, and in western and particularly central Europe, the invasion shocked us and raised a set of concerns. Very often, we hear that in other countries in other parts of the globe, Ukraine is still seen as a distant place and the reasons for the war are contested; in many ways, it appears that the consequences of the war are misunderstood. The assumption is that this is about the continent of Europe. But this goes far beyond Ukraine: it impacts global food security, and in particular it impacts the very poorest in the world.

I should like briefly to outline the impact of Ukraine on food insecurity and food supply, and then look at the wider global implications, particularly as they affect Africa. As we heard from my noble friend Lord Alton, much of global wheat supply has previously come from Ukraine and Russia. Ukraine exported its wheat through the Black Sea. That is no longer possible precisely because of the actions of Russia: deliberate

actions for which we need to hold Russia accountable. I was shocked and surprised to hear my noble friend say that when the Minister for Africa responded to your Lordships' International Relations and Defence Committee about Ukraine, she said, "Well, it's Russia's fault." Russia may be the cause of this, but we all need to look for ways in which we can enhance food security and reduce the risk of famine and food insecurity in the African continent.

We have listened to parliamentary debates and the Conservative leadership campaigns. We keep hearing about the cost of living crisis, but fuel and food prices are also being inflated by the consequences of the war. It is desirable that we all look for ways to enhance Ukraine's ability to continue producing food and exporting it. We have a very serious situation, which my noble friend already touched on.

I am grateful to Ewelina Ochab for a briefing she sent raising some of the issues that the Ukrainian Ministry of Foreign Affairs had raised with her. I understand that the Minister met with a representative from the Ministry of Foreign Affairs during the International Ministerial Conference on Freedom of Religion or Belief, so those issues will not come as a surprise. The Ukrainian Ministry of Foreign Affairs is saying that there are credible reports of Russian troops on Ukrainian agricultural land, inevitably rendering it not fit for purpose and damaging agricultural produce, attacks on Ukrainian agricultural infrastructure and the high-level blocking of exports via the Black Sea. Putin is targeting grain and destroying crops, and then there is the question of looting. What assessment have Her Majesty's Government made of the situation in terms of food security and the indications for Ukraine? There are 12 million displaced people in Ukraine, and many of them are facing food shortages.

Those shortages are compounded by a sense of compassion fatigue. I received two letters ahead of this debate from charities, Kaganek in Poland and Caritas in Lviv. Kaganek said that, at the start of the crisis, it was able to take a truck of food a week into Ukraine, and then built up to two trucks a week. In the first half of May, it sent 10 trucks, but now it is struggling to send one truck of food in a month. Why is that? Because donations are no longer forthcoming. Perhaps the media is not covering the crisis in the same way. Similarly, Caritas suggested that there has been a decrease in humanitarian aid estimated at 70%.

The Minister will reply not on behalf of the Foreign Office but of what is now the Foreign, Commonwealth and Development Office. Does he feel that what Her Majesty's Government are able to do to assist on a humanitarian basis in Ukraine is adequate? Does he believe what we are able to do in Africa is adequate? The House of Lords Library, in its excellent briefing, gave a response from Vicky Forde, the Minister for Africa, about what the UK is doing in Africa, and it is merely a drop in the ocean. What are Her Majesty's Government doing in terms of aid, because we see potential catastrophe in Africa caused by the blockade of the Black Sea?

I have a final question for the Minister. In order to unlock the Black Sea, what conversations have Her Majesty's Government had with President Erdoğan,

and what does the Minister believe has come from the meeting in Tehran yesterday? The media seem more interested in the fact that Erdoğan kept Putin waiting for 50 seconds than the actual outcome. This should not be about the optics; it should be about clear and practical politics and getting solutions. This is in part about Ukraine, in part about a domestic cost of living crisis and, crucially, about the potential death by famine and starvation in the continent of Africa.

1.16 pm

Baroness D'Souza (CB): My Lords, I begin by thanking the noble Lord, Lord Alton, for introducing this very important debate at the very last minute, giving us all the opportunity to express our compassion for what is going on in Ukraine and, indeed, the rest of the world. The crisis is extremely serious and is, as we have heard, likely to spread, affecting the most vulnerable countries in the world.

As if the war in Ukraine and its consequences were not enough, there is also conflict in many other vulnerable countries, with the possibility of violent riots in Egypt, for example. There are exceptional world weather patterns of drought and floods, the long-term and profound effect of Covid on economies and Russia's theft of grain from Ukraine's stores to sell at inflated prices around the world. If this is not a perfect storm, what is?

We know that money is needed—and lots of it—to counteract rising prices of all commodities, including food and energy as well as transport. The sinister words of the editor in chief of the pro-Kremlin channel RT should alert us to possible Russian intentions; she said:

“The famine will begin and they will lift the sanctions”,

Russia is clearly playing a long game with thousands upon thousands of lives while shoring up its own war economy through inflated food and oil export prices.

We are tiptoeing around this vast country and its corrupt government. It seems that the job of the world's diplomats is to avoid a catastrophic escalation of hostilities. Perhaps there have even been a grisly calculation of the number likely to die from starvation compared to the possibility of deaths from nuclear attack. However, unanimous international condemnation of Russia's actions together with ever more stringent sanctions might provoke Mr Putin to sacrifice his own people under the false banner of national pride.

War has been accompanied by severe food shortage and even famine—the two are different—for millennia. Widespread famine has also occurred as a result of the failure of democracy. Between 1959 and 1961, 20 million Chinese died following Mao Tse-Tung's industrial experiment, where every landowner throughout the country was forced to produce steel. Food supplies disappeared overnight. No one surrounding the great leader had the courage to let Mao know that his experiment was failing and causing the death of millions on the streets of China.

The great Bengal famine of 1943, during which 3 million people died, was in part due to a strict censorship in which the spread and scale of food shortage was hidden. The arrival of a free press following the famine, including in the vernacular, has guaranteed

government accountability and a more equitable distribution of grain, even during periods of severe drought. It is very unlikely that famine would ever occur there again.

The end of the Soviet presence in Afghanistan came about when the mothers of the slaughtered soldiers began to realise the extent of their sacrifice through local information networks that flatly contradicted the propaganda being put out by the Soviets at that time. Although it is unlikely that there will be an avalanche of democratic institutions in Russia in the near future, every possible effort must be made to ensure that ordinary people in Russia, regardless of their long-standing animosity towards Ukraine and its people, are reliably informed about the war and able to communicate deep concerns about the progress—or not—of the fighting.

The other alternative is some kind of political compromise—something we are all reluctant to talk about. At the start of the Russian invasion of Ukraine, we had brave words from the UK Government insisting that Russia must fail and that no compromise was possible. Thirty years ago, a sad rump of Soviet soldiers and coffins departed Afghanistan for their homeland. The cost of this failed occupation over more than a decade, not to mention the longer-term consequences, appeared far from victory for anyone, as we now know. Certainly, the Soviets failed, but what does success look like and is it worth the price?

Bombing a nation into submission, together with life-affecting sanctions, does not work as a strategy for winning wars. Can the Minister tell the House whether longer-term plans, including compromises, are being tabled, discussed and refined? As we go into the Summer Recess, is there a glimmer of hope that the world is beginning to unite against Russia as the wider consequences of food shortages reveal imminent disaster? What actions have been taken internationally to curb the price of Russian exports of food and oil? Are there serious efforts to supply alternative staple foods, such as rice—mostly from south-east Asia and India, presumably—for Lebanon, Yemen, Egypt and some countries in north Africa? Are the UK Government in discussion with international partners to build adequate food reserves for the immediate future, because food shortages are likely to become an endemic problem? Finally, would Russia, or indeed Ukraine, accept the sequestration of the Donbass region in the interest of providing more food security for the world?

1.23 pm

The Lord Bishop of Southwell and Nottingham (Maiden Speech): My Lords, I begin by thanking fellow Members for their gracious welcome and expressing my gratitude to the parliamentary staff and officers who have so kindly supported my introduction to the House.

It is an honour to make this maiden speech in such an important debate, which focuses so clearly on the needs of the most vulnerable: those affected by the sudden steep rise in global food prices resulting from Russia's terrible war and blockade in Ukraine. I pay tribute to the noble Lord, Lord Alton, both for bringing this debate to the House and for his long record of campaigning advocacy on behalf of those whose suffering is too often overlooked.

[THE LORD BISHOP OF SOUTHWELL AND NOTTINGHAM]

It is more than 12 years since a Bishop of Southwell and Nottingham has been in this House, although the previous bishop has been a passionate advocate for the poor and young since joining the House as my right reverend friend the Bishop of Durham. Nurturing the aspirations and potential of young people, particularly their influence and impact as future leaders, has long been a distinct feature of my own work, first for 17 years in parish ministry, including 10 as a vicar in south Buckinghamshire, then for 13 years as a bishop. I started out in west London as area Bishop of Kensington, and for the past seven years I have been a diocesan bishop in the east Midlands, where, along with my family, I now feel very much at home. It is my interest in the development of young people that underpins my contribution to the debate today.

Although the city and county of Nottingham are perhaps most famous for the folklore hero Robin Hood, the region has a long track record of nurturing many lesser-known heroes, who have none the less been world-shapers, championing the causes of the poor and the young; they include the inspirational founders of the Salvation Army, Catherine and William Booth. Since moving to the diocese, I have been inspired by modern heroes on the ground making a difference to the life chances and prospects of young people, proving that nurturing every talent matters.

What has struck me most is that, although parts of the city and county continue to struggle with higher than average levels of poverty, the aspirations of young people are rising. Their innate instinct to make a difference is far from parochial. Their outlook is global. They see themselves as part of an interconnected and increasingly interdependent world. That is why there should be no tension between charity at home and abroad. Their example inspires my engagement in this debate.

Compassion for those who suffer was characteristic of Jesus Christ. In the gospels, it is clear that he frequently surprised those around him by disturbing their inclination to limit the boundaries of who may qualify as a neighbour and how far their responsibility to care should extend. The lessons of the good Samaritan are rightly deeply imbedded into our spiritual heritage as a nation. I suggest that they should inform our urgent response to the crisis in the Horn of Africa and east Africa. This is no time to look away. According to the United Nations Office for the Coordination of Humanitarian Affairs, there are now 7.1 million malnourished children in the Horn of Africa, with 2 million severely malnourished. The position is similar in east Africa.

I want to draw particular attention to how the needs of young people are disproportionately affected by the present food insecurity, not only their health but their education and life chances. Informed by some valuable links that churches in my diocese have with schools in Uganda, it is clear that the food crisis is already causing many schools to reduce their teaching week as they simply do not have enough food for the children in their care. According to the World Food Programme, one in three schoolchildren in Uganda has no food to eat during the school day. Feeding learners has become an essential priority for schools

across that region. Families in desperate need also keep children out of school. Instead, they find themselves working to help earn a little more to pay for food, the cost of which has risen by nearly 14% since January. This is in a country that has the highest number of refugees and asylum seekers in Africa—nearly 1.6 million as of March. With acute malnutrition rising fastest among under-fives in the region, many thousands of children will not even reach school age.

This is not only a short-term crisis of survival. It has longer-term tragic consequences, undermining the capacity of a rising generation to be equipped with the education, skills and personal support that they need and deserve. There are tens of thousands of teachers in Uganda—and no doubt across the region—with a heartfelt and compelling vision for their students. They see the difference that a consistent, supportive and uninterrupted education can make to the future of the nation; it can also be a major contributor to food system resilience, which must be an important longer-term goal.

It is true that large sums have already been given, both bilaterally and through multilateral projects in these regions, but the need is now greater still. We should not wait until a famine is declared. Although I am thankful for some signs of progress that may result in the recent initiatives by the Turkish Government to provide safe passage for grain from Ukraine, I none the less ask the Minister this: will the Government consider increasing further bilateral aid to the Horn of Africa and east Africa without delay? It is not too late to save lives and prevent a devastating famine, with the unacceptable human cost that will result. In the long term, immediate intervention will improve the prospects and God-given potential of millions of young people across that region.

1.30 pm

The Lord Bishop of St Albans: My Lords, I pay tribute to the noble Lord, Lord Alton, for his brilliant introduction to this debate. I also welcome my colleague, the right reverend Prelate the Bishop of Southwell and Nottingham, and congratulate him on his maiden speech. I know he has huge experience to offer to this House and will be drawing not least on the huge successes and, indeed, some of the challenges of the east Midlands, where he is based. We look forward to hearing much more from him.

Next Tuesday we will start the next Lambeth Conference. Hundreds of bishops are gathering from all round the world. They are flying into this country as we speak, including many bishops from the whole of Africa and parts of Asia, and we are going to be meeting many of these people who, in their dioceses, are facing the famine that is now ahead of us. We hope that will be an opportunity to get first-hand reports of what the challenges are and how we might be able to try to respond, to alleviate some of the terrible suffering facing our world and particularly the Horn of Africa.

Today's debate is happening against the backdrop of the negotiations to unblock grain supplies, which we can only hope will be successful. The war in Ukraine is a powerful reminder of the interconnectedness of

global supply chains, their propensity to collapse during times of conflict and the devastating far-flung consequences this can have. Relieving that blockade and the logistical backlog is to some extent a matter of life and death for many people in east Africa and one that demands an immediate breakthrough in the infrastructural solution for Ukrainian exports. The EU is working with us and others to establish solidarity lanes, which will provide additional transport stock, prioritise exports and create flexibility with respect to customs, alongside a much longer-term approach to increase Ukraine's land-based infrastructure. It is going to require funding, not least from the USA and probably from us, if collectively we are going to maximise the amount of grain we can get out of Ukraine.

However, that is only half the story, the other half being the consequence this is having across the developing world, especially east Africa. While the situation in Ukraine has contributed to the appalling conflict and famine in east Africa, this is also the product of climate change, a severe drought and, of course, in some parts of Africa, the devastating effect of huge swarms of locusts, which have had a terrible impact.

The weather we have been experiencing this past week should be a stark reminder of how real climate change is and, while we may have experienced discomfort, rising global temperatures have much more serious consequences for most people. The confluence of all these factors, all of them human in origin, lie at the heart of the crisis in east Africa—a region with a history of famine—which makes our decision to cut some of our aid budget to those affected nations woefully misconceived.

Between 2019 and 2022, British humanitarian aid to Kenya fell by £21 million, to Sudan by £32 million and to Somalia by £18 million. Of course, aid is not the only answer. We need to try to develop trade and enable these countries' economies to develop but we can and must respond to the immediate famine. If we are not persuaded of the moral case, it is in our own long-term interest because we are going to see huge displaced populations making their way to western Europe. It is in our interest to help them retain what they are doing and keep going.

This is a crisis that requires global intervention and support to prevent. One thing that is clear is that the crisis that is unfolding is not very well publicised. Christian Aid found that while 90% of people in the UK were aware of the war in Ukraine, only 23% were aware of the food crisis in Africa. I mention this because we have seen the most extraordinary outpouring of generous response to the Ukrainian people. In my diocese we have a whole system of welcoming and integrating families into homes and building up support groups in our parishes. Very many of those who come are traumatised; they need much more than just shelter and food. They need support, counselling and help. It has been a very traumatic time for them. We have seen the most incredible outpouring.

For this reason, we need to try to raise awareness of the potential famine in east Africa as public donations and acts of generosity may be a small additional way of responding to the immediate crisis. This is vital for us. The situation in Ukraine and in east Africa are key elements of self-reflection as we battle with our own

cost of living crisis. Yes, many people in our own country are struggling but, despite this, the generosity of the British people remains extraordinarily buoyant and strong when we recognise how fortunate we are in real terms compared with most other parts of the world. We as a country have a duty to assist here—in Ukraine's war effort, in helping end Russia's blockade and in materially aiding east Africa during these challenging times.

I hope the Government can provide assurance that they will do everything in their power to contribute to the international effort in support of these aims.

1.37 pm

Lord Risby (Con): My Lords, it is a great pleasure to follow the right reverend Prelate. I particularly congratulate the right reverend Prelate the Bishop of Southwell and Nottingham on his most informative and, frankly, moving speech. We all much look forward to his future contributions in your Lordships' House.

I warmly congratulate the noble Lord, Lord Alton of Liverpool, on securing this debate, which is so timely as it underlines the brutality of Russia in threatening energy supplies to Europe and heading towards not only malnutrition but actual starvation of vulnerable people. I applaud the noble Lord, who always so admirably brings to the attention of your Lordships' House human suffering and injustice, wherever they exist.

Last night, the think tank that I chair, the Council on Geostrategy, published a report titled *Deepening British-Ukrainian Relations in a More Competitive Era*. The foreword was signed by the Foreign Ministers of Ukraine and the United Kingdom. We have a relationship with Ukraine which began to take off most particularly in 2005 and has grown enormously since then. As I know, as a long-standing chairman of the British Ukrainian Society, there is huge personal admiration currently for our outgoing Prime Minister and his role in supporting Ukraine. But as I said last night in reassurance, and as I know is 100% supported by your Lordships, the freedom and security of Ukraine will, for us, be absolutely central irrespective of who the Prime Minister here is; of that, there is no doubt whatever.

We have heard the statistics. In peacetime 10% of global wheat exports come from Ukraine, 12% of maize and 37% of sunflower oil. There have been discussions under the United Nations umbrella, and particularly with the positive involvement of Turkey, to get food shipments out of Odessa, heading towards those parts of the Middle East and Africa which most particularly need wheat. It is truly shocking that Russia is, in practice, blocking real progress in this regard. Hints of positive movement have not been brought to fruition.

While huge efforts have been made to take this precious cargo to Romania, Moldova and Poland, there are severe logistical limitations. The port of Odessa has always been and remains the exit port for food products from Ukraine. Historically, Ukraine has been the breadbasket of not only the old Soviet empire but much of Europe. The silos are now filled and only a small fraction can be substantially moved out of the country by road or rail. Shocking too is that

[LORD RISBY]

the violence meted out to Ukrainians and the wanton destruction we witness each day have been aggravated by Russians taking wheat supplies for themselves.

This brings me to the substance of our debate. David Beasley, director of the UN World Food Programme, bluntly warned that

“50 million people in 45 countries are now just one step from famine.”

This is true nowhere more so than in east Africa and the Horn of Africa. As has so frequently been highlighted, climate change and often poor agricultural activity have been added to by four years in a row of failed rainy seasons and the after-effects of the Covid pandemic. There is real violence and instability, particularly in Ethiopia and Eritrea; in the latter case, all wheat imports are from Russia and Ukraine. In common with so many countries, price shocks are playing their part in social dislocation and instability. The IMF has made it clear that potential food price increases will disproportionately affect Africa.

But I return to Ukraine because, even before the current invasion, there was massive displacement of millions of people in Ukraine after the de facto occupation of the eastern part of the country. More latterly, millions of people fleeing the country are leaving behind a colossal bill to rebuild it, in due course. This is having a devastating impact on the livelihood of farmers, many of whom have been subject to violence and attack.

I also bring your Lordships' attention to the situation in Egypt, which has seen an explosion of its population. Egyptians consume around 37% of their calories from wheat and 25% of their imports are from Ukraine. In 2010, food supplies and distribution problems undoubtedly provided a backdrop for extensive protest. There has been rioting in Iraq and there is real concern in Egypt that there could be violent social instability. Your Lordships know all too well that problems and protests in Egypt often spread elsewhere in the region. The Minister is well aware of this, so I know that many of your Lordships will be anxious to hear about any additional support, either singly or collectively, to the most vulnerable areas we are talking about.

We have been made very aware of migratory flows in recent years. In Europe, we are particularly conscious of this but, if you examine the statistics, they reveal a massive increase in migratory flows on the continent of Africa. For example, between 2015 and 2019 the number of migrants from Burundi living in Uganda increased by 69%, and migrants from Ethiopia living in Somalia increased by 42%. Many migrants in Djibouti and Rwanda have escaped from the Democratic Republic of the Congo. The number of Eritreans who managed to get to Europe virtually doubled in the same period, but the food crisis, as a result of the savage and unprovoked attack on Ukraine by Russia, will undoubtedly hugely increase migratory flows, most particularly within Africa but inevitably to Europe as well.

I once again express my gratitude to the noble Lord, Lord Alton. It is a terrible irony, as has already been expressed, that Stalin in effect starved millions of Ukrainians for not complying with his takeover of their lands—the Holodomor. It is a tragic irony that

modern-day Russia may yet again cause the death of huge numbers of people who are totally removed from the conflict that the Russians have initiated, without the slightest justification.

1.45 pm

Lord Hastings of Scarisbrick (CB): My Lords, I am deeply grateful, as always, for the piercing analysis and persistent pressure of the noble Lord, Lord Alton. He consistently reminds not just the House but the country, especially the Government, of what matters most to the heart and the mind. I also say at this juncture—I hope not just on my behalf but on behalf of the whole House—that we hope this is not the last time the noble Lord, Lord Ahmad of Wimbledon, answers a debate of this nature. He is hugely loved and appreciated across the House and we hope he stays in post—please note, those who have responsibility.

This is a difficult debate. We are talking with huge anxiety about issues we can barely affect. One of the reasons for that is the ineptitude of the United Nations as an organisation. I encourage the Minister to depart from his brief, if he feels able, and express a view. The UN Security Council, which ought to be able to discuss and decide how to respond to crises of this nature, has a permanent member whose veto will ensure that no action is possible. We may continue to wring our hands for the next few years or decades, but do we not need to come to a point at which the free countries of the world, which we hope will maintain a generous engagement and involvement in the world's development for the poorest, make a decision about the right to reside in the UN Security Council?

At what point does the post-war settlement have to change? What thinking have Her Majesty's Government put into the prospects of a long war in Ukraine, driven by Russia's evil intentions and our inability to take action? We must stare at our enemy across the circle in New York and simply utter platitudes that cannot get decisions. That is not something that I or any of us can give a straight answer to, but if government is not thinking about it, we are all in trouble. Government needs to think about it.

Two friends asked me this morning why I am speaking in a debate on Ukraine; it is not my normal area of interest. Africa definitely is, however, and I remind the House of my roles as a vice-president of UNICEF, an ambassador for Tearfund, the chairman of the council of ZANE, the Zimbabwe aid agency, and a governor of the M-PESA academy in Nairobi, Kenya. One of our students, a wonderful young man from Somalia, graduated three weeks ago. He went back to the Kakuma refugee camp and immediately found that his mother was unable to afford his existence, simply because food prices had rocketed to such an extent in the matter of weeks that he had been absent—he was born in a refugee camp and lived with refugee status—that his mother was unable to feed him. We assisted and all will be well, but it brought it home in such sharp relief: ordinary people struggling with difficult and complex backgrounds are fighting again for the basics of survival.

As always, and as we have heard in so many other speeches, the noble Lord, Lord Alton, gave us a litany of statistics that have come in the endless briefs, which

are incredibly helpful. There is no need to repeat them, but I want to press two other points. We are conscious that at the moment we are looking at a mass food distribution problem, not just because of the limitations of food available from Ukraine and Russia but simply because our world has become used to waste.

I decided to spend some time this morning checking what and how much we waste. A third of all food produced in the world is wasted, 55% of it by those of us in the North. The European Union, the United Kingdom and the United States account for some of the largest wasters on earth. By percentage levels, Belgium comes in just after the United States. That is ironic, as Belgium is the headquarters of many esteemed institutions that ought to be better resourced in how to deal with that waste. Some 3 trillion meals are wasted every single year. Were we to galvanise our efforts with the 1.3 billion tonnes of food wasted in the world, that would represent 10 meals per day for every starving child or adult to whom we have referred in this debate.

Why is this important for us? This has to become a moment of national effort. This morning we heard that the gas has been turned back on for Germany, but Germans are being encouraged to save gas to be ready for the autumn lack. It may get more difficult. It may become impossible to light their gas fires or even to power up their electricity supplies. Saving gas is a way of saving the country's impending problem.

We need a national effort to save food. We need a European effort to save food. We need a G7 effort to save food. We need a G20 effort to save food. I am not aiming to be political in any way at all, but this is why we need alliances such as the European Union—so that we can save on the things we waste so easily and freely. If we do not save food and we continue to throw and trash it, 52.5% of all food in the United Kingdom will continue to be thrown away daily from restaurants, supermarkets and households. We are wasting while others are starving, and we need an effort driven from the centre and from the top—not just by NGOs but by the Government—to save and redistribute food. At the moment we have nothing at all from government on that issue.

We also need to consider how we think about loose resources, not necessarily gained by ill means but thrown around in a careless society where waste is so evident. Yesterday I noticed the EuroMillions lottery win of £195 million. That is \$234 million, which represents \$2 for 117 million people—that is the population of Ethiopia. One person will benefit with largesse and extreme gain, while millions will starve. I hear some saying, “But come on, you can’t take away the free-gotten gains of individuals”. How long will we watch millions starve, as Putin may wish, so that we become desperate in our alternative foreign policy options?

I note also—this may be uncomfortable for the Minister, but I hope not—that his current boss announced this morning that she could find £30 billion of tax cuts to be announced within the first week of her premiership, should she get there. It is worth noting, as Iain Duncan Smith did in campaigning for Liz Truss yesterday, that there is now tax headroom for substantial cuts. This year and last the United Kingdom cut our aid budget

by £5 billion each time, meaning that when it comes to supporting the most vulnerable we are stripping ourselves of the ability to do so.

This should be a moment for stateswomanship or statesmanship at the helm of the Conservative Party, the Government and our nation. As we watch Ukraine drop down the headline list, and as we become more careless about what happens because we are more interested in how hot our homes are than in how desperate their lives are, we have to ask ourselves what kind of world we are creating in which we can watch such great waste, such careless abandon about public resources, such self-interest in public policy and such disregard for the destitute.

1.55 pm

Lord Balfe (Con): My Lords, I thank the noble Lord, Lord Alton, for initiating this debate. He is always well worth listening to and has deep concern for not only this issue but many others that I also have concern for.

I welcome the right reverend Prelate the Bishop of Southwell and Nottingham to our ranks. I am sure we will hear much more from him. On the basis of his maiden speech, I certainly hope so, because I think we will all benefit from his wisdom.

I wish to add a bit of free thinking to this debate, as is my wont. I always used to preface speeches to schools by saying, “Nothing I say should be taken to represent in any way the party that I supposedly belong to”—and I said that while in both of the parties that I was a member of. Frankly, we are engaged in a huge amount of hypocrisy. We have just heard from the noble Lord, Lord Hastings, about room in the Budget for £30 billion in tax cuts. We have heard about the need for Britain to economise, and that we have to cut £5 billion from our aid budget. We have also heard of the need for us to stand up to dictators and send £4 billion-worth of military equipment to Ukraine. This is the economics of the madhouse.

In my view, we have to start by understanding the world that we are currently living in—and I am not sure we do. It has changed a lot. It is fine to talk about the veto in the United Nations; the United States used it for 40 years to defend itself over Chile, Nicaragua and invading the British territory of Grenada. The UN Security Council has been a valuable organisation purely because it is a place where people can sit down and talk. It has never actually managed much but it has achieved a certain level of understanding, and part of that understanding is that we can all make contributions.

I shall talk about one very obvious contribution: there is a great shortage of grain in the world, but if you look at the amount of grain that we stuff into animals so that we can have a steak for our lunch, you realise that we could have a bit of rebalancing. You do not have to become a mad vegan to realise that the extent of food poverty is prompted by some of the practices that we in the West defend in the name of freedom but which actually lead to people going hungry in much of the world.

We have great difficulty in understanding the Russians. The Russian mind is quite different from ours. They are not a western European nation. They are a Christian

[LORD BALFE]

nation but they have an odd way of looking at the world, part of which is not dissimilar from that of the United States: first, they believe that they are God's given people; secondly, they believe that they have the right to do things that smaller countries would not even contemplate; and, thirdly, we have to face the fact that the Russian people are very largely behind Putin, and we should not imagine that they are not.

I welcome the talks that are taking place between President Erdoğan, President Putin, the leader of Iran and the Secretary-General of the United Nations. All that I would point out is that those talks contain only one European voice from our side, and that is the Secretary-General, who is of course Portuguese. We have abandoned the field of diplomacy to an alarming extent. President Macron tried to keep the dialogue open, but he has more or less had to give up in the face of everything.

Looking at the situation, I see that we have been extraordinarily provocative. We did not try to get the Minsk agreements enforced; we let them bobble on, unenforced for years, and failed to realise the anger that was building up in Russia where it was seen as hypocrisy. Then the West—as a great generic term—decided that they would destabilise Ukraine by getting rid of the Yanukovych Government. That Government were no better than the Kuchma Government or the Poroshenko Government, but they did happen to represent both ends of the country. The moment they were overthrown, the Russians effectively gave up on any hope of getting any sense. We may not like it, but they regard Ukraine as being their near abroad with the same ferocity that the Americans regard Canada or Mexico as being their near abroad, and there is a limit they will not go beyond. That is the problem that we face at the moment.

The second problem we face is that, if we are successful in the sanctions, we will point Russia away from Europe. Maybe people have not fully understood that there are already two major gas pipelines running from Russia into China. There is a huge demand for resources in China, India and Pakistan. Russia can supply those resources; it has, in the Russian part of the Arctic, a huge amount of mineral wealth that it can and will deploy. If the British and other Governments persist in such foolishness as trying to destroy the Arctic Council, in the end they will find that there is a new Arctic council. Russia, which controls the greater part of the Arctic, will join with China, which, God help us, has been admitted to the Arctic Council on the basis that it is a near-Arctic country. Remember that China, that near-Arctic country, is slightly further away from the Arctic than we are from north Africa, but nonetheless it is there.

If we do not sit down and try to work out what the problems are, we face the danger of getting ourselves into a position where we are compounding our problems for the future. There will be no gas in Russia to come back to Germany; it will all be going to China and to the south, and to those emerging countries where an emerging middle class is demanding the standards that our middle class command.

Let me wind up this chamber of horrors by saying that we have to get ourselves into a position where we are talking to other European countries. It is quite possible—I think of the Scandinavian countries—to have good and principled foreign policy without doing what we are doing now. The Ukrainians will fight as long as we pump equipment in there; as long as we send arms to Ukraine, they will fire them. But one day we will go one stage too far and supply something that is just a bit too technologically advanced, and someone in Ukraine will just pop it over the border into Russia, and things will escalate from there.

While we cannot do much about it, I ask the Minister to use his influence to try to dial down the tension and stop the arms going into Ukraine, because while they go in there they will be used to destroy the country. The people of Ukraine are the losers in this, not the winners; they are going to inherit a devastated state, which will be of no value to anyone and be a lasting rebuttal of our policies. I ask us to stand back and cool down. I hope we will not have to come back here in the middle of August because things have gone desperately wrong and the war has escalated to an end that we would not wish.

2.06 pm

Lord Loomba (CB): My Lords, I thank the noble Lord, Lord Alton, for initiating this debate on a topic which I believe is central to the interests of the United Kingdom, not only to thwart Russian aggression against its neighbours but to maintain the rules-based order on which our own future growth and prosperity, as well as the sustainability of the planet, depend.

In only a few weeks, we will have a new Administration in the United Kingdom. The noble Lord, Lord Hastings, has just appreciated the work of the Minister, the noble Lord, Lord Ahmad of Wimbledon. Likewise, I wish him good luck and possibly a promotion in the new Government.

Lord Cormack (Con): Hear, hear—make him Foreign Secretary.

Lord Loomba (CB): He deserves it. But whether the former Chancellor of the Exchequer or the current Foreign Secretary wins the election, it is critical that from day one the Government focus not only on the cost of living crisis at home but on global insecurity in the supply of food and energy, all hugely aggravated by Mr Putin's unjustified war in Ukraine.

We are aware of the impact of the Government's decision, 18 months ago, to cut overseas aid. Leaving that important, broader argument to one side, I will merely highlight the dangers created by the impact of food insecurity in some of the poorest countries in the world, including in the Horn of Africa and east Africa. What is the value of talking tough and sending arms to Ukraine, if victory in that endeavour is made ever more unlikely by prolonged conflict and global instability? This was highlighted by the noble Lord who spoke before me.

We know that in times of trouble and economic stress it is always the poorest who suffer first and most, not only here at home but all over the world. Last year, Russia and Ukraine both ranked in the top

three global exporters of many grains, oils and fertilisers, as highlighted by the noble Lord, Lord Alton. Disruption to those supplies affects almost every country, including ours, by creating shortages and pushing up prices, but it is especially critical in countries that are unable to meet their own basic needs. As a result of the present situation, the UN has estimated that more than 180 million people in 41 countries could face a food crisis or aggravated levels of food insecurity.

We know from the anguished European discussions about Russian oil and gas in recent months that overreliance on some countries—perhaps any country—presents unacceptable security risks. We must look both at how we can meet our own needs and how we can diversify and broaden supplies. All this is equally true when it comes to food imports, but, just as with gas and oil, any alternatives take time, perhaps many years, to provide a realistic answer—particularly as for many of these countries their chance of self-sufficiency in food production is made an even more distant prospect as a result of climate change. These are just some of the reasons we are signed up to the United Nations sustainable development goals, which include ending hunger and poverty.

Her Majesty's Government are committed to economic growth at home, withstanding aggression abroad and tackling migration. From what we have heard so far, those objectives at least are not likely to change with a new occupant in No. 10 Downing Street. However, the stresses created by the food insecurity that is caused by the conflict will stifle growth by stoking inflation, undermine a resolution in Ukraine and drive up migration, regardless of where in the world the Government threaten to send those arriving by unauthorised routes. Tackling food insecurity in Africa, in short, is central to achieving the Government's objectives at home.

Action is being taken by both allies and opponents to protect their interests. As a Minister in the other place stated recently:

"The G7 is committed to providing support to those countries who need it and ensuring any sanctions against Russia have no direct impact on food security or supply chains.

The UK is working with Ukraine and international partners to help Ukraine export its grain and play its role as the breadbasket of the world. We will continue to fund humanitarian aid and economic support for those who need it most."

As the World Bank has made clear, however, world grain prices are currently up 34% as a result of the uncertainty, so one is tempted to ask the Minister about that earlier reassurance. How is that going?

Russia is attempting to use the situation to form closer ties with Iran and drive a red wedge into Turkey's relationship with its NATO partners. What is the Government's assessment of how these manoeuvres are likely to play out? Do the Government feel that global leadership in this case requires proper co-ordination with allies around a thought-through strategy that can succeed just as much as it did during the financial crisis in 2008, and after Iraq's invasion of Kuwait in 1990?

In summary, we have a humanitarian duty to do what we can to alleviate suffering, and we have a direct interest in addressing the wider impacts of this dreadful war, which, like any war, has unpredictable consequences.

I wish the Government well in their efforts to address the situation but would say that genuine multilateral collaboration is key to any successful strategy and there is no room for complacency.

2.15 pm

Baroness Bennett of Manor Castle (GP): My Lords, I thank the noble Lord, Lord Alton, for securing this debate, which, as expected, has already been high-quality in its focus on both dealing with the immediate crisis and looking at broader issues. There is absolutely no doubt that there is an immediate crisis. It is essential that every possible string is pulled and every emergency step taken to keep hunger, child stunting, desperation and fear to a minimum in the Horn of Africa, east Africa and elsewhere more broadly.

I will mostly take what might be called the *longue durée* view, as the noble Lord, Lord Alton, did in his powerful and clear introduction to this debate. This crisis did not start with the illegal Russian attack on Ukraine; it is a crisis with a long history of centuries of destruction of human knowledge, ecosystems and tens of millions of lives by a global political system that has concentrated wealth in the hands of a few in a few countries by a narrow and ignorant scientific orthodoxy. This system has destroyed ecosystems and farming systems that operated successfully and sustainably for millennia on principles that we would now call agroecological. It was a system that relied on terror and murder to enforce its inequalities and starvation, as the British Empire did in India with the Great Famine of 1876 to 1878. That system has now clearly failed due to the long series of disasters predating the Russian invasion, as the noble Lord, Lord Alton, set out. These disasters include, but are far from limited to, the creation of the new geological age of the Anthropocene.

In attempting to tackle the structural failures created by an extractive and exploitative political system, the work has concentrated—again unsuccessfully—on a few narrow aspects of human ingenuity and thought. There has been so little innovation in our mainstream economic, social or political thought that has been in the hands of a neoliberal consensus which has, for decades, dominated an extremely narrow band of what has been considered mainstream politics. This has even further concentrated financial resources in the hands of the few, frequently parked in extraordinarily unproductive and pointless tax havens, and robbed by a corruption that steals at least 5% of the world's total production—a figure from the International Monetary Fund.

The noble Lord, Lord Hastings of Scarisbrick, spoke about food waste; 5% of the world's entire resources have been wasted and stolen. Collectively, those in power have shown enormous hubris in treating soil ecosystems, of which we have had no understanding, such as inert substrates, and in assuming that, by focusing on the handful of crops that now form the majority of human diets, we would be able to tackle whatever pests and diseases nature, with its hundreds of millions of years of biological development, would throw up. Their military forces continued to support despotic dictators; Colonel Gaddafi and Saddam Hussein are two of the most frequently cited examples, but I

[BARONESS BENNETT OF MANOR CASTLE]

have been reading recently about the Dominican Republic dictator Rafael Trujillo. Should an alien be unfortunate enough to land today on the island of Hispaniola, blighted by centuries of colonialism and neo-colonialism, they would get a crash course in the nature of the world that we have created—a world built on exploitation and inequality.

That exploitation, inequality and repression started close to home. I am not sure how many noble Lords know the history of why wheat became such a dominant crop: the aristocracy wanted to eat white bread because it was the posh thing to do, so peasants who wanted to grow a variety of crops were forced by feudal systems to grow only wheat—a much more dangerous and riskier crop—rather than other alternatives.

We can see a parallel in maize, a crop that came from the new world, where it was grown in ecological systems, mixed with beans and squash—yet we have brought it here and grown it at huge expense, with desperately bad human, animal and environmental impacts, to feed to animals and into our car engines. But that is all the past; we cannot change it—what we have to do now is look to the future. In the days, weeks and months ahead, we have to focus on getting people fed. We know of some ways. We have seen, at least at a trial level, the institution of universal basic income to give people cash transfers that they can use to meet their own needs and make their own choices. That is far better than imposing on them whatever food aid, often from our own resources, we think we can deliver to them.

The Government's official development aid policies, already referred to by many speakers, have taken a disastrous direction, not just in slashing the volume of that ODA but in an explicit redirection towards our own trade interests. I know that the Minister will not be able to make a commitment, as we do not know what the new Government will be like, but we can hope that they might take a different direction in future.

What we need to do is to get away from the hubris of the narrow areas of what we have called science. We need to draw on, develop, enhance and support traditional ways to produce food and traditional agricultural systems. I shall give one example of the kind of system that is so essential to meeting our future food needs. There is a traditional practice in Niger, known as tassa. Farmers dig small pits uniformly across fields to collect rainwater and place manure in the bottom of each pit to increase soil fertility. Seeds are then planted in the long ridges of each pit. In one trial with millet, a matching piece of land planted without the technique yielded 11 kilos per hectare. The tassa land yielded 553 kilos per hectare.

Small-scale agriculture can and must provide a good secure living, with some essential prerequisites, including security of land tenure, with democratic local structures of input and information enabled among farmers, and crops grown that are suited to the natural environment and are diverse and resilient. We can start at home by supporting our own farmers to move fast towards agroecological systems, to feed ourselves, as work at the Centre for Alternative Technology has demonstrated is possible. What right do we have to rely on other people's soil, water and labour to feed

ourselves? Sure, if they produce something extra-special, tasty and attractive, such as spices or coffee, there is nothing wrong with swapping that for something we produce that they want, but we should not be taking essential staple foods or nutrients out of the mouths of others, particularly the world's poor.

It is a pity that the noble Lord, Lord Hannan, is not in his place, because I want to address some of the points he raised, starting with the free trade deal with Australia. Noble Lords may not know, but I suspect it will come up a lot in our future debates that a major "state of nature" report has just come out in Australia. It is a bit of a contest, but it is probably even worse than our "state of nature" reports. It says that Australia "lacks an adequate framework to manage its environment", yet we are planning to take food from there.

The noble Lord, Lord Hannan, said that the last place on earth to experience man-made famine was North Korea. I am not sure that he was actually listening to the introduction by the noble Lord, Lord Alton, in which he gave a very long list of famines experienced in the world now and in the recent past. Relying on the market for food means the rich can get what they want while the people without money cannot. Relying on the market for food has left us, since the 1990s, when most of these figures started, with a world in which about the lowest figure we have managed to get is 750 million people regularly going to bed hungry. We have never done better—if that is the right word—than that. That is a failed model.

The idea seems to be that we will just ship this food round and round the world. The right reverend Prelate the Bishop of St Albans made a really important point about the sheer fragility of relying on global supply chains, which of course the situation in Ukraine only helps to highlight.

I come to a final point and a direct question for the Minister. I talked about small farmers needing land security. I believe it is time that our Government spoke out strongly against the transnational land agreements that are stealing the most basic resource, particularly of Africa, from people who are effectively powerless to resist. Will the Minister comment, and perhaps update the figures I have from 2008 and a study from the Wilson Center, which say that Saudi Arabia, Qatar, Kuwait, Abu Dhabi and the eastern nations controlled more than 7.6 million cultivated hectares overseas? I have no doubt that that figure has since grown. I am almost out of time, but—

Noble Lords: You are out of time.

Baroness Bennett of Manor Castle (GP): Well, I have one sentence, to finish, about that transnational land ownership. In the Victorian-era British Empire, men who stood in this very Chamber forced Indian soldiers, abused into submission by the vicious repression after the Great Rebellion, to guard trains that were taking away desperately needed food from their wives and children, to be shipped to these shores—

Lord Sharpe of Epsom (Con): My Lords, that is a very long sentence.

Baroness Bennett of Manor Castle (GP): Will we tolerate the same thing happening in the 21st century?

2.27 pm

Lord Cormack (Con): My Lords, follow that. The noble Baroness is one of our most interesting and provocative Members and in some of her historical interpretations, Karl Marx would be proud of her. Nevertheless, she made some very pertinent points about famine and there were things of which we should take note.

I begin, as others have done, by thanking the noble Lord, Lord Alton, for securing this debate, as we prepare to rise for the Summer Recess, on this very important topic, and for expounding it brilliantly in his opening speech in such a way that we do not need to repeat the statistics he gave, which were chilling. This subject is chilling. The brutality and barbarity of Russia in Ukraine is something that Europe has not seen since the Second World War—on a smaller scale, yes, in Bosnia, but not on a large scale since the Second World War.

It is very good that the right reverend Prelate the Bishop of Southwell and Nottingham has made his maiden speech. We welcome him to the House and we hope there will be many more contributions, particularly on those subjects on which Bishops, frankly, should hold forth in this House. I am sorry that the right reverend Prelate the Bishop of St Albans is not present, and very sorry that my noble friend Lord Hannan is not present. I just wonder if the Whips will consider putting out a little note to the effect that in short debates, we really should all be here for the whole debate, because it is difficult if one wants to respond to something in a critical way if the person to whom one wishes to respond is not present. I hope that when we come back it will be a rule that if a debate is four hours or less, other than for an urgent call of nature one should be in one's place throughout.

This is a terrible situation we are facing and it is not sufficient, as my noble friend Lord Hannan did, to preach—most eloquently—the doctrine of trade. Of course, trade is the lifeblood of nations and it is very important that trade should be encouraged in every way possible and should be as free as possible, but in a time of war, that is not always possible. I know, as one brought up in the Second World War, when we were indeed urged by our great wartime leader to, “Dig for Victory”, that it was important to have a degree of self-sufficiency. I think we have to recognise that by taking an extreme line on anything, we frequently defeat our own arguments.

We are rising for the Summer Recess and I want to concentrate on something that is more domestic, although very much related to what we are saying. I begin by saying what a joy it was to see for a few minutes in our midst the noble Lord, Lord Hennessy. There is no one who has served our constitution better than the noble Lord, or been a better historian of modern Britain. I long for the day when he is able to come back, much recovered from his ill-health, and contribute to our debates as I know he has done to the Constitution Committee throughout the pandemic and beyond.

Having mentioned the noble Lord, Lord Hennessy, I want to talk about the government of our country. We do not have control internationally, and the noble Lord, Lord Hastings of Scarisbrick, made some very

pertinent comments about the United Nations. What we do have is an absolute duty, at a time like this, to be fully present on the international scene.

I am one of those, and I have mentioned it before in your Lordships' House, who deplores the fact that at the moment we are in something of a vacuum. We know the Prime Minister is going—we think it is going to be on 4 or 5 September—but throughout August, which is a very difficult month historically, we are not going to have a fully functioning Government with Ministers who know they are in office for the foreseeable future. The First World War began in August; the Second World War began on 3 September, and August was the build-up month. Only last year we were summoned back in August over the crisis in Afghanistan. I believe that if it had been handled better, we might not have a war in Ukraine, because if the West had demonstrated proper resolution at that time, led by the greatest nation in the West, the United States, I do not think Putin would have tried it on. I cannot prove that—nor can anybody else—but I think it highly likely that the history of the last 12 months would have been noticeably and significantly different.

It is very important that a country not be left without a fully functioning Government for six weeks. The problem at the moment is that we are in that position, as Parliament rises. If there is a need for a recall, how is that managed? I do not know. It is very wrong—and I choose my words deliberately—that a great political party should so organise its business that a mere 160,000 people and the need to consult them leads to a suspension of fully effective government for six weeks. I hope that my party will look at this again. If you are choosing a Leader of the Opposition, it is a more relaxed exercise. If you are choosing the Head of Government—the Prime Minister—well, I am one of those who believes that it should take place at the other end of the Corridor, in the other place.

Had that been the case, a new Prime Minister would have chosen today, and would have been able to move into Downing Street tomorrow. I think it is a great missed opportunity, because the world is a dangerous and, in many ways, fragile place. As a great country—and we are a great country—with international responsibilities, membership of the G20 and G7 and a permanent seat at the United Nations, we should not put ourselves in the position where we cannot take great decisions at times like this. I am sorry to have to say this, as I am very proud to be a Conservative—or have been. I have been a member of the Conservative Party for almost 70 years, I fought my first general election as long ago as 1964 and I have been in Parliament for 52 years. I have devoted much of my life to the Conservative Party and to Parliament, and I find it very painful to have to say these things. But they have to be said, because we must not put ourselves into a similar position ever again. Indeed, that applies to all political parties: it is important that the Official Opposition—another great political party—learns from the mistakes it made, for instance, over the manner in which Mr Corbyn became its leader.

However, to go back to where we began: we are in a great crisis. We could be engulfed with famine of a sort that we have not seen before in parts of Africa. We

[LORD CORMACK]

could see the war in Ukraine escalate, and we must be very careful indeed about how we handle that because, as I said in the first debate we had on Ukraine,

“There is no point in rattling sabres if all you have are scabbards.”—[*Official Report*, 25/2/22; col. 495.]

We must make sure that we have proper defences, both to give them and for ourselves. All these things need to be addressed and, when we come back in September, I hope that we will begin addressing them anew.

2.37 pm

The Earl of Sandwich (CB): My Lords, after that I feel many of us would have to agree with the noble Lord, Lord Cormack; I pay tribute to his long parliamentary service—he should know. Whether the Government can respond on that one today, I do not know, but I am quite certain the Minister will resolutely defy what has been said.

All of us feel despair when we hear news of the many civilian casualties in Ukraine, from weapons not of war, but of murder, wielded by the Russian army at the behest of one man. He is playing with human lives like toys and we cannot stop such cruelty without much more focused international agreement. I must thank my noble friend for taking on yet another huge global issue and, as usual, he has the knack of good timing; his reminders of past famines in Ukraine are themselves quite chilling.

Less understood by the public than the war, I think, are the knock-on effects of the grain blockade on civilians in developing countries that were already vulnerable to starvation and famine for many reasons not to do with Ukraine. My noble friend has mentioned Eritrea and the Horn of Africa. I will focus mainly on the two Sudans, and I speak as a member of the All-Party Parliamentary Group on Sudan and South Sudan, and I am pleased to see that other members are present. I commend the FAO's latest report, which says, in summary, that the Ukraine blockade has come on top of inflation, rising food prices, soaring fuel and transport costs and the effects of the Covid pandemic. All this has led to lower incomes that have negatively affected both the quality and the quantity of food throughout the world. Millions are malnourished simply because they cannot afford a healthy diet. The world is quite off-track as far as the relevant sustainable development goals are concerned. Naturally, the FAO says, there must be a complete reassessment of the way world food is distributed. I cannot respond to that myself, but I know that Oxfam disagrees with the present system of food distribution and cites the FAO report as confirmation that the present system works against the more vulnerable and the poorest farmers.

I begin with some of the latest assessments of UN agencies on the spot. The World Food Programme reported last month that more than 15 million people in Sudan, or one in three Sudanese, are food insecure, which is a 7% increase on last year. The figures are higher for Darfur and Blue Nile, which are areas of conflict, but weather extremes are also to blame. The WFP says that Sudan imports 50% of its wheat from Russia and 4% from Ukraine, on average, so food access and availability will be sharply and directly reduced by any shortfall and the inevitable price increases.

The worst affected area is West Darfur, where the needs of over 323,000 IDPs—internally displaced persons—have to be met. In Kordofan, there are over 270,000 IDPs and 40,000 South Sudanese refugees. Finally, Gedaref has over 77,000 refugees from the war in Tigray. These conflicts are having effects across the borders of neighbouring countries. At a national level, food prices are rising in Sudan, and the economy is quite unstable following the army coup last October. The political scene is dire, with the army incapable of working with highly respected and quite sophisticated civil society representatives, as the Minister knows from his own experience.

Moving to South Sudan, the agencies are reporting very serious malnutrition and food shortages on an alarming scale. Again, some 8.9 million people—which in this case is more than two-thirds of the population—are estimated to need significant humanitarian assistance and protection this year. One major problem is funding. The humanitarian agency OCHA reported on 4 July that life-saving humanitarian operations have been either suspended or reduced, or that they will be terminated if the funding situation remains as it is. The noble Lord, Lord Hastings, has already presented us with a case study from Somalia of what happens after that.

Many local communities have been displaced by communal violence in South Sudan. UNICEF is appealing on behalf of malnourished children, such as those referred to by the right reverend Prelate the Bishop of Southwell and Nottingham, whom I welcome to the House. He spoke very movingly about children in Uganda. Other smaller UN agencies such as the IOM, which manages migration, are doing a remarkable job looking after the more vulnerable refugees and displaced and trafficked people. The noble Lords, Lord Loomba and Lord Risby, both made this connection with migration. Any diminution of food supplies is bound to hit these groups hardest, and I hope the Minister will explain why the international response to UN appeals has been so inadequate.

Our perception of food distribution on the television tends to be that it is off the back of a lorry, sometimes with violent scenes involving the most hungry, so it does not have a very good image. The vast majority of grain is distributed at the next level down, through local organisations, NGOs and churches, and is, on the whole, safely and fairly delivered. Without those NGOs, the UN system would fail. Without secure food delivery, other charitable work will suffer or dry up altogether.

As the noble Baroness, Lady Smith, said, the deeper problem is that humanitarian funding is drying up. This was also emphasised by the right reverend Prelate the Bishop of St Albans. Churches and faith-based organisations have been active not only on the humanitarian side but with conflict prevention. Living in the Salisbury diocese, which is linked with both Sudans, I am aware of several peace initiatives, including medical and educational projects, supported by the diocese. It is tragic that, while so many Sudanese bishops are coming to the Lambeth Conference this month, our church leaders have not been able to visit Sudan or South Sudan because of insecurity. The

arrival of so many bishops from Africa presents a formidable challenge to our churches, as the right reverend Prelate pointed out.

The UNHCR has increasingly turned its attention to the internally displaced. For example, the conflict in the Tigray region of Ethiopia led to at least 2.5 million more people being displaced within their country, some 1.5 million of them returning to their homes. The UNHCR says that the DRC, Nigeria, South Sudan, Sudan, the Syrian Arab Republic and Yemen all saw increases of between 100,000 and 500,000 people internally displaced. My noble friend mentioned a global total of 100 million, which is almost incredible.

Finally on Tigray, I well remember the famine in the 1970s—I expect many of us can—which is when I joined Christian Aid. I especially recall Emperor Haile Selassie's total neglect of the northern provinces of Tigre and Wollo. History is repeating itself, because the Tigray people then rose up against the Amhara and took power in the 1990s, and this could happen again. This time, it is Ethiopia refusing to admit or declare a famine, even condoning the presence of Eritrean troops in Tigray.

The Minister will know that last July the special rapporteur on human rights in Eritrea published a devastating critique of the treatment of Eritreans by their own Government, including sexual violence against refugees in Tigray. Does he think there has been any progress, given that that report has been blocked by Russia and China? What representations has the FCDO made to Addis Ababa about starvation in its own country?

2.48 pm

Lord Polak (Con): My Lords, I pay tribute to the noble Lord, Lord Alton, for his consistent humanity and leadership, and congratulate the right reverend Prelate on his excellent maiden speech. I was thinking that the Bishop of Southwell and Nottingham is probably the only bishop with two racecourses.

Last Monday, the *Telegraph* online published an article describing the first-hand experience of cattle herder Dahir, whose family had lived a pastoral life in Somaliland for generations. The article illustrated the brutal and devastating circumstances that have transpired as people try to navigate surviving the worst drought to hit the Horn of Africa for 40 years. The article, headed "First I lost my livestock. Then I lost my children", depicts the harrowing story of how two of Dahir's children, Amina and Muhammed, aged four and six, died from dysentery after being faced with no other option than to drink murky water. Dahir had already lost his income and the ability to support his family, as his goat herd had diminished to 10% of its original size in just 18 months. A lack of funds meant that Dahir was unable to afford transport for his children to receive treatment and, as a result, tragically, they died.

This year, at least 805,000 people have been forced to flee their homes in Somaliland and Somalia in search of food and water. That number is rising as we speak, with thousands suffering from the long-term impacts of four failed rainy seasons. The story I just told describes one person's experience and one family's

tragedy but this is happening across the entire Horn of Africa. According to the International Rescue Committee, over 18.4 million people in the region, half of them children, are on the verge of starvation.

Although the devastating drought is a significant reason for the current emergency, it is only one factor. On 11 July, the President of Somaliland, Muse Bihi Abdi, published a letter requesting drought assistance. He began the letter by stating:

"In a country that is still reeling from the effects of the COVID-19, the accumulation of multiple factors—the cyclic droughts, measles outbreak, and war in Ukraine has exacerbated the humanitarian crisis in Somaliland."

President Abdi's letter outlines how a conflict almost 5,000 miles away has managed to have an outsized impact on the region.

As has been stated, the Ukrainian Government banned the export of wheat, oats, millet, buckwheat and some other food products to forestall a food crisis and stabilise the market. The partial ban on wheat and grains by Russia between 15 March and 30 June has further squeezed global supplies. Wheat and wheat products account for 25% of the average total cereal consumption in east Africa, with the highest consumption per capita in Djibouti, Eritrea and Sudan. Somalia and Somaliland import about half of their national food supply, including 92% of their grain supplies, from Ukraine or Russia; that same grain currently lies blocked off in Odessa. Up to 84% of the wheat demand in the entire region is met by imports, and reliance on direct imports from Russia and Ukraine has led to the rise in global prices.

As the noble Lord, Lord Alton, mentioned, two further major exports of Ukraine and Russia are fertiliser and sunflower oil. As well as pastoral farming, most countries in the Horn of Africa rely heavily on crop farming as a large contributor to the economy, as well as a protection to ensure food security. Fertiliser is key to revitalising the soil and creating an environment where crops such as teff, a staple grain for Djiboutian cuisine, can be grown. For countries such as Djibouti, the conflict in Ukraine is a double-edged sword. Not only can they not import grain to feed their population; they cannot import fertiliser to grow their own crops. This will do little to aid the cause of food security in such nations.

The Russian invasion has caused major disruption to global supply chains. We have felt the impact of those disruptions here in the UK; for example, with longer waiting times, back-ordering, and a lack of sunflower oil on supermarket shelves. But we need to consider the detrimental impact that these disruptions have had on countries such as Somaliland, Djibouti and Sudan.

As a result of the ongoing conflict in Ukraine, it has become increasingly difficult to source even the most fundamental medicines needed for the oral rehydration of severely malnourished children living in the Horn of Africa. As acute malnutrition rises across Somaliland and Somalia, with nutrition clinics reporting a 265% increase in the number of severely malnourished children under five needing treatment, the IRC has found that aid delivery has been severely impacted by the 200% jump in malnutrition treatment costs due to disruptions in the global supply chain.

[LORD POLAK]

One country that sits at the heart of this crisis and which I continue to mention—it is a country close to my heart and one that I recently visited—is Somaliland. Somaliland is an internationally unrecognised former British protectorate. It is a stable, peaceful and functioning pro-western democracy in a region ravaged by conflict, Islamist extremism and Chinese appropriation.

This perfect storm of humanitarian crises, made worse by the Ukraine conflict, could not have come at a more dangerous time for Somaliland. Like many other developing countries, Somaliland had just begun to emerge from the pandemic with a growing economy, boosted by UK assistance and investment in the DP World port facility of Berbera, as well as a major trade corridor that links Somaliland with its landlocked neighbour, Ethiopia, and its population of over 100 million.

I have previously mentioned in this Chamber the devastating fire that ravished Somaliland's capital, Hargeisa. This fire engulfed and destroyed the central market of the capital city, destroying the livelihoods of thousands of mostly female market traders and the families they supported. This only contributed to Somaliland's already dire economic, food and health crises.

While unrecognised, Somaliland has failed to receive even 20% of the aid it needs to survive the impending famine. But if Somaliland was recognised as an independent democracy, it would better protect its citizens and ensure that aid funding and relief is delivered directly to people such as Dahir and his children. Furthermore, recognition would unshackle Somaliland's incredibly entrepreneurial and free-market economy to make sure aid was no longer the sole driver of development. Somaliland's small businesses and leading companies would contribute to development by lifting millions out of poverty.

I pay tribute to the impressive and diligent Foreign Minister Dr Essa Kayd and of course, to the indefatigable spokeswoman for Somaliland, former Foreign Minister Edna Adan Ismail. But Somaliland's lack of recognition means it is currently completely cut off from the international financial system, from development funds in the World Bank, the African Development Bank, or international commercial banks. In fact, non-recognition means that Somaliland, a genuine democracy, is effectively under more financial restrictions than Russia.

Helping Somaliland is not just about a moral responsibility to an ally of the UK; it matters to us here too. Somaliland has been free of the almost daily terrorist violence inflicted by the al-Qaeda-linked al-Shabaab in the rest of the Somali region. That is because Somaliland spends 30% of its annual budget on security. We in the UK recognise the critical role Somaliland is playing in the security of its 850 kilometres of Red Sea coast shoreline by being a leading supporter of its security forces. Ensuring Somaliland's continued stability is helping us, here in the UK, keep safe.

I appeal once again to the Minister, who I know understands this issue well, to go back to the FCDO and ensure that we fulfil our obligations to the people of Somaliland. They need our help, they need our assistance and they need our recognition.

2.58 pm

Lord Purvis of Tweed (LD): My Lords, I am very pleased that the noble Lord and the noble Earl, Lord Sandwich, have focused on this geographical area towards the conclusion of this debate. In my view, it is the natural area where our focus should be as the consequence of Putin's aggression. It is in that area, in Somalia in particular, that this summer 350,000 children are facing not just acute hunger but starvation.

When a young boy or girl starves because they are not receiving sufficient calories, their body starts to feed itself on its own carbohydrates, fats and proteins. When these are diminished, their body cannot regulate its own temperature so they have painful chills. A number of days later, their kidneys fail and their immune system weakens. Then their body has no other choice but to feed on itself, with muscle and heart failure. This is 350,000 children in Somalia this summer. That is the equivalent of all under-fives in Scotland.

So this debate is about the children, and I am so pleased that the noble Lord, Lord Alton, secured it and opened it so comprehensively. As others have been, he was so comprehensive with the statistics that they need not be repeated. He and others including the noble Earl, Lord Sandwich, referred to this region. I have a particular interest in Sudan, of which the Minister is aware; I was there just a couple of months ago. But a number of years ago, I visited one of the regions that the noble Earl singled out, Gedaref. I met with sorghum farmers who are seeking to innovate but under enormous difficulties, being so close to the border. They need resilience against flash-floods and they continue to struggle against the political oppression that there had been under the previous regime, a dictatorship. This is not simply a discussion about innovations in agriculture or about free trade; it is the confluence of all these complex areas, especially for those people who have very little resilience themselves.

I declare an interest in that I chair the UK board of Search for Common Ground, which is the world's largest peacebuilding charity. Coincidentally, I was chairing it this morning. I left the meeting to ask the question about Sri Lanka, which is linked to this issue, in many respects, with people suffering because of a lack of fuel and food. There has been a consensus in this debate that one of the consequences of the Russian aggression is that more states are now vulnerable to conflict and instability. That means we are also likely to see a struggling harvest in Ukraine in the coming year, which will add to that. This is after the convulsions of the pandemic, in which the world's most vulnerable saw the West operating with a degree of vaccine nationalism and selfishness, and, as we heard in the debate, a lack of full replenishment of the requests for support from western countries.

We are at a very dangerous point in the world, at the moment. That is why today's debate, as we break for a summer holiday, has been of such a sombre nature. It is also depressing, as the noble Lord, Lord Alton, said, because to some extent we thought that one part of history would never repeat itself—what I would term the weaponisation of wheat. It is that truly awful element of using starvation of children as a tactical or

geopolitical weapon. I am so pleased that my noble friend Lady Smith and the noble Lord, Lord Alton, referenced the update to the Geneva convention and the ICC. We have heard about the difficulties with Russia for the ICC and know about these complexities, so I would be grateful to know if part of the UK's support for the ICC to capture evidence of war crimes is looking at this area, in particular. What is the evidential base that the UK Government consider when building evidence of starvation as a war crime?

When I saw the full Russian invasion, I knew almost immediately that there would be long-term impacts. There were two reasons. The first is because, having represented an agricultural community in the Scottish Borders, I would speak to farming friends—this is a number of years ago—who would monitor the Ukrainian wheat market almost as oil traders or financiers would in the City of London. They would know what the impacts would be of likely yield on harvest, likely prices, those who were buying ahead or those who were effectively shorting on this market. They knew that the impact of the shocks on the Borders economy would be immediate.

Equally, as the Minister and the House know, because I referred to it when I came back, during the first week of the full Russian invasion I was in both Baghdad and Beirut. In these countries, the supply of bread is fundamental not only to their diet but to their culture. From conversations I had with people there, they knew the impact would be immediate. We therefore see the consequences of prices going up and staggering inflation—food inflation of 44% in Ethiopia, nearly five times the global average, and a 78% increase in maize prices in the Horn of Africa. The impact across the Middle East and other regions has been enormous.

During Questions today I raised the fact that the geostrategic interest is perhaps moving east into Asia, with other countries now having an impact in this area. We are seeing a global element. As much as our press will consider that we are perhaps winning the war within Europe, we know that the consequences are spreading wider.

I find it slightly distasteful that the Foreign Secretary is touting the Ukraine example as part of her leadership credentials; I think this issue should be left out of that. She seemed rather uncomfortable this morning when asked about her Liberal Democrat heritage.

Noble Lords: Oh!

Lord Purvis of Tweed (LD): I have inadvertently united the House.

She said in her defence that it is “ludicrous” to believe the same things when you are 46 as when you were 17. I joined my party when I was 16. One of the reasons I joined it is that we were committed to spending 0.7% on international assistance. I not only believe that now but worked with colleagues to legislate for it; I am a passionate advocate of this. It is not ludicrous to believe in some of the things you believed in when you were 16 and started to be politically active.

The debate on the UK response to this global humanitarian situation is not just on the security aspect but on development assistance. Last week the

Government announced £156 million for the financial year for the humanitarian crisis in east Africa. That is welcome, but in 2017-18 it was £861 million. I would be grateful to know where the funds are being secured for this £156 million. Is this included in the unlawful 0.5% target or is it over and above that, given the circumstances of the crisis?

On support for the World Food Programme, in June this year a Downing Street press release heralded, “PM Pledges New Support for Countries on the Food Security Frontline”, which announced £130 million to the World Food Programme. People welcomed it, and they should, but I looked back on the Government's performance agreements with the World Food Programme. In the year in which we legislated in this House for 0.7%, UK support for the World Food Programme was £264 million—literally double. In this debate we have identified the global need as considerably higher than it was then, so why have the Government halved their support for the World Food Programme, given that the need is so enormous?

Let us look at one individual country that has been raised frequently in this debate. Here I welcome the right reverend Prelate to the House and the speech he gave. He and his right reverend friend the Bishop of St Albans, who has worked with dedication on these areas, mentioned the Horn of Africa and Somalia. Support for children in Somalia is critical. In 2019-20 UK support was £260 million because we recognised that this was a priority area. That fell by £120 million to £141 million in 2020-21. I raised concerns about that, and was shocked to realise that it fell again to £91 million in 2021-22. It is scheduled to go up to £116 million, but it will be down to £58 million in 2023-24. All the extra support that the Government have announced will not even get close to matching the gap in funding of £370 million, just for humanitarian support for the people of Somalia, that we have seen cut within just two years. On top of that, we have seen bilateral aid slashed in so many areas.

The fault of all this is not with the British Government; it is with Putin's aggression, and Russia should be held to account for it. However, the response for the people who are suffering the most can be in our hands. It is in our interests as a country, geopolitically and strategically, and on defence and security, that fewer people starve and fewer people fear hunger, which will prevent them becoming internally displaced people, or moving to Europe and this country. It is in our benefit but, even more, it is in the benefit of those people, to see the UK—one of the richest and most privileged countries in the world—as having a moral basis that is the opposite of Putin's aggression, and to see the UK stepping up support to ensure that those victims have a friend. I want this country to be their friend.

3.11 pm

Baroness Smith of Basildon (Lab): My Lords, it is a pleasure to follow the noble Lord, Lord Purvis. I thank the noble Lord, Lord Alton, for initiating today's debate. Listening to the speeches here today, I think the expertise and care that has been shown on this issue does this House enormous credit. It has been a sobering debate.

[BARONESS SMITH OF BASILDON]

I noted that a number of noble Lords paid tribute to the noble Lord, Lord Ahmad, in his role, and expressed their hope that he remains in this role the next time that we discuss such issues at the Dispatch Box. I hope that he does, but if not, I hope that he is in a more senior post to which he can bring the care and compassion he has shown in this role, because we want to see that across government, not just in isolated pockets.

The noble Lord, Lord Alton, said that he wanted to shine a light on the impact that the war in Ukraine is having on other areas as well. We have heard that today, and I will comment on other speeches. The capacity we have here to have a more detailed debate has shown that it is not just about the military response; the Government and international agencies must have a much wider response to address the consequences.

It is in that regard that I turn to the maiden speech from the right reverend Prelate the Bishop of Southwell and Nottingham. The House will benefit from his expertise and wisdom on the issues that he spoke about. His speech today was passionate and powerful, but also very grounded; that is an attribute that will be of enormous benefit to your Lordships' House. I welcome him joining us and look forward to further contributions from him.

As we have heard today, the destabilisation resulting from Putin's invasion of Ukraine continues, bringing with it humanitarian crises that go way beyond the region in which we see military action. Many millions of people in developing countries, including in the Horn of Africa and east Africa, are already suffering from hunger and malnutrition, and it is predicted to get worse. The scale of this crisis is not one that immediately comes to mind in the press reports that we have seen or in comments that are made, which tend to focus on the destruction in Ukraine without focusing on the much wider implications around the world. We know that the invasion is a clear act of aggression and an illegal act, but the blockade of ports is barbaric and has an international impact. By seeking to prevent the export of grain, and destroying crops and farming infrastructure, Putin's objective is that the suffering created by the invasion goes much wider than the immediate region.

As the noble Lord, Lord Alton, said, this is using hunger and starvation as a weapon of war. It is almost trying to blackmail other countries into not supporting Ukraine and backing off from attacking Russia's actions. We have to be clear that we stand unshakably with our NATO allies in providing military support and humanitarian assistance to Ukraine. However, if we fail to recognise the global insecurity in food and the threat of hunger and starvation across the world then we are failing in our wider duty.

I hope the Minister can say something about the efforts of Turkey and UN officials to broker an agreement to open the Black Sea. Clearly that is essential, so we would be grateful if he could tell us about progress on what is happening there.

I share the concerns of the other noble Baroness, Lady Smith—that gets very confusing—who raised this issue: in so many of the press reports, we do not

read about these kinds of issues and we do not hear these debates. The only thing that I saw about the talks were the comments that she referred to about the face that Putin was pulling when he had to wait for just under a minute for the talks to start. We need greater awareness of the impact that this is having beyond Ukraine. If those talks can be successful, and if there is anything we can do to facilitate them, they will have an enormous impact.

Last month the Foreign Secretary met her Turkish counterpart to discuss the option of using UK support to escort grain. I appreciate that she is rather distracted at the moment but there is nothing more important than this matter, and I hope the Minister here can press this. I would certainly like to hear more about the discussions and about the Foreign Secretary's ongoing role in them, because we do not know that. As much as we love the Minister, it needs the authority of the Foreign Secretary to be engaged at the highest level. What form would that UK support take? How would we manage it? Has anything been agreed? If the Minister has anything to report back on this during the Recess, I ask that he write to noble Lords who have taken part in today's debate rather than waiting until we return in September.

Any agreement with Putin's regime has to be treated with some caution, not just because there may be instability in the regime as we progress but because there is the possibility that Russia may not hold to its agreements. Noble Lords will know that one issue we feel very strongly about is that nations should hold to agreements that have been made, which is why there were some murmurs earlier today when the Northern Ireland Protocol Bill had its First Reading. Abiding by agreements is essential but we have to treat with caution any agreement with President Putin. We need an absolute commitment to pursue the end of this conflict because that is the only way to resolve so many of these problems. They will not just be solved by negotiation and finding alternative routes.

On that, I would be interested to know just how closely aligned the two government departments are. I am grateful for the brief that I had this morning from the Ministry of Defence on its ongoing actions, but I am not clear how the issue of food supplies and wider humanitarian issues are fed into the Ministry of Defence, because the two departments have aligned themselves policy-wise.

While the negotiations are ongoing, we have to commit ourselves to taking steps to mitigate the blockade. We have heard a number of facts and figures today but 96% of Ukraine's grain has historically been exported via the Black Sea. When that route is closed off, the impact is hugely significant. There is the potential for limited quantities to leave by rail and road, but if that were easy then it would have been done before; it would have been the route used previously.

Ukraine's Deputy Foreign Minister has raised the prospect of new trade routes through Poland and Romania. I am sure the Minister is aware of the challenges that this poses, not least because of different gauges of railways and having to deal with attacks from the Russian military. Are we currently giving any support to the Ukrainian Government to try to support those routes? They might have a limited impact but

that would still be significantly more than we are seeing at present. Can he say anything about any financial contribution being made by the FCDO to repair the rail infrastructure that has been destroyed by the Russian military? Are there any ongoing discussions about other borders that could be used as well?

Those on the brink of starvation—those countries on the brink of famine—cannot just wait for the war to end to see some relief to their suffering. Despite what I have said to the Minister about giving us an update on what mitigation measures are being taken, that in itself will never be enough. There is an urgent need in the developing world for support now.

The noble Lord, Lord Polak, referred to Somalia and, from the examples he gave, one thing struck me: what happens there affects stability in this country. In assisting other countries there is a self-interest—a self-awareness of the impact it has here as well. The right reverend Prelate referred to the cuts in international aid that are affecting these countries. It does the Government no credit whatsoever that these cuts have been made at a time when that support is needed the most. I hope that the Minister will be able to say something about that. Somalia was importing 92% of its wheat from Russia and Ukraine, so it is especially vulnerable; I think the noble Lord referred to that. Long-term forecasts in Ethiopia suggest that rainfall later this year will be significantly less than the amount necessary to support a strong harvest, so it has problems importing and the climate emergency is affecting such countries as well.

In a sense, the Government's role is twofold or threefold. It is important and we want them to take a lead in this. We must work with multilateral institutions to deliver the aid that is needed, but I would like to press the Minister more on the resilience measures that the Government want to build in, and the resilience-building measures that we can help countries take so people are not forced to leave their homes to search for food, water or medical care and support. Is he able to say anything about the action that has been taken as part of UNICEF, the World Food Programme and other multilateral agencies not just to deliver aid but to build resilience and provide expertise?

In conclusion, the only point I need to make is that this has shown us how interdependent countries are. Is it not part of chaos theory that, when a butterfly flaps its wings, the impact is felt around the world and it gathers pace as it moves? Many years ago, as the Cold War came to an end, I think we relaxed a bit too much. People took a step back and thought, "This is resolved". What we have seen is an escalation of problems that are now damaging the entire world. If we have learned anything as a country, we need to heed the lesson that we are not completely independent. We are not just self-reliant—a point the noble Lord, Lord Hannan, was trying to make earlier on. We are co-dependent with others and we have responsibilities to that co-dependency. If we just stand back and think this is a problem for other countries, we harm not just those countries but ourselves. We do so in practical terms, but we harm our humanity as well. There is an opportunity here to step up and show both our resilience for our nation and our humanity to other nations, as it is the right thing to do. In what I hope is not his last outing

in his post at the Dispatch Box—unless he is going on to greater things—I hope that the Minister today can show that there is humanity still in the Government and that we will be addressing these issues in the way that we should.

3.23 pm

The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con): My Lords, first and foremost, I join all other noble Lords in thanking the noble Lord, Lord Alton, for tabling this debate. David is someone I have known for many years, and I concur with everything that has been said. Today's debate and his insightful, detailed and expert knowledge on a subject that, once again, draws the House together on the importance of our collective response in the face of aggression is something that I know that he champions but that we also celebrate. We thank him for all he does in this respect.

I join others in welcoming the right reverend Prelate the Bishop of Southwell and Nottingham to his place. His contribution today was insightful and showed expertise, but it also very much brought home the importance and the role of faith in finding some of the solutions. As someone who just oversaw the delivery of the FoRB conference in London, I think faith institutions and faith NGOs, as well as others, have an important role to play as we face up to many of the development challenges, including those humanitarian causes around the world.

I want to quote from a UN report which was published on 8 June. I commend it to all noble Lords. There have been direct discussions with the Deputy Secretary-General of the United Nations, Amina Mohammed, and I assure the noble Baroness, Lady Smith of Basildon, that we are working closely with our multilateral partners. I have certainly taken that important relationship very seriously in my capacity as Minister for the UN. I reassure noble Lords that while the summer break beckons for most, I certainly intend to be at the UN in the middle of August, partly on this very issue of Ukraine but also on others, such as Sri Lanka, because the world does not stop. Unfortunately, the challenges of famine and the war in Ukraine will not stop. Of course I say to the noble Baroness that if there are updates to be shared I will share them with your Lordships' House. I also assure her that I work closely with colleagues in the Ministry of Defence in our collective response, not just to the situation in Ukraine but in focusing on the continuing plight of many people suffering in Afghanistan, among other places.

The UN report alluded to focused on food security. I will quote directly from it:

"A war is always a human tragedy, and the war in Ukraine is no exception. The ripple effects of the conflict are extending human suffering far beyond its borders. The war, in all its dimensions, has exacerbated a global cost-of-living crisis unseen in at least a generation, compromising lives, livelihoods, and our aspirations for a better world by 2030."

I note that the noble Lord, Lord Purvis, is wearing the SDGs badge on his lapel. Again, whether it is the Covid crisis or this war, it really puts under the microscope the real challenge of facing up to the delivery of the SDGs by the target of 2030. However, we need to remain focused in this respect.

[LORD AHMAD OF WIMBLEDON]

I assure the noble Baroness, Lady Bennett, and the noble Lord, Lord Loomba, that we recognise the global impact. The noble Baroness mentioned cash transfers, for example, and that remains a central part of our development programme. I have not shied away from the fact that when you cut, as we have had to, from 0.7% to 0.5% it has had an impact on our development spend, but I stay proud of our strong traditions and the support we continue to give around the world.

I take heed also that sometimes a crisis brings into focus what the opportunities are. While sharing my noble friend Lord Hannan's view of the world and of the importance of open markets, I also concur with the noble Baroness, Lady Smith, that the Covid crisis taught us about the importance of the interdependence of humanity. We are at our best when we help each other. We leverage our expertise and provide global solutions, and I believe open markets help in that respect. Look at the 60% of arable land which is currently uncultivated in Africa; there is a huge opportunity for all. In that same report there are innovative solutions including, for example, having a food importing financing facility. They provide the premise for discussions to take place in the future.

There was much in what my noble friend Lord Balfé said that, unfortunately, I do not agree with and I pose him three questions. Are we to accept Russia's annexation of a sovereign nation or part of Ukraine's sovereign territories? Are we to accept flagrant violations of human laws and the law of humanity? Are we to accept the suppression of not just the Ukrainian population but the Russian population? I say to my noble friend: ask Alexander Navalny and his family. The three answers are no, no and no. We will continue to stand united, as this House and this country, in support of Ukraine. It is the Ukrainians who should lead on peace negotiations, and we will support them and continue to stand firm.

I assure the noble Baroness, Lady Smith of Newnham, that my right honourable friend the Prime Minister is talking to President Zelensky regularly. My right honourable friend the Foreign Secretary spoke to Foreign Minister Kuleba last week and is doing so again this week. I am in touch with Foreign Minister Kuleba and was in The Hague last week, as the noble Lord, Lord Alton, said, talking about atrocities to Karim Khan, among others. We are very much engaged. Perhaps on a slightly lighter note on a sombre subject, I assure noble Lords that House of Lords Ministers stayed in place to ensure that our Government carried on functioning.

The noble Lord, Lord Purvis, and the noble Baroness, Lady Smith, talked about increasing funding for international organisations, including the World Food Programme. I have been speaking to and keeping in touch with David Beasley, and we have made a £130 million pledge to that programme. I assure the noble Lord that that funding is not diverted from other programmes. It includes funding allocated to in-country offices and flexible funding provided at central level as well.

The noble Baroness, Lady Bennett, raised the land ownership in Africa. The UK has played a lead role in promoting good land governance in Africa and will continue to support states' development in this regard and, of course, community rights. She talked about forces from India diverting food support from their country to the UK. Look at the UK for here and now. There is little I can say other than that when we look around the UK at the rich heritage that is not just part of our history but of our present and future, we recognise that the UK today is a very different place and long may that be the case.

The noble Baroness, Lady D'Souza, talked about long-term plans for peace. We support Ukraine's desire for a just negotiated outcome and of course we support any noble initiative led by or involving Ukraine, but this is Russia's war of aggression. Russia can stop this tomorrow, but the impact is still going to be felt for not just months but years ahead.

I thank my noble friend Lord Cormack, the noble Lords, Lord Hastings and Lord Loomba, and the noble Baroness, Lady Smith, among others for their kind words about my role, but it is important that we remain resolute. We expect Russia to uphold its international obligations. It is a P5 member like the United Kingdom, and that brings responsibility. We cannot have these flagrant violations continuing. It is for Russia to bring this to an end. It is in contravention of international obligations, including those under the UN charter.

We move forward to face up to the crisis of food and the impact of the Russian blockade of Ukrainian ports mentioned by many noble Lords. As the noble Lord, Lord Alton, said, it is weaponising food and is impacting global security. The right reverend Prelate the Bishop of St Albans also talked rightly about raising awareness. I look forward to the outcomes of the conference and perhaps practical suggestions from on the ground that can be shared with the Government. The region's worsening food crisis is caused by an accumulation of pressures, as several noble Lords pointed out, including the noble Baroness, Lady Smith, and the noble Lord, Lord Purvis. They include local conflict and climatic shocks, but the war in Ukraine is making it worse. When crises happen, people look at differences and divisions. They are then exploited—or worse.

It is Mr Putin's war, and the associated rise in food, fuel and fertiliser prices is making the problem much more acute. Yesterday it was 11 years since the UN first declared a famine in Somalia. My noble friend Lord Polak spoke of this and while I hear what he said about Somaliland, he is aware of the United Kingdom's position, and we feel it is right for Somaliland and Somalia to bring forth an inclusive agreement. It was a brutal famine which has led to the deaths of 250,000 people, the majority of them children, and left 500,000 children malnourished. It is important that the UN acts in this particular way.

We are helping not just the region but Ukraine directly. I say to the noble Baroness, Lady Smith, that we are providing more than £3.8 billion in support—£220 million in humanitarian support. She mentioned rebuilding infrastructure, and we have allocated another

£200 million in that respect. The city of Kyiv has been assigned to the United Kingdom. As a country we are helping the people and Government of Ukraine to rebuild.

Today's debate is extremely timely, as several noble Lords have said. Let me state categorically: we will stay united with Ukraine. I am grateful to all noble Lords, in particular Her Majesty's official Opposition and the Liberal Democrats, for their strong and united support on this issue. Looking at food crises around the world, right now, more than 48 million people in east Africa are facing severe food insecurity, and more than 13 million people are on the cusp of famine conditions, in particular in the Horn of Africa and Ethiopia, which the noble Earl mentioned, and there are issues of CRSV which he brought to light.

We have a conference in November later this year where we will report on some of the work that has been done. Frankly, I fear that the lack of humanitarian access has meant that, once the lid is fully lifted, the situation on conflict-related sexual violence will be very dire.

Ethiopia, Kenya and Somalia are all in the grip of a severe drought emergency. In those three countries, over 18 million people are severely food insecure, and famine conditions are already a reality for more than 600,000 people. As all noble Lords have alluded to, including my noble friend Lord Risby, the noble Lord, Lord Alton, and the noble Baroness, Lady Smith, Russia's illegal invasion of Ukraine and its blockade, coupled with reduced agricultural production—400 million people used to be supplied from Ukraine alone—have caused a sharp increase in global grain prices. Unlike the noble Lord, Lord Purvis, I was never an MP for a farming constituency, but I worked in the commodities sector, where the impact on prices has been enormous and incredibly impactful for the long term. Of course, farmers need to protect their prices; this is a knock-on effect.

The UK is at the forefront of this, with £3 billion in global humanitarian support over the next three years. This was discussed, for example, at the Commonwealth Heads of Government Meeting. That was a difficult negotiation, into which the issue of conflict fatigue stepped in, and the question: why does Ukraine matter? It matters, not because it is a conflict between two countries or on one continent but because it is a conflict impacting the whole world, as we have seen through the issues of energy and food prices. We will remain focused in this way, and I assure noble Lords that we will continue engaging with the multilateral system and IFIs on food insecurities via the World Bank's \$30 billion set aside for food security.

The issue of food waste, raised by the noble Lord, Lord Hastings, provides a stark reality check for us all. I will share this point with our colleagues in Defra. The reality is that food is being wasted, which can perhaps be managed very differently.

The noble Baronesses, Lady Smith of Newnham and Lady Smith of Basildon, and my noble friend Lord Risby spoke of the recent talks in Iran, where the Turkish President met with President Putin. Ministers and senior officials, including those in our embassy in Ankara, have been in very regular contact with the

Turkish authorities on these international efforts to get grain out of Ukraine, and we welcome the important role that the Turkish authorities are playing. As I receive more details, I will share them with noble Lords. I agree with the noble Baroness, Lady Smith of Basildon: as much as we will put in land corridors and are supportive of efforts through them, they cannot replace the ports. The ports are under attack; Odessa has been under increasing pressure in recent days. We also need to make sure that we retain our focus with other countries to ensure that whatever can be leveraged from land routes is fully realised.

Use of fertilisers has declined due to a nearly 30% price increase. In turn, cereal production has fallen by a fifth. As I have said, the UK is working with its international partners to hold Russia to account, being clear that western sanctions do not target food production. This is understood by our international partners. The sanctions imposed by the UK, the EU and the United States do not prevent Russia exporting its fertilisers or grain in any respect. In fact, Russian grain exports are continuing apace, with exports to key trading partners similar to those in previous years.

Russia's invasion of Ukraine and its blockade of Ukraine's ports have produced the logistical situation in Odessa, as my noble friend Lord Risby said. It is mined through floating mines from Russia, which means that the navigation issue will not have a solution in a matter of days or weeks; it may take months to demine this whole area. However, we need to remain resolute and focused. The UK is working with Ukraine to help export its food and fulfil its role as the breadbasket of Europe. The UN currently estimates that up to 23 million tonnes of grain for export remain in storage in Ukraine. It is ultimately President Putin's responsibility to lift this blockade, but we are working with international partners to alleviate the situation.

At the spring meetings of the World Bank and the International Monetary Fund in April, the UK and its partners secured the largest ever financial commitment from the World Bank of \$170 billion until June 2023. This will be targeted specifically at the countries and regions impacted. Of this, \$30 billion will be focused on food security. The UK has also announced emergency humanitarian assistance to address food insecurity in the Horn of Africa, Yemen and Afghanistan. Over the next three years, we will direct £3 billion in total across the world to vulnerable countries and people.

We have recently committed another £10 million to the Global Agriculture and Food Security Program, bringing our allocation for the poorest countries to £186 million. I assure the noble Lord, Lord Alton, among others, that we are working with G7 allies through the Global Alliance for Food Security to scale up a rapid needs-based, co-ordinated response.

My noble friend Lord Risby, the noble Baroness, Lady D'Souza, and others mentioned the importance of and impact on north Africa. I have already visited Tunisia and Algeria, and I am shortly about to go to Morocco. I have also visited Egypt. It is a food crisis. They are finding feeding their populations a real challenge for the here and now. Of course, I shall engage with all the key interlocutors and, if there are updates, report back. The fact is that there is a crisis, and it can be

[LORD AHMAD OF WIMBLEDON]

averted only if we act together, but at the same time seek to bring this conflict to an end—and that is very much on Russia.

The right reverend Prelate raised east Africa, which several noble Lords, including the noble Earl, drew attention to, as did my noble friend Lord Polack. In January, the UK announced £17 million of emergency humanitarian assistance to address critical needs in Ethiopia, South Sudan, Somalia and Kenya. In February, we announced £5.5 million of support allocated for Somalia, and in March a further £1.6 million to support the drought response in Ethiopia. In April, £25 million in aid was announced to provide vital food services to people in Somalia. We are playing a leading role bilaterally and with our key partners.

The noble Baroness, Lady Smith, and the noble Lord, Lord Alton, raised the issues of war crimes and accountability. We are working closely with the ICC. The noble Baroness, Lady Smith of Newnham, talked about the protocols. I discussed them directly with Karim Khan, who is making those assessments. Noble Lords will be aware that we have set up the Atrocity Crimes Advisory Group with our friends and partners in the EU and US, focused on atrocities across the piece. I look forward to working with noble Lords in identifying how we can put specific parameters in and ensure through the Murad code, for example, that crimes of sexual violence are fully investigated and documented to allow successful prosecutions to take place. We are also working within the Human Rights Council parameters and its commission of inquiry, the OSCE's Moscow mechanism and the Council of Europe's monitoring bodies, so there is a broad approach to ensuring that accountability is focused on.

I assure the noble Lord, Lord Alton, and others, particularly on the issue of asset seizures that he raised, that as the Foreign Secretary said at the Foreign Affairs Committee, it is an issue that we are working on with the Home Office and the Treasury, and we will update your Lordships' House as well as the other place on the specifics. It is important that we get this right, but that particular issue is a live one, which we are looking at quite directly.

In concluding this debate, I assure noble Lords that we remain very much focused on our responsibilities through the G7 and G20. The UK's director-general for humanitarian development has made numerous visits to the region, and we have a special envoy to the Horn of Africa. In June, my honourable friend the Minister for Africa, Vicky Ford, wrote to David Malpass at the World Bank to highlight the gravity of needs. We also maintain a productive dialogue with non-governmental organisations, which are extremely important. In June, the Minister for Africa met members of the Disasters Emergency Committee. Our officials remain fully engaged on the ground and here in London on working with key partners.

To conclude on the Russian blockade of Ukrainian ports, we have all documented it, with our different perspectives. We have had a wide-ranging debate—although I say to my noble friend Lord Cormack that he went so wide in his contribution that it may have been wider than I have ever experienced in my time at

the Dispatch Box. Nevertheless, I am sure that people have noted his contributions quite carefully. I assure my noble friend that the Government continue to be very active, and I hope that through the examples that I have illustrated he is somewhat reassured that we stay very much focused on this.

I lived through the crisis last summer in Afghanistan and it was important that we continued to stand by our commitments. I am proud that the Government have continued to stand by our humanitarian commitments in Afghanistan and our commitments to the people of Ukraine, whether on the economy or humanitarian support, or diplomatically and militarily. It is important that this war ends: it is in Russia's hands to end it but, in the meantime, we will continue with our obligation and support, including in east African countries, the Horn of Africa, to ensure that after a fourth consecutive season of failed rains, we continue to have decisive, co-ordinated, bilateral and multilateral swift action from the international community to avoid severe humanitarian outcomes. I hope that I have, in part, convinced noble Lords that the United Kingdom is continuing to play its part.

In closing, I record my sincere thanks to the noble Lord, Lord Purvis, and the noble Baroness, Lady Smith of Newnham, for their contributions over the recent period of the current Government, for the positive and practical insights they have brought and for their solutions. This is not always a challenge to the Minister at the Dispatch Box. I value their insights and experience. I also offer my thanks, through the good offices of the noble Baroness, Lady Smith of Basildon, to the noble Lord, Lord Collins. I record my sincere thanks because the advice and insights I have received is extremely valuable to any Minister seeking to do their job. We face unprecedented challenges, challenges of humanity and of humanitarian crisis, but I acknowledge our collective efforts as your Lordships' House, whether we do so with the other place or on a cross-party basis. When we act together, as we did during the Covid crisis and as we are doing on Ukraine, we are at our best when we act as a country, collective and unified in our response to those who seek to cause division and discord. For that, I am eternally grateful to all noble Lords. I particularly thank the noble Lord, Lord Alton, for once again bringing your Lordships together on this important subject.

I was reminded of a quote as I listened to the debate. My father was an Urdu poet, God bless his soul, and one of the famous poets he used to appreciate and hold in high regard was Rumi. I was reminded of Rumi, who said,

"Yesterday I was clever, so I wanted to change the world. Today I am wise, so I am changing myself".

3.47 pm

Lord Alton of Liverpool (CB): My Lords, the quality of a debate is determined by those who participate, and no one could have hoped for a better informed, knowledgeable, wise or humanity-related debate than the one we have had this afternoon. The noble Baroness, Lady Smith of Basildon, said that it underlines the purpose of your Lordships' House to be able to conduct debates of this kind, and I entirely agree.

No one will have been surprised by the passion and vigour with which the noble Lord, Lord Ahmad of Wimbledon, responded to us today. He is a great example of how to conduct oneself as a Minister. I hope he was not making a valedictory statement in his closing remarks, because I hope he will go on being a Minister at the Dispatch Box in your Lordships' House for a long time to come. He is also a deeply committed parliamentarian. Whether it is insights that he communicates from his mother, as he did in the recent FoRB conference, or today from his father, through some of the Urdu poets, I hope we will go on hearing those insights for a long time to come. We first met when I was in another place and a group of people came with the young Tariq Ahmad to persuade Members of Parliament to take the persecution of his Ahmadi community seriously. Happily, I responded positively, said that I would write to Ministers and did. Years later, he teasingly said to me, "Now you are getting your own back, because barely a day passes when I do not receive representations from you." It was a great privilege, during the recent FoRB conference to chair one of the side events on the plight of the Ahmadi community.

In a way, that underlines what the noble Baroness, Lady Smith of Basildon, said to us about our interdependence and how we are determined one against another all the time. Was it not Nelson Mandela who said, "A person is a person because of other people"? We are coexistent on this planet; we must learn to respect and to live alongside one another. In that sense, I agree with what the noble Lord, Lord Hannan, said about the dangers of self-sufficiency, but the noble Lord, Lord Cormack, was right as well to say that, in times of war and conflict, that is not the only issue. The noble Baroness, Lady Smith of Newham, rightly said in her excellent speech that we suffer from a sort of attention deficit if we are not careful and could have compassion fatigue. She talked about the inadequacy of our response, "a drop in the ocean".

The noble Lord, Lord Purvis, talked about the need to live up to and to honour our commitment to the 0.7% spending target, a point made by a number of noble Lords during the debate. Back in 1970 as a student, I made my first speech in the student union on the subject of the General Assembly resolution on 0.7% and it was the noble Lord, Lord Purvis, who did so much to ensure that that was enshrined in statute. It is a terrible tragedy to have reduced that funding. The right reverend Prelate the Bishop of St Albans is right to remind us that this is not just about generosity and altruism; it is also in our self-interest to ensure that we retain those target figures and do what we can to alleviate the suffering of the poorest in our world today.

In his excellent maiden speech, the right reverend Prelate the Bishop of Southwell and Nottingham reminded us of the connections between his diocese and the Salvation Army. He talked specifically about Uganda, his links with that part of Africa and the impact of the crisis on the life chances of young people. We all look forward to hearing many more speeches from him in the future.

The noble Lord, Lord Risby, reminded us in an excellent speech about the dangers of this spreading

through instability and to many places, including Egypt about which he knows a great deal, and the impact of migration flows.

My noble friend Lord Hastings talked about waste. The noble Baroness, Lady Bennett, quite rightly told us that this is a crisis with a long history, and we have done far too little thinking about and developing how we see the role of food and how we avert crises of this kind from recurring.

My noble friend Lord Sandwich took us to Sudan. The noble Lord, Lord Polak, took us to Somaliland. I have great admiration for my noble friend and for the noble Lord, Lord Polak. I serve with my noble friend on the All-Party Parliamentary Group on Sudan and South Sudan. I have visited Darfur: 300,000 people died there during the genocide and 2 million people were displaced. This is happening all over again, and we must do more than we are doing to avert it.

Let me end with what the noble Lord, Lord Purvis, said to us about being the moral opposite of what Putin represents; we must do better than we have been doing. Our values are the values that matter in this world, but they do not come cheaply. They come at a price, and we are seeing that price, whether it is in the loss of human life or in treasure. They come at a price, and we must be willing to pay that price, not least because of the kind of stories, such as that of Dahir in Somaliland, that we heard from the noble Lord, Lord Polak.

I read in the *Wall Street Journal* recently the story of a little child in neighbouring Somalia, one of the early victims of the current crisis: two month-old Muad Abdi who died after a night of diarrhoea and vomiting in a sprawling camp on the outskirts of Mogadishu. The newspaper reported his mother saying,

"His eyes turned up, and I felt he was no longer with me".

The report continued,

"His older brother was fighting an infection in a crowded hospital, his defences weakened by the kind of severe malnutrition" that the noble Lord, Lord Purvis, described.

"His 1-year-old sister, Habiba, slumped limply on her mother's hip."

His mother said that,

"Until three months ago ... the \$1 to \$2 a day her husband earned from occasional construction work bought two meals of rice and beans for the family of six. Now that money is barely enough for one daily meal of rice".

The situation had been exacerbated because of the crisis in Ukraine.

We owe it to families such as this to do more than we have done, and I know it is the united view of your Lordships' House that we must do that. I am grateful to all noble Lords who have participated.

Motion agreed.

Net Zero Strategy: High Court Ruling

Commons Urgent Question

3.54 pm

The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy (Lord Callanan) (Con): My Lords, with the leave of the House, I shall now repeat the Answer to an Urgent Question in the other place given by my right honourable friend Greg Hands MP:

[LORD CALLANAN]

“Over the past three decades, the UK has driven down emissions by over 45%—the fastest reduction of any G7 country. We have one of the most ambitious carbon-reduction plans in the world, pledging to reduce emissions by at least 68% by 2030 and by 77% by 2035, compared to 1990 levels, before of course reaching net zero by 2050. Our track record speaks for itself: the UK has overachieved against the first carbon budget and exceeded the second by nearly 14%. Latest projections show that we are on track to meet the third carbon budget as well.

In its judgment on the judicial review of the net zero strategy, the High Court found that the Government had not complied sufficiently with the Climate Change Act in relation to specific procedural issues and the level of analysis published as part of the 164-page *Net Zero Strategy*. I would stress that the judge has made no criticism about the substance of our plans to meet net zero, which are well on track. Indeed, even the claimants in the case described the net zero strategy as ‘laudable’. The independent Climate Change Committee described the net zero strategy as

‘an ambitious and comprehensive strategy that marks a significant step forward for UK climate policy’

and as

‘the world’s most comprehensive plan to reach Net Zero’.

We are now considering the implications of the judgment and deciding whether to appeal. As we do this, our focus will remain resolutely on supporting people in the face of globally high energy prices and boosting our energy security. Our recent *British Energy Security Strategy*—launched by the Prime Minister—which puts Great Britain at the leading edge of the global energy revolution, will deliver a more independent, more secure energy system and support consumers to manage their energy bills.”

3.56 pm

Lord McNicol of West Kilbride (Lab): My Lords, paragraph 252 of the High Court judgment ruled that the Government’s net zero strategy was unlawful. The court found that the net zero strategy did not go below national and sector levels to look at contributions to emissions reductions, and that it needs to be rewritten with quantified accounts and a realistic assessment. The Energy Bill is currently passing through your Lordships’ House; it establishes an independent system operator and planner, which is a welcome step. However, the legislation does not establish a system operator and planner at a regional level to promote the 2008 Act. If Her Majesty’s Opposition were to lay an amendment to deliver a regional system operator and planner which would solve some of the problems of the judgment, would Her Majesty’s Government support that?

Lord Callanan (Con): I would need to look at the details of the noble Lord’s amendment before giving him an answer. As the Climate Change Committee recognises, the net zero strategy is a comprehensive plan for meeting our climate targets, which outlines measures to transition to a green and sustainable future, helping businesses and consumers move to

clean power. We think we are on strategy; as I said, we will look closely at the judgment and decide whether or not to appeal.

Lord Stoneham of Droxford (LD): My Lords, one of the problems is that the Government have been very good on targets but much less good on delivery. Can the Minister comment on the view of the former Chancellor, Rishi Sunak, that we should not relax the restraints on onshore power or encourage it? Is that how we will achieve delivery against these targets?

Lord Callanan (Con): I think the noble Lord is wrong in his first statements; we have so far met, or indeed exceeded, all our carbon budgets and we are on track to meet the latest one. This is a reference to a carbon budget in 12 or 17 years’ time, so of course we will look closely at the implications of the judgment. On the noble Lord’s question, we have said that we are not against the expansion of onshore wind, but we will need to do it in close co-operation with, and with the support of, local communities. Meanwhile, as he will be aware, we have massively expanded the ambition of our offshore wind, which during the latest contracts for difference round is now coming in at record low prices.

Lord Howell of Guildford (Con): My Lords, when I saw this headline judgment, I thought for a moment that the court might be making the obvious point—which I think most people agree with—that while our national net-zero target is pressing ahead rather well, with the contribution and efforts of my noble friend, and while other Western countries are moving towards net zero, emissions are rising very fast when they should be at least level, if not falling, under the Paris targets. The Paris targets are receding, and almost everyone in the world of combating climate change recognises that a vast uplift in international efforts to curb carbon emissions, of the kind that involves a huge abstraction of carbon from the atmosphere on a global scale, is now needed. That is what the UN and the IPCC are saying and even the CCC agrees to it. Leading figures such as John Kerry also agree with this view. If there is a criticism, it is perhaps that our contribution there is not realised enough, so much are we concentrating on NZ. However, I fully agree that we are doing that rather well, and I hope that we appeal.

Lord Callanan (Con): My noble friend makes some important points. Of course, our contribution to global emissions is relatively small, but this is very much a global problem. As a leading industrialised nation, it is right that we should set an example, and we are doing so. As I said, we have some of the fastest and most ambitious reduction targets. We will certainly look closely at the judgment, but we will carry on with our ambitious decarbonisation strategy.

Baroness Bennett of Manor Castle (GP): My Lords, the court judgment refers to the need for and the lack of quantified realistic assessments. If we look at what we have heard from the Government in recent days, we have the frankly fanciful jet-zero aviation strategy and the Energy Bill, with its huge focus on the unproven-at-scale carbon capture and storage. I am aware that the Minister cannot speak for whatever future Government

we might have, but will he acknowledge the judgment of the Committee on Climate Change, among others, that the Government's plans and action on agriculture, buildings and heat are totally inadequate, and that these are areas in which urgent action and deliverable plans are needed?

Lord Callanan (Con): I thank the noble Baroness for her questions. I do not share her pessimism about the jet fuel initiative. It is very important that we deliver low-carbon jet fuel. After all, we want to enable her Green colleagues to continue to fly up to COP summits in a carbon-neutral manner. With regard to her comments about the other contributions we need to make, of course agriculture is a particular challenge. The energy sector is decarbonising well. Home emissions are difficult for the UK, given the age of our housing stock; something like 6 million homes were built before the First World War, and a third of our properties were built before the Second World War. That presents a fairly unique challenge in Europe, but it is one that we are tackling. Emissions are coming down, and we are proceeding well.

Lord Bellingham (Con): My Lords, surely a key aspect of reaching net zero is implementing the *British Energy Security Strategy*, which aims to increase the share of nuclear to 25%. Can the Minister tell the House what more the Government are doing to encourage modular nuclear systems and nuclear fusion?

Lord Callanan (Con): My noble friend is absolutely right; I am sure he noticed the granting of planning permission to the Sizewell C reactor yesterday. We are supporting Rolls-Royce to the tune of over £100 million to support the production of designs for small modular reactors, and we think that they will have a significant contribution to make—albeit not for a number of years yet. Of course, the latest developments in fusion, which we are also supporting, are particularly exciting. If my noble friend wants to contribute to the debates on the Energy Bill, we are setting in place a regulatory framework for fusion.

Lord Bridges of Headley (Con): My Lords, can I use this as an opportunity to plug a great new report out today, *Investing in Energy: Price, Security, and the Transition to Net Zero*, by the Economic Affairs Committee, which I happen to chair? It is very timely because, on the back of this Question, it concludes—as my noble friend Lord Howell said—that while there has been considerable progress by this Government, for which they should be given credit, there are “gaps between the Government's ambitions and practical policy” which are “significant”. I hope my noble friend will take this report with him to his deckchair to read.

I have one specific point regarding where we are right now as we approach what will probably be another very difficult winter in terms of energy and energy prices. One of the committee's core recommendations was that the Government should publish an energy demand reduction strategy particularly focused on home insulation. Would my noble friend take that recommendation back and peruse it so that the next Government can act on it swiftly when they come in September?

Lord Callanan (Con): I thank my noble friend for his recommendation for my holiday reading. I am not certain yet I will get a holiday, but if I do, I am sure his committee's report will make fascinating reading—though I need no persuading of the importance of home energy efficiency and insulation schemes. We continue to progress work on just such a scheme, and I hope the new Prime Minister, when he or she comes into office, will support it.

Baroness McIntosh of Pickering (Con): I will be taking the Energy Bill with me as my holiday reading. I congratulate my noble friend on the Statement he made and on having regard to the unprecedented energy circumstances in which we find ourselves and the challenges this poses for farmers and others. In support of the words of my noble friend Lord Howell, I ask my noble friend the Minister to increase the efforts of international co-operation to ensure that other countries are matching the efforts of this country and others in Europe.

Lord Callanan (Con): My noble friend can be assured that we will do that. We make a relatively small contribution. We need to set the lead, but this is the epitome of an international problem, and all our efforts will be negated if other, bigger emitters do not reduce their emissions as well, so her point is correct and powerfully made.

Women's Health Strategy for England Statement

The following Statement was made in the House of Commons on Wednesday 20 July.

“With permission, Mr Speaker, I will make a Statement on the women's health strategy for England.

I know that many honourable and right honourable Members will agree that, for too long, women's health has been hampered by fragmented services and women being ignored when they raise concerns about their pain. On too many occasions, we have heard of failures in patient safety because women who raised concerns were not heard, as with the Ockenden review into the tragic failings in maternity care and the independent inquiry into the convicted surgeon Ian Paterson. I also remember the outstanding work of my constituent Kath Sansom and her Sling the Mesh campaign where, once again, the response was too slow when women raised issues with their care.

We are embarking on an important mission to improve how the health and care system listens to women's voices and to boost health outcomes for women and girls, from adolescence all the way through to later life. This is not only important for women and girls; it is important for everyone. This work is already well under way.

Last month we announced the appointment of Professor Dame Lesley Regan, one of the country's foremost experts in women's health, as the first ever women's health ambassador for England. On top of this, we are investing an extra £127 million in the NHS maternity workforce and neonatal care over the next year, and we are creating a network of family hubs in local authorities in England.

Today we are announcing the next step. We are publishing the first ever women's health strategy for England, which sets out a wide range of commitments to improve the health of women and girls everywhere. I take this opportunity to pay tribute to the almost 100,000 women who took the time to share their stories with us, as painful as it may have been. Your voices have been heard and were vital in shaping this strategy.

I will now set out the key components of the strategy. First, we are putting in place a range of measures to ensure that women are better listened to in the NHS. Indeed, 84% of respondents to our call for evidence recounted instances where they were not listened to by healthcare professionals. We need to do more to tackle the disappointment and disillusionment that many women feel. We are working with NHS England to embed shared decision-making where patients are given greater involvement in decisions relating to their care, including when it comes to women's health.

Secondly, we want to see better access to services for all women and girls. Women and girls have told us that the fragmented commissioning and delivery of health services can impact their ability to access them. That means they have to make multiple appointments to get the care they need, adding to the NHS backlog. There are better ways to deliver women's health through centres of excellence in the form of women's health hubs, designed specifically to holistically assess women's health issues and where specialist practitioners can be more attuned to concerns being raised. We are encouraging the expansion of those hubs, and indeed I visited Homerton University Hospital this morning to see the benefits these local one-stop clinics bring, enabling women to have all their health needs met in one place.

Thirdly, it is essential that we address the lack of research into women's health conditions and improve the representation of women's data in all types of research. Currently, not enough is known about conditions that only affect women, as well as about how conditions that affect both men and women impact them in different ways. The strategy sets out how we will tackle the women's health data gap to make sure that health data is broken down by sex by default.

Fourthly, we will provide better information and education on issues relating to women's health. Our call for evidence showed that fewer than one in 10 respondents feels they have enough information about conditions in areas such as the menopause and that many people wanted trusted and accessible information about women's health. The NHS website is currently a trusted source of health information for many people, and we will transform the women's health content to improve its existing pages and add new pages on conditions that are not currently there. But we know that the NHS will not be everyone's first port of call for health information, so we will expand our partnerships, such as the one between YouTube and NHS Digital, who are working together to make sure that credible, clinically safe information appears prominently for UK audiences. It is also important that medical professionals have the best possible understanding of women's health, and I am pleased that the General

Medical Council will be introducing specific assessments on women's health for medical students, including on the menopause and on gynaecology.

Fifthly, our strategy sets out how we will support women at work. In the call for evidence, only one in three respondents felt comfortable talking about health issues with their workplace, and we also know that one in four women has considered leaving their job as a result of the menopause. So we will be focusing our health and wellbeing fund over the next three years on projects to support women's wellbeing in the workplace, and we will be encouraging businesses across the country to take up best practice such as the menopause workforce pledge, which was recently signed by the NHS and the civil service.

Sixthly, we will place an intense focus on the disparities in women's health. We know that although women in the UK on average live longer than men, they spend a significantly greater proportion of their lives in ill health and disability than men. Even among women there are marked disparities and our strategy shows our plans to give targeted support to the groups who face barriers accessing the care they need, for example, disabled women and women experiencing homelessness. It also shows how we are putting an extra £10 million of funding towards 25 new mobile breast screening units that will target areas and communities with the greatest challenges on uptake and coverage.

Finally, as well as these cross-cutting priorities, the responses to our call for evidence also highlighted a number of specific areas where targeted action is needed. Those include fertility care, where we will be removing barriers that restrict access that are not health-based but based, for example, on whether someone has had a child from a previous relationship, and making access to fertility services much more transparent. Another of our priority areas is improving care for women and their partners who experience the tragedy of pregnancy loss. At the moment, although parents whose babies are stillborn must legally register the stillbirth, if a pregnancy ends before 24 weeks' gestation there is no formal process for parents to legally register their baby, which I know can be distressing for many bereaved parents. So we will be accepting the interim update of the independent pregnancy loss review and introducing a voluntary scheme to allow parents who have experienced a loss before 24 weeks of pregnancy to record and receive a certificate to provide recognition of their tragic loss.

This is a significant programme of work, but we cannot achieve the scale of change we need through central government alone. We must work across all areas of health and care. We will need the NHS and local authority commissioners to expand the use of women's health hubs; the medical schools, regulators and royal colleges to help us improve education and training for healthcare professionals; the National Institute for Health and Care Research to help make breakthroughs that will drive our future work; and many others to play their part. I would like to finish by thanking everyone involved in the development of this important strategy, including the Minister of State, Department for Health and Social Care, my honourable friend the Member for Lewes, Maria Caulfield, who is on the Front Bench with me today, for the determination she

has shown in taking this strategy forward. I would also like to pay tribute to my predecessors, my right honourable friends the Members for West Suffolk, Matt Hancock, and for Bromsgrove, Sajid Javid, the latter of whom is in his place, for their commitment to this important issue, even during the pressures of the pandemic. This is a landmark strategy, which lays the foundations for change and helps us to tackle the injustices that have persisted for too long. I commend this statement to the House."

4.06 pm

Baroness Thornton (Lab): My Lords, I thank the Minister for taking this Statement today, and I hope her noble friend is fully recovered from the bug that he acquired—goodness knows where. I declare an interest as a maternity safeguarding champion at a London trust hospital.

We must welcome this rather late and delayed strategy. For too long, women's health has been an afterthought and the voices of women have been at best ignored and at worst silenced. I welcome the appointment of Professor Dame Lesley Regan as the first ever women's health ambassador for England.

If this strategy is properly funded and actually delivered, it may not solve the crisis in women's healthcare after 12 years of Conservative mismanagement but it would certainly help shift the policy and delivery of services. Four out of five women who responded to the Government's survey could remember a time when they did not feel listened to by a healthcare professional.

The context for this strategy is that, in recent years, we have seen a string of healthcare scandals primarily affecting women: maternity services at Shrewsbury and Telford; more than 1,000 women operated on by rogue surgeon Ian Paterson; thousands given faulty PIP breast implants; many left with traumatic complications after vaginal mesh surgery; and the use of medication such as Valprol during pregnancy, as highlighted by the noble Baroness, Lady Cumberlege, in her report, *First Do No Harm*, which has helped to transform issues in this space

There is one issue I wish to raise with the Minister immediately, and of which I have given prior notice, which calls into question the Government's commitment to sexual health rights for women. In the past few days, it has emerged that a statement on freedom of religion or belief and gender equality was issued by the UK as part of the intergovernmental conference it hosted in London on 5 and 6 July. Commitments to abortion and sexual health rights have been quietly removed. Is that true, and, if so, why has that happened?

I return to the Statement. The context of the strategy is that every woman who needs to use the NHS today faces record waiting times. The NHS is losing midwives faster than it can recruit them. Gynaecology waiting lists have grown faster than any other medical speciality. The number of women having cervical screening is falling, and black women are 40% more likely to experience a miscarriage than white women. We need to look at what is being proposed in this strategy.

The strategy promises new research, which is absolutely vital and very welcome. I draw the Minister's attention to the report from the University of Birmingham commission into safe and effective, accessible medicines

for use in pregnancy, *Healthy Mum, Healthy Baby, Healthy Future*. Chaired by the noble Baroness, Lady Manningham-Buller, it addresses the terrible lack of research into conception and pregnancy. The starting point is that virtually no drugs have been developed or trialled for pregnant women in the many decades since Thalidomide. This leaves women at the mercy of general diseases, the diseases of pregnancy and drugs that are usually unlicensed.

Pregnant women and babies throughout the world continue to get sick and die from largely preventable and treatable causes. Even in the UK, the way in which medicines are developed currently risks preventing pregnant women accessing the benefits of safe and effective medicines. Most recently, the exclusion of pregnant women from Covid vaccine trials has probably led to needless deaths among pregnant women and babies, which highlights this issue. The commission provides a blueprint for action. Will the Government make use of it?

Studies suggest that the gender bias in clinical trials is contributing to worse health outcomes for women. There is evidence that the impacts of female-specific health conditions, such as heavy menstrual bleeding, endometriosis, pregnancy-related issues and the menopause, are overlooked. Can the Minister set out how exactly the Government intend to make use of the new research to improve outcomes for women? How will they address widespread bad practice across clinical trials where women are not selected because their hormones might distort the results—which really means that they might reveal the side effects that treatments will have on them?

Moving on, we welcome improving the education and training of health professionals as absolutely vital. Almost one in 10 women have to see their GP 10 times before they get proper help and advice about the menopause. Why is it that almost half of medical schools do not teach doctors about the menopause, given that it affects every single woman? Those are two small consequences of not addressing gender in the training of our medical professionals.

I want to ask a question about what my honourable friend Carolyn Harris said in the Commons yesterday:

"I am delighted that my private Member's Bill that I negotiated with the Government last October now appears as part of the strategy, but I am bitterly disappointed that the timeframe for that once annual charge is delayed until April 2023—18 months after it was promised".—[*Official Report*, Commons, 20/7/22; col. 980-81.]

My honourable friend needs an answer on that. Why have the HRT costs been delayed until April 2023?

We can only welcome the extra £10 million for the breast screening programme. This screening can prevent avoidable deaths by identifying breast cancer early, but we must note that fewer women in the most deprived areas receive regular breast screening. Even before the pandemic, too many women with suspected breast cancer were waiting more than the recommended two weeks. Can the Minister tell the House how the programme announced today will make a difference to outcomes for patients if, once diagnosed, they end up on a waiting list that is far too long?

[BARONESS THORNTON]

There are plans in the strategy to remove barriers to IVF for lesbian couples, which we welcome. For too long, they have faced unnecessary obstacles to accessing IVF for no other reason than the fact that they love another woman. It is encouraging to see the Government take action to set this right.

As well as the appalling figures on black maternity deaths, a quarter of black women surveyed by Five X More felt that they received a poor or very poor standard of care during pregnancy, labour and post-natally. Women who live in deprived areas are more likely to suffer a still-birth than their richer counterparts. Labour has pledged a new race equality Act to tackle the structural inequalities in our society, including in healthcare. Does the Minister acknowledge that those inequalities exist?

There is one final issue that I would particularly like to draw to the attention of the House. Support counselling for women victims of rape is absolutely vital but End Violence Against Women estimates that the Government need to provide a minimum of £195 million each year to rape crisis services to properly respond to that need, with a significant proportion ring-fenced for specialist BAME services. The problem, as a recent survey revealed, is that 60% of people believe that access to free counselling is readily available for rape survivors. That is not the case. The waiting lists are growing. Do the Government accept that this is not an acceptable situation?

Baroness Barker (LD): My Lords, I agree with much of what the noble Baroness, Lady Thornton, has said. It is always interesting to see what is included and what is excluded in documents such as this. Like the noble Baroness, Lady Thornton, I would like straightaway to query the omission of rights to abortion and sexual healthcare. Is that now the policy of the Government and the Department of Health? If it is, that is a very significant change that will have a huge, detrimental effect on the health of women.

It is notable that this document lists its ambitions at the beginning, talking about the availability of RSHE in schools so that young people know and understand what good health is and what their rights to it are. Unfortunately, there is still a dearth of appropriate material getting to schools and there is equally no commitment to training staff in schools to deliver appropriate training. I therefore ask the Minister when that situation is going to be rectified.

Organisations such as the Faculty of Sexual and Reproductive Healthcare and RCOG have been telling the Government for years that there is an absolute crisis in reproductive health services. We have a completely fragmented system for access to basic contraception, which is having a huge impact. We now know that approximately 50% of pregnancies in this country are unplanned. That statistic in itself tells us how far reproductive health has slid backwards.

I am glad to see the appointment of Professor Dame Lesley Regan. Some of the work that she has done in this report says that investment in contraceptive and fully inclusive reproductive and sexual health services is a public health investment which has a massive return on investment. Every £1 spent on contraception is a saving of £9 in public health services.

If you invest that £1 in maternity services, the return on investment increases to £33. It is a no-brainer, yet at the moment we fracture access to services so that women who want access to proper reproductive health services end up going multiple times to multiple places. Why? It is because funding streams are fractured. Can the Minister say when that is going to be rectified? The sooner it is, the swifter we get a proper impact on women's health.

One of the things that I have noticed, having read the review, is that for the first time it tries to be inclusive in its definitions. I also welcome the statements made about access for lesbians to assisted reproduction. The review includes Roma women. It notes the disparities in the appalling health inequalities for black women and women of colour. It also completely ignores trans people. I have a simple question for the noble Baroness. Is that the policy of the Government and the Department of Health? Are these people going to be excluded from our health policy in future?

The final thing I wish to say is that one of the big things that has been noted all the way through our reviews of continuity of care and the great work by the noble Baroness, Lady Cumberlege, is that continuity of care is key to outcomes, in particular, continuity of care in primary care, which is where most women want to get their health services. Will the Minister say what will be done to do that?

One other thing we certainly know is that we have an impending crisis in the workforce. The skilled women and men—largely women—who have been delivering women's health services for the past 30 to 40 years are, by and large, about to retire now. Young male and female doctors and nurses, particularly in primary care, have not been given access to training. What will be done to make sure that the looming skills deficit is dealt with? Unless we address that, this is just a load of pipe dreams that will never come to pass.

Baroness Penn (Con): My Lords, I thank both noble Baronesses for their questions. The noble Baroness, Lady Thornton, said that for too long the voices of women have been ignored in the healthcare system. She is absolutely right, which is why I am proud that this Government have produced the first women's health strategy in England. It has been widely welcomed, if not overdue. We should recognise that.

The noble Baroness also said that women have not been listened to in the past. That is the feedback across the range of different experiences. That is why I am so pleased that at the heart of the development of this strategy was the call for evidence we held, which saw nearly 100,000 responses. Listening to those responses has really shaped the strategy. We are also cognisant that there may have been people who did not proactively respond to that call for evidence, so we made particular efforts to reach underserved groups who might not otherwise be heard. That is important, and it has been translated into the approach we took in the strategy.

On the question from the noble Baroness, Lady Thornton, we wanted to address a perceived ambiguity in the wording used in the statement on freedom of religion or belief and gender equality at last week's international interministerial conference and ensure that its scope remains focused on freedom

of religion and belief. A revised version of the statement was produced in light of that. I reassure the House that we remain committed to defending and promoting universal and comprehensive sexual and reproductive health and rights, including safe abortion. This is fundamental to unlock the potential agency and freedom of women and girls in this country and across the world.

The noble Baroness, Lady Barker, asked why sexual and reproductive health, and abortion in particular, were not covered in depth in this strategy. The Department of Health and Social Care is developing an action plan to improve sexual and reproductive health, including ensuring that women can continue to access robust and high-quality abortion services. We aim to publish this later this year. I hope that addresses many of the points she raised.

The noble Baroness, Lady Thornton, highlighted the importance of research. She drew my attention to a particular piece of work by the University of Birmingham, which I will happily take back to the department. As someone who was pregnant during the pandemic, I have personal experience of trying to navigate the guidance on whether to get a vaccine combined with the advice that I was at higher risk. That stems from the difficult problem of how to represent women and pregnant women more in medical research. That is not straightforward to solve, but we are making efforts towards it. There will be a new policy research unit in the National Institute for Health and Care Research dedicated to reproductive health. The department's chief scientific officer, Professor Lucy Chappell, will lead a round table of researchers this autumn to explore the best ways to tackle the underrepresentation of women in research. This will include women from ethnic minority groups, older women, lesbian and bisexual women, pregnant women and disabled women. The NIHR is leading work to improve the diversity of research participants, and we will continue to press ahead with that.

The noble Baroness asked about our action on menopause and our commitment to reducing the cost of accessing HRT treatment. I do not have the latest timelines on that, so I will write to her. We have established the UK Menopause Taskforce to join up and accelerate work across the UK to tackle menopause-related issues. We have also set up work to tackle access to supplies for certain HRT treatments.

On breast cancer screening, the additional money announced in the strategy is aimed at doing exactly what the noble Baroness said about addressing disparities. All the work going into addressing the NHS backlog in elective treatment is looking to close that gap between diagnosis and treatment.

I will address a few other points. On training for teachers, we have invested more than £3 million to date in supporting teachers to teach PSHE in schools. We continue to focus on that.

I will address the question from the noble Baroness, Lady Barker, on trans people and their inclusion or otherwise in this strategy. The strategy's aim is to improve the health of all women and girls, and we will work with NHS bodies to ensure that women are properly represented in communications and guidance and that there is appropriate use of sex-specific language

to communicate matters that relate to women's and men's individual health issues and different biological needs. We recognise that some transgender people may experience some of the same issues—for example, transgender men perhaps needing cervical screening or menopause care—and we will ensure that our work acknowledges that. Transgender healthcare is a very important but separate issue. For example, the noble Baroness will know that the NHS is working on guidance to enable GPs to have a better understanding of the health concerns of transgender patients, which will improve their experience of primary and community care.

I will pick up one final point from the noble Baroness, Lady Thornton, about disparities in maternity care for black mothers or mothers from ethnic minorities. I believe a task force has been set up, the Maternity Disparities Taskforce, to look specifically at this. That is an important piece of work that I know is ongoing. I will write to both noble Baronesses in response to the other questions I have not addressed.

Baroness Benjamin (LD): My Lords, I thank the Government for this important announcement. I particularly welcome the aim to introduce a voluntary certificate of loss scheme to parents who have suffered a miscarriage or stillbirth before 24 weeks of pregnancy. I have a Private Member's Bill in the House asking for this provision, so I declare an interest. This will provide comfort to millions who have experienced this type of loss, and I congratulate the charity Saying Goodbye on its work on this over the last eight years. When will the scheme be implemented? Who will administer it?

Baroness Penn (Con): I pay tribute to the noble Baroness's work in this area and campaigning on this issue, and to the chairs of the pregnancy loss review, Samantha Collinge and Zoe Clark-Coates. That review's work is still ongoing, but we were able to pick up an interim recommendation from it to allow us to start work on the introduction of the certificate. I believe the NHS will implement this and is undertaking the appropriate scoping work to make sure we get the implementation right. That will be taken forward as soon as it can.

Baroness Bennett of Manor Castle (GP): My Lords, the Minister referred to the Government's work developing a reproductive health plan, particularly in the context of what she said was the commitment to safe abortion. I hope that she is aware of the letter that was sent to the DPP by 66 organisations, including the Royal College of Obstetricians and Gynaecologists, and Southall Black Sisters, which was calling for an end to prosecutions for accessing abortion in the UK. Recent research has demonstrated that over the past eight years, at least 17 women have been investigated by the police for allegedly ending their own pregnancies under illegal circumstances, although the actual figure is likely to be higher.

I am sorry that this is very disturbing. In one case, a 15 year-old suffered what was seen as an unexplained stillbirth at 28 weeks' gestation. She had her phone and laptop confiscated in the middle of her GCSE exams. She was driven to self-harm. A coroner concluded that this stillbirth had occurred through natural causes.

[BARONESS BENNETT OF MANOR CASTLE]

Are the Government seriously looking at what can be done about not inflicting similar ordeals on girls and women, and are they considering the obvious step of decriminalising abortion?

Baroness Penn (Con): My Lords, prosecution decisions lie with the Director of Public Prosecutions and his staff. The Government have no plans to decriminalise abortion, but we are absolutely committed to ensuring that women can continue to access robust and high-quality abortion services and that young women can access sexual health services and other health services, to ensure that they get the proper support that they need, whatever circumstances they are in, and that they get support and care from the services that they seek to access.

Baroness Bennett of Manor Castle (GP): My Lords, coming to another issue, I welcome the strong coverage of endometriosis in this strategy. However, there is great concern from those who have been campaigning to get better recognition for chronic urinary tract infections. These get two mentions in the glossary only, and nothing in the main text. The background to this is that chronic—rather than recurring—urinary tract infections affect women in particular for many months or years. The NHS has only just realised that this condition exists. The term has still not been clinically defined by NICE. I am aware that this is a very detailed area. Can the Minister perhaps write to me about what progress is being made on ensuring that the full assessment is available to women? Currently it is available only in a limited number of oversubscribed specialist clinics.

Baroness Penn (Con): I would be really happy to write to the noble Baroness in detail on the point that she raises. It is one that I am aware of, but I cannot give her a more detailed answer at this time.

Rwanda Asylum Partnership: Removal of Unaccompanied Children

Question for Short Debate

4.34 pm

Asked by Baroness Lister of Burtersett

To ask Her Majesty's Government what steps they are taking to ensure no unaccompanied children are removed to Rwanda because they have been mistakenly assessed to be adults.

Baroness Lister of Burtersett (Lab): My Lords, I thank noble Lords who have signed up to speak and the Minister; I suspect they were all hoping to have started the Recess by now. I tabled this QSD because I was so dissatisfied with the answer that the Minister gave on 15 June during questions on a Statement. In essence, I asked the question posed today, and the answer I received was that the Minister

"made clear in the other place that no unaccompanied asylum-seeking child will be sent to Rwanda, and I am sure I repeated it in this House."—[*Official Report*, 15/6/22; col. 1597.]

No doubt she did, but that was not the point of the question.

I know it is government policy not to send unaccompanied children to Rwanda and that is welcome, although your Lordships' House made clear during the passage of the Nationality and Borders Act its view that responsibility for anyone claiming asylum in this country should not be "offshored" in that way, particularly now that it has become clear that they will be given a one-way ticket regardless of whether they are subsequently granted refugee status.

The point of the question was to draw to the Minister's attention the real concerns among members of the Refugee and Migrant Children's Consortium of over 60 organisations that the commitment not to remove unaccompanied children is already being undermined because some of these children are being wrongly assessed as adults. Those concerns are reinforced by today's highly critical report by the Independent Chief Inspector of Borders and Immigration on the processing of boat arrivals, which states:

"The treatment of those claiming to be children was not child-centred ... The age assessment process was perfunctory and engagement with the young people was minimal."

My concerns are all the greater given the forthcoming changes to age assessment, which I will not pursue now but were also rejected by your Lordships' House. As was made clear during our debates, age assessment is not easy. Many children arrive without documentation of their birth date, for totally legitimate reasons, and it is widely recognised that physical appearance is not a reliable indicator of age. Nevertheless, an initial Home Office decision will be based on an individual's "appearance and demeanour". Where that gives rise to suspicion, one of two courses of action are currently taken. Under the first, the individual is treated as a child whose age is disputed and they are referred to a local authority for further assessment. According to a recent Written Answer, during the first quarter of this year, of 255 age disputes resolved, half concluded that the person was a child. Under the second course of action, if their

"physical appearance/demeanour very strongly suggests that they are significantly over 18",

the individual is treated as an adult and moved straight to adult accommodation or detention—but there are no statistics for how many are so treated and no monitoring of the consequences. Why are these data not kept? Will the Minister look into the possibility of doing so?

Some data have been collected by the Helen Bamber Foundation from local authorities on those referred to children's services because of staff doubts over their adult status, having first been sent to adult accommodation/detention between January and March of this year. Of the 211 in 64 authorities for whom they got information, two-thirds were found to be children, meaning that in just three months nearly 150 children could have been at risk of wrongful removal. The chief inspector cites Refugee Council statistics which show that in all but six of 106 resolved cases of young people deemed to be over 25 on arrival, they were subsequently found to be children.

On Report I cited the tragic example of Alex, who had killed himself and whose inquest concluded that his wrongful assessment as an adult and his subsequent ill treatment contributed to the "destructive spiral"

that led to his death, even though the error was rectified. It is argued by Ministers that the wrongful treatment of adults as children has safeguarding implications, but this example illustrates the serious safeguarding implications of treating children as adults. Those consequences will be considerably more serious if they are removed to Rwanda as adults.

The Home Office has reassured critics that:

“Everyone considered for relocations to Rwanda will be screened and have access to legal advice”

and that there are adequate safeguards to ensure that children are not subject to inadmissibility procedures, but that was contradicted by oral evidence to the Home Affairs Select Committee by Asylum Aid, the Refugee Council and Medical Justice. In their experience, recent arrivals to the UK are being detained without any screening for vulnerabilities. To quote the director of Asylum Aid:

“While detained, isolated, frightened and overwhelmed, they often do not understand what is happening to them”.

They are told that they may be sent to Rwanda and have only seven days in which to access legal advice and respond to the many complex questions that arise in such cases. The notice of intent, the inadmissibility notice and the information pack do not even set out that unaccompanied children should not be sent to Rwanda. Why is that the case? Will the Minister undertake to ensure that, as a minimum, those documents contain that information?

Without prejudice to its opposition to the Rwanda scheme as a whole, the consortium makes four recommendations with regard to children as follows. First, no one who claims to be a child but is being treated as an adult by the Home Office should be issued with a removal notice until confirmation is received from their legal representative that they have not been, or will not be, referred to a local authority. Secondly, in any case of an age dispute, where a person has been assessed as an adult by a local authority or the new National Age Assessment Board, the Home Office should not initiate or continue with the inadmissibility process until the time limit for challenging the decision via judicial review or appeal has passed, or the challenge or appeal has been heard and decided. Thirdly, where a person has been issued a notice of intent but is then subsequently accepted into children's services as a child, the Home Office should confirm that their asylum claim will be deemed admissible. The process to be followed should be published. Finally, as I argued earlier, those claiming to be children who are assessed as adults at the outset should be identified in the statistics and what happens to them monitored.

The Government rightly accept the principle that no unaccompanied child should be removed to Rwanda. Let us try to put ourselves in the shoes of a child who has made a difficult journey to the UK, often having faced trauma in their home country or during the journey, and who now believes they have reached safety. What must it feel like to be told that they are now to be forwarded, alongside adults, to a country they know nothing about, like a parcel stamped “no return to sender”. We are given some insight by testimony from a Refugee Council worker who has been working with two children initially detained as adults. That worker writes:

“They were very worried these kids. Very, very depressed, very emotional, lack of energy, lack of sleep. They just didn't know what would happen to them, all they were thinking about was Rwanda ... They are so frightened. The first one I saw, he just locked himself in his room ... He was shocked. He said the experience was worse than travelling to the UK”.

Pretty sobering, my Lords. Perhaps the Home Office will dismiss such observations as just anecdotes but, as the Home Affairs Select Committee, which raised a number of concerns about age assessment in this week's report, observed:

“Specific instances may illustrate systemic issues”.

From all I have read and heard, I fear we are talking about systemic issues. If the Government believe that no unaccompanied child should be sent to Rwanda, surely it behoves them to do all in their power to ensure that this principle is not undermined in practice. I thus welcome the fact that there will be a meeting between consortium members and officials soon. Might I ask that the consortium's recommendations be given serious consideration and that there is a real commitment to working out a way of ensuring that the Government's own aim is achieved? Might I also ask that those who spoke in this debate today are told what practical steps will be taken as a result of this meeting? We have a bit of time now that flights have been suspended during the leadership election. Please use it constructively to ensure that unaccompanied children receive the protection promised them.

4.43 pm

Lord Lilley (Con): My Lords, I congratulate the noble Baroness, Lady Lister, on securing this debate and on highlighting the intractable problem of how we cope with people whose age we cannot be certain about. We can all agree that we should open our arms to children who arrive in a safe country alone, unaccompanied because their parents or guardian may have been killed or died en route, while they were fleeing persecution in their homeland. Likewise, a young teenager, who has fled his or her homeland because their parents have been killed or jailed, and they were destitute and had no alternative but to flee their country, are worthy and deserving of our support and refuge. However, such circumstances are comparatively rare and the numbers involved would not be a serious problem, I would have thought, for our social services or immigration system. After all, in those circumstance, very few children would be able to obtain the finances to pay people smugglers to bring them illegally to this country.

Can the Minister tell us more about the reasons unaccompanied children give for arriving here without parent, relative or guardian? I am told that, pretty frequently, they are sent here by their family in the perfectly understandable, and in many ways laudable, hope that their child will find a better and safer life here. Parents may not be able to obtain the money to pay for more than one passage, so they send a teenager in the hope that he or she will at least have a better life than they have back in their homeland.

However, there are probably innumerable families in poor and troubled countries who would willingly send a child here if they could; they are essentially economic migrants, not political refugees. Can my

[LORD LILLEY]

noble friend confirm that that is why we do not provide an unlimited safe and legal route for children in these circumstances, if they have no relatives here already and that, if we did, it would impose a considerable burden on our local authority children's services? Still less should we create a loophole for anyone who can pass themselves off as under 18 to enter this country and obtain costly support.

The problem is, of course, deciding on the age of a young person—a person claiming to be under 18—if they have no evidence of their age or year of birth. Adults are invariably told by the traffickers to destroy their papers en route, but young people who are genuinely under 18 would be better advised to bring and retain evidence of their age. Can my noble friend tell me whether such evidence tends to be available for young children in the sort of countries from which many of them come? If so, for those countries where it might be reasonable to expect a person to have some proof of age, should not the absence of that proof count in the decision as to whether their age is what they claim to be or what they appear to be?

As I said at the beginning, it is an intractable dilemma that we face because there is no scientific way of proving beyond peradventure the age of someone claiming to be a child. I have spoken to a former Minister for Education who said that in his experience, from having seen many of those purporting to be children, he was convinced that many were not. But we are talking, of course, of people coming here illegally from Europe. If they are worried about the fairness of the system here, they can of course put themselves in the hands of the authorities in Europe. It is always odd to me that so many people who want us to remain in Europe are so keen that everybody else gets out from that terrible place.

4.48 pm

Lord Dubs (Lab): My Lords, I thank my noble friend Lady Lister for initiating this debate. I should say that I am a member of the Joint Committee on Human Rights, where we have been looking at this issue. Although we are mainly looking at the Human Rights Act, we have had some time to look at it. I thank also the Refugee and Migrant Children's Consortium for its very helpful briefing.

Perhaps I may answer a question posed by the noble Lord, Lord Lilley. At least one Afghan boy in Calais said to me that the reason he had made the journey and left Afghanistan before the Taliban took over completely was that they were busy recruiting young men into their armed forces. He and his family had no wish to fight for the Taliban, and therefore the family helped him to flee and paid the money. That seems to me a worthy example of why somebody becomes a refugee.

I do not believe that the memorandum of understanding on Rwanda has been properly debated. This is our first chance to have a debate on it at all, but the absence of such debate, with just little bits in Question Time, seems quite unsatisfactory for such a controversial policy, one which is widely opposed by so many people. There was a reassurance given by the Government that children will not be removed to

Rwanda. We will take that at face value; we have had other assurances about children before. It was said clearly, so we had better take the Government's word for it, but now they are trying to finesse it by arguing about the age of children.

What happens if somebody who arrives under the age of 18 then becomes 18 while waiting for their asylum claim to be sorted out? Does that mean they become automatically liable for removal to Rwanda, or will that be taken into account? What about young people in Calais trying to come to this country by legal means, which have mainly been closed to them? What happens to them if they have been in Calais, perhaps for a year, and then become 18? Are we going to say to them, "You've reached 18—you have to go to Rwanda"? This underlines why the policy is so unsatisfactory; it seems not to have been properly thought out. What happens if a person is sent to Rwanda and is adjudicated not to be an asylum seeker? We have never heard what happens to them then. Are they sent back here, or do they stay in Rwanda but not as an asylum seeker? These are the issues which require proper debate.

My knowledge of age assessment is that it is a very unsatisfactory experience. When the Home Office was doing it, I was told by a mother looking after a Syrian refugee girl that the girl had to go for an age assessment to the Home Office. The mother asked if she could go into the interview with the child and was told "No." The result is that a child—I think she was 15 or 16—was put through a most unpleasant interview and came out of it absolutely traumatised. If a young person is a criminal, they are allowed to have either a parent, guardian or lawyer with them, but we do not allow that for asylum seekers. That seems absolutely perverse. Maybe it does not happen like that anymore, but I found that a very shocking experience.

There have been examples brought to light where young people have been detained under these provisions and given notice of intent for removal, even though their age assessment has not been completed. A long journey across several countries might make people look a lot older than they are. It is pretty difficult to have an accurate age assessment, and we should be understanding of what people have been through. This is a totally unsatisfactory policy and I hope the Government will climb down.

4.52 pm

Baroness Hamwee (LD): My Lords, what must it be like to be forced to leave not just your country but your home and to know little about where you are trying to head for, though you have an idealised version in your head? It is a journey full of hazards, because you have no means of travelling direct by a safe, regular route—such routes may not exist—and you are alone. What must it be like to find you are treated with suspicion? They say you are an adult, and you may look it after the experiences you have been through; inside you feel very young indeed and you are a child.

What would it be like then to be moved on to Rwanda, where, undoubtedly, criminal gangs will be operating to smuggle refugees who find themselves there to another country? Crucially, what will it be like to reach the UK, not having—and never having had—

convenient proof of age, have difficulty being understood and be given a notice of intent about being sent to Rwanda?

What discussions have the Government had with the Rwandan Government about unaccompanied children? What assurances have they been given about the treatment of children and young people found, in fact, to be children? What have the Government advised their liaison officer in our diplomatic mission in Kigali or the monitoring committee? Those are both mentioned in the memorandum of understanding. Saying that children will not be sent there is not adequate when there is even the slightest doubt whether the procedures will ensure that no child will be treated as an adult.

It is largely NGOs which provide support in challenging decisions for those they can. Their resources are limited. I realise that caseworkers are stretched, and Home Office guidance may be difficult to apply, but it seems very wrong that society has to be so reliant on the third sector.

Members of the House received powerful representations about the age assessment provisions of the then Nationality and Borders Bill, and we had a very helpful, but necessarily limited, briefing from the noble Baroness, Lady Black of Strome, the interim chair of the interim age assessment committee—I understand that everyone is still interim there. However, the British Dental Association conversely believes that the use of dental and other X-rays to assess age is a *fait accompli*. It is concerned that dental age checks—if “checks” is the right term—are already taking place. It seems a long way from what we were told at the time of the Bill about safeguarding and triangulating information from different sources as a safety net. I found that very reassuring at the time; I hope not to be disillusioned, but I am on the way there.

Our Justice and Home Affairs Committee, which I am lucky enough to chair, heard last week from an academic who said there was

“not really any process for the best interest of unaccompanied refugee children to be properly weighted in any assessment ... It is an impossible state of exception”—

an exception to the Convention on the Rights of the Child. He added:

“We have no discussion about unaccompanied refugee children’s development.”

Another witness said that family life and a child’s best interests are often portrayed

“as private matters, versus immigration control being in the public interest.”

She referred to the noble and learned Baroness, Lady Hale, in the Supreme Court, putting it that

“there is actually a strong public interest in”

the upbringing of, and opportunities for, children.

I thank the noble Baroness, Lady Lister, for ensuring that the House debates these issues; I wish it were not necessary.

4.56 pm

Baroness Butler-Sloss (CB): My Lords, I recognise of course that some adults pretend to be children, and therefore there must be some sort of age assessment process. However, listening to the noble Lord, Lord Lilley, I was reminded of when I too went to Calais and met

Afghan boys. Those looking after them were absolutely satisfied that the half-dozen I met were all under 18, and mostly around 16. They all had moustaches, and one boy had an incipient beard. Anyone looking at them would say to themselves, “Well, I wonder, aren’t they bound to be over 18?” The fact is that those young men who had come from Afghanistan, fleeing the Taliban and the prospect of having to join the Taliban, were undoubtedly underage, but they mature very much more quickly than western Europeans. That is, to a great extent, an answer to part of what the noble Lord, Lord Lilley, said.

Looking at the Nationality and Borders Act, what really worries me is its wording: what sort of training would a “designated person” have? Under Section 52, it appears that they will have to use “scientific methods in age assessments”, and I wonder what sort of scientific methods those will be. The Act sets out some of the ways, but what are the people who will apply them be able to do, and how are they really going to show that a young man or girl—it is generally a young man—is in fact under 18? As has been said again and again by other noble Lords today and during the passing of the Nationality and Borders Bill, this is a really serious matter.

A number of very sensible amendments were put forward—not by me, but I supported them—in Committee and on Report of the Nationality and Borders Bill. None of them, as your Lordships’ House will remember, were accepted in the Commons by the Government, and none of them were agreed. As others said earlier, including the noble Baronesses, Lady Hamwee and Lady Lister, there is a real danger that, for those young men aged 16 and 17, what they have gone through before will not be made any easier but in many ways will be made worse by what this Government are putting them through.

4.59 pm

Baroness Neuberger (CB): My Lords, I am very grateful to the noble Baroness, Lady Lister of Burtersett, for securing this debate. It is really important that we debate this issue again—and, possibly, again and again. I am also very grateful to the Refugee and Migrant Children’s Consortium for its valuable briefing, and to the House of Lords Library. We have had excellent material.

Much that needs to be said has already been said, but I want to echo the words of my noble and learned friend Lady Butler-Sloss. You can see a whole variety of 16 to 19 year-olds and, depending on the culture from which they come, some of them will look quite old and some quite young. You cannot just look at them and decide what age they are; it is a really dangerous game to play to say that you can do it absolutely scientifically. This House needs reassurance that those individuals, arguably children but whose age is doubted, who are presently treated as adults after a short visual assessment by border officials, cannot be issued with a notice of intent to remove them to Rwanda. That is the first thing that we need from the Minister. We know that there have been a number of cases where that has been the case and, given the very short time available, I ask the Minister to answer several questions about this.

[BARONESS NEUBERGER]

First, in the case of individuals claiming to be children who are sent straight to detention or adult accommodation, can the Minister tell us how many young people, adults or children, this affects? Can she tell us whether the Home Office monitors what happens to them or whether, in the light of this question, this debate and other concerns raised recently, she can reassure this House that the Home Office will in future monitor what happens to them?

Secondly, given concerns raised about age-assessment methodology when we debated the Nationality and Borders Bill, and the reassurances we were given that no child or young person would be forced to have an X-ray, and nor would refusal be taken as a negative indication in any age assessment, can the Minister assure this House that, while such assessments are being made, no attempt will be made to serve a notice of intent and that a refusal to be X-rayed will not make such a notice more likely?

Thirdly, associated with that point—and the noble Baroness, Lady Hamwee, raised this in part—can the Minister tell us whether dental X-rays, or any other X-rays for that matter, have been used already in the age-assessment processes since the Nationality and Borders Act was passed, and whether they might have been used in assessing the age of any of the migrants currently awaiting removal to Rwanda? The Age Estimation Scientific Advisory Committee has not yet made any formal recommendations on the issue of X-rays, and it would be good for this House to know. It is truly disturbing to hear that some of these people whose age is disputed, who have been detained as adults, are being served with notices of intent. These people are often found to be children, as other noble Lords have said. Can the Minister reassure this House that, until confirmation has been received from a person's legal representative that they have not been and will not be referred into the care of a local authority, such Rwanda removal notices will stop?

This whole policy begs questions about safeguarding and children's rights. Can the Minister reassure this House that the rights of children, including those whose age is disputed until a firm assessment is made and, where appropriate, also challenged, will be respected in full, and that the rights of the child will be paramount?

5.04 pm

Lord Paddick (LD): My Lords, I thank the noble Baroness, Lady Lister of Burtersett, for securing this debate. We debated age assessment at length during the passage of the Nationality and Borders Bill, the difficulty in accurately assessing the age of children and the danger that unaccompanied asylum-seeking children might be wrongly identified as adults and removed to Rwanda. I agree with everything that was said in the comprehensive opening by the noble Baroness, Lady Lister, and reinforced by other noble Lords—perhaps with the exception of the noble Lord, Lord Lilley, who said many things with which I would take issue if I had more time.

Evidence in the High Court this week has cast doubt on the whole Rwanda scheme, with UK officials apparently repeatedly telling the Government not to strike a deal with Rwanda over asylum seekers, according

to court documents, as reported in the *Independent* newspaper. Rwanda was initially excluded from the shortlist of potential partner countries on human rights grounds. The UK high commissioner in Rwanda indicated the country should not be pursued as an option because it has been accused of recruiting refugees to conduct armed operations in neighbouring countries, has a poor human rights record and has been criticised by the UK for extrajudicial killings, deaths in custody, enforced disappearances, torture and crackdowns on anyone critical of the regime.

In February 2021, Rwanda was not recommended as it was rated amber/red for human rights, its asylum system and political feasibility, questioning whether mitigation measures would provide a respectable case against legal challenge. Officials in the Foreign Office continued to advise No. 10 against engagement in May 2021, suggesting Rwanda does not have a functioning asylum system in compliance with refugee convention obligations. A draft of the official government guidance, published after the deal was announced in April, had been sent to the Rwandan Government for review. They flagged a number of points of concern on the evidence base on human rights in Rwanda, and the Home Office changed the document based on their comments. Parts of the documents covering Rwanda's previous asylum deal with Israel, which was ruled illegal by the Israeli Supreme Court, have been redacted by the Home Office's legal team.

Numerous memos were circulating in the Foreign Office raising concerns about Rwanda's human rights record and violations of the political opposition or those who oppose Rwanda's president. The criticisms go on and on—and these are government documents that have been declared to the High Court. On April 12, the day before the agreement with Rwanda was signed, an internal government memo said the agreement was “unenforceable, consisting in part of upfront payments, meaning fraud risk is very high.”

This is just some of the evidence, with more disclosure to come. Rwanda is no place to send any asylum seekers, let alone children.

There is no foolproof way of assessing age, as noble Lords have said. There is a real danger of highly vulnerable children being further traumatised—wrongly traumatised—by being sent to Rwanda if the Government proceed with this inhumane policy.

5.07 pm

Lord Tunnicliffe (Lab): My Lords, I start by paying tribute to my noble friend Lady Lister for sponsoring today's debate and for her long-term commitment to this issue. The quality of debate and the calibre of speakers who have taken part demonstrate the widespread concern over this policy. Fortunately for the House, it also means there is little that I need to add, other than the strong support on these Benches for the concerns and questions raised.

The shadow Home Secretary has recently asked the Government to provide an evidence base and transparent costings for the migration and economic development partnership with Rwanda, and has received neither. These calls have now been echoed by the cross-party Home Affairs Select Committee, whose latest report has called for detailed costings and stated that:

“There is no clear evidence that the policy will deter migrant crossings”.

The committee reported:

“There is a worrying trend in Home Office policy announcements being made before detailed policy has been worked through, tested and even agreed between Government Departments”.

It is part of that worrying trend that we are today having to repeat concerns over a lack of a proper screening process for those who are chosen for offshoring.

Is the Minister able to confirm that of the cases pulled from the aborted flight on Tuesday 14 June, there were known concerns that those due to be on the flight included children and victims of torture and trafficking? What changes have been made to the screening and safeguarding process since mid-June? Organisations working in the sector have raised concerns that children as young as 14 are being given a “standard age” of 23 when they arrive in the UK. What engagement have Ministers had with local authorities and organisations working with asylum seekers to discuss reported concerns? Can the Minister provide the House with more information on how the best interests of the child are being demonstrably prioritised in age assessment policy?

Finally, the proven way to stop children taking desperate and dangerous journeys to reach safety or family is to provide safe and legal routes. Will the Government look again at family reunion routes for unaccompanied children, to allow children who have survived unimaginable hardship to join loving family members in the UK?

5.10 pm

The Minister of State, Home Office (Baroness Williams of Trafford) (Con): My Lords, I thank the noble Baroness, Lady Lister of Burtersett, for securing this debate and all noble Lords who have contributed to it. It is a very important topic and I am very happy to set out the Government’s position. In response to the point made by the noble Lord, Lord Dubs, I am happy to engage in future debates on this important issue.

Before I come on to discuss the specific points that have been raised, I hope colleagues will allow me to briefly set out some background. Last year, the Government published our *New Plan for Immigration*, and we have since introduced the Nationality and Borders Act, which is the legislative vehicle through which we will put much of that plan into action. In April this year, we announced the migration and economic development partnership with Rwanda, which is part of a co-ordinated strategy to disincentivise dangerous and unnecessary journeys, such as small boat crossings, to save lives and to increase public confidence in our immigration system. In reply to the point made by the noble Lord, Lord Tunnicliffe, we have many safe and legal routes which allow people to come here safely. The UK and Rwanda have worked closely on the arrangement to ensure adequate safeguards are in place to protect vulnerable people seeking safety, as set out in the memorandum of understanding. There are provisions for a monitoring committee to monitor the end-to-end process.

Turning to the specific topic of today’s debate, I cannot comment on ongoing legal proceedings but our position under the Home Office’s inadmissibility guidance is clear: unaccompanied asylum-seeking children

are not suitable for third-country inadmissibility action and as such are not eligible for relocation to Rwanda. The approach to unaccompanied asylum-seeking children is also extended to any individual whose age has been disputed by the Home Office but where that age dispute is ongoing. I hope that answers the question asked by the noble Lord, Lord Dubs.

In answer to my noble friend Lord Lilley, as to why we cannot speculate on the reasons why unaccompanied asylum-seeking children might travel to the UK, everyone considered for relocation to Rwanda will be screened and have access to legal advice. This includes individuals who are undergoing a full Merton assessment and those who have legally challenged their assessment. The age of an individual arriving in the UK is normally established from the documents with which they have travelled. However, many who claim to be under the age of 18 do not have any definitive legal documentary evidence to support their claimed age, to answer the question from my noble friend. While many are clearly children, for others it is less clear. It is important that there is an effective decision-making process in place, not least for safeguarding reasons. An incorrect determination could result in an adult being placed with or alongside children. Conversely, if a child is wrongly assessed to be an adult, they may be served with an inadmissibility decision.

This initial age assessment is just the first stage in the broader age-assessment process. Where there is still doubt, the individual will be treated as a child, pending further consideration of their age. The Supreme Court recently and unanimously held that the Home Office’s initial age assessment policy was lawful in the case of *BF (Eritrea) v Secretary of State for the Home Department*, and that was last year.

The policy contains various safeguards, including that an individual whose age has been disputed may be treated as an adult without further consideration of their age only where two officers, one of at least chief immigration officer grade, have independently assessed them as being over the age of 18, based on their physical appearance and demeanour. There is a large margin of error in the individual’s favour, and that is designed to ensure that only where it is very clear that the person is an adult will they be treated as such.

Where there is less certainty, the policy directs officers to afford the individual the benefit of the doubt and treat them as a child, pending further assessment by a local authority. These measures will collectively serve to further minimise instances of individuals being mistakenly assessed as adults and provide them with an easily accessible route to seek a remedy where error does occur. There are also a number of safeguards in place to ensure that children are not mistakenly removed to Rwanda. Those who are deemed suitable for the inadmissibility procedure go through either a detained or non-detained route following a case-by-case assessment of their suitability for detention. For those who are not detained, where their age has been disputed by the Home Office, they are at liberty to approach a local authority and ask for a holistic age assessment, which takes into account all relevant information and evidence in relation to the young person. These are led by qualified social workers who are trained to work with children, and it is long-established

[BARONESS WILLIAMS OF TRAFFORD]

Home Office policy to give significant weight to any decision on age made by a local authority. There has been no use of X-rays in the context of age assessment since the Nationality and Borders Act came into force.

However, where an individual is assessed by a local authority to be an adult, they are at liberty to challenge that decision through the courts. Where an individual is assessed to be suitable for detention, they will be referred through the detention gatekeeper process. This was introduced in June 2016 and works independently of both referring operational teams and detained caseworker teams to ensure that individuals enter immigration detention only where it is for a lawful purpose and is considered to be a proportionate measure on the facts of the case. If the detention gatekeeper is not satisfied that detention is lawful and proportionate, a referral can be rejected, or returned for further information. This process provides an element of independence in the detention decision-making process and protects potentially vulnerable individuals from being detained when it is not appropriate to do so. This would include individuals for whom there are any reasons to have concerns about the reliability of a decision on age.

Another safeguard is the requirement for regular detention reviews. Our published detention guidance sets out prescribed points at which continued detention must be reviewed. If a person who is detained makes representations that detention is unlawful on the basis that they are a child, the officer conducting the review will consider this and a decision on whether to maintain detention or release must be made as promptly as possible. In addition to monthly detention reviews, individuals also have the circumstances around their ongoing detention considered periodically at a case progression panel. These consist of a chair, panel members and panel experts, who review the appropriateness of continuing detention in accordance with the policy and legal framework.

Those subject to inadmissibility procedures will also have access to legal advice. They will be served with a notice of intent which notifies them that they are under consideration for the inadmissibility process and provides them with an opportunity to make any representations as to why they believe the inadmissibility process should not apply to them before a decision is made; this can include any representations about age. They will have the ability to seek legal recourse where they believe they have been wrongly treated as an adult and placed in detention.

Access to independent legal advice and judicial oversight of the process are two of the most important safeguards against the removal of individuals who may have been incorrectly assessed as adults, and the Home Office will of course fully respect the outcome of any successful legal challenge. Where an individual does put in a legal challenge on the basis of their age, we will of course wait for that to conclude.

Finally, we have in place a provision within the migration and economic development partnership to facilitate the return to the UK of an individual where there is sufficient cause. This would include individuals where it is subsequently established that removal was unlawful on any basis.

In terms of further strengthening the system, and on the point made by the noble Baroness, Lady Lister, we recognise that there is more to do to make the wider system as robust as possible. The age assessment reforms within the Nationality and Borders Act will improve the accuracy of age assessment outcomes, minimising the risk that a person will be incorrectly treated as either an adult or a child.

I close by thanking the noble Baroness, Lady Lister, for securing the debate—

Baroness Lister of Burtersett (Lab): I think we have some time, so before the noble Baroness sits down, I would say that we have identified a gap between theory and practice. The Minister accepts that more work needs to be done but then says that everything will be fine once the Nationality and Borders Act is operational. However, this House rejected the age assessment procedures as taking us backwards rather than forwards. A number of specific questions were asked, which I do not think the Minister has answered. I would be grateful if she could do so subsequently in writing, but could I at least have an assurance, as I asked, that officials will consider seriously the recommendations put forward by the consortium, and that whatever decisions are taken at that meeting are relayed to noble Lords who have spoken in this debate?

Baroness Williams of Trafford (Con): My Lords, I know that this House did not accept the age assessment process, but Parliament did, and eventually this House did not demur on that. I will certainly take back the noble Baroness's points on the consortium, and I hope that we can make progress in a constructive way. As I say, I look forward to further debates on this issue, because I think it is important that we get it right.

Private Equity: Economic and Social Risks

Motion to Take Note

5.22 pm

Moved by Lord Sikka

That this House takes note of the economic and social risks created by the regulation and practices of private equity.

Lord Sikka (Lab): I am grateful for an opportunity to exchange some thoughts about private equity, a subject that should really concern us all. In my view, it is likely to be the location of the next major financial crash, and there will not be enough money to bail out the affected entities. Private equity is enmeshed with numerous other parts of the economy. It gets its cash from insurance companies, pension funds, banks, local authorities, trusts and wealthy individuals. The Government's quantitative easing of £895 billion has also provided vast amounts of resources to these firms.

Private equity consortiums function as banks but are not actually regulated as banks. There is no minimum capital requirement, no control on leverage and no stress tests, even though the collapse of a private equity firm can destabilise all other sectors. The recent collapse of the US-based Archegos Capital Management shows how quickly the domino effects spread. It very quickly depleted the capital buffers of Goldman Sachs,

Morgan Stanley, UBS and Credit Suisse. My first question is: can the Minister publish the Government's assessment of the possible domino effects which may arise from the collapse of a UK-based private equity firm?

In a light-touch environment, private equity has been cooking its books. Recently, the *Financial Times* reported that parts of the private equity market resemble Ponzi and pyramid schemes. Private equity firms are transferring assets between each other at knowingly inflated prices to bump up profits, balance sheets and returns. My second question is: can the Minister explain what estimate has been made of balance sheet and profit inflation by the UK-based private equity firms, and what are the Government going to do about it?

In 2021, 803 private equity buy-out deals, worth some £46.8 billion, were completed. This investment is welcome, but private equity also poses threats to jobs, pensions, the country's tax base and the wider economy. On average, private equity retains its interest in a company for 5.9 years, sometimes a lot less. There is no long-term commitment to any place, product, workers or customers. We all know that short-termism has been holding this country back for years. Financial engineering, tax avoidance and opacity are key parts of the private equity business model. Short-term returns are extracted through related party transactions in the form of rental payments, management fees, royalties and much more.

Private equity eliminates the downside risk of bankruptcy by injecting finance not as equity but as secured debt. This means that, in the event of bankruptcy, private equity needs to be paid first. Inevitably, unsecured creditors recover little, if anything, of the amount due to them. I give some examples. Bernard Matthews, Bon Marché, Cath Kidston, Comet, Debenhams, Flybe, Maplin, Monarch Airlines, Payless Shoes, TM Lewin and Toys "R" Us are just some of the monuments to the predatory practices of private equity are just some of the monuments to the predatory practices of private equity. All too often, wages are pushed down, jobs lost and pension schemes looted to generate short-term returns for private equity.

In September 2013, private equity firm Rutland Partners acquired a £25 million stake in Bernard Matthews. The company was then loaded with bank borrowing and a secured loan from Rutland, which carried an interest rate of 20% per annum. Asset stripping began straightaway. In 2016, the assets of Bernard Matthews, but not the whole business, were sold off for £87.5 million to Boparan Private Office. Rutland made a quick profit of £13.9 million. The key was dumping the amount owed to unsecured creditors and the £75 million deficit on the employee pension scheme, which eventually resulted in 700 employees losing some of their pension rights. At the time, I was advising the House of Commons Work and Pensions Committee on the case and, on 3 March 2017, the committee wrote to Boparan to ask why it bought only the assets, not the entire business, including liabilities to unsecured creditors and the pension scheme. Boparan replied that it had offered to buy the whole company, including its liabilities, but the offer was rejected by Rutland because, by dumping liabilities and the pension scheme deficit, it stood to make a bigger profit.

The business model of private equity is all about asset stripping and dumping pension obligations. This pattern is visible across many private equity businesses. Silentnight appointed KPMG as administrator to enable its rescue but the firm did not actually do that. KPMG and its insolvency partner deliberately pushed Silentnight into insolvency, so that private equity firm HIG, a client coveted by KPMG, could buy the company out of administration at a lower price by dumping pension obligations to employees. About 1,200 workers lost some of their pension rights. That is a criminal act. The partner of KPMG lied—he has been found to have lied by the regulators—but the Insolvency Service has not mounted any criminal prosecution. Indeed, the Government have rewarded KPMG by giving it lots of public contracts.

Water companies have long been exploited by private equity. From 2006 to 2017, Thames Water was owned by a private equity consortium fronted by Macquarie Bank. During this period, Thames Water's debt ballooned from £2.4 billion to £10 billion, mostly from tax haven affiliates, and interest payments paid to the group itself swelled the charges for customers. For the period of its ownership, private equity extracted £1.2 billion in dividends, plus £3.186 billion in interest payments. The company's tax liability for the years from 2007 to 2016 totalled only £100,000, but we know that billions of litres of water leaked away and the company dumped raw sewage into the rivers. Meanwhile, the private equity investors got a return of between 15.5% and 19% a year.

In 2007, Alliance Boots was bought by a private equity firm, Kohlberg Kravis Roberts. The company's control immediately shifted from Nottingham to Zug in Switzerland. The buyout was financed by the borrowing of £9 billion and loaded on to the company. This enabled the extraction of profits and profit shifting; and Alliance Boots engaged in a series of transactions through entities in Luxembourg, the Cayman Islands and Gibraltar to transfer profits. The net result was that Alliance Boots, which relied heavily on revenue from NHS prescriptions, dodged taxes in this country of £1.28 billion.

Asda has been bought by private equity firm TDR Capital, in conjunction with the billionaire Issa brothers. What was the company's first step? To set up a parent company in Jersey. We know what will follow: a lot of financial engineering and tax avoidance.

Morrisons has been bought by Clayton, Dubilier and Rice's offshore vehicle, Market21 GP Holdings, which is registered in the Caribbean. The supermarket is now controlled by a newly created entity in the Cayman Islands. We know the next step: asset stripping, profit shifting and tax avoidance.

The involvement of private equity in social care is a source of crisis. Private equity firms own one in eight care home beds in England. They typically load debts of around £35,072 for each care bed with an interest charge of £102 per bed per week. This roughly amounts to an average of 16% of the weekly cost of a bed, leaving little for staff and front-line services. Staff are poorly paid, which is one reason there is high turnover. They cannot provide the promised levels of service. Too many private equity-owned care homes, especially those owned by HC-One, are regularly sanctioned by the regulator for failing to meet the minimum standards.

[LORD SIKKA]

At the time of its collapse in 2011, Southern Cross was owned by a private equity firm called Blackstone. Many of its care homes were sold to Four Seasons Health Care, another private equity-owned firm—this time, owned by a company based in Guernsey. In 2017, with 220 care homes and 17,000 residents, it became bankrupt because it had extracted high returns and did not provide the required level of service. Again, it made billions in profit.

In the time available, I have provided a glimpse into some of the predatory practices of private equity. The Bank for International Settlements has now warned that excessive leverage is a danger as private equity firms will struggle to meet the higher borrowing costs imposed by rising interest rates. The Government can of course stop the dangers of high leverage by abolishing the tax relief on interest payments. It is not a business cost. Why on earth is tax relief being given? Whether an investment is funded by equity or debt has absolutely no impact on the systemic or business risk of the project concerned. Therefore, there is no case whatever for allowing tax relief on interest payments by corporations. Tax relief on mortgage interest payments made by individuals was abolished long ago on the grounds that it encouraged excessive borrowing, distorted markets and created new risks. That is even more applicable to private equity entities, which can drag the whole economy down.

I remind noble Lords that the previous financial crash was caused not by people rushing to banks to withdraw their funds but by excessive leverage. Lehman Brothers and Bear Stearns had leverage ratios of 30:1 and 33:1. Private equity has even higher ratios yet we seem to be oblivious to that. There is nothing in the 330-page Financial Services and Markets Bill, published yesterday, to address any of the concerns I have raised. I hope we do not live to regret that. I beg to move.

5.35 pm

Viscount Chandos (Lab): My Lords, I congratulate my noble friend Lord Sikka on securing the time for this debate, although that timing, as the last business before the Summer Recess, has led to a group of speakers which, in the words of *Private Eye*, might be described as very small but perfectly formed, if that is not too self-congratulatory. The absence of any speaker from the Conservative Bank Benches would suggest either that the gameshow excitement of the past two weeks has been too much for them or they are already queuing to get into one of the 18 hustings between the two candidates to succeed this terminator of Prime Ministers. Either one of whom, I think even my noble friend Lord Sikka would agree, poses even greater economic and social risks than anything that could be caused by private equity.

My noble friend has spoken and written extensively over the years about his concerns about private equity's impact on the economy and society, and in his speech today he has laid out these concerns very clearly. As will become clear from my remarks, I see private equity as a glass at least half full in its economic and social impact as opposed to my noble friend's glass at least half empty. None the less, I am very grateful for the opportunity that he has given the House to consider this important subject.

I declare my interest as a trustee and investment committee member of the Esmée Fairbairn Foundation, which has substantial investments in private equity funds where I have no personal financial benefit; and as an investor through my personal pension fund in the private equity fund of funds, HarbourVest Global Private Equity, where I obviously have a personal benefit.

The experience of the Esmée Fairbairn Foundation, one of the largest grant-making foundations in the UK, represents a microcosm of some of the benefits from private equity investment. Over 15 years, these investments have become the most important contributor to the foundation's investment performance and hence to its ability to increase its grant-making by many millions of pounds more per year than would otherwise have been the case. The same is true, I believe, for the Wellcome Trust, whose genuinely world-leading work in medical research and healthcare has grown hugely off the back of its private equity returns.

Analysis by the leading investment advisory firm in this field, Cambridge Associates, suggests that there is a strong correlation between the overall investment performance of major US endowments and foundations and the allocation of 15% or more of their investments to private equity. Globally, academic research; improving access, diversity and inclusion in higher education; disease eradication; poverty alleviation; and many other causes are benefiting by billions of dollars a year from the superior returns achieved by successful private equity investment programmes. The same is true to a more limited extent to members of those pension schemes able and willing to invest in private equity.

Of course, none of this would be acceptable if these were returns at the unacceptable expense of employees, consumers or the environment and that is clearly my noble friend's concern. Private equity as a generic term covers, as my noble friend might see it, a multitude of sins or, in my more nerdishly neutral way, a multitude of sub-asset classes. According to alternative asset data provider Preqin, globally, there are around \$3 trillion of assets invested in or committed to buyout funds, on which my noble friend has focused his analysis and remarks.

However, almost as much—around £2.8 trillion—is invested in venture and growth capital, through which start-up, early-stage and fast-growing companies are supported. In these cases, little or no debt is used, so there is not the leverage risk that might apply to buyouts, to which my noble friend referred. These fast-growing, innovative companies are important generators of jobs and, through their products and services, benefit both consumers and enterprises.

Although the adoption of formal environmental, social and governance—ESG—policies by private equity managers is growing fast, with over 40% now having done so, even those venture and growth capital managers that have not yet done so are, through their focus on innovation and the industries and markets of the future, delivering higher levels of impact than, say, a typical public markets equity fund.

That is not to say that there are no issues for this key segment of the private equity market. For instance, a life sciences venture capital fund may take a transformative

new drug or therapy from the earliest preclinical stage all the way to licensing or selling it—a pinnacle of high-impact investing, in my view. This does not guarantee that it will be made available to healthcare systems around the world at an affordable price. I suggest, however, that this is a broader issue than that of the role of venture capital or private equity.

Even when looking at the activities of buyout firms, as my noble friend has done, my feeling is that in many cases the issues are more general to the overall corporate sector than specific to private equity. Employment rights, pension protection, thin capitalisation, insolvency law, competition and merger policy are all areas where significant improvements are needed in corporate law and regulation, to which private equity and private equity-backed companies must adhere.

In thinking about insolvency law, I was interested to read the ruling of an Appeal Court judge:

“I have long thought ... that the ordinary trade creditors of a trading company ought to have a preferential claim on the assets in liquidation in respect of debts incurred within a certain limited time before the winding-up. But that is not the law at present ... winding-up debenture-holders generally step in and sweep off everything; and a great scandal it is.”

Those were the words of Lord Macnaghten in the case of *Salomon v Salomon* in 1897 and, 125 years later, not much has changed regarding the rights of unsecured and trade creditors.

My noble friend raised a number of specific issues about private equity. While it is for the Minister to address them, I would like to express a view on a few of them. I do not believe that there is a real systemic risk arising from private equity. The degree of leverage of the investment banks in 2008 and the issue of subprime mortgages and mortgage-backed securities are of a different scale from anything that currently exists in leveraged buyouts. I look forward to talking to my noble friend outside the Chamber, but do not understand his analysis that private equity is leveraged 30 times. The average leverage applied to companies acquired by private equity firms is somewhere between six and eight times the EBITDA of those companies.

I was struck by the companies he listed in his example. Many of them seem to come from sectors, whether airlines or retail, that are clearly going through major challenges in the current changing consumer environment. I accept that there may be cases where private equity firms' behaviour exacerbated those problems, but in other cases I believe there are retail businesses, for instance, that have been given more chances than might otherwise have been the case by the willingness of specialist private equity firms and restructuring funds to attempt to turn those businesses around.

Yes, sometimes private equity funds may make a relatively quick gain. That may be through asset stripping—which I think is very much less of a practice than it was 20 or 30 years ago—but in general one of the positive aspects of private equity is an ability for private equity funds to take a longer-term view than investment managers in the public markets can.

In conclusion, I believe that, as in every area of the social market economy, improvements could be made to regulation and practice in the private equity and particularly buyout markets, but overall they make a

positive net impact to both the UK and global economies and contribute to employment and improving the lives of many members of society.

5.47 pm

Lord Tunncliffe (Lab): My Lords, I congratulate my noble friend Lord Sikka on securing this debate; I am also grateful to the other speaker in this discussion. Given the imminent arrival of the Recess, the group is small, but several interesting points have been made and important questions posed.

Like it or not, private equity is part of our economy. It is an umbrella term, but each fund is different and each transaction unique; we should bear that in mind. Nevertheless, as the Lords Library briefing on this debate highlights, opinion on the role of private equity is split. Some work, mainly in the field of academia, has been done to assess its impact, but the evidence base is not extensive. There are competing views about the sustainability of the increased company debt, the extent to which these funds create jobs or improve pay, and so on. It seems to me therefore that one of the tasks we face is to better understand and quantify some of the practices discussed this afternoon. I hope the Treasury and others are working to expand the evidence base and come to more concrete views. Perhaps the Minister can touch on that in her reply.

One of the areas covered by my noble friend in his remarks was the role of the Financial Conduct Authority, the FCA, in regulating the activity of relevant funds. Over the years we have had many debates on the FCA, its powers and performance. It fulfils some of its functions very effectively, but some have a nagging feeling that it lacks certain tools and fails to properly utilise others.

My noble friend will know that in recent weeks I have tried—somewhat unsuccessfully, I concede—to tease out details of the forthcoming Financial Services and Markets Bill. I believe that the Bill has now been published and that consideration will begin in another place following the Summer Recess. In fact, I know it has been published since I have a copy, and I realise that first you have to weigh it to get a sense of its depth. I appreciate that the Minister may not be able to go into detail about the Bill at this stage. However, she can expect my noble friend to be able to pursue some of these issues further through amendments to that Bill.

That legislation will of course be considered immediately after the Conservative leadership race, which has highlighted something of an obsession with deregulation. While that may be expected, given the personalities involved, surely the answer to questions about the role or potential risks of private equity is to regulate this area in a smarter way? Part of that better regulation could be to close some of the tax loopholes exploited by private equity firms. As has been mentioned, the carried interest loophole is particularly controversial. Many also perceive an incentive for funds to take on debt rather than making equity investments. Labour has committed to closing some of these loopholes, using the process to fund an expansion in mental health care. It took some time, but the Treasury did eventually come round to Labour's proposals for a windfall tax on energy profits. Can I perhaps tempt the Minister to take on this plan, too?

[LORD TUNNICLIFFE]

Another oft-cited concern with private equity has been its interest in established British businesses. We have recently seen the acquisition of Morrisons by a US firm, for example. In recent months, the high-street chemist Boots has been seeking a buyer, with several private equity firms expressing an interest. Ultimately, potential buyers struggled to raise funds and that sale has been abandoned—for now. However, we can be sure that funds will continue to show an interest in large British firms.

With that in mind, what consideration have the Government given to introducing enhanced takeover tests when UK firms of a certain size find themselves the target of a takeover? Ministers often cite the ability to scrutinise or block deals under the National Security and Investment Act, but those provisions do not seem to be sufficient. “National security” is not properly defined in that Act. It is for the Secretary of State to decide what it means, and it is also their decision whether to issue a call-in notice. The Minister may not think there are any issues here, but the Government should at least be willing to outline their position.

It is not just so-called traditional businesses that are targeted by private equity; overseas investment funds also have an increasing interest in British sports clubs. Several private equity firms have been involved in takeovers of football clubs, particularly—but not exclusively—in the Premier League. Just a month ago, the multi-billion-pound sale of Chelsea Football Club was completed, enabling the exit of Roman Abramovich. That consortium was fronted by California-based firm Clearlake Capital. We hope that such deals will ultimately prove to be good for the clubs involved, and for British football, but recent history creates some doubt. There are numerous examples of clubs which have been taken over by private equity or venture capital funds, who load the club with debt and leave others to pick up the pieces. This is one of the reasons why the Government commissioned Tracey Crouch’s *Fan-Led Review of Football Governance*, and why we will soon have an independent regulator with powers to investigate takeover bids.

However, it is not just sport. As others have noted, we see increasing private equity involvement in our social care sector. While the Department of Health and Social Care insists that this is not impacting on care quality, those who work in the sector speak of pressure on wages and resources, with owners of some facilities seeking to maximise their profit margin. There are genuine fears about what this will mean in the future, given the growth in demand for care services and the issues around staffing. The Government have repeatedly promised social care reform but, as in so many other areas, we have not seen meaningful progress. Private equity ownership of care homes need not be a bad thing if core regulatory requirements protect the quality of service, but it is not clear that current rules are up to scratch.

Elsewhere last year, Parliament passed the Advanced Research and Invention Agency Act, formally setting up a body of that name to invest in high-risk but potentially high-reward projects. During the passage of that Bill, Labour suggested that ARIA should be

able to take an equity stake in the ventures that it funds or have a share of the intellectual property developed by those businesses. Those amendments were pursued by my noble friend Lord Browne of Ladyton out of a fear that venture capital firms, probably based in America, would swoop in and buy out any British start-ups that showed promise, moving IP and jobs across the Atlantic. The Government were not able to answer why they felt it right that these start-ups would be taxpayer-funded while their eventual success would be enjoyed by private investors. Does the Minister believe that is a sustainable position?

Despite the concerns that I have raised today, the involvement of private equity in the British economy is not inherently bad. It is a way for some firms to raise much-needed funds, enabling expansion or any number of other desirable outcomes. However, as the debate title suggests, there are risks. Too often we see firms that are operating entirely successfully taken over by private equity, overleveraged and ultimately left in a less stable position. That is not good news for our economy, nor for those who have given years of loyal service to a business. We should not discount the role that investment funds can play but we must ensure that this activity is adequately regulated. I hope the Minister can demonstrate a commitment to that in her response.

5.56 pm

Baroness Penn (Con): My Lords, I congratulate the noble Lord, Lord Sikka, on securing this debate. Private equity is a salient issue for the UK economy, and it is important for us to recognise both the benefits that private equity investment can bring and the risks that can occur alongside it. I thank the other two noble Lords for their constructive contributions to the debate.

I will politely disagree with the noble Viscount, Lord Chandos, on his remarks about the Conservative Benches. I look to the Cross Benches and the Liberal Democrat Benches; even our Green representative is not here. I agree with the noble Lord, Lord Tunncliffe, that attendance tonight probably has more to do with the timing of the debate than other events going on at this moment. However, I welcome the noble Viscount’s glass-half-full attitude to private equity investment.

The UK is proud to be home to businesses of all shapes and sizes, in every region of the country, and across a variety of sectors. Each of those companies will require different growth strategies for their business that reflect their individual strengths. Private equity plays a valuable role in providing companies with the capital to achieve that. It can also help to ensure that innovative companies are able to weather disruption and continue their long-term growth trajectory to reach their full potential.

Private equity can unlock funding for firms that would not be able to easily access public markets, a vital source of support for both early-stage businesses and businesses that are struggling temporarily, and can enable them to grow into thriving firms. In 2021, businesses backed by private equity and venture capital directly contributed £102 billion to the UK economy, representing 5% of UK GDP. As firms thrive, that benefits the British people both as consumers and as

employees of these firms. On jobs, private equity-backed businesses employed 1.9 million workers last year, meaning that 6% of the total jobs in the UK are supported by private equity-backed businesses.

The Government recognise the risks that can come with this form of financing. Private equity has a responsibility to represent the long-term interests of the businesses in which they invest. When mismanagement of a business occurs, it is important that those in the business's senior management can be held accountable. In order to ensure that this can happen, directors of UK companies owned by private equity firms are subject to the same duties and obligations as other directors. They must comply with the duty to promote the success of their company in Section 172 of the Companies Act. They must exercise reasonable care, skill, diligence and independent judgment, and they must comply with insolvency law. To ensure that any payments to shareholders are legal and sustainable, any dividends and other distributions to shareholders of these companies can be made only out of realised profits.

Lord Tunnicliffe (Lab): The argument is that there are all these laws to protect everybody. Has any action been taken against any private equity firms for disobeying any of these laws?

Baroness Penn (Con): I will have to check that point for the noble Lord and get back to him in writing. From memory, action has been taken but I would want to check whether it was specifically against private equity companies or private equity-backed companies, rather than more broadly. I will also acknowledge, later in my speech, that there are instances where the laws and regulations have not always worked well, and where there is more progress to be made, such as in our audit reforms.

In addition, many private equity firms have voluntarily taken action to improve their disclosures by signing up to Sir David Walker's Guidelines for Disclosure and Transparency in Private Equity. Private equity-backed companies above a certain size that volunteer to sign up to these guidelines agree to disclose information comparable to that published by listed companies in the FTSE 250. These regulations and guidance aim to ensure that private equity firms' involvement in UK companies is in the best interests of the company and its employees in the long term. To further support this, the Government have reviewed the legislation on limited partnerships and intend to introduce measures in this parliamentary Session that will increase the transparency of the ownership and activities of these structures.

Transparency is important, and it is vital that investors and all those who depend on the largest companies can rely on the information they publish. That is why the Government are taking further action in this area, which aims to protect the UK economy against risks to jobs, pensions and suppliers from unexpected company collapses. Under the Government's recently announced audit and corporate governance reform plans, the definition of a public interest entity will be expanded to cover virtually all types of company with a turnover of more than £750 million and more than 750 employees. This means that large private equity-owned companies

will be subject to enhanced disclosure obligations relating to resilience and other matters. They will also be subject to stronger audit rules and the new, strengthened regulator will have powers to sanction directors for breaches of duties relating to reporting and audit.

As a result of these audit and corporate governance reforms, private equity-backed firms will have to publish information about the risks they face and the steps they have taken to prevent fraud, and disclose their realised profits and losses which are the basis for dividend payments. The Government recognise that instances of asset stripping do occur, to the detriment of creditors, employees and wider stakeholders. That is why, in 2018, the Government committed to delivering new powers to better enable insolvency practitioners to reverse transactions that have unfairly extracted value from companies prior to formal insolvency proceedings. The Government's reforms will enhance the transparency requirements for our largest companies as well as the tools our insolvency practitioners can access. This is designed to ensure that large UK firms will not be able to dish out dividends when they are on the brink of collapse.

To address the point made by the noble Viscount, Lord Chandos, about the creditor hierarchy for small traders, the hierarchy that currently exist in insolvency law—

Lord Sikka (Lab): My Lords, the Minister has referred a number of times to distributable profits. A distributable profit can be calculated only if there is a notion of capital maintenance in financial reporting. There is no clear notion of financial reporting in international accounting standards. It is a mishmash of maintenance, money capital, real capital, physical capital—any number can be dreamed up.

In addition, we do not have a central enforcer of company law in this country at all. A number of companies have paid their dividends illegally. In yesteryears, I asked questions, and I persuaded some Members of this House and the other place to ask questions as well, about this. The Government were unable to name where the buck stops. Who exactly is responsible for enforcing the part of company law relating to distributable profits and payment of legal dividends?

Baroness Penn (Con): The noble Lord is right that different aspects of our company law regulation and financial services regulation belong to different regulators. The point I was trying to make to noble Lords was that the extended and enhanced obligations that public companies currently face will be extended to those large companies in private ownership. That will enhance the transparency and regulation that they are subject to and, although it does not change those existing regulations, I hope that will none the less be welcomed.

I was talking about the creditor hierarchy, which has been well established for many years and is common among most international jurisdictions. Promoting the ranking of one group of creditors will mean that other creditors get less, and it would impact the positive environment that the UK economy creates for lending to business. With that in mind, any proposed change to the creditor hierarchy should only ever be considered with the utmost care.

[BARONESS PENN]

I understand noble Lords' concerns about recent high-profile cases where significant losses have occurred to creditors such as employees or small traders, including cases where the taxpayer has had to fund the continuation of vital services and where losses may have resulted from misconduct by the directors of those companies. I hope noble Lords will understand that it is not appropriate or helpful for me to refer publicly to individual cases, some of which may still be under investigation by various regulators or investigatory bodies, or where proceedings may be under way or in contemplation. However, I reassure noble Lords that the Government keep the insolvency and corporate governance frameworks under constant review. This includes learning lessons from such cases and, where necessary, the Government will take action to improve or strengthen those regulatory frameworks.

The noble Lords, Lord Sikka and Lord Tunnicliffe, both raised concerns about the evidence base for private equity's impact on our economy, specifically in relation to risks to financial stability. I agree with them on the importance of evidence and note that the Financial Policy Committee is responsible for identifying, monitoring and taking action to address systemic risks to UK financial stability. The FPC achieves this, in part, via the identification and assessment of risks and stresses in its biannual *Financial Stability Report*, published most recently on 5 July.

Both noble Lords also mentioned the Financial Services and Markets Bill. The noble Lord, Lord Tunnicliffe, is right about its heft and, without going into detail, I am sure the Government will welcome noble Lords' scrutiny of the Bill when it comes to this House. They will have the opportunity to table amendments in the usual way, but perhaps I can provide some words of reassurance to your Lordships on that Bill. It aims to make the UK one of the most competitive places in the world to do financial services business. However, I think the noble Lord talked about better regulation rather than deregulation; that is the spirit and aim with which the Bill is being taken forward, and the UK has a strong record in delivering that.

Both noble Lords also raised concerns about carried interest and the tax treatment of debt compared to equity. The Government believe that the UK's approach to the taxation of carried interest, which is comparable to that of other jurisdictions, strikes an appropriate balance. The existing rules reflect both the nature of carried interest as a reward and the importance of maintaining the UK's competitiveness for fund management.

As with other costs in relation to debt versus equity, debt interest is generally deductible as a business expense. Again, the UK is not an outlier in allowing groups to deduct interest in the calculation of taxable profits. Meanwhile, the UK has wide-ranging interest restriction rules that ensure highly leveraged groups deduct only a proportion of their worldwide third-party net interest expenses, equal to the UK's share of the group's worldwide profits. There are many reasons, other than the tax deductibility of interest, why companies may favour debt over equity financing. These include lower costs, easier access, greater flexibility and non-dilution of capital.

Noble Lords asked about takeover powers and what consideration the Government have given to enhanced takeover tests for large companies. As an open economy, overall we welcome foreign trade and investment where it supports UK growth and jobs and meets our stringent legal and regulatory requirements. The details of mergers and acquisitions are primarily a commercial matter for the parties concerned. However, the Government acknowledge that there are instances where such transactions might result in concerns for consumers and the economy more broadly. That is why there are established processes for considering whether there are specific public interest reasons for Ministers to intervene in mergers under the Enterprise Act 2002. These are limited to matters relating to financial stability, media plurality and public health emergencies.

The National Security and Investment Act 2021, which came into force in full in January 2022, introduced mandatory notification and clearance requirements for certain acquisitions in 17 sectors of the economy, including parts of the UK's critical national infrastructure and advanced technology sectors. This brought further improved security to British businesses and people.

I am conscious of the time, but I have one more point to address. The noble Lords, Lord Sikka and Lord Tunnicliffe, mentioned the establishment of ARIA. Earlier this week, the Business Secretary appointed the new CEO and chair of ARIA. These appointments will now drive forward the final steps in setting up the agency, ensuring it is best placed to fulfil its objectives of enabling exceptional scientists and researchers to identify and fund transformational research that leads to new technologies, discoveries, products and services. As part of finalising the set-up, careful consideration will be given to the most effective funding mechanisms for the agency to have at its disposal.

I close by praising the support that private equity provides to UK businesses and agreeing with the noble Lord, Lord Sikka, that we must be conscious of the economic and social risks that can arise. I emphasise that the Government understand the consequences that can arise from malpractice in private equity. The ongoing reforms and regulation involving private equity-backed businesses, alongside the upcoming audit and insolvency reforms, are designed to address these issues. In doing so, we will work to ensure that the UK economy continues to be open, competitive and above all fair to those whose jobs and livelihoods depend on it.

6.13 pm

Lord Sikka (Lab): I thank noble Lords for a very interesting debate. Although we had relatively few speakers, the quality of comments presented by all noble Lords was very high. I am especially grateful to the Minister, who has had a very long day today; I am sure she is looking forward to the end of it, so I will not hold her for too long.

It was said that private equity earns "superior" returns. As noble Lords who are familiar with efficient market hypotheses will know, if markets are efficient, there can be no such thing as a superior return; there may be a higher return, but that is something entirely different. Private equity has frequently secured this with low wages—as evidenced by Bernard Matthews, Debenhams, Maplin and care homes—and uses tax

avoidance techniques ferociously and seems to get away with it. It is subsidised by the tax system. However, it was only in the early 20th century that the tax relief on interest payments began to be given; before that the courts had specifically refused that it was a cost. The change was due to lobbying by the finance industry, which obviously then makes money by asset stripping, examples of which I gave previously. On private equity, we all welcome the investment, jobs and business rescues, but the downside risks are too high.

As I have already referred to, the US regulators have recently expressed grave concerns about the operation of pyramid schemes and Ponzi schemes, but we have not heard anything from the UK regulators about what they are going to do. I believe that the SEC in the US is looking at it.

The Minister referred to transparency, but I do not see transparency in the accounts of private equity companies. One reason for this is that the entity at the apex is in a tax haven, and you cannot see the accounts

or any details about them. The entities underneath do not provide full details of the corporate structures in which they are enmeshed. They will tell you what the immediate parent company is, but this is just one cog in a giant wheel. Therefore, it becomes very difficult to see any transparency.

The Minister also referred to the audit Bill. From what I have seen, I do not have any faith in it, but we will leave that for debate on another day.

I thank all noble Lords for staying behind and wish them a very happy and relaxing summer.

Motion agreed.

Viscount Younger of Leckie (Con): My Lords, I wish the six or so stoic noble Peers remaining in the Chamber a very restful Recess.

House adjourned at 6.16 pm.

Grand Committee

Thursday 21 July 2022

Digital Regulation: Communications and Digital Committee Report

Motion to Take Note

1 pm

Moved by **Baroness Stowell of Beeston**

That the Grand Committee takes note of the Report from the Communications and Digital Committee *Digital regulation: joined-up and accountable*.

Baroness Stowell of Beeston (Con): My Lords, I am very pleased to introduce this debate on our report, *Digital Regulation: Joined-up and Accountable*. I will emphasise the principle behind that title quite a bit in the remarks I make today.

Before I get into the substance of my contribution, I note that this is my first debate as chairman of the Communications and Digital Select Committee. I pay tribute to my predecessor, my noble friend Lord Gilbert of Panteg. He is very well respected across the industries and sectors that the committee focuses its work on. He has become a respected figure because he has ensured that we as a committee have focused on matters of importance and that we have done so in a fair and balanced way. The work we have done has had some impact as a result. He is a tough act to follow.

I add to this tribute by paying thanks to Theo Demolder, who supported the committee for three years, initially as our policy analyst and then as our clerk. He finished that role at the beginning of this year. I also thank the policy analyst who then worked with us and remains part of our team, Emily Bailey Page. I would like to welcome our new clerk, Daniel Schlappa. They and the whole committee are greatly assisted, as always, by the wonderful Rita Cohen. I am very grateful to the team.

I am grateful to all noble Lords who sit on the committee and I am particularly grateful to my noble friend Lord Vaizey for being here to speak today. We had to decide whether to accept what I might describe as this “graveyard slot” in the Moses Room on the last day of term during a hot and sunny week, or perhaps wait months for another opportunity to have this debate. The trade-off was few people being available, but I know my colleagues are with me in spirit. I am grateful to the Labour and Lib Dem Front Benches for fielding their A-teams and to my noble friend the Minister for his never-ending zeal and commitment to his brief, whatever the weather or political events outside. I look forward to everybody’s contributions today.

This inquiry and the resulting report were the final pieces of work undertaken by the committee under my noble friend’s chairmanship, as a follow-up to a major inquiry into digital regulation carried out by the committee in 2019. Three years ago, the committee’s central finding was that the digital world requires not merely more regulation but a different approach to regulation.

Digital technologies are playing an ever-greater role in our lives and the regulation of those technologies deserves increasing scrutiny.

As I say, that does not necessarily mean more regulation, but we believe that regulators would need new and different powers. Indeed, they would need to adopt a different kind of regulation. It would need to be principles-based, with regulators having to exercise greater flexibility and judgment, which in turn would require greater collaboration between regulators and much greater and co-ordinated parliamentary oversight than ever before.

We published our report *Digital Regulation: Joined-up and Accountable* in December 2021 as a follow-up to the earlier inquiry. So fundamental was the need for a change of approach in regulation, we thought it was important to find out what progress had been made in the two and a half years since. In December last year, regulators appeared to be on the verge of being granted broad new powers, urgently necessary to keep pace with the fast-changing digital world.

Unfortunately, since then, what was expected has not yet come to pass. The parliamentary progress of the Online Safety Bill has recently been delayed, and the proposals to place the Digital Markets Unit within the CMA on a statutory footing have not been brought forward, despite multiple reviews and consultations over nearly five years pointing to this as the way forward.

In the meantime, other jurisdictions are pulling ahead. The Digital Markets Act and Digital Services Act have been adopted this month by the European Parliament. As a result, the UK risks becoming a rule taker, rather than a rule maker, in this area of digital regulation. To state the obvious, this means that we could lose our influence in setting the agenda. It is hard to understand why the Government have been prepared to let this happen, because designing our own framework was a benefit of us leaving the European Union, and the UK’s proposed approach has been held up as much better—I will come back to this later.

Our report, published seven months ago, at a time when we were on the verge of change, focused on the need for better co-ordination and co-operation between regulators—and that requirement remains a priority. But, as a committee, we were also clear that more co-operation between regulators needed to be accompanied by updates to the legislative framework, because, however well co-ordinated they are, they will be ineffective if they do not have the powers required.

I of course understand that the call for more regulatory power can often trigger alarm. Mission creep and unnecessary red tape would not be supported by any sensible person, which is why our report recognised the legitimate concerns that many will have about regulators being given broad new powers and increased discretion to make judgments in complex areas. Furthermore, this is precisely why our report recommends that increased parliamentary accountability for regulators is an equal necessity. What we cannot escape, and what we are clear about, is that, given the pace of technological change, regulation needs to become more

[BARONESS STOWELL OF BEESTON]

principles-based. But we are equally clear, as I say, that this must be coupled with greater parliamentary oversight.

I turn now to what we reported in December 2021, having reviewed progress against that earlier March 2019 report. In our first report, we asked for regulation to be strengthened and better co-ordinated, to make it capable of responding to the fast pace of change and the impact of that across the economy and society. The Digital Regulation Cooperation Forum or DRCF—even the acronym is a mouthful—was then established in July 2020. This was an early step in the right direction and includes representatives of the CMA, Ofcom, the ICO and, latterly, the FCA.

But there are persistent challenges that are not being dealt with adequately, which we raised in our December 2021 report. For instance, we found that more needed to be done to improve co-ordination and co-operation, particularly to identify new and emerging risks. The DRCF told us that it is difficult to recruit people with the right skills to scan the horizon for new regulatory challenges and that it cannot compete with the salaries that big tech companies can offer to skilled individuals. Yet, although it was struggling to do that, there is a proliferation of horizon-scanning activity in industry, academia, think tanks and advisory bodies. One of our witnesses—Andrew Murray from the LSE—told us that new reports identifying a lot of these challenges were coming out “almost daily”. In fact, as an expert working on this full time, even he could not keep up with it, although it was supposed to be his day job.

So there was no need for the DRCF to attempt to replicate this work, but it needed to do better to take advantage of the work already being done by others. As a result of that, we are pleased to see that it is doing so and joining up more now with SMEs, start-ups and academia via external engagements and symposia. However, we still feel that there is more to be done. In our report, we recommended that full membership of the DRCF be extended to all statutory regulators with an interest in the digital world, and partial membership extended to relevant non-statutory and advisory bodies.

The second challenge we identified in our report is something I have already talked about: a lack of parliamentary accountability for regulators as their work expands. Just as we believe that the work of regulation in the digital world needs to be “cross-sectoral”, if noble Lords will forgive the jargon, so too must be the process of holding regulators to account in Parliament. As I have already said, as the work of regulators expands and involves more discretion and judgment, some parts of the industry are understandably concerned that this will lead to overreach and unaccountability.

The committee believes that if the DRCF were placed on a statutory footing under a non-executive board of directors and led by an independent chair, this would enable Parliament to hold the DRCF directly accountable. We made that recommendation in our report. Unfortunately, it was not supported by the Government, but this accountability is becoming increasingly important as individual regulators increasingly take joint decisions.

As noble Lords will know, no single Select Committee has a remit to focus on digital regulation across government departments and industry sectors. Many Select Committees have remits relating to digital regulation but must balance them alongside other work. Indeed, the Communications and Digital Committee must balance scrutiny of digital regulation alongside work on the media and creative industries. Stakeholders told us that they would welcome formal public scrutiny of the work of the DRCF via a parliamentary committee, both as a counterweight to regulatory reach and to ensure that regulation is effective.

Again, one of our specific recommendations was that a Joint Committee of Parliament be established to provide sustained scrutiny of digital regulation. In fact, it is worth noting that the Joint Committee on the Online Safety Bill—the committee that did the pre-legislative scrutiny—agreed and made a similar recommendation. Unfortunately, the Government did not support that recommendation, either. Maybe my noble friend the Minister can offer us some further thoughts on that, as we are identifying it as still a key issue.

The third key concern was that the DRCF lacks robust mechanisms for resolving conflicts that may arise between regulatory agendas, increasing the risk that powerful tech companies will be able to play regulators off against each other. For example, encryption might be favoured from a privacy standpoint, but child protection advocates may seek to limit it. One of our witnesses, Dr Elena Abrusci, warned that

“the DRCF may suffer from a power imbalance between regulators. Without an independent chair or a procedure to manage trade-offs between contrasting interests, the DRCF could be limited in its actions.”

So without statutory underpinning of the DRCF, which is something we have called for and which the Government do not support, there is a limit to what the DRCF can achieve here.

We also made a recommendation to formalise DRCF co-ordination by introducing statutory measures, including duties for regulators to consult one another and the creation of statutory information-sharing mechanisms. We welcome the Government’s commitment in response to that that there will be statutory duties for the CMA and the ICO to consult other regulators, but what legislation will that appear in and when will it come forward?

Since our report, albeit that there were specific recommendations that the Government did not support, as I identified, they none the less gave overall support to the report, and we welcome that. They agreed with us about the scale of opportunities and challenges posed by digital innovation, as well as the importance of ensuring that our regulatory system keeps pace with developments in digital technologies and markets.

The DRCF itself published its workplan for 2022-23 a few months ago, including plans to build further on the joint statement between the ICO and the CMA from the year before about data protection and competition, and sharing knowledge on algorithmic auditing. We welcome the joint statement from Ofcom and the CMA earlier this month on online safety and competition in digital markets. We also welcome action from individual regulators, such as the CMA’s decision to launch market investigation references into Google

and Apple's dominance in mobile app ecosystems, while it awaits the necessary powers to place the Digital Markets Unit on a statutory footing.

So all of this is welcome, but without the DMU being put on a statutory footing and the new pro-competition regime we will not have a UK equivalent of the news media bargaining code, which has provided enormous benefit to the news industry in Australia. I know that the Government care about the future of journalism. They committed to a news media bargaining code in their response to the consultation on the pro-competition regime for the digital market, but the policy solutions that the media industry is crying out for are sat on the table.

We welcome the initial progress, but there remains a long way to go. We as a committee are concerned that the UK is falling behind in this vital area of digital regulation, particularly in the area of competition. We urge the Government to bring forward legislation to put the DMU on a statutory footing and give it the ex-ante powers it needs to address fundamental imbalances in the market.

As I have commented before in debates, my noble friend has had busy slate of legislation to steward through your Lordships' House, but, as much as I am concerned for his well-being in undertaking all that work, I am now also concerned about the potential delay to some of this. Will my noble friend give us an update on what is happening to the Online Safety Bill, the latest on the media Bill and, in response to something in the newspaper today, the Government's latest position on the independent review of the BBC's future funding? I look forward to all noble Lords' contributions to this debate, particularly the Minister's, and I beg to move.

1.16 pm

Lord Vaizey of Didcot (Con): My Lords, it is a great pleasure to take part in this debate and to welcome this report. As my noble friend Lady Stowell knows, I am always here for her, which is why I am here today. I notice lurking in the shadows another former member of our committee who took part in this report, the noble Lord, Lord Stevenson of Balmacara. We wait to see whether he will make a contribution. We note that he has shaved and had a haircut, and that bodes well for some important contribution later in this debate—that did not go down so well, but it was meant in affection.

It has been a pleasure to serve on this committee for the past couple of years. I can say this because I am not responsible for the direction of travel of the committee's reports, but it seems the committee has a history of leaning into policy and helping to move things along, not least, for example, in calling for the Digital Markets Unit to be set up—which is still a work in progress, but one that is much needed.

It goes without saying—it is a trite thing to say—that everything is now digital, so trying to bring some coherence into how one regulates a world of digital is extremely important. The advent of the Digital Regulatory Cooperation Forum—my noble friend Lady Stowell is quite right that it is a mouthful whether one uses its full title or its acronym—is a welcome development. Anyone who has ever worked with government knows the extraordinary frustration at the way that Whitehall

is currently configured, with departments working in silos and with the only co-ordinating mechanism appearing to be the Cabinet or the Cabinet Office. It is extremely difficult to get joined-up government, and it is equally difficult to get joined-up regulation, so anything that moves the dial in that respect has to be welcomed. I often think that perhaps one day we could use technology to abolish all government departments and at last have government by task, where we can mix and match the right people to achieve the right outcomes for our country—but I digress.

The point about the Digital Regulatory Cooperation Forum is that it is here, and this report is a welcome intervention in the beginning of this process to ask how it can be improved and made better. That is the spirit with which this report should be read. It is in no way a criticism of anything, but simply looking at the existing situation and thinking how it could be improved and built upon. In that respect, I hope the Government and indeed the regulators will regard it as something they can keep referring to when they think about the next steps.

The first and most obvious point, given that there are four regulators involved in the DRCF, is how many more regulators should be involved. Given what I said earlier about digital being everything, the list is almost endless, but the report details six or seven other regulators that could have a role in the DRCF. That made me think a bit about the progress of the European Economic Community and later the European Union. At what point does one reach optimal membership? I started to speculate that perhaps in 25 years' time we might have the head of the Information Commissioner's Office demanding a referendum so that it could leave the Digital Regulatory Cooperation Forum—but, again, I digress. It is certainly something that the forum has to keep in mind: which additional regulators could and should be members?

The other important point the report makes is that there are additional stakeholders who are not necessarily formal non-departmental public bodies or quangos but which still have huge degree of expertise that they can bring to the debate about digital regulation. One of those cited, for example, is the Internet Watch Foundation, which I used to work with closely and which I think is technically a charity. That is a classic example of something that is not a government body but which nevertheless contains an enormous amount of expertise and takes action in the important area of child sexual abuse.

Given that the DRCF has been established, it again goes without saying that accountability and transparency, which the report touches on, are extremely important. It is important that we know what is the DRCF's remit, the issues that it is looking at, and its plans for this year and years to come. Again, it is important, given what I said earlier about stakeholders, that even if they do not have a formal role, people can input into the work plan, if you like, of the DRCF and the regulators that sit on it.

It is also important, as the report says, that we have a rigorous process in the DRCF. Its greatest opportunity is to look at conflicts of regulation to try to work out where one regulator's remit begins and another's ends—I was going to say "turf wars" but that would be an

[LORD VAIZEY OF DIDCOT]

inappropriate term. For example, I remember bringing together Ofcom and the ICO to discuss the important issue of nuisance calls, which affects the day-to-day lives of many people. Bringing those two regulators into a room to work together provided a much more impactful response to that. However, it is important that one regulator does not go off on a particular campaign without having at least had some engagement with other regulators, who may have locus and expertise to bring to bear, and it is important that those conflicts are resolved.

One of the other interesting aspects of the report is how one constitutes the DRCF formally. It now has a well-respected chief executive who comes from industry but it does not have a board, and the report recommends an independent non-executive chair and a number of other non-executives. I note that your Lordships' House has provided Ofcom with a fantastic chair, and no doubt it will be able to provide the DRCF with a superb, independent, non-executive chair in the months and years to come—a process, of course, like the previous one, that will be completely free from political interference and which will simply seek out the best candidate.

It is also important that the DRCF provides an opportunity for regulators to share information. When I had a briefing from the DRCF before we even started our report, one of the things that I was struck by, which is a lesson that I have taken elsewhere with other organisations I worked with, was the idea of joint hiring, which struck me as a brilliant albeit obvious opportunity—although obvious only once it has been explained—in the world of technology. Hiring people who know about and can work with technology, who can therefore command pretty high salaries from technology companies, is very difficult for regulators, who are quite rightly constrained by public sector pay restraint. However, the opportunity to hire highly talented people who can work across those regulators is obvious. With that naturally flow other ways of co-operating, such as joint regulation and joint powers explicitly set out. However, as the report makes clear, that needs to be set out potentially in legislation.

Finally, the report is quite right to focus in its opening paragraphs on the opportunity for this forum to be an organisation that does horizon scanning—that looks at what is coming down the line. I noticed that the Government, for example, published yesterday their plans to support artificial intelligence in the years to come—I think I only noticed it on a tweet; I must sign up for the DCMS emails. Those kinds of reports coming out of DCMS are extremely valuable and important. However, it struck me that, with the DRCF in place, here is a perfect opportunity to involve the regulators on the ground floor, as it were, when DCMS is doing this kind of work, looking at particular sectors of technology. Getting regulation right is just as important as getting right government financial support, fiscal support, skills or whatever. A great regulatory climate is just as important when we are leaning into technology.

As my noble friend Lady Stowell outlined in her excellent speech, it is quite right as well that there be a parliamentary Joint Committee to scrutinise the work.

It could bring together the heads of the various Select Committees that have a place in talking about digital regulation, so that they can meet regularly, scrutinise what is going on and compare their knowledge and information.

This is an incredibly useful report on a pretty niche and narrow issue that fascinates a few of us but not necessarily a general audience. Nevertheless, it is the kind of thing that can really make an extraordinary difference to UK plc—to use that terrible phrase—in creating a forward-looking, dynamic regulatory climate for technology and digital in this country.

My noble friend the Minister will no doubt cover this brief for many years to come. I know that he has been asked to tell us about the progress of the Online Safety Bill, about which I will be extremely interested to hear. I will leave him with one final thought: the DRCF also could be a prompt to the Government to shine a light on the plethora of digital bodies and committees that now exist to supervise technology policy in government. Many of them are excellent individual bodies in themselves, but there appears to be no particular coherence in how they work together. Just as with the regulators, there appears to be no clear road map of where one research or grant-giving body's remit ends and another one begins. I know that my noble friend never puts his feet up, so I urge him to turn his mind to that work over the Summer Recess, which might save the Government some money and give them much more bang for their buck.

1.27 pm

The Earl of Erroll (CB): I shall speak in the gap; I am sorry that I did not get my name down early enough to speak properly. I have one or two quick comments. First, I welcome this useful and excellent report, which will be a useful step forward if something happens about it. I notice that DCMS has responded to it but, actually, regulation involving digital issues runs across all departments, so it almost ought to be a joint response from every single department. That is something that we miss; “divide and rule” in the Executive is very dangerous.

From the summary, I picked out references to “unnecessary regulatory burdens which could limit the benefits of digital innovation”—

that remains very true—and

“a lack of overarching coordination and oversight of regulatory objectives.”

That is also extremely true, and I have hit it several times. Paragraph 9 states:

“The solution was not to be found in more regulation, but in a different approach to regulation, with a coordinated response across policy areas.”

Therefore, the Government's response—they are not down as saying that they actually want this to happen—really worries me. I thoroughly agree with the noble Baroness, Lady Stowell, when she said that we should set out the principles in what we do sometimes. We cannot control complex systems using rules, as they start conflicting and alter in unpredictable ways; there is a lot of theory around this. We have to realise that we must set out the objectives and principles behind them.

Paragraph 62 is about “power to resolve conflicts”. Someone needs to have that power. I will illustrate that with a real example. Among other interests, I have been involved in the whole thing about age verification for many years, going back to Bills on ID cards and things like that—although that was not so much about age verification. One of the challenges is that the civil servants who know all about it tend to move within a year and a half to two years, so you lose your expertise the whole time. All those who worked on Part 3 of the Digital Economy Act—we had to get them up to speed—have gone. I do not know where; they are probably desperately hiding somewhere else.

Lord Vaizey of Didcot (Con): They have gone to the metaverse.

The Earl of Erroll (CB): Exactly—we will never see them again. This is the big problem. I chaired the British Standards Institute’s publicly available specification—PAS—1296 on anonymous age verification; we solved the problem, and it is out there. The sad thing is that this is now being elevated to international standards used by Europe, but I do not know whether we still recognise that it exists. In 2020-21, the French started implementing the protection of children in legislation—I am not up to speed on exactly where they are—so it is actually happening there. But what have we done? We have said that we will stop it in the Online Safety Bill, repealing the part that was going to work in the Digital Economy Act. This is complete lunacy and, in fact, goes against the principle of the supremacy of Parliament—but I will not go into constitutional issues.

Looking forwards, the benefits and potential risks of AI will not be a single-department thing; this will run across all departments, because it involves everyone and everything. A lot of people mean different things when they say “AI”, so this is huge.

Finally, yes, we need some horizon scanning, but we do not want to get bogged down in trying to anticipate futures that may not exist. As someone said, a lot of other people are doing this. If you have knowledgeable people in the committee and in the Lords, they can help to spot where things are coming from and go from there. I welcome this report.

1.31 pm

Lord Clement-Jones (LD): My Lords, I am pleased to be speaking in this short but perfectly formed debate. I congratulate the noble Baroness, Lady Stowell, on her accession to the chair of the Communications and Digital Committee and on her comprehensive introduction. I also congratulate the committee on a niche but highly significant piece of work.

In their digital regulation plan, first published last July and updated last month, the Government acknowledged that

“Digital technologies ... demand a distinct regulatory approach ... because they have distinctive features which make digital businesses and applications unique and innovative, but may also challenge how we address risks to consumers and wider society.” I entirely agree, but I also agree with the noble Baroness, Lady Stowell, the noble Lord, Lord Vaizey, and the noble Earl, Lord Erroll, that we need to do this

without the kind of delays in introducing regulation that we are already experiencing.

The plan for digital regulation committed to ensuring a forward-looking and coherent regulatory approach for digital technologies. The stress throughout the plan and the digital strategy is on a light-touch and pro-innovation regulatory regime, in the belief that this will stimulate innovation. The key principles stated are “Actively promote innovation”, achieve “forward-looking and coherent outcomes” and

“Exploit opportunities and address challenges in the international arena”.

This is all very laudable and reinforced by much of what the Select Committee said in its previous report, as mentioned by the noble Baroness. But one of the key reasons why the design of digital governance and regulation is important is to ensure that public trust is developed and retained in an area where there is often confusion and misunderstanding.

With the Online Safety Bill arriving in this House soon, we know only too well that the power of social media algorithms needs taming. Retention of public trust has not been helped by confusion over the use of algorithms to take over exam assessment during the pandemic and poor communication about the use of data on things like the Covid tracing app, the GP data opt-out and initiatives such as the Government’s single-ID identifier “One Login” project, which, together with the growth of automated decision-making, live facial recognition and use of biometric data, is a real cause for concern for many of us.

The fragility of trust in government use and sharing of personal data was demonstrated when Professor Ben Goldacre recently gave evidence to the Science and Technology Committee, explaining that, despite being the Government’s lead adviser on the use of health data, he had opted out of giving permission for his GP health data to be shared.

As an optimist, I believe that new technology can potentially lead to greater productivity and more efficient use of resources. But, as the title of Stephanie Hare’s new book puts it, *Technology Is Not Neutral*. We should be clear about the purpose and implications of new technology when we adopt it, which means regulation which has the public’s trust. For example, freedom from bias is essential in AI systems and in large part depends on the databases we use to train AI. The UK’s national AI strategy of last September does talk about public trust and the need for trustworthy AI, but this needs to be reflected in our regulatory landscape and how we regulate. In the face of the need to retain public trust, we need to be clear, above all, that regulation is not necessarily the enemy of innovation; in fact, it can be the stimulus and key to gaining and retaining public trust around digital technology and its adoption.

We may not need to go full fig as with the EU artificial intelligence Act, but the fact is that AI is a very different animal from previous technology. For instance, not everything is covered by existing equalities or data protection legislation, particularly in terms of accountability, transparency and explainability. A considerable degree of horizontality across government, business and society is needed to embed the OECD principles.

[LORD CLEMENT-JONES]

As the UK digital strategy published this month makes clear, there is a great deal of future regulation in the legislative pipeline, although, as the noble Baroness mentioned, we are lagging behind the EU. As a number of noble Lords mentioned, we are expecting a draft digital competition Bill in the autumn which will usher in the DMU in statutory form and a new pro-competition regime for digital markets. Just this week, we saw the publication of the new Data Protection and Digital Information Bill, with new powers for the ICO. We have also seen the publication of the national AI strategy, AI action plan and AI policy statement.

In the context of increased digital regulation and the need for co-ordination across regulators, the Select Committee welcomed the formation of the Digital Regulation Cooperation Forum by the ICO, CMA, Ofcom and FCA, and so do I, alongside the work plan which the noble Baroness, Lady Stowell, mentioned. I believe that this will make a considerable contribution to public trust in regulation. It has already made great strides in building a centre of excellence in AI and algorithm audit.

UK Digital Strategy elaborates on the creation of the DRCF:

“We are also taking steps to make sure the regulatory landscape is fully coherent, well-coordinated and that our regulators have the capabilities they need ... Through the DRCF’s joint programme of work, it has a unique role to play in developing our pro-innovation approach to regulation.”

Like the Select Committee in one of its key recommendations, I believe we can go further in ensuring a co-ordinated approach to digital regulation, horizon scanning—which has been mentioned by all noble Lords—and adapting to future regulatory needs and oversight of fitness for purpose, particularly the desirability of a statutory duty to co-operate and consult with one another. It is a proposal which the Joint Committee on the Draft Online Safety Bill, of which I was a member, took up with enthusiasm. We also agreed with the Select Committee that it should be put on a statutory footing, with the power to resolve conflicts by directing its members. I was extremely interested to hear from noble Lords, particularly the noble Lord, Lord Vaizey, and the noble Earl, Lord Erroll, about the circumstances in which those conflicts need to be resolved. It is notable that the Government think that that is a bridge too far.

This very week, the Alan Turing Institute published a very interesting report entitled *Common Regulatory Capacity for AI*. As it says, the use of artificial intelligence is increasing across all sectors of the economy, which raises important and pressing questions for regulators. Its very timely report presents the results of research into how regulators can meet the challenge of regulating activities transformed by AI and maximise the potential of AI for regulatory innovation.

It takes the arguments of the Select Committee a bit further and goes into some detail on the capabilities required for the regulation of AI. Regulators need to be able to ensure that regulatory regimes are fit for AI and that they are able to address AI-related risks and maintain an environment that encourages innovation. It stresses the need for certainty about regulatory expectations, public trust in AI technologies and the avoidance of undue regulatory obstacles.

Regulators also need to understand how to use AI for regulation. The institute also believes that there is an urgent need for an increased and sustainable form of co-ordination on AI-related questions across the regulatory landscape. It highlights the need for access to new sources of shared AI expertise, such as the proposed AI and regulation common capacity hub, which

“would have its home at a politically independent institution, established as a centre of excellence in AI, drawing on multidisciplinary knowledge and expertise from across the national and international research community.”

It sets out a number of different roles for the newly created hub.

To my mind, these recommendations emphasise the need for the DRCF to take statutory form in the way suggested by the Select Committee. But, like the Select Committee, I believe that it is important that other regulators can come on board the DRCF. Some of them are statutory, such as the Gambling Commission, the Electoral Commission and the IPO, and I think it would be extremely valuable to have them on board. However, some of them are non-statutory, such as the BBFC and the ASA. They could have a place at the table and join in benefiting from the digital centre of excellence being created.

Our Joint Committee also thoroughly agreed with the Communications and Digital Committee that a new Joint Committee on digital regulation is needed in the context of the Online Safety Bill. Indeed the Secretary of State herself has expressed support. As the Select Committee recommended, this could cover the broader digital landscape to partly oversee the work of the DRCF and also importantly address other objectives such as scrutiny of the Secretary of State, looking across the digital regulation landscape and horizon scanning—looking at evolving challenges, which was considered very important by our Joint Committee and the Select Committee.

The Government are engaged in a great deal of activity. The question, as ever, is whether the objectives, such as achieving trustworthy AI, digital upskilling and powers for regulators, are going to be achieved through the actions being taken so far. I believe that the recommendations of the Select Committee set out in this report would make a major contribution to ensuring effective and trustworthy regulation and should be supported.

1.43 pm

Lord Bassam of Brighton (Lab): My Lords, like other colleagues this afternoon I congratulate the noble Baroness, Lady Stowell, on her excellent presentation of the report, its findings and its recommendations. I am very flattered that she might consider me part of the “A team” responding today to that report—I am certainly not in that league. The noble Baroness was elevated to her role; I think we should look at in that light rather than as “accession”. This report was timely when it was published, and I regret that we have had to wait seven months for the opportunity to debate it because, as we are all aware, the digital world moves on very fast and we are, as the noble Lord, Lord Clement-Jones, said, urgently awaiting the arrival in this House of the Online Safety Bill.

I am ever grateful to the Communications and Digital Committee for its work. Its 2019 report *Regulating in a Digital World* and now this report with suggestions for addressing the insufficiencies—and the sufficiencies—of the current regulatory system are very welcome. As all sides have acknowledged, digital innovation comes at us rapidly: some developments are anticipated, while others are more surprising. Regulation of some clearly sits with a particular regulator, whereas some other activities may cut across several remits. This report makes a case for better co-ordination and the updating of powers.

Whether we see developments coming or not, and regardless of the regulator involved, it is rare that we have proven models to replicate or to take influence from. That inevitably means that our initial attempts might not be wholly successful.

While we must leave room for innovation and the possible substantial economic and social benefits it can bring, any responsible Government must also deliver a regulatory framework that recognises and mitigates risk, and which has the tools to react if and when things go wrong. We await some of that.

In their response, the Government are right to note that policy responses must be “proportionate and evidence-based”—which leads me to be rather surprised by some of their conclusions on the simple and effective recommendations that the report has brought forward. Although it is important to implement the right system, and although we might not be able to be ahead of the curve, we must try to keep pace with developments rather than allow ourselves to lag behind. That is clearly what has happened with the digital world. For example, we need confidence that the evidence base for potential policy responses is being built right now, rather than having Ministers wait for problems to arise before research is commissioned or consultations take place. I hope that the Minister can provide some assurance on this front.

I also wonder whether the Minister, before he puts his summer flip-flops on, could comment further on the Government’s decision not to put the Digital Regulation Cooperation Forum on a statutory footing. I think most Members here in the Committee today are wondering why that is. It seems a very strange decision indeed. The Government’s response talks of the importance of

“sufficient clarity and transparency around the DRCF’s ways of working”,

but surely the best way of delivering such clarity and transparency would be to enable scrutiny of the body’s remit and working practices through consideration of legislation. Similarly, the committee’s report talks of the need for the DRCF to engage with regulators and other relevant bodies, whether those organisations are based domestically or overseas.

The Government used their response to outline several meetings held between the forum and interested parties, but future engagement depends very much on ongoing good will and co-operation rather than having any firmer underpinning. Does the Minister think that that is right?

I also wonder why the Government failed to support the proposal of a Joint Committee across both Houses. It worked very well for the consideration of the Online

Safety Bill. I wonder what the harm is. I do not buy the argument that there is duplication. There is value in this, because Parliament needs to have a say in these matters.

There are any number of related issues, including how we regulate artificial intelligence—the favourite subject of the noble Lord, Lord Clement-Jones—but, given everyone’s wish to wrap up for the Summer Recess, I look forward very much to the Minister’s response. However, I add my voice to the list of questions from the noble Baroness, Lady Stowell, as to what has happened to the Online Safety Bill, what is happening to the review of the BBC’s future funding and where we are at with the media Bill. I know that at this time in the political cycle, when you change political leaders, there is a temptation to park things, but it would be good to have an update on some of those things from the Minister.

1.48 pm

The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Lord Parkinson of Whitley Bay) (Con): My Lords, I am very grateful to my noble friend Lady Stowell of Beeston for moving and so expertly teeing up this debate on your Lordships’ committee’s report. It is yet another example of the committee’s foresight in placing digital regulation at the centre of public debate—something it also did very effectively through its 2019 report *Regulating in a Digital World*. I am very grateful to all the members of the committee for their work and to the noble Lords who have spoken today.

I certainly add my voice to the commendation of my noble friend on the constructive way she goes about her engagement and the scrutiny she gives the Government on behalf of your Lordships’ committee, and I also join her in paying particular tribute to our noble friend Lord Gilbert of Panteg, who chaired the committee so ably during the course of this and previous inquiries.

Before I turn to the specific recommendations made in the report, it may be helpful to set out briefly the fundamental issue which lies at the heart of this inquiry: how we approach the regulation of digital technologies. Your Lordships’ committee has done great work to highlight the importance of ensuring that our regulatory approaches can keep pace with the opportunities and the challenges posed by digital technologies, enabling us to maximise the benefits they bring while minimising the risks they pose. Crucially, that is not just about ensuring that our regulators are able to work effectively together, or that we have effective horizon scanning in place, important as these considerations are. It is also, more fundamentally, about how we design and implement our overarching regulatory approach.

The Government take this issue extremely seriously. In July last year we published the plan for digital regulation, setting out our overarching approach to digital regulation for the first time. The plan outlined our commitment to develop regulatory policy which is capable of delivering our core objectives: to promote competition and innovation, to keep the UK safe and secure online, and to promote a flourishing democratic society.

[LORD PARKINSON OF WHITLEY BAY]

Momentum since the publication of the plan has been steady. Indeed, we have continued to make rapid progress even in the relatively short time since the committee concluded its inquiry. In March, the Online Safety Bill was introduced to Parliament, which will equip the UK with powerful regulatory and legal tools to keep internet users, especially children and vulnerable people, safe. As your Lordships know, it is still on Report in another place, which means that, regrettably, we will not have our Second Reading in the first week back after the Summer Recess. However, I hope that it will reach your Lordships' House expeditiously so that we can do that swiftly.

Also in March, the Secretary of State wrote to the Digital Regulation Cooperation Forum outlining the Government's priorities for digital regulation, including more effective horizon scanning and greater regulatory join-up, key elements of which are being addressed through the current work programme of the forum.

In May, we confirmed our approach to delivering the new pro-competition regime for digital markets, which will help to deliver lower prices for UK families, enable entrepreneurs to compete and grow, and give consumers more choice and control over the services that they use online.

In June, we confirmed our data reform proposals, setting out how we intend to update our data protection laws, implement a more flexible approach to compliance and ensure that the Information Commissioner's Office is better able to account for the increasing importance of its remit for competition, innovation and economic growth.

In July, we published our approach to regulation in the *UK Digital Strategy*, including new research on regulatory innovation, as well as an "initial outcomes monitoring framework", which will enable us better to understand and assess the evidence base for regulatory policy.

In addition, only this week, as my noble friend Lord Vaizey of Didcot spotted through his assiduous monitoring of the DCMS Twitter feed, we published a policy paper on the governance of artificial intelligence, setting out our proposals for a new approach to AI regulation, which will unleash growth and innovation while safeguarding our fundamental values and keeping people safe and secure, and we introduced the Data Protection and Digital Information Bill to Parliament.

I list all this to emphasise how seriously the Government take this issue, and I hope to provide some reassurance to noble Lords. Like your Lordships' committee, we are committed to making sure we have a coherent approach to regulation which will deliver the full benefits of digital technologies, and we are taking the steps we needed to do this.

I turn now to the specific recommendations made by the committee in its report, beginning with its proposals on regulatory co-ordination and co-operation. As we have been discussing, the report made two connected recommendations: to expand the Digital Regulation Cooperation Forum and place it on a statutory footing as the "digital regulation board", and to implement new statutory duties to strengthen and facilitate regulatory co-operation.

On the proposal for a digital regulation board, I emphasise the points that we made in our response to the committee's report. Although the Government agree that the forum has a fundamental role to play in the regulatory landscape, we do not currently support the idea of converting it into a statutory body with the power to direct and oversee other regulators. That is partly due to the complexity that such a body would create in the regulatory landscape at a time when regulatory regimes and remits are quickly evolving, as noble Lords noted. In particular, we are concerned that such a move would confuse issues of accountability and ownership, at a point when consumers and industry are looking for more—not less—clarity on where regulatory responsibilities sit.

Our reticence to create more formal architecture at this stage also reflects the value that we attach to the agility of the forum. The former Minister for the Digital Economy, Chris Philp, made this point in evidence to your Lordships' committee when he noted that the forum has to work much more quickly than would have been possible with a statutory body. Statutory bodies can be cumbersome to create and operate, whereas less formal approaches can enable us to move more quickly and make more rapid progress, which is critical given the fast-moving nature of digital technologies.

Indeed, I point noble Lords to the impressive work which the forum is doing, to some of which my noble friend Lady Stowell alluded in her opening speech. This year alone it has published a landmark statement on online safety and competition regulation, major publications on algorithmic processing and auditing and an ambitious work plan for 2022-23, as well as launching its digital market research portal. I also venture to suggest that it is the flexibility afforded by the forum's model of co-ordination that has made it such a strong focus of international interest, with comparable bodies already established in the Netherlands and Australia, and other countries such as Singapore following its work with close interest.

I recognise that it was not only the legislative basis of the forum but the extent and scope of its membership that was a central concern in the committee's proposal for a digital regulation board. As the Government have made clear in our plan for digital regulation, the digital strategy and the Secretary of State's letter of priorities to the chief executives of the forum, effective co-ordination will need to involve a wider set of regulators than those currently included in the forum, although clearly they will play a central role in digital regulation. We therefore welcomed the commitment that the forum made in its current work plan and letter to the Secretary of State to engage comprehensively with other regulators via quarterly round tables and to identify opportunities for collaborative work on that basis. Those round tables have already seen the forum engage with the Gambling Commission, the Bank of England, the Payment Systems Regulator, the Advertising Standards Authority, the British Board of Film Classification, the Intellectual Property Office and the Electoral Commission. There is clearly scope for further engagement, although it is important to note that there is inevitably a trade-off between the breadth of the forum's activities and its ability to progress specific projects quickly.

I turn to the second element of the committee's recommendations on co-ordination. I am pleased to confirm that we are in the process of implementing a range of statutory measures to enable regulators to collaborate and share information in the delivery of new regulatory regimes. As recently discussed in another place in relation to the Online Safety Bill, we are updating Section 393 of the Communications Act 2003 to ensure that Ofcom can disclose information with other regulators including the Competition and Markets Authority, the Information Commissioner's Office, the Financial Conduct Authority and the Payment Systems Regulator for the purposes of its functions under that Bill. We will likewise introduce a duty for the Digital Markets Unit to consult the Financial Conduct Authority, Ofcom, the Information Commissioner's Office, the Bank of England and the Prudential Regulation Authority as part of the planned measures for the new pro-competition regime. Finally, in reforms to the data protection regime and ICO, the Data Protection and Digital Information Bill introduces a new duty for the ICO to consult regulators and other relevant bodies when exercising its duties to have regard to growth, innovation and competition.

We are confident from intensive discussions with regulators that these measures will provide them with the powers they need to address key points of intersection between the new regulatory regimes while being proportionate and tight in scope. Of course we recognise that further measures may be needed to address other challenges that may be raised in the future. For example, issues of co-ordination are likely to become a major area of focus as we develop our proposals for AI regulation and governance which will be outlined in our forthcoming White Paper. I assure noble Lords that we will continue to keep such issues under review.

I turn to the next key area of the committee's recommendations: the need to ensure greater consolidation in regulatory horizon scanning. I agree that this is vital, given the speed and suddenness with which disruptive digital technologies can transform society. The Government have made science and technology policy, driven by evidence, a major priority. There are strong networks across government for sharing insights from the horizon-scanning teams in different departments. This is led by the national science and technology council, chaired by the Prime Minister, and the Government Office for Science, led by the Chief Scientific Adviser. These organisations bring together expertise from inside and outside government to identify the mechanisms required to deliver our ambitions for innovation.

It is also an area where the regulators, the DRCF in particular, are making rapid progress. Last year, for example, the forum launched its technology horizon-scanning programme, which is explicitly designed to enable join-up with small and medium-sized enterprises, start-ups and academia—partnerships which bring great benefit, as my noble friend Lady Stowell rightly said. In March, it followed this with the launch of a research portal to help regulators and others access existing knowledge about topical issues, and has undertaken the first of a projected series of symposia on issues such as fintech, the metaverse and Web3. Alongside this, it has continued to strengthen its engagement with international counterparts.

Government and regulators are also supported by a network of advisory bodies. These include the Alan Turing Institute, which specialises in data science and artificial intelligence, the Regulatory Horizons Council, an independent expert committee which identifies the implications of technological innovation and provides government with impartial expert advice on regulatory reform, and the AI Council, another independent expert committee that provides advice to government and high-level leadership of the artificial intelligence ecosystem.

As the noble Lord, Lord Clement-Jones, noted—

Lord Clement-Jones (LD): Can the Minister say a bit more about the Regulatory Horizons Council? It seems to be one of these shadowy bodies that very rarely publish anything or make updates. The Minister mentioned many other bodies that clearly do useful work, but I have my doubts about the Regulatory Horizons Council.

Lord Parkinson of Whitley Bay (Con): I would be very happy to provide an introduction for the noble Lord so that he can speak to it directly.

I was going to follow the point the noble Lord made about the report this week from the Alan Turing Institute on how regulators can address the challenges and opportunities of regulating AI. That report echoes the Government's national AI strategy and plan for digital regulation in concluding that there is a greater need for regulatory co-ordination; it proposes enabling co-ordination, including resource pooling, as my noble friend Lord Vaizey mentioned in his points about joint hiring, to increase readiness for AI across the UK's regulatory landscape. All these bodies provide us with useful insights. I am very happy to provide an introduction for the noble Lord, Lord Clement-Jones, to the Regulatory Horizons Council.

As ever, there is much more work to be done and the Government will continue to analyse how we can best support work across the different institutions involved in the complex science of horizon scanning. Again, this is likely to become a particularly salient issue as we develop our thinking on AI governance and regulation, and one where we expect to offer further suggestions in due course.

I turn to the committee's recommendation for a new parliamentary Joint Committee to scrutinise digital regulation. Again, I refer noble Lords to the position we outlined in our response: we believe it would be unnecessary to establish a permanent Joint Committee of this kind when we already have rigorous scrutiny provided by established committees such as your Lordships' committee and the DCMS Select Committee in another place. We will therefore not take forward the recommendation for a new Joint Committee, although, as the former Minister for the Digital Economy made clear in Committee on the Online Safety Bill, we continue to assess whether some form of additional scrutiny is needed in the context of that piece of legislation. We remain open-minded on that and I look forward to discussing it with noble Lords when the Bill comes to your Lordships' House.

My noble friend Lady Stowell asked about the timing of the digital markets Bill. As she knows, the Queen's Speech outlined that we will publish a draft

[LORD PARKINSON OF WHITLEY BAY]

digital markets, competition and consumer Bill. Publishing in draft allows us to engage with Parliament and interested parties on the details of the regime to ensure that the legislation is effective, balanced and proportionate. Pre-legislative scrutiny certainly improved the Online Safety Bill, and I hope the engagement that the publication of a draft Bill will allow us will help sharpen its proposals.

In the meantime, the Government will continue to work with the Digital Markets Unit to ensure the operational readiness of the regime, ahead of the legislation being passed. We have engaged with interested parties extensively, through a public consultation, and published our responses earlier this month. As I say, we committed in the Queen's Speech to publish a draft Bill in this parliamentary Session, and that remains our commitment.

My noble friend also took the opportunity to ask a slightly off-topic question about BBC funding. As this is her last chance to do so before the Summer Recess, I am happy to say that DCMS will begin preparatory work over the summer, including considering the findings of your Lordships' committee. We will look at what lessons we can learn from other countries on how they have reformed public service broadcasters in their jurisdictions in recent years. Although it has not been possible to launch a review of the licence fee funding model before the Summer Recess, the next Prime Minister will obviously have a role in deciding how we approach it.

To conclude, I reiterate the point about the speed with which new opportunities and challenges are being generated in the regulatory space. By necessity, the decisions that we make today about our regulatory approach and institutions will not be the final word on any of these questions, and the Government are fully committed to reviewing our regulatory approaches and structures.

I thank noble Lords for their willingness to engage so constructively with us as we chart our course through these new challenges. I encourage them to continue doing so as digital innovation continues to transform our lives still further—but perhaps not until after they have all enjoyed a well-earned summer break.

2.07 pm

Baroness Stowell of Beeston (Con): My Lords, I am very grateful to everyone for their powerful contributions. This may have been a small Committee, but it has been perfectly formed.

To repeat something that I said at the beginning, I welcome the important work of the statutory regulators, which are responsible for a lot of important aspects of our national life. It is incumbent on me in particular—as chair of the Communications and Digital Committee, which engages with all of them—to put on record just how much we acknowledge and recognise the important work they do.

I also again welcome the creation of the DRCF. As I said, this is an important step in the right direction and, as noble Lords touched on, its work is already making a difference, which is to be acknowledged. I was taken by my noble friend the Minister's remarks

on the benefits, sometimes, of something not being statutory but agile and flexible. I take that point, but I emphasise that the nature of what we are talking about requires us to keep this under constant review. I remain of the view that there needs to be some statutory underpinning for a body that is able to pull together the work of these various regulatory bodies and deal with the occasional conflicts and issues that might require trade-offs. If it were to be on a statutory footing, that would make its accountability and the parliamentary oversight of it that much more effective.

I also endorse noble Lords' references to the non-statutory bodies that do important work in this area. I will name a few: the Internet Watch Foundation, the Advertising Standards Authority and the British Board of Film Classification—that is not an exhaustive list. It is important that we recognise their work, the importance of the statutory regulators working hand in hand with them and the requirement for that to continue.

I was encouraged that my noble friend said that the Government remain committed to bringing forward the draft Bill on digital competition. What he said about the potential for a new Joint Committee to scrutinise the implementation of the Online Safety Bill once it is passed by Parliament was interesting. As he alluded to, when that Bill comes to your Lordships' House, we might want to return to some of the issues we have talked about. If a Joint Committee is to be set up specifically for that, it may make sense to look at its remit.

In closing, I want to repeat something that the noble Lord, Lord Clement-Jones, said: regulation is not the enemy of innovation; it can encourage public trust and therefore the take-up of new technologies. It is important for us to understand that properly. As I said in my opening speech, I acknowledge and appreciate that there is fear about regulation being stifling. What we are calling for and recommending in our report—I am very pleased with my noble friend's constructive response—is the need for a new approach to regulation in the digital sphere and making sure that our regulators are equipped to serve the public interest as a whole. Just believing that what exists currently will be adequate for a very different kind of world is not right. Things are changing, and we need to make sure that regulation changes too.

To illustrate that point, I turn to of putting the Digital Markets Unit on a statutory footing. One of the real-life impacts of it not having ex-ante powers—at least, not yet—and therefore not having the ability to assign strategic status to the likes of Google or Facebook is that it is very limited in how it can intervene in these markets at the moment. As I say, and wish to stress, intervention by regulators is a very sensitive area for anything to be done. In 2018, the CMA did a study of online advertising which showed that both Google and Facebook were consistently earning profits well above what is required to reward investors with a fair return to the tune of £2 billion. That was in 2018. The real risk of not being able to revisit this sort of thing—which would need to be very sensitively done; it is not something you would want to do without proper oversight—means that customers are potentially being overcharged for products and services that make

heavy use of digital advertising, such as consumer electronics, hotels and insurance. In a world where we are talking about a cost of living crisis, that brings into focus that there is sometimes a need for regulators to intervene in the public interest which, at the moment, they would be not well equipped to do. Should it be decided that that is the right thing for them to do, the oversight of that does not exist in the way we might want it to in the future.

This has been a very helpful and rewarding debate. I say again that I am very grateful to all noble Lords

for their contributions. I am grateful to the Minister for his update on the legislation and where we are with the Government considering the committee's recommendations on the future funding of the BBC and their decision to launch an independent inquiry. I look forward to reconvening with him after the summer break when we are all refreshed to crack on with the important work we are responsible for.

Motion agreed.

Committee adjourned at 2.14 pm.

