

Vol. 753  
No. 150



Wednesday  
14 May 2014

PARLIAMENTARY DEBATES  
(HANSARD)

**HOUSE OF LORDS**  
**OFFICIAL REPORT**

*ORDER OF BUSINESS*

Questions	
Thames Tideway Tunnel.....	1859
Schools: Free Schools.....	1862
Universities: Part-time Students.....	1864
Nigeria: Chibok Abductions.....	1866
Communications Act 2003 (Disclosure of Information) Order 2014	
<i>Motion to Approve</i> .....	1870
Renewable Heat Incentive Scheme (Amendment) Regulations 2014	
<i>Motion to Approve</i> .....	1870
European Union (Definition of Treaties) (Convention on International Interests in Mobile Equipment and Protocol thereto on matters specific to Aircraft Equipment) Order 2014	
<i>Motion to Approve</i> .....	1870
Afghanistan: Quarterly Statement	
<i>Statement</i> .....	1870
Copyright (Public Administration) Regulations 2014	
<i>Motion to Approve</i> .....	1881
Copyright and Rights in Performances (Disability) Regulations 2014	
<i>Motion to Approve</i> .....	1903
Copyright and Rights in Performance (Research, Education, Libraries and Archives) Regulations 2014	
<i>Motion to Approve</i> .....	1903
Elderly People: Abuse	
<i>Question for Short Debate</i> .....	1903
Royal Commission.....	1919
Royal Assent.....	1920
Prorogation: Her Majesty's Speech.....	1920
Written Statements.....	WS 205
Written Answers.....	WA 499

Lords wishing to be supplied with these Daily Reports should give notice to this effect to the Printed Paper Office.

No proofs of Daily Reports are provided. Corrections for the bound volume which Lords wish to suggest to the report of their speeches should be clearly indicated in a copy of the Daily Report, which, with the column numbers concerned shown on the front cover, should be sent to the Editor of Debates, House of Lords, within 14 days of the date of the Daily Report.

*This issue of the Official Report is also available on the Internet at  
[www.publications.parliament.uk/pa/ld201314/ldhansrd/index/140514.html](http://www.publications.parliament.uk/pa/ld201314/ldhansrd/index/140514.html)*

PRICES AND SUBSCRIPTION RATES	
DAILY PARTS	
<i>Single copies:</i>	
Commons, £5; Lords £4	
<i>Annual subscriptions:</i>	
Commons, £865; Lords £600	
LORDS VOLUME INDEX obtainable on standing order only. Details available on request.	
BOUND VOLUMES OF DEBATES are issued periodically during the session.	
<i>Single copies:</i>	
Commons, £105; Lords, £60 (£100 for a two-volume edition). Standing orders will be accepted.	
THE INDEX to each Bound Volume of House of Commons Debates is published separately at £9.00 and can be supplied to standing order.	
<i>All prices are inclusive of postage.</i>	

The first time a Member speaks to a new piece of parliamentary business, the following abbreviations are used to show their party affiliation:

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

No party affiliation is given for Members serving the House in a formal capacity, the Lords spiritual, Members on leave of absence or Members who are otherwise disqualified from sitting in the House.

© Parliamentary Copyright House of Lords 2014,  
*this publication may be reproduced under the terms of the Open Parliament licence,  
which is published at [www.parliament.uk/site-information/copyright/](http://www.parliament.uk/site-information/copyright/).*

# House of Lords

*Wednesday, 14 May 2014.*

3 pm

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

## Thames Tideway Tunnel

*Question*

3.07 pm

*Asked by Lord Berkeley*

To ask Her Majesty's Government whether they have discussed with Thames Water the additional annual charge to its customers to fund the development and construction of the Thames Tideway Tunnel and the duration of this charge.

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** My Lords, the Government have indeed been working closely with both Ofwat and Thames Water to ensure that the Thames tideway tunnel is delivered in a way which minimises the impact for customers and taxpayers.

**Lord Berkeley (Lab):** I am grateful to the Minister for that Answer. Will he confirm that the latest figure for how much it will cost all Thames Water's customers—from Swindon to Witney, and Newbury to London—is about £70 or £80 per year extra for the next 50 years? Is that reasonable, given the fact that the tunnel may become redundant in 20 years because of the Government's own Flood and Water Management Act and the requirement for sustainable urban drainage systems? Is not the best thing now to abandon the tunnel completely and save all this taxpayer and government money?

**Lord De Mauley:** My Lords, of course not. Government estimates at 2011 prices were for a maximum bill impact range of between £70 and £80 per year. These figures remain valid as an upper bound and would take Thames Water customers' sewerage bills to around the national average. The construction costs are currently out to tender with consortia of contractors. We also consulted last December on a competitive procurement approach for the financing costs, although no decision has yet been made.

**Lord Smith of Finsbury (Non-Affl):** My Lords, the Minister will know that the Thames tideway tunnel is robustly supported by the Environment Agency, which I chair, and by the Mayor of London. It was also supported by a range of voices in your Lordships' House when we last discussed the matter. Unhappily, cost and disruption will be involved, but does the Minister not agree that this is the only practical way of ensuring that we do not continue to discharge raw sewage into the Thames at least 50 times a year and of bringing an outdated Victorian drainage system, on which this city sits, up to the modern age?

**Lord De Mauley:** My Lords, yes. I am grateful to the noble Lord, not only for his question but for the very valuable work that he does, which we all know about. We are required to have a collecting and treatment system for London. Exceptions on grounds of cost have to be truly exceptional, and this project does not qualify as exceptional. The environmental standards that have been set are equivalent to those in other tidal estuaries. I am therefore confident that the tunnel is the right solution for London, and the only solution compliant with the urban wastewater treatment directive. However, I assure noble Lords that we remain completely focused on keeping costs to a minimum.

**Baroness Parminter (LD):** My Lords, the Government have offered contingent financial support for exceptional risks on this project. Following discussions with Infrastructure UK, Thames Water and Ofwat, is the Minister in a position to say what those exceptional risks and the potential cost to the taxpayer are?

**Lord De Mauley:** My Lords, we are still working on that, but I thank my noble friend for the opportunity to say that independent financial advisers have confirmed that no water company—whatever its financial structure—would have been able to access sufficient finance at an acceptable cost for such an exceptionally large and complex project without some contingent support from government. It is important that, when offering contingent support, taxpayers' interests remain a top priority and that the taxpayer is appropriately protected by measures that minimise the likelihood of these exceptional risks.

**Lord Campbell-Savours (Lab):** My Lords, have the Government made concessions to the green environmental movement, which has, throughout the country, opposed the construction of this tunnel and come up with alternative solutions? Have any compromises been made with what it wants?

**Lord De Mauley:** My Lords, going back to the initial point made by the noble Lord, Lord Berkeley, who talked a bit about green infrastructure and science, we should not lose sight of the fact that these are important tools that will be used, but we cannot manage without the tunnel. In addition to the Environment Agency, a key supporter of the tunnel is a group called Thames Tunnel Now, which describes itself as a coalition of environmental, wildlife and amenity groups promoting the case for the tunnel. Its supporters include key groups such as RSPB, WWF, the London Wildlife Trust, and the Angling Trust.

**The Earl of Courtown (Con):** My Lords, would my noble friend agree that in the past there has been some criticism of civil servants' management of such contracts? I was wondering what will happen in the future, and what my noble friend aims to do to ensure that such contracts will now be managed in a professional manner.

**Lord De Mauley:** My Lords, I am pleased to say that an early initiative of this Government was to enhance our Civil Service's ability to lead large projects,

[LORD DE MAULEY]

and indeed to render that ability on a level with the best of the private sector. We set up the Major Projects Leadership Academy, which is run by the Saïd Business School. I met Defra graduates and those undergoing the course there on Monday this week, and an impressive bunch they are.

**Lord Grantchester (Lab):** Given the cost of living crisis, Ofwat rightly rejected Thames Water's application to increase bills further. Given that Thames Water paid out £2.2 billion in dividends over the past six years and pays little or no corporation tax, what leadership are the Government showing to ensure the right vehicle for financing, managing and delivering the project is put in place, and that it will be subject to parliamentary oversight?

**Lord De Mauley:** My Lords, there is quite a lot in that question, but I should say to the noble Lord that Labour harps on about the cost of living, yet its own policies—spending commitments totalling £27.9 billion since 3 June last year, unworkable energy policies and increased borrowing—would increase it.

**Lord Hylton (CB):** My Lords, when tenders are received, will the Government consider whether storm water and grey water can be separated, thus requiring a shorter tunnel and reduced charges?

**Lord De Mauley:** We have thought very carefully about that, my Lords, and we have concluded that it would be more expensive. However, as I said, green infrastructure and SUDS solutions are part of the long-term solution.

**Baroness Farrington of Ribbleton (Lab):** My Lords, why did the Minister fail to answer the question put by my noble friend Lord Grantchester?

**Lord De Mauley:** My Lords, because there probably would not be time to do it justice. However, I assure noble Lords that the question of how we structure this project is complicated and we are being extremely careful about it.

**Lord Kennedy of Southwark (Lab):** My Lords, can the noble Lord tell us a bit more about the consultation that has taken place with local residents affected by the route? Many people in the city are very unhappy about what is going on. He mentioned Ofwat and Thames Water. Not enough is being done there and people are very unhappy about this.

**Lord De Mauley:** My Lords, we are acutely conscious of the impact of the tunnel's construction on local communities and on the tunnel's surroundings. Local authorities and the public had the opportunity to make their views known during the Planning Inspectorate's examination of Thames Water's planning application. The Planning Inspectorate will take all views into account and make a recommendation to Ministers in June. Ministers are expected to make a final decision

in September. However, because Ministers have a quasi-judicial role in the planning process, I am sure that noble Lords would not expect me to comment further.

## Schools: Free Schools

### Question

3.16 pm

Asked by **Baroness Jones of Whitchurch**

To ask Her Majesty's Government what early intervention measures they are putting in place to reduce the educational and financial implications of failing free schools.

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** My Lords, as new institutions, free schools get support from educational advisers prior to opening to develop their education offer and to appoint key staff. They are also subject to rigorous checks on their financial viability. Once open, they are monitored by education and finance advisers. Where performance issues are identified, these advisers work with schools to bring about the necessary improvements. If a school fails to improve, we will take swift and decisive action.

**Baroness Jones of Whitchurch (Lab):** I thank the Minister for that reply but this weekend we heard accusations that £400 million has been diverted away from the targeted basic need fund to prop up the free schools programme. Meanwhile, West Sussex County Council has already had to find £285,000 to fund alternative places for pupils from the failed Discovery free school. Can the Minister please reassure the House that no further money will have to be diverted towards the Secretary of State's pet project when there continues to be such severe pressure on school places elsewhere?

**Lord Nash:** I think I can assure the House. As I said on Monday, far from taking money away from the basic need places, the free schools programme is enhancing the number of places available. We inherited a shortfall in places from the previous Government, who surprisingly failed to anticipate this

**Lord Forsyth of Drumlean (Con):** My Lords, does my noble friend not agree that it tells us everything about the Official Opposition that they ask a Question not about failing schools but about failing free schools, when free schools have done so much to offer opportunities to people who would otherwise be deserted in failing schools? Does this not show why they are not really fit to form a Government in our country?

**Lord Nash:** I could give a very long answer to that question but essentially I agree with my noble friend. The free schools programme is an outstanding success, and I use that expression advisedly. Free schools are much more likely than other schools to be rated outstanding after four or five terms of opening. On Monday, I mentioned a number of free schools which I invited noble Lords to visit and which have been rated outstanding within a few months of opening.

There are seven, but I am sure that noble Lords across the House will be delighted to hear that many more have recently been judged outstanding in their fifth term of opening, and these reports will be published shortly. Therefore, we should be loudly praising the heads, teachers, parents, sponsors and governors of these schools.

**The Lord Bishop of Oxford:** My Lords, given that prevention is better than costly cure, can the Minister let us know what is being done to make sure that free schools are established as groups of interdependent schools, rather than independent and autonomous units? Can he let us know how what we have learnt from the academies programme—that we need to get schools grouped together in multi-academy trusts—is being transferred to free schools?

**Lord Nash:** The right reverend Prelate makes an extremely good point. Although it is true that a number of outstanding schools have been established entirely independently, the way forward is the school-to-school support model, with schools operating in local clusters and secondaries working with their primaries. We are taking this learning, which has been very successful in the academy movement, into the free schools movement.

**Baroness Massey of Darwen (Lab):** My Lords, we all know that some free schools have not been as successful as the noble Lord makes out. However, apart from that, can he tell the House how the impact and competence of non-qualified teachers will be assessed?

**Lord Nash:** By the results of the schools.

**Lord Storey (LD):** The Minister may be aware of the for-profit Swedish company IES, which won a £21 million contract to run the Breckland free school. If that school continues to fail, whose responsibility will it be—the head or the principal, the governors or the trustees, or the for-profit company running that free school?

**Lord Nash:** The primary responsibility rests with the governors who entered into the contract with IES. I know, because I have been involved in this, that they are monitoring the company closely to ensure that performance improves.

**Lord Hamilton of Epsom (Con):** My Lords, in view of the hostility to free schools that we hear from both Liberal Democrats and the party opposite, does this mean that if by some extraordinary misfortune—it is very unlikely—we ended up with a Lib-Lab coalition, we would see a return to bog standard comprehensives?

**Lord Nash:** Or, worse, the situation that we have in Wales. The party opposite seems to have gone remarkably quiet on free schools recently and I can only assume therefore that, reluctantly, *qui tacet consentire*.

**Lord Howarth of Newport (Lab):** My Lords, will the Minister point out to his noble friends Lord Forsyth of Drumlean and Lord Hamilton of Epsom that there

is another 12 months to go before the election and that they are getting prematurely overexcited. Does he agree that in this House at least we should try to sustain an intelligent conversation for as much as possible of the next 12 months?

**Lord Nash:** I take note of the noble Lord's point. I think it is very unlikely that my two noble friends to whom he referred would ever get prematurely overexcited. However, I note the point that he makes on timing.

**Lord Brooke of Alverthorpe (Lab):** The Minister said that if a free school fails the Government will take swift and decisive action. Can he tell the House what that would be?

**Lord Nash:** Noble Lords will know that we have closed one and a half free schools with a total of 200 pupils and we have created so far 150,000 new free school places, and so this needs to be seen in that context. We have also brought other management into one particular free school.

## Universities: Part-time Students

### Question

3.23 pm

Asked by **Baroness Blackstone**

To ask Her Majesty's Government what action they are taking to promote an increase in the number of students studying part-time at United Kingdom universities.

**Lord Ahmad of Wimbledon (Con):** My Lords, this Government introduced non-means-tested tuition loans for part-time students undertaking their first undergraduate degree. Last year we commissioned Universities UK to undertake a review of part-time undergraduate higher education and to make recommendations. The sector is currently working on these recommendations. We are also relaxing the ELQ policy in selected STEM subjects, which will provide the opportunity for students to access loans so that they can retrain from 2015-16.

**Baroness Blackstone (Lab):** My Lords, does the Minister accept that part-time higher education is vital for mature students if they are to acquire skills and become socially mobile? In these circumstances, does he agree that a 40% decline in the number of part-time enrolments is wholly unacceptable? This follows the trebling of tuition fees. Can he also reassure the House that the Government will do far more than he has just set out to reverse this shocking statistic?

**Lord Ahmad of Wimbledon:** I agree with the noble Baroness's first point, about the importance of part-time education particularly for mature students. Indeed, 89,730 of the over 150,000 students who study part time are aged 30 years and over. As a matter of history, I think that the noble Baroness herself was

[LORD AHMAD OF WIMBLEDON]

part and parcel of the Government who introduced tuition fees. Although we have raised them, it has been done to ensure the long-term future of higher education in our country. That point is acknowledged not just by these Benches and the coalition Government but by the OECD and the World Bank.

**Baroness Sharp of Guildford (LD):** My Lords, does my noble friend agree that the unfortunate result of introducing loans for tuition fees in both the higher and the further education sectors is that those in their 20s and 30s have disproportionately been put off, although we very much need them to upgrade and improve their qualifications? Will he say a little more about precisely what the Government are doing to encourage this group of people to come back into education so that the oft-used term “continuing education” is made a reality?

**Lord Ahmad of Wimbledon:** My noble friend has touched on an important issue, but I disagree with her on another. Higher education is important not only for mature students but for young people. Our current information shows that a record number of 18 year-olds are taking up higher education—indeed, at 34.8% the figure is unparalleled, especially in light of the fact that there are fewer 18 year-olds. Of course the issue of mature students in higher education is important, and the Government are working with the universities to ensure that every opportunity is made available to them. The Government have facilitated such opportunities through the steps we have taken to ensure that they are able to take out loans. However, the important thing to note about higher education is that it has to be demand led and something that employers want. I am sure my noble friend knows that 81% of part-time students are in employment.

**Baroness McIntosh of Hudnall (Lab):** My Lords, the noble Lord may be aware, although possibly he is not, that recently I chaired a seminar for the Westminster Higher Education Forum on this very subject. The decline in the registration of part-time students that my noble friend Lady Blackstone described was dramatically illustrated by the testimony of vice-chancellors and other university teachers. There is clearly a serious problem there. Can the noble Lord expand a little on the answer that he gave to his Liberal Democrat colleague on the subject of mature students, particularly those who are in full-time employment but wish to upgrade their qualifications? I am thinking particularly of teachers who are asked to work extremely long hours. Many of them would like to address their continuing professional development through part-time university courses but find it quite hard to do so.

**Lord Ahmad of Wimbledon:** I was not aware of the seminar that the noble Baroness mentioned but if she would like to enlighten me on it I would be happy to talk to her outside the Chamber. I fully acknowledge that the number of part-time students in higher education institutions has declined, but as I said, this is a matter that employers have to work with as well. Many employers

who were facing challenging economic circumstances were not releasing people to go and study part time. The other point I would make is that the higher education offering has changed as well, and I give the example of Birkbeck College. When I talked to people there, I was interested to note that there is now a higher take-up of evening degree courses which are run on the equivalent of a full-time basis. The actual offering of institutions is changing, and that is having an impact on the figures.

**Baroness Hooper (Con):** My Lords, what proportion of students studying at our universities are international or overseas students, and what are the Government doing to promote this aspect of our university education system?

**Lord Ahmad of Wimbledon:** As my noble friend will be aware, the Government do not offer loans for university tuition to international students. I acknowledge that we have seen a decline in the number of international students coming to the UK as compared with some of our other European partners. The Government are making it clear through the reforms we are making in higher education—such as the opening-up of caps on university admissions—that the UK is open for business to anyone who wishes to come here to study on an accredited basis at an accredited institution. The Government take this most seriously.

**Lord Stevenson of Balmacara (Lab):** I am sure that the noble Lord will have read the CBI report, *Tomorrow's Growth: New Routes to Higher Skills*. Does he agree with the CBI's conclusion that relying on traditional university courses alone will not meet the growing demand for degree-level technical skills in key sectors such as manufacturing, construction, IT and engineering? What will the Government do to deliver on the CBI's obviously very sensible call?

**Lord Ahmad of Wimbledon:** The noble Lord makes an important point. As I said, higher education has to reflect the needs of the economy and, indeed, the needs of employers. I was therefore delighted that my right honourable friend the Chancellor very recently announced, on 7 May—as I am sure the noble Lord will recall—the new industry campaign “Your Life”, under which leading organisations including Google, Microsoft, BP, BskyB, Airbus, IBM and Nestlé, to name but a few, have created 2,000 new entry-level positions which cover both apprenticeships and graduate-level posts. I am delighted to inform the House that 170 businesses have now signed up to this initiative.

## Nigeria: Chibok Abductions

### Question

3.30 pm

Asked by **Lord Bach**

To ask Her Majesty's Government what action they have taken to assist the Government of Nigeria to rescue the schoolgirls abducted by Boko Haram.

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** My Lords, the Government have offered support, both bilaterally and with our international partners, in response to this horrific and heartbreaking situation. A UK advisory team, drawn from across government, arrived in Abuja on 9 May. It held a series of meetings with the Government of Nigeria and others to understand the situation and to see how the UK can help Nigeria both deal with this abduction and address longer-term challenges. My right honourable friend the Prime Minister earlier today announced further support.

**Lord Bach (Lab):** My Lords, I thank the Minister for her reply. However, is she aware that many parliamentarians, on all sides, find it extraordinary that in the month that has elapsed since this barbaric abduction Her Majesty's Government have neither made an Oral Statement nor instigated a debate in either House? Why is today the first time—and only by luck of the draw—that we have been able to discuss what by any standards is a major issue for Nigeria, Africa and the rest of the world, especially Britain, and then only for an absurdly short time this afternoon? Of course, we warmly welcome and support, as will the whole House, the action Her Majesty's Government have taken in recent days but there seems to have been a gap of three weeks or more between the abduction and the Prime Minister's phone call to President Jonathan on 7 May when no action seems to have occurred. Why was there that delay when speed of action was surely vital?

**Baroness Warsi:** My Lords, in the midst of this horrific situation, Her Majesty's Government, and indeed this country, can be rightly proud of the fact that we were the first Government to offer assistance, which we did within hours of the incident. Within two days, the Foreign Secretary spoke to Foreign Minister Wali; we were the first country, along with the US, to send a team; we are leading the international effort; and Mark Simmonds, the Minister with responsibility for Nigeria, is in Nigeria as we speak. I am also pleased to repeat the Prime Minister's announcement of earlier today that we have provided surveillance aircraft, a military team to embed with the Nigerian army in its HQ and a team to work with US experts to analyse information on the girls' location. We are going beyond just military support by providing support and funding to the safe schools initiative spearheaded by Gordon Brown in his capacity as UN special envoy for global education. All noble Lords in this House can be rightly proud of the way that HMG have responded.

**The Lord Bishop of Oxford:** My Lords, would the Minister agree with the comments made by the most reverend Primate the Archbishop of Canterbury last weekend to the effect that, however abhorrent we may feel the organisation to be, it is necessary to engage in some way with Boko Haram and to do that at different levels? If that is the case, would the Minister give some indication of what kind of support or encouragement the Government are giving to that dialogue between Boko Haram and the Government of Nigeria?

**Baroness Warsi:** The most reverend Primate's comments about negotiations or discussions with Boko Haram are quite right and, as the right reverend Prelate says, they are certainly something which the Nigerian Government have to take forward. I know that he has a considerable history of dealing with this kind of situation in Nigeria and, indeed, of being involved in mediation processes. However, the message that HMG have been strongly sending out, along with our international partners, is that this is an abhorrent crime, that the girls must be returned unconditionally and that this is not something we need to feel that Boko Haram has negotiating power over. There is a longer-term challenge in relation to tackling Boko Haram but I am not sure that that needs to be done over the lives of these young girls.

**Baroness Cox (CB):** My Lords—

**Baroness Berridge (Con):** My Lords—

**Lord Tebbit (Con):** My Lords—

**Noble Lords:** Tebbit!

**The Chancellor of the Duchy of Lancaster (Lord Hill of Oareford) (Con):** My Lords, let us hear from the Cross Benches.

**Baroness Cox:** My Lords, is the Minister aware that, while the kidnapping of more than 200 girls at Chibok is unprecedented in scale, the brutal policy of kidnapping girls and subjecting them to forced marriage and/or conversion has been widespread across northern Nigeria's Sharia states for years, sometimes with the connivance of local authorities? Therefore, while the rescue of these girls must be the urgent priority, will Her Majesty's Government urge the Government of Nigeria to require all state and local authorities to ensure that this abhorrent practice is no longer tolerated anywhere in Nigeria?

**Baroness Warsi:** The noble Baroness is right: abductions are unfortunately not new in Nigeria, but the scale of the kidnapping at Chibok is clearly shocking. Through DfID, we have been working with Nigeria specifically on the education and protection of girls, especially in the northern region.

**Lord Tebbit:** My Lords—

**Lord Chidgey (LD):** My Lords—

**Noble Lords:** Tebbit!

**Lord Tebbit:** My Lords, does my noble friend agree that, while we are all horrified and disgusted at the atrocity of the kidnapping of these young girls, Nigeria is no longer a British colony, that the Prime Minister would not wish to intrude upon its internal affairs and that the telephone works both ways between Nigeria and London, so that if the President of Nigeria wishes to talk to our Prime Minister and request help, it is open to him, but we should not intrude upon Nigeria's internal affairs?

**Baroness Warsi:** My Lords, the Government accept that this matter has to be led primarily by the Nigerians, but it is quite right that we make offers of support, as we did right from the outset. However, it is for the Nigerian Government to accept those offers of support.

**Lord Chidgey (LD):** My Lords—

**Lord Hughes of Woodside (Lab):** My Lords—

**Baroness Berridge:** My Lords—

**Noble Lords:** This side!

**Lord Hill of Oareford:** My Lords, we must hear from the Labour Benches.

**Lord Hughes of Woodside:** My Lords, is the Minister aware that some of us in this House find it equally abhorrent that we should be talking about mediation with extremist groups such as Boko Haram, and that appeasement of such groups does not lead to peace but will encourage them to even greater atrocities?

**Baroness Warsi:** I think, my Lords, that I answered that question in a previous answer.

**Lord Chidgey:** My Lords, Nigerian Cabinet Minister Tanimu Turaki has said that,

“dialogue is a key option”,

in bringing this crisis to an end and that the issue can be resolved only outside of violence, yet his colleague the government information agency director Mike Omeri has said that authorities would,

“use whatever kind of action”,

it took to free the Chibok girls, and that a military operation with foreign help is possible. Given that the issues surrounding western education in Borno state arise from the Sokoto Caliphate, which fell under British control in 1903, what assistance is the UK considering in finding a long-term solution to these issues?

**Baroness Warsi:** My Lords, we have been working bilaterally through our regional CT co-ordinator, defence support, the high commission in Abuja, a small British military advisory training team, our own proscription of Boko Haram in July last year and with international partners to find a long-term solution, but I hope that the very clear message that we can send from this House today for those girls—from Abigail to Amina, from Hana to Halima—is simply this: bring back our girls.

## Arrangement of Business

### Announcement

3.38 pm

**Baroness Anelay of St Johns (Con):** My Lords, on Monday, I announced that Parliament would be prorogued at some point today. I hope that it might help the House a little if I indicate that, once we have completed our own business this afternoon, we will

adjourn during pleasure until we are confident—in other words, we are absolutely sure—that the House of Commons has also completed its business today. The time of resumption for the royal commission will of course, as always, be indicated on the annunciators, but, at this stage, I expect it to be very late afternoon or very early evening. I remind noble Lords that speakers lists are now open for our debate in response to the Queen’s Speech.

## Communications Act 2003 (Disclosure of Information) Order 2014

### Renewable Heat Incentive Scheme (Amendment) Regulations 2014

#### Motions to Approve

3.39 pm

*Moved by Lord Gardiner of Kimble*

That the draft order and draft regulations laid before the House on 31 March and 9 April be approved.

*Relevant document: 26th Report from the Joint Committee on Statutory Instruments. Considered in Grand Committee on 12 May.*

*Motions agreed.*

## European Union (Definition of Treaties) (Convention on International Interests in Mobile Equipment and Protocol thereto on matters specific to Aircraft Equipment) Order 2014

#### Motion to Approve

3.40 pm

*Moved by Viscount Younger of Leckie*

That the draft order laid before the House on 31 March be approved.

*Relevant document: 26th Report from the Joint Committee on Statutory Instruments. Considered in Grand Committee on 12 May.*

*Motion agreed.*

## Afghanistan: Quarterly Statement

### Statement

3.40 pm

**Baroness Northover (LD):** My Lords, with the leave of the House, I will now repeat a Statement made by my right honourable friend the Secretary of State for International Development in another place. The Statement is as follows.

“With permission, Mr Speaker, I should like to update the House on Afghanistan. First, I should like to pay tribute to the six service personnel who have

died serving their country in Afghanistan since the last statement on Afghanistan was delivered to the House by the Defence Secretary on 10 February. They include Sapper Adam Moralee, who was killed on 5 March while preparing equipment for redeployment out of Afghanistan as part of our military drawdown. On 26 April, five UK service personnel—Captain Thomas Clarke, acting Warrant Officer Class 2 Spencer Faulkner, Corporal James Walters, Flight Lieutenant Rakesh Chauhan and Lance Corporal Oliver Thomas—were tragically killed in a helicopter crash south of Kandahar. A full investigation is under way into the incident but there is currently no indication of enemy activity being a contributing factor. It was the third biggest single loss of UK life since 2001.

These deaths are a timely reminder that our troops continue to risk their lives in Afghanistan every single day. Their legacy is realised in the fact that Afghanistan is now neither a safe haven nor a launch pad for terrorists who seek to destroy our way of life. The tens of thousands of Afghan security forces who they helped to mentor and who are now securing the country's future are a testament to that. The sacrifice of our servicemen and women will never be forgotten.

I should also like to reiterate my deepest sympathies for those affected by the tragic landslide in Badakhshan province. Relief efforts are under way to help the more than 4,000 people displaced. The UK is closely monitoring the situation and stands ready to provide further assistance. Our recent £10 million contribution to the UN's Common Humanitarian Fund will ensure that additional relief supplies can be delivered as required.

While the scale of the challenge cannot be underestimated, we are seeing some extraordinary progress in Afghanistan. Last month, Afghans took part in provincial and presidential elections. These elections were organised by Afghans, run by Afghans and security was provided by Afghans. The latest estimates from the preliminary results on voter turnout show that nearly 7 million people voted, 36% of whom were women. This is particularly impressive given Taliban threats of violence across the country. With very little support from ISAF, the Afghan security forces secured the vast majority of polling centres across the country and helped prevent any high profile attacks from occurring. Their professionalism and bravery were evident throughout, and their confidence has been boosted by this operational success.

A constitutional transfer of power from President Karzai to his successor will be a milestone for the Afghan people. Until 10 years ago, Afghans had never had the right to choose their leader. Now they are getting a choice and the UK Government are supporting that democratic process. We continue to support Afghan institutions in making sure that the elections are credible, inclusive and transparent. DfID is providing £20 million to the UN's ELECT II programme, which ran a voter registration top-up exercise in Afghanistan. This has led to more than 3.8 million new registered voters, more than one-third of whom are women. ELECT II also trained almost 7,000 election commission officials, more than 2,000 of whom are women. That includes gender officers for each of Afghanistan's 34 provinces.

Women's political participation has been a priority for the UK Government in the past year, and it was impressive to see so many women exercise their democratic rights as voters. Although there were no female presidential candidates, it is a sign of how much Afghanistan has changed that three women stood as second vice-president on presidential tickets, and 297 women contested provincial council elections. The Government's support for women voters and candidates—through the UN and through DfID's own programmes—will continue through to the parliamentary elections in Afghanistan in 2015.

We have made clear that our commitment to Afghanistan extends beyond the time that UK combat forces have returned home. The UK has committed to its current level of development funding until at least 2017. However, in order for us to continue our co-operation with Afghanistan for the long term, it is important that the bilateral security agreement and the NATO status of forces agreement are agreed as quickly as possible, and we will expect to see clear progress and further reforms from the new Afghan president and his Government.

Afghanistan's economy remains fragile and vulnerable to shocks. Although economic growth and tax revenues have increased substantially over the past decade, uncertainty ahead of the elections, alongside the impact of the drawdown of international forces, have led to an economic slowdown in recent months. DfID's continued support to Afghanistan's economic growth and private sector development in the years ahead will seek to remove barriers to investment, particularly in the agriculture and extractives sectors, and create economic opportunities for women. The UK will also continue to support greater regional economic integration through infrastructure development and trade.

We hope that the new president will prioritise increasing domestic revenue collection and strengthening the economy, including passing key economic legislation. That is the best way to ensure that the country's long-term future is not reliant on aid from other countries. At an early stage, the UK will be encouraging the new Government to take further steps on reforms that the international community wants to see, including tackling corruption and ensuring that gains made on women's rights are strengthened. Some of the bravest Afghans I have met have been women's rights defenders. These people risk their lives daily, fighting for rights that men and women take for granted in this country. The UK Government will continue to support their efforts to secure a better future for Afghan women and girls.

We cannot do that alone and Afghanistan's future depends on many international actors playing their parts alongside the work that Afghans are doing themselves to secure their country's future. Afghanistan will inevitably be a key feature of the NATO summit, which will take place at the Celtic Manor in Wales in early September. Plans and preparations are well under way to deliver that important NATO event, and the UK Government will co-chair a development conference on Afghanistan in the months after the new Afghan Government are formed. This will be a timely opportunity

[BARONESS NORTHOVER]

to focus both Afghan and international attention on the long-term economic, social and political challenges that Afghanistan must address.

The turnout for last month's election shows the will and determination of the Afghan people to secure a brighter future, but they need our support. By continuing our essential development work by working together, we can create a stable country where Afghan children have opportunities that were denied to their parents. That will be a fitting and lasting legacy to the service of our troops, both those who are now returning to their families, and those who, tragically, do not".

My Lords, that concludes the Statement.

3.49 pm

**Lord Collins of Highbury (Lab):** My Lords, I thank the Minister for repeating the Secretary of State's Statement. Last week, we paid tribute to the service personnel whose tragic deaths in Afghanistan were reported to the House. As we approach the close of a 13-year operation, there will be time to reflect on what has been achieved—but regardless of those discussions, no one can doubt the courage, care and sacrifice of the men and women who served and continue to serve our country in Afghanistan. The burden on their families, too, is something that few of us can imagine. Just this week, we had a stark reminder that the pain of war is not only physical but, increasingly, can be an initially invisible injury to mental health.

DfID works in some of the most dangerous and demanding places in the world, and Afghanistan presents a unique challenge. For more than 30 years, the Afghan people have seen their communities blighted by conflict and violence. Half the population is in need of development assistance and a third of the population is food insecure. The Opposition's approach on aid in Afghanistan is to support and scrutinise, so I will ask the Minister about four specifics.

First, in March this year the Independent Commission for Aid Impact reported on DfID's bilateral support for growth and livelihoods in Afghanistan. The report raised serious doubts about the long-term sustainability of progress made, weaknesses in design and a lack of consultation and strategic coherence. What steps have been taken to improve the department's programmes in the light of these revelations?

The report also found that none of the programmes assessed had made any plans for drawdown. Can the Minister assure the House that preparations are now well under way in all DfID projects for the impact of this year's drawdown? The report made three main recommendations: a six-month review of current and future projects; the implementation of an enhanced system of consultation; and a better approach and commitment to independent monitoring. Can the Minister tell the House whether all the recommendations were accepted and what progress has been made in fulfilling them?

Secondly, I associate this side of the House with the expression of deep sympathy for those affected by the massive mudslide in Badakhshan province, in which 2,000 lives were lost. In the immediate aftermath of

the disaster the Secretary of State rightly prioritised the safety and well-being of the survivors. However, what assessment has the department made of the needs of the 4,000 displaced, what assistance have the Government offered to the Afghan Government and what, if any, has been accepted?

Thirdly, I turn to the country's future and the role of women. In doing so, I pay tribute to the Minister and the noble Baroness, Lady Hodgson, who unfortunately is not in her place this afternoon, for their continuing commitment over a very long time to this issue. As we approach the second round of presidential elections, the Taliban this week announced the start of its annual summer offensive. Nevertheless, Afghanistan's women seem determined that their voices will be heard and their votes counted. What additional measures have been put in place to protect the right of Afghan women to vote? I welcome the commitment to tackle violence against women as a strategic priority in DfID's next operational plan for Afghanistan, for 2015-2019. Can the Minister confirm that the DfID approach will be informed by consultation with Afghans, particularly women's rights organisations?

Lastly, I turn to the mechanics of the drawdown. As we have heard in previous debates, there are widespread concerns about the sustainability of development gains and the protection of civilians. What assessment has the Minister's department made of the impact of the drawdown on DfID's strategy, and what extra security requirements will DfID staff and local partners require after it?

In conclusion, stability in Afghanistan will cease to rely on international military might but instead on the Afghan forces, on an improving local economy and on international development funding. DfID staff and their partners will have a vital part to play in the future of that country. For the sake of the people of Afghanistan and all the Britons who have served there, drawing down must not mean turning away. For all their sakes, our commitment to build a lasting peace in a viable state goes on.

3.55 pm

**Baroness Northover:** My Lords, I thank the noble Lord for his tributes in this area both to our troops and to our Government. We welcome the fact that the Opposition indeed work in a very constructive way in regard to Afghanistan, and I thank him for that.

The noble Lord raised a number of points. He mentioned the question of mental health among troops. He is right that this is a key area that we must ensure that we address. I assure him that the MoD works closely on combat stress and has just put up £7.4 million to improve mental health services.

Regarding the ICAI reports that he flags up, ICAI—the Independent Commission for Aid Impact, for those who are less familiar with this organisation—makes the point that:

"Afghanistan is one of the most difficult placers to deliver aid and DfID's staff work hard under demanding conditions".

It has made a number of recommendations, as the noble Lord mentioned: for example, reviewing current and future projects; ensuring that intended beneficiaries are directly consulted; and giving a commitment to

independent monitoring. I reassure him that all those issues are being taken forward. DfID constantly reviews what it is doing. Of course, DfID itself set up ICAI to inspect what the department was doing, so obviously we take very seriously what ICAI says in this regard. In a situation of transition, making sure that development is taken forward is part of what DfID is looking at.

The noble Lord concluded by saying that we must retain our commitment to Afghanistan. He is absolutely right. If we are going to continue to sustain the progress that is being made, that development engagement is exceptionally important and we must ensure that it is as effective as possible. We must also, as our first duty, care for our staff, whether they are drawn from DfID in the UK, Afghanistan or wherever. That is also part of what we closely look at.

The noble Lord asked about the mudslides. We think at the moment that adequate support is getting through to those who have been so badly hurt by this event. He will know that we contributed £10 million of humanitarian aid, and obviously we are open to further requests if appropriate. At the moment, though, we understand that adequate assistance is getting through.

The noble Lord rightly highlights the situation of women in Afghanistan. They have made amazing progress, given their starting point, and we are determined that things should not go backwards. The women in Afghanistan are even more determined, if you like, to ensure that that is the case, and we will be there to assist them. I thank him very much for the tribute that he paid to me and to my noble friend Lady Hodgson in this regard; there are many others in this House, including the Lord Speaker, who have been extremely strong in ensuring that women in Afghanistan are supported.

DfID contributes significantly to the support of women. In the election, one of our main aims was to try to ensure that women were registered, knew about voting and were able to do so. It is striking to read that in Heart, women smashed down the door of the voting station so that they could get in to vote. They were not ready to wait for it to open; they were so keen to get in there.

It is excellent that 20% of places on provincial councils will be held by women. It is a complete change from the situation a decade or two ago. That is very welcome, but we are acutely aware that things could easily go backwards and we are determined to do our best to try to ensure that that is not the case. In sum, we continue our strong engagement with Afghanistan, and we are acutely aware that it is through development that we will secure the kind of stability that they and we wish to see. That is why the UK Government continue their involvement.

4.01 pm

**Lord Laming (CB):** I associate myself with the very sincere and warm tributes that the Minister paid to the troops who have recently given their lives in Afghanistan. I feel sure that across the House we would like our troops to know that they have our complete support and we will never underestimate their bravery and what they do on behalf of our society.

It is difficult to single out the achievements in Afghanistan, but will the Minister convey to the Ministry of Defence how pleased we are to hear of the huge increase in the education opportunities for girls in Afghanistan? If anything is a fitting tribute to what our troops have achieved, that is it.

**Baroness Northover:** I thank the noble Lord for what he has just said. Of course, one of the names I read out was Oliver Thomas, who many of us knew as he was a parliamentary researcher. That brings it home to those who would otherwise not feel the impact of the contribution that they have had to make. The noble Lord is right about the education of girls. The transformation from 2001, when virtually no girls were in school, is astonishing. Of the 6.3 million children in school in Afghanistan about 2 million are girls. We have not got to equality, but we have made a lot of progress and will make sure it continues.

**Lord West of Spithead (Lab):** My Lords, the Minister quite rightly points out how much we owe to our men and women for what they have done in Afghanistan, but there is a pernicious scheme—a poison—abroad which really upsets our servicemen. It relates to things that have happened in the past. I hope the Minister can assure the House that it will not happen in Afghanistan. It has happened in Iraq. We have seen the Al-Sweady inquiry, which has cost the MoD £47 million. Key evidence, which would have made the whole thing unnecessary, was shredded just before it was called. We have the business of the International Criminal Court amazingly saying it is doing a preliminary investigation into this country, which can and does look into activities by its forces. I believe that is quite extraordinary. Members of the International Criminal Court would be jolly lucky if they were caught by our people rather than most countries in the world. Can the Minister say that we will not allow this trawling of Afghanistan to find cases and trumped-up issues to cause problems for our people because it has a huge, pernicious effect on our service men and women?

**Baroness Northover:** I hear what the noble Lord says. I thank him for the tributes he has paid. He will know full well the contribution that our service men and women are making. I do not doubt that the standards of our troops are second to none. It is clearly vital that our troops, like all other troops, adhere to international law in this regard because we are trying to establish respect for the rule of law in Afghanistan. Clearly, if one or two let anybody down then that can let the whole group down. I am well aware that the troops themselves wish that every single member of their group adheres to the high standards to which they themselves adhere.

**Lord Dannatt (CB):** My Lords—

**Lord Judd (Lab):** My Lords—

**Lord Cormack (Con):** My Lords—

**Lord Gardiner of Kimble (Con):** My Lords, we have had a member of the Cross Benches speak already. We take these things in turn. I hope that that will be helpful.

**Lord Cormack:** My Lords, I am grateful. My noble friend has made a moving and impressive Statement. However, she has not mentioned one group of people, and upon them so much has depended: the Afghan interpreters. As we withdraw from Afghanistan, we of course maintain our aid and connection. Can my noble friend assure me that the sacrifice and service that those men and women have given will not be forgotten, and that we will ensure—so far as is possible—that their lives will not be endangered after we have withdrawn?

**Baroness Northover:** Yes, we owe a great deal to the local Afghan staff who have worked for us in Afghanistan. As my noble friend will probably know, there is now a scheme in operation which is based in a generous in-country package of training and financial support for those for whom it is appropriate to stay, and a financial payment. For those who are eligible, such as staff who are regularly involved in working on the front line, there is the opportunity to apply for relocation in the United Kingdom.

In the other place, my right honourable friend the Secretary of State for International Development said that she would write to Keith Vaz, who chairs the Home Affairs Select Committee, with some details on numbers. I will ask that that same letter is put in the House of Lords Library and copied to my noble friend.

**Lord Judd:** My Lords, if the tributes which are being made genuinely to our service men and women for the price they have paid, and to the families of those who have fallen, are not rapidly to sound hollow, what will matter most is the commitment we give to the building of security and peace in Afghanistan following our engagement. That is absolutely crucial if we are sincere in our tributes.

Would the noble Baroness agree that, in emphasising the contribution that we have been making, it is important—for example, in the context of women—to put on record our unrivalled admiration for the courage of many Afghan women who have themselves led the struggle for the emancipation of women in their society? I underline, and ask whether the Minister agrees, that the point made by the noble Lord, Lord Laming, is crucial: education must be given priority. If the peace is to be secured, the quality and integrity of public service will be crucial within Afghanistan. What practical support are we giving to reform of the security sector and the administration of justice, which will be central in building stability for the future?

**Baroness Northover:** The noble Lord speaks from a lot of experience, and he is absolutely right that we need to build security and peace in order to secure what has been achieved thus far. He is also absolutely right to pay tribute to the courage of the women who have been ensuring that women and girls have the kind of rights that we take for granted.

We support the Ministry of Interior Affairs and the police in trying to ensure that we provide the kind of security that the noble Lord wishes to see there. I also point out that, in other areas, half of all pregnant women, for example, now receive anti-natal care, compared with 16% in 2003. There have been many areas in which people's lives have been transformed. We need to make sure that that continues to move forward.

**Lord Dannatt:** My Lords, I am very conscious that what I am about to say may not make me universally popular in your Lordships' House. I was in command of the Army from 2006 to 2009. It will not have escaped the notice of noble Lords that this Chamber was packed to the gunnels at the start of Question Time today for discussion of the Thames tideway tunnel and other important matters. However, when the Minister began to draw attention to those who had fallen, noble Lords streamed out of this House in a way that was most unfortunate, given that six of our comrades had lost their lives. Can the Minister speak with the Leader of the House and other members of the usual channels so that if a tribute is to be paid to those who have fallen in the interests of our nation, noble Lords will be informed of that and will stay in their places? On a military base no one moves during the Last Post. In your Lordships' House, I respectfully suggest that no one moves while a tribute is being paid to the fallen. The fallen have done their best to give the Afghans the opportunity of a better life in the future. We have done our best; it is now over to the Afghans to make the best of what we have given them.

**Baroness Northover:** Yes; I have noted what the noble Lord has said. It was not known until today that this Statement would be repeated in the Lords. The fact that I am speaking on behalf of DfID but answering on behalf of the MoD and the FCO may have made people think that the Statement would be DfID-focused. My noble friend who is the Minister for the MoD usually gives those names, and gave them when he last answered a Question. Therefore I left a gap as noble Lords began to leave. I hoped that they would hear what I was saying, but I think that some of them did not realise. I saw noble Lords pause and stop, and when they heard what I was saying they responded. However, the noble Lord is absolutely right.

**Lord Richard (Lab):** My Lords, the noble Baroness was somewhat overcharitable in her previous remarks, but she is not at fault for that. I want to ask a purely factual question; I do not want to make a big speech about Afghanistan. What was the percentage turnout in the election? Although the election itself is an enormous tribute to our commitment in Afghanistan, the key to whether it was a good election depends not only on the number of people who voted but upon the percentage turnout. If it was a high percentage turnout, it was quite clearly an expression of the genuine views of the majority of the population. If it is a low percentage turnout, it was not. I would be grateful for that figure.

**Baroness Northover:** Interestingly, I was trying to work that out myself when I was noting down the figures. I am not sure that I can answer the noble Lord

precisely. I noted that the population of Afghanistan seems to be 30 million, and that probably 7 million turned out to vote. The noble Lord can probably do his own maths, bearing in mind the size of the young age group in the country. It is significant that 4.5 million people turned out in 2009, so that number has now gone up to 7 million. I will be very happy to get somebody who is better at maths to work that out, but I hope that it gives an indication of the upward trajectory.

**Viscount Slim (CB):** My Lords, we seem to be talking as if it is all over. It is not over until the end of the year and the withdrawal. In a withdrawal, there is often a temptation to think defensively, which can get you into a great deal of trouble. I ask the noble Baroness to ensure that the forces that we retain until the very end within Afghanistan have an offensive capability both on the land and in the air, and that the evacuation does not take place in such a way that those who remain until the end are in a somewhat desperate position. There is still an enemy to fight and to look out for. I hope that the Ministry of Defence has not picked up this defensive attitude, which takes away the complete attacking and offensive spirit of an army and an air force in a withdrawal position. I speak as someone who has withdrawn several times.

**Baroness Northover:** The noble Viscount talks about it being not over until the end of the year. As the DfID spokesman, I should say that it is not over then either, as we have been emphasising. He can be reassured that the Ministry of Defence is well aware of the need to ensure that those who are still there are well equipped. I see from the figures on redeployment of equipment quite a substantial amount still there. Around 63% of major equipment has been moved back and redeployed, but there is a quite substantial commitment still there. I hope that he will be reassured by that.

**Lord Hannay of Chiswick (CB):** My Lords, could the Minister address a point not covered in her very welcome Statement, to which I think most Members of the House who have spoken have given strong support—that is, Afghanistan's neighbours? The history of Afghanistan is full of involvement by its neighbours in destabilising that country and, alas, in the past, also of Afghanistan destabilising its neighbours. Is it not absolutely essential that some very solid undertakings are given, perhaps in some regional grouping, that Afghanistan's neighbours will co-operate with us and others in maintaining stability in the country after NATO's withdrawal, and that they will be committed to respecting the territorial integrity and sovereignty of Afghanistan and working for economic co-operation? It is all very well us pouring money in but, if the neighbours are fiddling about, as they have often done in the past, it will not avail very much.

**Baroness Northover:** The noble Lord speaks from a great deal of experience. As he will know, there has been tremendous engagement with the Government of Pakistan and there is a trilateral relationship between Pakistan, Afghanistan and the United Kingdom. Pakistan

has made a number of commitments. It is very clear from what is being said by both Afghanistan and Pakistan that they recognise that their long-term prosperity and security depends on the stability in each other's country. That is also true for India, China and Iran. Stability and prosperity in Afghanistan has a beneficial effect on all the countries around, and we will be engaging with all those countries in that hope.

**Lord Davies of Stamford (Lab):** I very much support the comments and suggestion of the noble Lord, Lord Dannatt, and I express the hope that the Whip on the Bench will pass those comments and suggestions on to the Leader of the House and that they may be taken further. It has always been a great strength of this country that we have been able to adopt a bipartisan approach to a crisis situation such as we did at the time of 9/11 and the then necessary operation in Afghanistan. The whole House will undoubtedly be entirely with the Minister today and her expressions of tribute to the military who have died there, and in her expression of hope for the future, economic and political, of Afghanistan.

Can the Minister be a bit more specific than she was able to be in answer to my noble friend on the Front Bench about DfID? Does she now believe that conditions are such that it is possible for DfID personnel, whether UK-based or Afghan, to deploy in the Pashtun provinces such as Kandahar and Helmand to oversee and monitor projects? As she well knows, if you cannot monitor those projects, it is very difficult to avoid the kind of abuses and perversities that often arise, and then the money is really wasted, which is a very great shame. If she does not think that those conditions exist now, does she hope that in the near future we will be in a position whereby DfID personnel can deploy effectively in those difficult provinces for that important purpose?

**Baroness Northover:** DfID remains very committed in terms of its financial contribution, which is based on the fact that we believe that we can deliver that. A question similar to that was put to my right honourable friend the Secretary of State in the other place, and she was very reassuring about what we can do. She is keeping a very close eye on exactly what we can do to ensure that DfID staff are not, for example, office-based back in the capital but actually able to monitor projects as the noble Lord seeks.

**Lord Soley (Lab):** I am grateful to the Minister for spelling out the advances that have been made in Afghanistan because, sadly, outside this House there is still a tendency to see it as a failed operation. It is important that we change that perception. People think back to what Afghanistan was like when it was a base for al-Qaeda. If they think of the dangers to not just Britain but the wider world and of the enormous advances that have been made in Afghanistan, thereby giving those people a chance to recover from 30 years of war and revolution which ripped the country apart, they will see that we have made enormous progress while recognising the sacrifice that so many people have made.

**Baroness Northover:** The noble Lord is absolutely right. I point, for example, to revenue collection. In 2004-05, only \$250 million was collected. In 2011-12, \$2 billion was collected. That is a sea change.

**Lord Stirrup (CB):** My Lords, I note that the Minister said that the end of 2014 is not the end. That is, of course, quite right. The endeavour in Afghanistan has been a major international effort. Co-ordinating that international effort has been something of a challenge, to say the least, even when it was at the top of various nations' foreign policy and security agendas and when organisations such as NATO were involved. Will the Minister indicate to the House how the ongoing international effort in developing politics, economics and social life in Afghanistan is to be co-ordinated in future, which will be necessary if it is to be effective?

**Baroness Northover:** The noble and gallant Lord is right. It is something of a new science to have so many countries involved in this constructive activity. Obviously there are lessons to be learnt but, if he looks to the NATO summit which will take place later this year and to the development conference, he will see some of those lessons being taken forward.

## Copyright (Public Administration) Regulations 2014

### *Motion to Approve*

4.21 pm

*Moved by Viscount Younger of Leckie*

That the draft regulations laid before the House on 27 March be approved.

*Relevant documents: 41st Report from the Secondary Legislation Scrutiny Committee, 26th Report from the Joint Committee on Statutory Instruments*

**The Parliamentary Under-Secretary of State, Department for Business, Innovation and Skills (Viscount Younger of Leckie) (Con):** My Lords, in moving the lead regulations I will take the opportunity to speak to all three instruments before us today, which deal with exceptions to copyright.

In today's digital world the process of copying is intrinsic to new technologies that are used by vast sections of our society, from researchers and curators to teachers and consumers. Yet under current UK copyright law a great many activities that are intuitively acceptable to any reasonably minded person are unlawful or at best uncertain simply because they involve some element of copying. It is the responsibility of government to ensure that copyright law achieves an appropriate balance between protecting the rights and interests of creators and serving the wider public interest.

These statutory instruments are part of a process that dates back to the publication of the Hargreaves review in May 2011—and in fact similar recommendations were made in 2006 by the Gowers review of copyright under the previous Administration.

I feel it is appropriate at this stage to comment that the Government are proposing two other statutory instruments: first, on personal copying for private use; and, secondly, on parody, caricature and pastiche and quotation.

The Joint Committee on Statutory Instruments has asked for some further points of clarification. It is not unusual for the committee to want to spend more time considering SIs but it does, unfortunately, have implications for the timetable for these exceptions, given where we are in the parliamentary cycle. While this delay is disappointing for the Government and many members of the public, the Government remain firmly committed to implementing each of these important exceptions to copyright law as soon as possible.

I turn to the three SIs before us today. One makes changes to the exceptions for research, education, libraries and archives. This instrument includes a new exception for text and data mining for non-commercial research. The other two instruments make changes for the benefit of disabled people and public administration. In most cases the instruments make small changes to existing exceptions—for example, by expanding the types of copyright works that the exceptions apply to or the types of institution or user that can benefit from them.

I am pleased to report that the Joint Committee on Statutory Instruments considered the three instruments we have before us today and had no comments to report. This means that the committee has not identified any issues that it feels need to be brought to the attention of Parliament. Noble Lords will also be aware that my officials and I provided oral evidence to the Secondary Legislation Scrutiny Committee on 6 May, and the committee reported its views on 9 May. I welcome this consideration of the regulations, and I very much welcome the opportunity for further consideration today.

The potential benefits of these the SIs are significant. At a conservative estimate, based on the Government's impact assessments, the measures in the three instruments are predicted to benefit the United Kingdom by nearly £250 million over 10 years. For the avoidance of doubt, the majority of uses of copyright materials will continue to require permission from copyright owners. The regulations have been carefully and narrowly drafted to contain safeguards that ensure they do not prejudice the legitimate interests of creators and rights holders. Indeed, many of the changes simply modernise existing exceptions that have been part of UK law for many years.

Over the past few years, the Government have consulted extensively on these proposals and the Secondary Legislation Scrutiny Committee recently commended the Government on their "sustained efforts" to consult on these measures. There is no doubt that the Government found it enormously helpful to hear the full spectrum of viewpoints, including those of individual creators, businesses, researchers and consumers.

I turn first to the new copyright exception to permit UK researchers to use text and data-mining technologies as part of their research. Data-mining techniques allow researchers to analyse large amounts of text and data using computers. This is extremely efficient and makes it easier for researchers to make interconnections within the vast amount of data being produced in the digital age. This new exception for text and data mining contributes to the Government's overall goal of making the UK one of the best places in the world to do science.

This measure is necessary because current copyright law does not allow us to realise all the potential benefits of text and data mining. This is because the technology usually requires copies to be made of the material that is being analysed, and making these copies risks infringing copyright. At the moment, only 11% of articles in the European database of biomedical research papers can be electronically analysed without seeking specific permission from the copyright owner. This is the case even where the researcher or their institution may have already paid for a licence to read these articles.

The evidence submitted to the Government's consultations showed that requiring individual researchers to seek specific permission from each rights holder is a significant obstacle to the uptake of data mining. One case study found that a simple exercise to mine all papers with the term "malaria" in their title could require a researcher to spend between four and five weeks seeking permissions—time far better spent on actual research. The changes proposed will allow researchers to make copies of any material they already have the right to read, without obtaining additional permission from the rights holder. This will apply only to text and data mining as part of a non-commercial research project.

Researchers in the US and Japan already have this freedom to carry out text and data mining. This exception will give similar freedoms to British researchers, and give Britain greater competitive strength internationally. To ensure that researchers are fully able to benefit from the exception, the legislation makes contract terms that seek to prevent or restrict text and data mining for non-commercial research unenforceable. It is important to add, however, that it will not stop rights holders imposing controls on the way in which researchers can access material, such as reasonable limits on download speeds.

I turn now to other research elements of this same statutory instrument. The regulations will extend the existing fair-dealing research exception to cover all types of copyright works, not just literary and artistic works. Researchers will be permitted to carry out reasonable, limited copying for non-commercial research and private study, without permission from the copyright holder. The amount of copying that can occur is limited by fair dealing, which means that copying a whole work is extremely unlikely to be allowed. Institutions such as libraries and universities will also be able to offer access to copyright works on the premises at electronic terminals for research and private study. That will reduce costs and improve access.

#### 4.30 pm

The instrument also modernises existing exceptions for education to allow schools, colleges and universities to make photocopies of copyright works. As is currently the case, the exceptions will continue to operate in tandem with licensing schemes. That means schools do not need to worry about accidentally infringing copyright if they have a licence, and they do not have to spend time and money checking whether a particular use is included in their licence.

Another change will permit copying of small amounts of material where necessary to illustrate and explain a point, so teachers and lecturers will be able to do things such as displaying web pages or images on interactive whiteboards and in presentations. That change will not remove the need for educational establishments to hold licences such as photocopying licences and broadcast recording licences. Taken together, these modernised exceptions help define basic copying permissions for providers of education, ensuring that education is not constrained by copyright law.

The instrument also contains regulations to make it easier for libraries, archives, museums and galleries to preserve their collections. It would remove unnecessary regulation that hinders the preservation of our cultural heritage. Preservation techniques will often involve copying a cultural work or artefact—for example, digitising a book to transfer it to a more durable medium. The current law allows preservation copying, but applies only to books, and can be used only by libraries and archives. If an archive needs to preserve a film, sound recording, photograph or other work it risks copyright infringement. If a museum or gallery needs to preserve any item from its collection, it also risks infringement. By removing those barriers to preservation, these changes could save up to £26 million per year for libraries, archives, museums and galleries from reduced administration and transaction costs.

I now turn to the second instrument before us today, which focuses on changes for the benefit of disabled people. The change will mean that if any type of copyright work is not available commercially in a format that can be accessed by a disabled person, an accessible copy can be made for them. The changes would mean that anyone who has an impairment that prevents them accessing copyright works would be able to benefit from the exception.

Finally, the third instrument before us today makes changes to the existing exception for public administration and will enable more public bodies proactively to share certain third-party copyright materials online. Most information held by public bodies is already available for public inspection. Some of that material will have been submitted by businesses or members of the public. Currently, copyright law prevents any of the material being published online. Instead, third-party material can only be issued to the public in paper format or viewed on the premises of public bodies. Allowing it to be made available online will reduce administrative burdens for public bodies and save the public money and time.

This is a package of reasonable and common-sense changes to copyright exceptions. It will deliver significant benefits to the UK. First, it updates copyright law in line with the digital age. Secondly, it supports research by enabling text and data mining. Thirdly, it updates exceptions for educational purposes so that they are suited to modern teaching technology and practices. Fourthly, it makes it easier for libraries and archives to preserve our cultural heritage. Finally, it allows a greater number of disabled people to have access to a greater range of copyright works.

[VISCOUNT YOUNGER OF LECKIE]

The Government have committed to promoting a modern, robust and flexible framework for copyright. These reforms are an important part of that. I commend the instruments to the House.

**Lord Scott of Foscote (CB):** My Lords, I do not wish to oppose any of the three sets of regulations that the noble Viscount has recommended we approve. However, there are one or two aspects of the Government's approach to copyright that I find a little worrying, and perhaps I may ventilate them with the Minister. They may arise particularly when the last two sets of regulations, which are not before the House at the moment, come to be considered.

It has to be borne in mind that copyright has been the subject of legislation for a long time. I cannot remember when the first Copyright Act was enacted, but it was enacted for the purpose of providing proper regulation of the protection that the producers of copyright works—artistic, musical, literary or whatever—were entitled to expect. Generally speaking, they were professionals earning their living from the works that they produced for those who were able to benefit from them. It became apparent that legislation was needed in this sphere and it has been thus ever since.

The Minister referred to a benefit that the current spate of regulations will produce of, I think, £250 million over 10 years. I was wondering out of whose pocket that would come. Does it mean that the proprietors of the copyrights will be subsidising the use of their work by receiving lower sums for that work, and for the copyright licences that they were granted, than they were previously receiving? If so, it is a sort of compulsory donation by the proprietors of the copyright works in question to the benefit of the country, which I am not sure has any precedent elsewhere. I began to think of the relevant law applying to patents. If an inventor produces a very valuable patent which the Government of the day wish to exploit for their own entirely proper purposes, the Government can apply to the courts and obtain a compulsory licence but they will not get it for nothing. The compulsory licence will have a term under which some remuneration for the use of the patent is paid to the proprietor of the patent—the inventor.

Here, we have amendments to the copyright regime that will apparently save a great deal of money, but, as I have asked already, at whose expense will that be? If it is just a saving in time for administrators, that is one thing, but if the copyright holders will receive less, that is entirely different. I wonder whether the patent analogy of a compulsory licence on appropriate terms that can be fixed by the court ought not to be preferred as the means of dealing with the problems that have been identified.

As I said, I do not object to any of the regulations. They are all for worthy purposes, but to the extent that their effect is to require copyright holders to be compulsory donors to, in some cases, charitable purposes and, in some, just general public purposes, I wonder whether it is fair to do so without providing for some compensatory element to recompense them for the loss to their pockets—which, according to the Minister, will be substantial—over the next 10 years.

These points are going to arise particularly when the last two sets of regulations—one relating to personal copies for private use and the other relating to copying for the purposes of quotation and parody—come to be considered. Nothing there could be described as remotely charitable or for the public benefit, which is a shield under which these three sets of regulations can all shelter. I think that the Minister needs to tell the House to what extent the savings that the Government anticipate from the five regulations taken as a block will fall upon the pockets of the copyright holders who have created these works of arts, pieces of music or literary masterpieces that enjoy copyright.

**Lord Walton of Detchant (CB):** To follow up the point made by my noble and learned friend, perhaps I may briefly ask the Minister whether these welcome modifications to copyright law will in any way have an impact on or amend the procedures followed by the Authors' Licensing and Collecting Society, which provides modest sums for authors if their works are subsequently copied through libraries or other mechanisms. Will they affect that procedure of the ALCS?

**Lord Clement-Jones (LD):** I thank the Minister warmly for his introduction. Whatever comments I may have on the substance of the exceptions, I thank him for his careful navigation and assiduous consultation and communication in the run-up to these SIs being tabled, including for the way in which the regulations have been presented to Parliament. I also thank him for his willingness to debate the issues, as we did last December and before the Secondary Legislation Scrutiny Committee recently. We should thank both the Joint Committee on Statutory Instruments and the Secondary Legislation Scrutiny Committee for their careful scrutiny. I am pleased to hear from the noble and learned Lord, Lord Scott, and to see that the noble Baroness, Lady Morris, is in her place, as is the chair of the Secondary Legislation Scrutiny Committee, the noble Lord, Lord Goodlad.

There were some very good reasons for this careful scrutiny. After all, copyright is the foundation of our creative industries' success and the economic driver of growth for this sector, which contributes £71.4 billion to the UK economy. The reform of copyright should be handled sensitively, with the value of the creative industries and any negative impact caused by changes to the law firmly in mind. Wrongly formulated, the exceptions could potentially deter investment in the industries and weaken performers' and creators' ability to benefit financially from their work.

It is also an extremely technical area of law. It has been pointed out by many experts that the Government's proposed changes to primary copyright law implemented by way of secondary legislation risk not being compliant with our obligations under EU directives and incorrectly implement related legislation. It is notable that the Secondary Legislation Scrutiny Committee remarked from the outset in its report on the strength of opinion on the question of contract override, which I attempted to highlight in our December debate. It also said that, "we flag up the possibility that the changes will have a greater economic impact on producers and creators than the Government have so far envisaged"—

a point made by the noble and learned Lord, Lord Scott. The committee expressly says that it is not persuaded by the Minister's statement that the changes are relatively minor. This particularly applies to the personal copies for private use exception, to be debated in future.

The Government cannot have it both ways. They cannot say that these exceptions will have minimal effect and then claim that there will be a benefit of a total of £500 million to the UK economy over 10 years for all five of the exceptions and £250 million for those that we are discussing today. In fact, in the Commons committee, a number of MPs drew attention to inadequacies with the impact assessments and sought to probe further how the figure of £500 million was arrived at. Where does this figure come from? Can we have a complete breakdown? Are the Government certain that this benefit is without any loss on the other side of the equation, a point raised by the noble and learned Lord, Lord Scott? How do the Government plan to monitor whether this benefit is achieved?

As a result of one of the key conclusions, where I wholeheartedly agree with the SLSC, the instruments are to be reviewed by the Intellectual Property Office no later than April 2019. The committee said:

"We would urge the Government to monitor the impact of the changes from the point of implementation, and in particular to respond effectively if it becomes clear that any negative potential is being realised".

Can the Minister give that assurance? Can he commit to repealing these regulations if there is overwhelming evidence of a negative impact?

4.45 pm

In the end, it has to be recognised that the Minister is a man on a mission to implement the Hargreaves recommendations, as he admitted to the scrutiny committee. There is a major division of opinion here. I and many among the rights holders believe that, with significant commercial developments in licensing made possible especially by new technology—the creation of a copyright hub, the Global Repertoire Database and so on—only a very limited case can be made for these copyright exceptions. Moreover, there have been significant developments since the Hargreaves report was published. Exceptions should not apply where a commercially available alternative already exists. Sadly, the Government have not accepted this important principle or, let it be said, the flexibility contained in the information society directive. Rather, they have insisted on driving these exceptions through, as the memorandum from BIS to the Joint Committee on Statutory Instruments makes clear, using what they believe is the legally sound option of contract override.

David Willetts' rationale in the Commons committee, in the light of research showing that 90% of research-focused requests for text and data mining are granted within a week at little or no cost to those seeking permission, for why the exception was needed, was barely credible. It appears that filling in a form—that is, asking for permission—is now an "unreasonable imposition". Is that what the Government's justification for introducing this exception amounts to?

There are many issues to do with contract override and it is clear that even the Intellectual Property Office does not fully understand the position. The IPO has said that,

"the exception for photocopying by schools cannot be overridden by contract, so this is not us taking an unprecedented step".

I do not believe that this is a completely accurate interpretation of the relevant section, Section 36 of the Copyright, Designs and Patents Act 1988, which applies to reprographic copying by educational establishments. The provisions of this section introduce an exception to copyright to permit photocopying by schools, but critically also provide that copying is not authorised,

"if, or to the extent that, licences are available authorising the copying in question".

This provision is often referred to as an exception subject to licence, so the contract override provisions with which the IPO sought to make comparison are highly limited and apply directly and specifically to the terms of contracts of the licence working alongside the exception. This is a fundamentally different proposition to that being proposed in these statutory instruments, which seek to impose contract override provisions on any and all contracts.

It is also far from clear that the exceptions will not prove to be retrospective in the way they override contract. In the notes published by the IPO accompanying the exceptions, *Exceptions to Copyright: Guidance for creators and copyright owners*, it is stated that:

"Where a licence granted under the old law gives wider permissions than the new law, the licence will be unaffected. However, where the new law permits more than the licence, the licence holder will be able to rely on the new law. The licence will still be valid, but a licensee cannot be made to comply with any term in so far as it seeks to restrict something that the new law allows. E.g if an individual purchases a work on terms which prevent the copying of the work for any purpose, it will not be a breach of the licence if the purchaser makes a personal copy".

It is clear from the guidance that, for any existing licence, certain terms will no longer be enforceable, and of course there was an element of confusion before the Secondary Legislation Scrutiny Committee, in answering the noble Baroness, Lady Morris, on this point, but that is indeed what my noble friend confirmed in his subsequent letter dated 12 May to the chair of the committee. But the point posed by my right honourable friend David Heath MP to the universities Minister in the Commons Fourth Delegated Legislation Committee remains inadequately answered by the Government. He said that:

"A previously agreed contract that conflicts with the new regulations will effectively cease to be enforceable. That creates a retrospectivity issue, so I would be grateful if the Minister would explain his view on the setting aside of contractual arrangements that are already in place".—[*Official Report*, 12/5/14; Commons, Fourth Delegated Legislation Committee; col. 11.]

The Government's response, both in my noble friend's letter and in David Willetts' comments to the committee, goes only half way to meeting the point. Their first line of argument is that it is not retrospective because it will not render a person liable for an action committed in the past. That is all well and good as far as it goes from a user's perspective, but it does not deal with the perspective of the rights holders. The second line of argument from the Government is that retrospectiveness

[LORD CLEMENT-JONES]

does not come into play with regards to contracts because the effect will be in the future, but the Government's approach does seem to fall foul of paragraph 1(1)(b) in Schedule 2 to the European Communities Act 1972. This states that a provision should not take,

"effect from a date earlier than that of the making of the instrument".

However, the contract override provisions do precisely that. Their effect is to render unenforceable a contract made at an earlier time. What can my noble friend say in response to this?

Then of course there is the question of whether these exceptions should have been introduced by primary or secondary legislation. They in fact could perfectly well have been proposed during the passage of the recent Intellectual Property Bill as substantive amendments, fully debated and, if necessary, amended. It is very regrettable that we have not had that opportunity in view of the controversy surrounding them. The Minister claimed before the Secondary Legislation Scrutiny Committee that 50 copyright exceptions have been dealt with by statutory instrument rather than primary legislation. Is that really correct? I do not think there are 50 copyright exceptions; I think he meant the number of amendments to the Copyright, Designs and Patents Act.

What can the Minister say about the guidance material which will be used to brief and educate the public, consumers, intending researchers and so on? Multiple inaccuracies have been pointed out to the Minister and to the IPO by rights holders. I will not highlight the particular problems with the personal copying and parody exceptions guidance, as they are not subject to debate today, but they are considerable.

As regards data and text mining, the Explanatory Memorandum says:

"Publishers will be able to impose reasonable measures to maintain stability and security of their computer networks as long as researchers are able to benefit from the exception to carry out non-commercial research".

This is followed by the government response to the technical consultation and the guidance note. However, the contract override provisions in the relevant SI itself state that any part of a contract which seeks to restrict the act of reproduction is unenforceable. Since one of the reasonable measures publishers would seek to impose is a restriction on the speed and level of "crawling", these two provisions contradict each other. Can the Minister resolve that contradiction? If so, can he confirm that other examples may be valid as well? Does he envisage publishers being able to operate an "electronic handshake" procedure, or other form of formal verification, to ensure that the text or data miner is who they say they are? If so, this should be clearly stated in the guidance.

What assurance can the Minister give generally that that the vital material explaining each of these exceptions will be revised and only then published? Surely, the setting of an arbitrary date of 1 June—not on a common commencement date—militates against this.

The Minister's rationale before the Secondary Legislation Scrutiny Committee for the commencement date was that,

"we had had such a long consultation and that certain stakeholders were really pushing us to get on with it, if I may put it that way. We thought we should do that and go for 1 June rather than delay further, until October, which would be the next window".

Mr Willetts was equally circular in response in the committee. He basically said that it was included among the key domestic measures in the Government's seventh statement of new regulations. Instead of adhering to the common commencement date programme, the Government are implementing early simply because they want to. Should the Minister not revise the implementation date to the common commencement date of 1 October for all new exceptions and take the opportunity to revise and correct the consumer-facing material at the same time? I look forward to the Minister's reply.

**Lord Howarth of Newport (Lab):** My Lords, I join the noble Lord, Lord Clement-Jones, in congratulating the noble Viscount, Lord Younger, and thanking him for all his courtesy and assistance to noble Lords in making himself and his officials available to us so that we have had the opportunity to be informed about the Government's thinking and to ask questions. He has been impeccable in this regard. Equally, I congratulate him on the extent of the consultation that he has undertaken. Any interests that still find themselves in disagreement with what the Government propose cannot reasonably say that they have not had the opportunity to put their case and to be heard. I agree with him that this process, which has been very long drawn out, does now need to be brought to a conclusion.

The Minister and the Intellectual Property Office have had to make their way forward through hurricanes of lobbying, and they have persisted in their purpose to achieve a better balance—what he just now called an "appropriate balance"—between the interests of creators, of rights-holders, and those of users and the wider public interest. He has also sought to modernise these aspects of the intellectual property regime to take account of technological change, which of course has been very great since the enactment of the Copyright, Designs and Patents Act in 1988. In this respect, he is catching up with progress that has been made rather earlier in a number of European countries, where perhaps established interests have less of a stranglehold on policy development. However, established interests are fighting a rearguard action. A managed retreat is a very difficult manoeuvre, and we have just seen a very fine example of it in the speech of the noble Lord, Lord Clement-Jones. I fully appreciate the right of the noble Lord to make the case that he does, and I think that many people will be grateful to him for doing so, but not all those who have raised objections are as scrupulous as the noble Lord.

Publishing was once considered a gentleman's occupation, but I fear that all too extensively in the modern publishing industry it is a fairly cut-throat business. Publishers are among those who have sought to use contract to negate existing exceptions. The British Library told us not very long ago that 90% of contracts offered to it for licensing electronic content restricted the public interest exemptions that were

already permitted under copyright law. The Alliance for Intellectual Property, the British Copyright Council and the Motion Picture Association have all complained to the Secondary Legislation Scrutiny Committee about the contract override provisions in these statutory instruments, but I do not think that it is reasonable for them to do so. It seems to me, having listened to what the noble Lord, Lord Clement-Jones, said, that we are entirely accustomed to changes in the law modifying the enforceability of existing contracts. No one would be surprised if we reformed the law of tenancy if the situation remained that existing tenants had to carry on under the preceding contract. If we were to reform employment law to make changes, as I hope we might, in zero-hours contracts, for example, and what is permitted there, I do not think that we would find it acceptable if the employees who have to operate according to zero-contracts were required to carry on with the same contract indefinitely. It is therefore entirely reasonable that legislation in the public interest should modify the enforceability of existing contracts in the field of copyright.

The Minister has on various occasions described these reforms as “relatively minor”, “de minimis” and “modest”. He explained to us just now that he anticipates that the three statutory instruments before us will yield some £250 million of saving or advantage to the economy over 10 years. Some people think that that is a lot; I am inclined to think that it is a little. I appreciate the force of the points made by the noble and learned Lord, Lord Scott of Foscote, but I invite him to consider the other side of the balance sheet. There are vast costs to our economy of compliance with the copyright regime. There are vast opportunity costs arising from the restraint on people being free to use material as they would wish. There is an enormous apparatus of administration and bureaucracy associated with this regime. Huge amounts of time have to be spent on compliance. There are policing costs. It seems to me increasingly unrealistic to suppose that the enforcement of our traditional historic regime in the digital era can be successful and the attempt to sustain it is probably going to be futile. Innumerable lawyers, consultants and lobbyists are making a good living, perfectly legitimately, out of the complexity, impenetrability, imprecision and futility of the existing regime.

5 pm

Has the Minister commissioned a serious and thorough cost-benefit analysis of the copyright regime in this country? If not, will he do so? If policymakers are to achieve the balance that he very rightly talked about at the outset of his remarks as the Government’s aspiration, we need a vigorous assessment of the costs and benefits. That is a large task and I hope that in the mean time he will write to noble Lords about the specifics of the savings he anticipates will be made and how that figure of £250 million—and the larger one of £500 million that he hopes will arise from the five statutory instruments—will be broken down. How will that be achieved, going beyond the very limited information provided in the impact assessments?

The costs imposed on the economy and society by the existing copyright regime are excessive and unnecessary. They are the costs of monopoly. It is of course legitimate

and proper that creators should have a property in their work and be rewarded for it, but let us recognise that copyright is a form of monopoly and as such should be kept to the necessary minimum. The balance has swung too far not only in this country but across the world in favour of the interests of creators. What has happened over many decades is that, naturally enough, those with a direct and personal interest in sustaining their intellectual property rights quite aggressively lobbied the Government to make sure that those rights were preserved and extended as far as possible. It also seems that over those many decades Governments were insufficiently resilient in resisting these cases in the wider public interest. That is very typical of what happens in politics. Those directly affected, if they see some possible detriment to their own interests, cry foul and are very vociferous. The wider public, who do not understand how their interests might be affected, stay quiet. Governments are driven pell-mell to concede to those who shout loudest.

It seems quite extraordinary that copyright in literary, dramatic, artistic or musical material extends not just to the life of the creator but for another 70 years beyond. I cannot imagine a reasonable justification for this very long extension of copyright. We are in a situation in which material that originated not in the 20th century but in the 19th century may still be in copyright. We have not seen anything like this since *Jarndyce v Jarndyce* and in a sense the copyright lawyers are to be congratulated on that but we need to think about whether this has not become excessive.

As I said, there must be due reward for innovation and creation. A copyright regime is absolutely essential and has long been regarded as such. The noble and learned Lord, Lord Scott of Foscote, tried to recollect when copyright law originated. Unless my memory deceives me, it goes back to the reign of Queen Anne. It has certainly been around for a very long time and I do not lightly suggest that we should assault the principles of it. However, I wonder whether, in the digital age, it will be practical to sustain this regime, to police it and to enforce it. I doubt whether that can be done by way of a regulated market in the circumstances in which we now find ourselves. We should look at the case for dismantling at least large parts of this vast apparatus of protection.

My suggestion is that creators should be rewarded through a royalty payment made by the Government on behalf of taxpayers. Of course, that will be difficult to bring about, but I do not think that it should be regarded as entirely in the realm of fantasy. I think that circumstances will force us in some such direction and there could be enormous savings for law-abiding institutions and individuals in the procedures that they have to undergo. The benefits to society and the economy, including the creative economy, of the unconstrained and undistracted transmission of ideas would be immense.

As it is, there will be significant benefits from the regulations. Disabled people will cease to suffer from what has been a kind of indirect discrimination. The obstacles that exist at present in the way of text and data mining are positively Luddite. The Joint Information Systems Committee, the JISC, has calculated that no

[LORD HOWARTH OF NEWPORT]

less than £123 million of researchers' time would be saved by the change that the noble Viscount proposes. The instance that he offered the House of malaria was very compelling. It is right that schools should not have to suffer the burden in time and cost that existing requirements lay on them. It is right that libraries, archives, museums and galleries should be able to save about £26 million. It is right that the changes in the public administration regime should extend freedom of information.

These are minor changes indeed. Perhaps regrettably, the noble Viscount will not be creating new rights through the regulations; he is extending and modernising existing rights. As Mr Willetts put it in another place—with, I am sure, intended irony—the Government are simply trying to keep up with technological change. I applaud them for doing that. I note that the regulations are due to be revisited in 2019, but I think that the pace of technological change might make it desirable to revisit them rather sooner. In the mean time, I urge the Government and the Intellectual Property Office to develop a much more radical approach to the reform of copyright.

**The Earl of Erroll (CB):** My Lords, I shall be brief and shall stick to the three regulations. I think they are essential because, first, of the problem of the preservation of things for history. My father is a great genealogist and historian, and one sees so many things lost and destroyed. I have archives going back to the 1200s, because they are written on vellum. Unfortunately, that does not apply to the modern stuff, which can disappear all too easily. Most of the media it is in will decay over time. Therefore we need to do what they call format shift and move it around. One of the problems with the current copyright restrictions is that you cannot format shift legally. The ridiculous thing is that you find that you have bought a piece of music that you can play on one thing, or you may have downloaded something on to your Sky box that you can watch any time, but actually you want to watch it on your iPad—this is not a iPad, it is a Microsoft Surface—and you are meant to buy a copy of it, even though you have it sitting there on your device at home.

That is not about these regulations, because that is coming up later, but the same sort of thing applies to the British Museum and other people who are trying to preserve stuff. They will allow them to preserve things which they cannot legally at the moment. As a private individual, personally, I would break the law, but you cannot do that as a public body. That is the challenge.

The Wellcome Trust is very interesting on this subject. It is interested in research that is going to save lives. At the moment, to try to what they call data mine—to research across many bits of information across the internet from many different sources—you have to clear every bit of it. I think that it was the noble Lord, Lord Clement-Jones, who asked what that costs and where the money comes from. Someone asked that. The answer is in sheer time of people trying to track down the sources to get every one cleared before you can look at it. That is absolute madness and is delaying

research. As a result, people are dying, in some cases, because we cannot do research that we should be able to do.

At the same time—this is a bit of a red herring, but it is not meant to be—we are talking about releasing everybody's personal health information to save lives. It will be all right to data mine that under Care.data, but here we are with stuff that is perfectly public and is not sensitive information, but we cannot mine it because of the copyright laws.

The challenge comes because the copyright springs out of the Statute of Anne—Queen Anne—of 1710, I think, as amended. Of course, it was all built around written work. I think it actually came from Charles II's licences for the printing presses. It was all about printed work but the world changed when, suddenly, entertainment could be broadcast and then with the general availability of entertainment over the internet.

The trouble is that it is not usually the creators who own this higher value or more expensive stuff but the people who bought up the rights very early on. They own the rights. The big rights holders are not the creators and we should not mix the two up. Some creators still have their copyright but an awful lot of them do not. This would be to defend a distribution system which is rooted in the past. I am afraid that it is not going to survive in the long term, whether your Lordships like it or not. It needs to evolve and the question is how. Yes, you have to have fair reward—for the creators in particular, because that is where innovation comes from—but the way to do that is not by having such complex systems as the noble Lord, Lord Clement-Jones, laid out for us. There is such complexity in those for an ordinary human being who is not a lawyer, such as a researcher or any person who is not a specialist in law. You need to be a lawyer who is used to representing copyright interests to understand all the ins and outs and be able to do anything with it. That is wrong, in my idea, and is what is holding things up.

These three regulations are very much to be welcomed. They will help enormously the good people who are trying either to do research or to preserve our history. They are not going to do any damage whatever to the people who own a lot of entertainment and other copyrights.

**Lord Berkeley of Knighton (CB):** My Lords, I, too, congratulate the Minister on being extremely constructive in his attention to comments made by the music industry. Speaking as a composer, I sometimes feel on the horns of the dilemma that he faces. I would love to make my music completely free to schools and educational institutions but my publishers say, "It costs us money to produce it", and the record people say, "It costs us money to record it". That in a sense is the balance we have to strike here.

In the debate on 5 December 2013, which was mentioned by the noble Lord, Lord Clement-Jones, I spoke about what was then the forthcoming education exception and noted that the introduction of a "fair dealing" exception for the purposes of instruction was at that point of great concern to music publishers in this country. To them, the sale of sheet music for use in

teaching is a key income stream. The chief concern was that fair dealing is a vague term and unlikely to be understood by consumers of sheet music. As such, music publishers were delighted to see improvements made to the drafting of the education exception, in particular the narrowing of the fair dealing element of the exception to be,

“for the sole purpose of illustration for instruction”,

in line with the EU directive. This is a helpful and necessary amendment and goes some way to allaying the concerns of the music publishing community.

In addition, music publishers welcome the inclusion of the frequently asked questions on sheet music in the education and training guidance notes which accompany the statutory instrument. However, those frequently asked questions could, I respectfully suggest, be further strengthened to give greater clarity to music teachers and music students, who will benefit from the new exception. The suggested improvements to the guidance notes include a specific reference to the Government’s published interpretation of the new education exception: that copying of sheet music by private music teachers is unlikely to fall under the exception,

“as it is not non-commercial, and is unlikely to be considered either illustrative or fair dealing”.

Music publishers would also like the frequently asked questions on copying material for use in exams to state clearly that making a copy of a musical work for use by an exam candidate when performing the work is not allowed under this exception. This protection for sheet music publishers is explicit in Section 32(4) of the current CDPA and its removal from the new Section 32, with no clarification in the frequently asked questions on exams, could lead to confusion.

5.15 pm

**Lord Stevenson of Balmacara (Lab):** My Lords, I thank all those who have contributed to this short but important debate today, which goes to prove that this is an interesting area of activity. As the noble Lord, Lord Clement-Jones, said, it bears on one of our key industrial sectors, which we must be careful to ensure is given protection and support. In some of the earlier debates on these issues in other places, where perhaps not so many people would crowd in as have done today, we had thought that we were a lonely band, a small group of complete nerds who were interested only in the very detailed minutiae exemplified by the brilliant speech from the noble Lord, Lord Clement-Jones, on the wide issues relating to copyright contracts, to which I will leave the Minister to respond. Of course, I am wrong; many issues are coming up now that we will return to with pleasure as we go through the other statutory instruments, and indeed as we wait for further measures to come forward as a result of the ERR Bill, particularly extended collective licensing and orphan works. Those who do not know these things might want to get themselves ready for it, because that too will be great fun.

The argument that we have heard today from the Minister is that these “small” changes to the UK’s copyright regime are vital to supporting innovation and growth in the UK. In fact, to my mind they bear

more on individuals, particularly those with disabilities, and on the not-for-profit libraries and archives in the digital age, helping them to serve their patrons more effectively and to reduce costs. It is therefore likely that they will lead to greater efficiency, innovation and improved research, which is a good thing, and there seems to be no independently validated evidence that any of the proposed new exceptions will damage the legitimate commercial interests of rights holders.

Rights holders often claim, as the noble Lord, Lord Clement-Jones, suggested, that exceptions are or soon will be rendered unnecessary by the existence of licensing schemes. That argument has some merit and good progress has been made on this, particularly through the copyright hub, but consumers will not be well served if the licensing system is overly complex or expensive or withdraws works and therefore makes them inaccessible. It is also true, at least at present, that many copyright works are not, and in some cases cannot be, covered by licensing schemes. There is, for instance, no scheme for unpublished literary works such as private letters, or one for private films or photographs. It may be, as I have mentioned, that the mooted extended collective licensing schemes and action on orphan works will address many of these issues, but until then archives and libraries have no choice but to rely on exceptions in order to provide a service to the public.

My first point is that I do not think that the impact of these SIs will be quite as significant in the wider economy as the noble Lord makes out. In any event, it is important that both sides in this argument do not overclaim. We should also bear in mind that if, in a digital world, citizens do not feel that the law appropriately supports their own personal and educational needs, it will simply be ignored, which is in no one’s interest. Indeed, the noble Earl, Lord Erroll, rather hinted that that was the way in which he approached matters.

The Government believe that the changes contain safeguards to ensure that a reasonable balance is maintained between the interests of creators, owners, performers, consumers and users of copyright works. We have some concerns on this point. What is important is that we have a balanced copyright system that respects the legitimate interests of both the rights holders and the users of copyright works. Copyright law should work for everyone. There should be incentives for people to invent and create, appropriate protection for the output that they produce and a right to a reasonable return on that investment.

These instruments update the framework of exceptions to copyright in performance and expand the freedoms in copyright law to allow third parties to use copyright works for a variety of purposes without permission from copyright owners. We broadly agree with this approach and have supported the Government through this seemingly endless and tortured process. However, I should put on record that we wonder whether utilising exceptions is in itself the best way of making changes to a regime that in some respects is creaking and, as the noble and learned Lord, Lord Scott, suggested and my noble friend Lord Howarth agreed, may be in need of some serious recalibration.

[LORD STEVENSON OF BALMACARA]

We should recall that in *Modernising Copyright* Ministers stated:

“The Government will publish draft legislation for technical review in 2013. It intends to introduce the measures in the smallest possible number of statutory instruments to minimise disruption to stakeholders, make best use of Parliamentary time and ensure that the revised system is implemented in a clear and consistent manner. The intention is that measures will come into force in October 2013”.

I observe October as a rather crucial date. It is one of the two CCDs referred to by the noble Lord, Lord Clement-Jones. Well it is May 2014, and we have only three SIs, although, of course, there are actually six exceptions contained in them and, as we know, there are more to come. It is fair to say that the Government have had a bumpy ride on this, and I think it is partly because they seem to have difficulty in opening up to proper debate and discussion with the industry and consumers not only about the principles under which they are operating but on the detailed drafting. As has been said, there is more to come in terms of public explanations of what is being proposed. However, there has been a public consultation, there was also a very brief general discussion on a QSD in your Lordships’ House, and further work and technical reviews have been undertaken. We are where we are.

I have only one substantive point to make about the regulations, although there are a number of questions I should like to put to the Minister. The question that underlies some of the points that have already been made is about the exchange in the Secondary Legislation Scrutiny Committee when the Minister was adamant that this packet of measures involved minor changes. In introducing the exceptions today, he said that they are “small changes to existing provisions”. However, the committee stated in its report:

“We pressed the Minister on his statement to us ... that the changes proposed were ‘relatively minor’: we are not persuaded that this is an accurate assessment of their impact”.

I should be grateful if the Minister could expand on that when he responds. I struggle with his description “relatively minor”. I probably agree that they are quite small, but I do not know what reference point he is taking on this. What is the relativity?

I now turn to the exceptions themselves, the first of which is disability. It must be right that all print-disabled learners should have the right to have information provided in an accessible format. Indeed, this is required under Section 20(6) of the Equality Act 2010. Amending the existing exceptions for visually impaired people so that they cover all impairments that prevent a person accessing and making use of all types of copyright work will achieve this. We agree with what the Government are trying to do here and support it.

The public administration regulations will allow more public bodies proactively to share online unpublished third-party material from businesses and members of the public. We agree that the Government are doing the right thing here, and we support it.

The third SI is a bit of a plum pudding of an exception because the Government have tried to wrap a controversial issue—to overcook my metaphor—in the middle of three brown-bread and apple-pie proposals—sorry about that. This was the issue that

got the most flak during the consultation process, and it continues to worry a number of industry personnel, as we have heard today. It is said that a new text and data-mining exception will dramatically boost non-commercial research by allowing computers to read material that consumers have already purchased or have legal access to. It is also said that the lack of such an exception means that UK research continues to lag behind countries such as the United States, which already allow text and data mining. My main concern is that the exception is designed to assist people who wish to make use of copyright works for the purposes of non-commercial research and private study. Non-commercial research I can sort of understand, and that seems to be an appropriate way to provide an exception, but what exactly is private study? The Government’s position on this seems vague and may well be open to legal challenge. I should be grateful if the Minister could return to this when he responds. I have looked at the accompanying information booklet, which says that this exception is not restricted to those studying at school, college or university. The guidance states that,

“this also applies to those carrying out their own private study but you must be genuinely studying (like you would if you were studying for a college course) to qualify. An example of this could be when you are learning to identify birds in your garden or simply learning more about a particular hobby”.

We seem to be quite a long way away from malaria. One can empathise with copyright holders who fear that a qualification such as,

“simply learning more about a particular hobby”,

might be seen to be driving a coach and horses through this provision. I should be grateful if the Minister could explain the position a little better when he comes to reply.

On the other exceptions within this SI, I particularly welcome the exceptions for libraries and archives and declare my interest as a former director of the British Film Institute, whose national film archive will benefit considerably from these changes.

Finally, I turn to common commencement dates. According to the *Better Regulation Framework Manual*, new domestic measures, both regulatory and deregulatory, must come into force on a common commencement date, either 6 April or 1 October each year. The guidance says that by requiring regulatory changes to occur at set times, CCDs inform business and other stakeholders about forthcoming regulatory changes, helping them to plan and budget for new measures and to minimise any additional costs. That seems a good and sensible suggestion. I point out that this is advice to officials but presumably also to Ministers. It goes on:

“You should always assume that your policy will be implemented on a CCD unless you have received explicit RRC”—

Reducing Regulation Committee—

“clearance for a waiver on one of the grounds below ... clear emergencies ... anti-avoidance measures ... measures which remove significant risk or detriment from business ... instances where the costs of timing a measure to meet a CCD would be wholly disproportionate to the public purse and ... orders which commence other measures on a CCD”.

Can the Minister explain to the House into which particular category these exceptions fall? There is mention of,

“limited flexibility for deregulatory measures to come into force on a date other than a CCD if there would be demonstrable benefits to business”.

However, it says:

“This would require agreement to a waiver by RRC at write-round”.

Can the Minister confirm that his department has obtained this waiver? If so, perhaps we could have sight of the letter? It would be interesting to read it.

Finally, I draw the Minister’s attention to paragraph 1.10.9 of the guidance, which states:

“If an unanticipated delay means that your measure will not be ready for the planned CCD”—

which seems to be the sort of case we have here—

“you should wait until the next CCD”.

However, the Government are trying to introduce three of the five SIs on 1 June. The next CCD is 1 October. Can the Minister at least confirm that the two delayed exceptions will be scheduled to come into force on 1 October? If it is not 1 October, can we please be allowed to know why?

**Viscount Younger of Leckie:** First, I will say how pleased I am that so many people have contributed today. What the noble Lord, Lord Stevenson, said is true: there is a greater number of noble Lords here than there has been for many of the copyright debates. I should quickly say that, although I did not agree with all the comments that were made, I greatly appreciate your Lordships’ presence.

As I said at the outset, this is a package of reasonable and common-sense changes to copyright exceptions, which will deliver significant benefits to the UK. I am sure that the noble and learned Lord, Lord Scott of Foscote, will understand when I say that I will not be focusing on private copying, parody and pastiches, as we are not ready for those particular SIs at the moment.

I also thank the noble Lord, Lord Howarth, for his kind words. He spent quite a bit of time focusing on the consultation process. It is true that, rather unprecedentedly, we engaged with a great number of people across the spectrum, looking at the rights-holders and consumer-and-user ends of the copyright process. In my case, it involved more than 250 meetings, so what the noble Lord said is true: we really have engaged. I hope that, as the noble said, this has been helpful. He was also right to say that there comes a time when the consultation process, which has been extremely long, has to come to an end. I think, again, that he is right that we need to move forward with that.

A lot of questions were raised today; I hope that I can get through them all. I will address a couple of them to begin with. The first was raised by the noble Lord, Lord Berkeley of Knighton, who asked about the amendments to public guidance in relation to copying sheet music for exam use, which is an extremely interesting point. I thank him for his kind words and the recognition of the changes that the Government are making. We have welcomed the written submissions from some stakeholders setting out their thoughts on the guidance; these will be considered in due course.

The second point was raised by the noble Lord, Lord Walton, who I notice is not in his place. I beg the noble Lord’s pardon; he is now in his place. He asked whether schools and universities would now not need any photocopying licences. He used the example of the ALCS to this effect. I can reassure him that schools and universities will still need to hold photocopying licences. It would not be right to allow schools to copy textbooks without payment in order to get them for free. Authors will still be properly remunerated. However, where works are not licensed, a teacher will be able to make photocopies without worrying about copyright infringement, so I hope that that clarifies the point.

5.30 pm

I will spend the majority of my time focusing on the questions raised by the noble and learned Lord, Lord Scott of Foscote, who essentially questioned the principles of the copyright exceptions. I will take some time to focus on what we have in mind and on the impact, which he also mentioned in his question. He will know that copyright exceptions have long been part of copyright law. They exist for many reasons, but essentially to ensure that the copyright framework both properly takes into account the public interest and balances the interests of rights holders and users, which I alluded to earlier.

The noble and learned Lord asked where the benefits will come from. Economic gains are likely to come mainly from cost savings through reducing the complexities of the copyright system and from new business creation. Therefore those cost savings will be to copyright owners as well as users of copyright, and should be of benefit to the whole economy. I will produce some figures in a moment to support that.

Many of the benefits that arise from these exceptions are due to savings in time, effort and money spent clearing minor uses of copyright materials. For example, if a museum or archive wishes to preserve a film in its collection by copying it, currently it needs to identify each of the owners of the copyright in the film, contact them, and ask for their permission to make the copy. That can be time-consuming and costly—and, if the copyright owner cannot be identified, it may be impossible. When the copyright owners are identified, they will usually agree to the copying, as it is reasonable, but it takes a disproportionate amount of time and effort to get to that point. The noble Lord, Lord Howarth, eloquently made those points as well.

My noble friend Lord Clement-Jones and the noble and learned Lord, Lord Scott, asked me questions about the evidence base, and I will spend some time on that. The Hargreaves report on copyright exceptions estimated that between £0.4 billion and £2.6 billion would be added by 10 years from implementation. Those numbers were calculated by assuming that the growth benefits would not be realised immediately but would accrue over 10 years—hence the 10-year estimates.

At a conservative estimate, based on the Government’s impact assessments, the measures in the three SIs before us today are predicted, as I said, to benefit the UK by nearly £250 million over 10 years. The Government’s overall changes to copyright exceptions

[VISCOUNT YOUNGER OF LECKIE]  
will add £0.5 billion to the UK economy over 10 years at current prices, with additional benefits of £0.3 billion per year identified. That figure is broadly consistent with the Hargreaves review, although it is not directly comparable.

As was mentioned by the noble Lord, Lord Howarth, the Government have worked hard to ensure that the proposed changes are based on evidence. The impact assessments are based on the best evidence available, and were reviewed and validated by the independent Regulatory Policy Committee. I promised to provide some figures on that. For research education libraries and archives, it represents £222.9 million as regards the impact—which, as I said, is of benefit to the economy and largely the result of bureaucratic savings. Those are quantifiable and monetised. Equally, for disability the figure is £0.66 million, and for public administration it is £13.8 million. As mentioned, that is over a period of 10 years.

However, it should be noted that the methodology for the impact assessment process from which the figures are derived can result in conservative estimates. Illustrative examples in the impact assessment, which are not reflected in the headline numbers of the text and data-mining impact assessment, indicate strongly that efficiency savings could be in the region of more than £124 million per year. They reflect evidence contributed by the creative industries and a range of other sources—and, again, were approved by the independent Regulatory Policy Committee.

To take disability as an example, the exception does not apply if accessible copies are commercially available; therefore, there is no impact on the copyright owner's sales revenues which might be expected. More disabled people will benefit from access to the copyright works. The accessibility technology market and industries that produce accessible copyright works could benefit as a result of increased demand for accessible works, and increased demand is also likely to act as an incentive for copyright owners to provide their own accessible copies. I could go on to focus on public administration in the same way, but I have made my points; I hope I have done so for the noble and learned Lord as regards going into the figures.

I now pick up on the points raised by my noble friend Lord Clement-Jones on contract override. He spent some time focusing on this and stated at one point that he was concerned that the contract overrides would not be retrospective. When we say that a law is retrospective, we mean that it takes effect in the past. For example, if a law introduced this year said that last year it was illegal to cycle without a helmet, that would be retrospective. We are not allowed to do that with this legislation, and we do not intend to. However, that does not mean that the new law will apply only to new contracts; it will apply to contracts, regardless of the date on which they were formed, but will take effect only after the new law comes into force. Contract override provisions simply ensure that where the law provides for an exception to copyright, people are able to rely on that law without having to work out whether there is a contract term to the contrary

My noble friend also asked about currently existing contract override provisions, saying that they were fundamentally different to the new approach and exceptions. The contract override provisions already exist in copyright law and in other areas of law—for example, in property and consumer law. The Government are not therefore doing anything radical here; they merely wish to ensure that the full benefits are delivered.

My noble friend also asked whether there really were 50 copyright exceptions, as I had said, or simply 50 amendments to the CDPA. The answer is that, yes, there really are 50 copyright exceptions. It depends slightly on how you count them, but there are 50 exceptions already in Chapter III of the copyright Act, which sets out the exceptions in approximately 50 sections. I hope that that reassures the noble Lord that what I said was accurate.

My noble friend asked, too, whether the exception would damage publishers' business models by allowing unrestricted downloads from servers; he stated that the legislation contradicts the guidance and that publishers will not be able to impose reasonable controls. I reassure the noble Lord that the exception will not interfere with the ability of rights holders to impose reasonable measures to maintain stability and security, as long as researchers are able to benefit from the exception to carry out non-commercial research. Guidance that accompanies the draft legislation sets that out clearly. For example, a reasonable restriction on download speed would be acceptable. Furthermore, the exception applies only when a user has lawful access to the material. The ability of rights holders and researchers or their institutions to freely enter into a contract to supply material is unaffected.

There are a number of other questions that I would like to address, notably from the noble Lord, Lord Stevenson, who asked whether I could confirm that the other SIs would come into force at the next Commons commencement date in October. Yes, that would be our aim. My noble friend Lord Clement-Jones and the noble Lord, Lord Stevenson, asked specifically on this subject why it should be 1 June and not the next Commons commencement date. We announced our aim to bring the changes into force a long time ago, as they will be aware, and we know that businesses have started to prepare for this—as the noble Lord, Lord Howarth, alluded to. We did not want to delay further, as we want to realise the benefits of these changes as soon as possible; it is because of this that we agreed to a waiver of the normal process.

The noble Lord, Lord Stevenson, asked me to qualify the copyright exceptions in terms of their being defined as minor changes. It is true that I said in Committee that they were minor—“relatively minor” were the words that I used. This is in the context of the extent to which the law is being changed. There is only one brand new exception in these SIs, on text and data-mining; all the other changes modernise and build on existing exceptions. We are clear, however, that the potential benefits are indeed significant.

The noble Lord also raised the issue of private study and its definition. I hope that I can reassure him by saying that the term “private study” is present in the current Act and that the Government do not believe that it has been misunderstood or widely abused.

Accordingly, they do not think it desirable or necessary to define this term in the Act or the Explanatory Memorandum.

There may well be other points I have not addressed but I hope that I have attempted to answer all the questions raised by noble Lords this afternoon. I will conclude by saying that we believe that these are important statutory instruments. As I said, they update copyright law in line with the digital age; support research by enabling text and data mining; update the exceptions for educational purposes so that they are suited to modern teaching technology and practices; make it easier for libraries and archives to preserve our cultural heritage; and allow more disabled people to have access to a greater range of copyright works. This Government have committed to promoting a modern, robust and flexible framework for copyright, and these reforms are an important part of this.

*Motion agreed.*

### **Copyright and Rights in Performances (Disability) Regulations 2014**

*Motion to Approve*

5.40 pm

*Moved by Viscount Younger of Leckie*

That the draft regulations laid before the House on 27 March be approved.

*Relevant documents: 41st Report from the Secondary Legislation Scrutiny Committee, 26th Report from the Joint Committee on Statutory Instruments*

*Motion agreed.*

### **Copyright and Rights in Performance (Research, Education, Libraries and Archives) Regulations 2014**

*Motion to Approve*

5.40 pm

*Moved by Viscount Younger of Leckie*

That the draft regulations laid before the House on 27 March be approved.

*Relevant documents: 41st Report from the Secondary Legislation Scrutiny Committee, 26th Report from the Joint Committee on Statutory Instruments*

*Motion agreed.*

### **Elderly People: Abuse**

*Question for Short Debate*

5.41 pm

*Asked by Baroness Cumberlege*

To ask Her Majesty's Government what assessment they have made of the incidence of elder abuse across the nation.

**Baroness Cumberlege:** My Lords, I start by declaring my interests which are in the *Register of Lords' Interests*.

I am very grateful for the opportunity to have this debate to ask Her Majesty's Government what assessment they have made of elder abuse across the nation, albeit I appreciate that we are in the sunset of this parliamentary Session.

According to the Office for National Statistics, there are 3 million people aged 80 plus in the United Kingdom. By 2050 this figure will rise to 8 million. The vast majority of these people are well and active and are a great source of strength in supporting their families and communities. Society would, of course, be so much poorer without them. However, the Alzheimer's Society informs us that there are currently 800,000 people living with dementia. By 2050 the figure will be 1.7 million. They are the most vulnerable and their care is often a challenge for their families and society in general.

It was the wonderful Sir Alec Douglas-Home, a former Member of this House, who said:

"To my deafness I'm accustomed,  
To my dentures I'm resigned,  
I can manage my bifocals,  
But oh how I miss my mind".

I suspect that few of us here today have not had the responsibility of caring for others at the start of life in bringing up a family and then at the close of life when caring for someone who is increasingly frail. Whereas Patrick and I made a reasonable fist of bringing up our three sons—I do not believe that any of them has helped the police with their inquiries, but I could be wrong—we are now challenged by a close relative with dementia who has lived in residential care for eight and a half years. We acknowledge that we do not have the skills or patience to look after her. Fortunately, she lives in easy walking distance of our house. The staff, who are exemplary, are local, as are many of the residents, and the front door is never locked. We are always welcomed and never cease to admire the quality of the care that is given. Of course, I appreciate that this is not the case throughout the land. Through the media, the CQC and other organisations, we know that there is abuse in nursing and residential homes, hospitals, prisons and, sadly, within families, and this abuse is the most prevalent and the hardest to detect.

The Department of Health estimates that just under half a million elderly people are subject to abuse in the community. Action on Elder Abuse defines abuse as a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person.

Abuse of elderly people is a huge subject, but I shall this afternoon concentrate on only two areas. Before I do so, I want to pay tribute to successive Governments who have enhanced the lives of retired people through increasing the state pension and introducing other saving schemes. With the Better Care Fund, this Government have strengthened support for carers; and the Care Bill, which might have just been enacted, places safeguarding adults boards and safeguarding

[BARONESS CUMBERLEGE]

adults reviews on a statutory footing for the very first time. Therefore, much is to be commended but still more needs to be done.

There is no statutory code of conduct to hold care workers to account. The majority, with the right support and supervision, do an excellent job in challenging circumstances. However, there are too many reports of staff delivering poor care. There are individuals who, having abused elderly and vulnerable people, are dismissed from one employer and then employed by another. The Cavendish report advocated standardisation of training and supervision for support workers and greater responsibilities for employers. The CQC is strengthening its inspection regime and identifying poor care.

Those initiatives are very welcome but not enough. The Health and Care Professions Council suggests three ways forward: first, a statutory code that articulates the requirements for honesty, integrity and respect; secondly, an adjudication process that can hold individuals to account; and, thirdly, public access to a register of those not fit to work as carers—a barring system. These measures would make a real difference. They would be proportionate and cost effective, and strengthen the current system, but they need to be backed by legislation. The Law Commission spent three years undertaking a huge task in revising the regulation of professional bodies, and that is much needed. It produced a draft Bill incorporating these and many other ideas. I know that it is the wish of the regulatory bodies that the draft Bill be incorporated in the Queen's Speech. If that is not possible, I ask my noble friend to use his considerable talents to urge his colleagues to set up a cross-party, pre-legislative scrutiny committee of both Houses to at least start the work to examine the proposed Bill so that we can protect elderly people who are in situations of vulnerability.

My second area of concern is financial abuse, which has a devastating effect on older people. Not only can a comfortable lifestyle disappear but older people do not have the time or opportunity to recover financially. Such a profoundly disturbing experience can be a life-threatening event. Cases are complex and often involve family members or others who have “befriended” an older person—first by giving them gifts, then winning their trust, and then demanding a disproportionate amount for services. These cases can be especially difficult where the older person has mental capacity but seems to be under undue influence from the family or friend and cannot resist their requests.

Age UK receives many cries for help on its advice line. For example: Helen is one of three children who all hold powers of attorney for their mother and is becoming increasingly concerned about the actions of her two sisters, who she feels are not acting in the best interests of her mother. One has moved into her mother's house without paying rent and the other has set up direct debits from her mother's account to pay personal bills. They have both pressured their mother into selling personal items and taking out loans in her name and giving them the money. Helen is not sure whether her mother is really aware of what is going on but is finding it difficult to talk to her because the

sister who lives with her mother is stopping Helen from contacting her. What can she do? That is one example but there are countless others.

A recent study found that financial abuse was the second most common form of mistreatment for those living at home, nearly twice as common as psychological or physical abuse. It is estimated, that 57,000 people aged 66 and over have experienced financial abuse by a friend, relative or care worker. Indications are that 60% to 80% of financial abuse takes place in the person's own home and 15% to 20% in residential care. The risk is likely to increase as the population ages, with more people living with dementia and increasing financial pressures on people caring for older relatives. As more bank branches close and services move online, a greater number of older people are likely to rely on family and friends to help to manage their finances, including accessing cash.

What should we do about this? I suggest there should be a national task force to tackle financial abuse. It should aim to ensure better co-ordination between banks and other agencies such as trading standards, the Financial Conduct Authority and the Association of Chief Police Officers. The task force should establish clear reporting lines where financial abuse is suspected. It should consider: how to prevent financial abuse, based on the principle that older people are citizens, not just users of care services; how to raise awareness in all sectors, among older people themselves and the public generally; how advice can be provided to older people on issues relating to lasting power of attorney; and how adult protection committees could work better to prevent financial abuse.

This is not a cheerful subject, but it needs to be addressed. One of the objections to the proposed Assisted Dying Bill is the fear of greedy relatives: where there is a will, there is a relation. I thank noble Lords for taking part in the debate and for their contributions. I look forward to what I hope will be my noble friend's affirmative reply.

5.51 pm

**Lord Griffiths of Burry Port (Lab):** My Lords, I thank the noble Baroness, Lady Cumberlege, for giving us this opportunity—albeit at such a late hour—to exchange at least some views on what is an increasingly important subject for us all.

The community where I have responsibilities has a safeguarding policy, but we do not limit it to creating a safe environment for children; we also look at vulnerable adults in the remit of our policy. Perhaps what I will make is how important it is to avoid turning a safeguarding policy into a mechanistic exercise. Sometimes one suspects that it safeguards the interests of the institution against potential litigation, rather than creating a safe environment for children or the vulnerable elderly, which ought to be our concern. That is why, in implementing our policy, we try hard to have adequate training across the board and, in various teaching situations, to undergird the requirements of the policy with emotive as well as intellectual consideration.

It is important to create communities of care and for people to encourage each other to look out for each other. As the noble Baroness, Lady Cumberlege, properly said, apart from all the institutional examples of abuse of the elderly, which we know only too well from the media in recent days, people whom we know very well can suddenly show evidence of coming under stress and strain and, when we investigate it, it turns out to be a result of abuse for financial, psychological or other reasons in their domestic scene. We have to attune ourselves to identifying the signals that will allow us to follow through caringly and compassionately on such people when we meet them.

Rather than go into statistical or story-telling mode about this—there is plenty of evidence about it—for me it is simply that, whatever we decide and wherever this debate goes, this issue is not going to go away. It will increase. It is like the environmental debate: all the evidence is there but we do not do much. In the case of the elderly in our community, all the evidence is there but we are very tardy at doing much. I welcome the fact that statutory provision is now available to ensure regulation of certain activities in certain places, but that is very difficult in the domestic scene.

We try to find ways of helping each other to create a culture within which people are alerted to the needs of other people. This Parliament cannot do that. It can do its statutory business but somehow there is a cultural job to do, building an ethos in which people look out for each other and enriching society at a time when we run our affairs with increasing individualism. I simply want to throw that in. I had not expected to be the second speaker in the debate and therefore to be catapulted into making a national statement on all this. However, in all the evidence that is going to come forward, I hope that the undergirding or surrounding of the issue by human qualities of care and sharing is never forgotten or lost from view.

5.55 pm

**Baroness Barker (LD):** My Lords, I thank the noble Baroness, Lady Cumberlege, for the opportunity to return to this issue. The law is an important expression of what we as a nation believe should be the common standards by which everybody in our society should be held to account. It is an important driver of professional behaviour. This afternoon, I wish to contend that, although we are making progress, our law in relation to elder abuse is still deficient in two respects.

In the Care Bill, we have taken a significant step forward by putting into law statutory duties on authorities to investigate adult abuse. Scotland already has the Adult Support and Protection (Scotland) Act 2007, which I want to come back to. We have a new corporate responsibility for wilful abuse or neglect by NHS staff and the Government are considering doing the same in relation to social care. I welcome that. However, during the passage of the Care Bill it was wrong and remiss of the Government not to increase powers of entry in circumstances where there is good reason to suspect that an older person is being abused and access is being denied by somebody else. For that reason, I think that we will continue to see incidents of abuse against older people.

Early last year and in the early part of this year, I took part in the review of the Mental Capacity Act. A very important part of the report produced by our committee under the excellent chairmanship of the noble and learned Lord, Lord Hardie, concerned the criminal law provisions of the Act, known more commonly as Section 44. Section 44 of the Mental Capacity Act introduced a criminal offence of ill treatment or neglect of a person who lacks capacity. However, there is an important flaw in that legislation. It requires the person to lack capacity or the person looking after them to have reasonable belief that they lack capacity for an offence to be committed. That is not the case in Scotland. There, if somebody is guilty of abuse of an older person, whether or not they lack capacity, that is an offence.

When people from the Ministry of Justice came to talk to us, we asked about the use of that provision. First, our committee was rather surprised to know that the Government do not collect any data; they use only media reports. We thought that that was rather remiss. However, from the media reports that they had, it was clear that there is a gap. The noble Baroness, Lady Cumberlege, talked about the millions of people who may be affected by such abuse, yet there have been only a handful of prosecutions under the Mental Capacity Act. It is clear to us that that law is deficient. Professional staff who may abuse older people do not really understand it. They do not understand their responsibilities and they certainly do not fear prosecution under that legislation. The central point of the legislation was to prevent older people and vulnerable adults from being susceptible to abuse. There is widespread recognition that that law is deficient and several judges have said so in making pronouncements about case law.

My plea to the Government today is that, in their response to the report of the committee on which I sat, they signal that we treat abuse of older people every bit as seriously as abuse of children and that we look at dealing with those two deficient pieces of law.

5.59 pm

**Baroness Masham of Ilton (CB):** My Lords, I thank the noble Baroness, Lady Cumberlege, and congratulate her on securing this vital debate. Parliament is about to prorogue and I hope that your Lordships will take with you the realisation that there is abuse of elderly people across the country.

Going back some years, I received a letter from an elderly lady in a care home in Leeds. She was desperate. She said that she was a prisoner in a room with an alcoholic; the staff were inadequate; and urine was left in the room. Her letters were read and so the one that she sent me was smuggled out by a friend. I knew someone on the health authority, whom I contacted. When the lady wrote to me again, she told me that she had been moved to a care home in Harrogate and that it was like going from hell to heaven. There is much variation across the country.

On watching the recent “Panorama” programme on abuse in a care home, I am concerned that it is the press that is highlighting these matters. Promoting one of the worst abusers illustrated that the management

[BARONESS MASHAM OF ILTON]

must have had its priorities completely wrong and did not know what was going on. I wonder what the response of the CQC is on this matter.

I hope that the Minister will update us on the protection of whistleblowers, the people on the ground who know what is going on. Many people are frightened of losing their jobs if they report misdoings. There should be openness and honesty, and protection of those people who speak out on behalf of vulnerable elderly people. Does the noble Earl agree?

Age UK supports the Government's vision of the "open care home". So do I. Care settings should never be closed off from the outside world. I am pleased that Age UK is currently developing a toolkit for local partners to enable them to implement and evaluate comprehensive procedures and training for staff, volunteers and trustees in order to prevent neglect and abuse.

There is often neglect and abuse of disabled elderly people who have difficulty in eating and swallowing. No one should be denied food and drink when they need and want it. There is often hidden abuse in the community behind closed doors, when vultures can be waiting for elderly relatives to die. We need to develop a more caring, kind and understanding society.

I consider discrimination against elderly and vulnerable people a form of abuse. The gift of life should be respected at all times, but it needs the right people in the right place to care for them.

6.03 pm

**The Lord Bishop of Oxford:** My Lords, I am grateful to the noble Baroness for giving us the opportunity for this short debate. The stories of the abuse of older people hardly need rehearsing—the media are full of them—and the scandal of a particular care home recently has shocked the nation. Some of us will have had opportunity—even in our own families, doubtless—to experience some of this problem.

The Health Secretary has conceded that something is badly wrong with the care system. However, rather than dwell on the horror stories I want to ask a couple of deeper questions. The first question is: how did we get here? We have lost the quality of belonging together that in Africa is called "ubuntu", the consciousness of a common humanity. Western culture has developed—or, rather, deteriorated—into an atomised individualism, where we do whatever seems good to us in our own lives and for our own benefit. As we have scattered to our own personal enclaves, as it were, we have left the elderly behind as unproductive, unrewarding problems.

The 2007 study by the National Centre for Social Research stated that neglect was the predominant type of mistreatment of older people in society rather than physical violence. The risk factors are being aged over 85, being female, being in bad health and already being in receipt of some form of support services. A former Commissioner for Older People in Wales has estimated that one person in four reports elder abuse in one form or another, ranging from impatient behaviour to physical mistreatment. We have lost the quality of ubuntu.

The other question is this: where do we start looking for answers? One place must be in our schools. All the primary schools I visit have ubuntu in spades. Their value statements invariably speak of community, belonging, caring for one another, tolerance and respect, and all that works really well at that level. When the pressure is on at the secondary level, we must insist that values education is still more important than narrowly conceived academic achievement; character trumps even five A to Cs. Care for the other, respect for the elderly and the common good are the values that contribute to ubuntu, and they can be experienced, taught and internalised in our schools.

The other key factor in recreating a compassionate society is aligning the different strands of civil society to that common goal. Here I must put in a word for the way the churches cover the entire country with a network of care so ubiquitous that it is often missed by commentators and decision-makers. The church is the largest voluntary organisation in the country by far. In my own diocese we have 815 churches—an outlet on every high street, as it were—with over 600 clergy and 50,000 members who are all motivated to care for their neighbour. The result is a network of care in the form of visiting, lunch clubs, good neighbour networks, dementia groups and drop-ins, as well as countless opportunities for older people to use their skills, experience and wisdom. We have to break down the boundaries between formal and informal care so that a spectrum of modes and levels of care is provided, not just relying on a culture of, "Let's leave it to the professionals". My question is: why should we not have ubuntu in Britain; a British ubuntu?

6.07 pm

**Lord Turnberg (Lab):** My Lords, I, too, am grateful to the noble Baroness, Lady Cumberlege, for raising this important issue. We cannot say we have not been warned about abuse of the elderly. Numerous detailed reports have been published over many years, and we have not neglected to talk about it in your Lordships' House either. The Government's response to the Francis report on the Mid Staffs affair was well meant and the Care Bill we passed last week is very helpful, but to my mind, neither of them is aimed at the right targets, nor are they sufficient. They both place far too much emphasis on inspection and punishment for wrongdoing, which of course is essential, and far too little emphasis on measures to prevent bad behaviour happening in the first place.

It is possible that we do not recognise often enough how difficult and taxing, both physically and mentally, the job of caring for elderly people really is. Quite apart from the nature of the job of feeding, toileting and cleaning physically disabled people, many of whom may be mentally disturbed and sometimes resistant or even aggressive, we have to face the fact that these jobs are spectacularly underpaid and underappreciated. They are not appealing jobs and they attract only very specific types of people: those who are dedicated to caring, angelic individuals who are devoted to looking after others. We are fortunate that there are many who fit into that category, but we should not take advantage of these remarkable people by giving them such poor

recognition and little to bolster their self-esteem. No wonder there is a high turnover and absentee rate. Job satisfaction depends on being appreciated and there is no doubt that, where carers are appreciated, those who they are caring for gain the benefit. So what can we do to attract carers, and having done so, give them a sense of esteem and job satisfaction?

First, we must pay them better. Jobs in care homes are among the lowest paid anywhere. I fear that the profit motive of some care home operators may be just too strong and the low wages on offer will put off many whom we want to bring in. Also, local authorities are so cash-strapped now that, after a 30% drop in their funding, their services are clearly failing to keep up with rising demand. Poorly funded and understaffed services, leading to rushed overworked carers, are hardly conducive to the sort of care we aspire to.

Secondly, there is then the problem of a lack of professional training and qualification for care workers. We have gone some way along that route, with the help of the noble Earl and with a recognition that training should be an essential part of these posts. However, we are still some way off offering registration to allow care workers that self-satisfaction that comes with belonging to a qualified profession. We have been trying for some time in this House to correct this anomaly and I have no doubt that we will hear more about this topic.

Thirdly, there is the big problem of poor supervision in care homes and hospital wards. There seems little doubt to my mind that a well qualified, competent and active person supervising care at that level is of enormous benefit. These people are the key element in the mix leading to high-quality care. However, here again, recruitment to these posts and retention of people in them is dependent on making them attractive. Nursing sisters in charge of hospital wards should be recognised as having career-grade posts, so that these nurses are not attracted by the prospect of promotion off the ward after a year or so. They should be rewarded appropriately.

Finally, it is good to see in the Care Bill a duty on local authorities to investigate accusations of abuse. However, again, this is after any abuse has occurred and it is rather more important for those commissioning services to take greater care in ensuring that standards for the care that they commission are up to scratch. I look forward to the noble Earl's response.

6.11 pm

**Lord Willis of Knaresborough (LD):** My Lords, I congratulate my noble friend Lady Cumberlege on this debate and on not only highlighting the issue of abuse but putting forward a raft of suggestions as to how the Government can take a positive stance. That is important. My contribution is unashamedly a return to the question of how we train those staff who are caring for the vulnerable elderly. Unless we create a culture where those working with vulnerable patients see it as part of their caring role to protect and care for those people, and they are properly trained and empowered to deal with abuse, we will not get much further.

Is it not ironic that, in the health and care sector, the personnel with the greatest levels of contact with the most vulnerable patients, particularly the elderly, receive the lowest levels of training? Medics are not only well trained at the start of their careers but are required to engage in continuous training in order to continue practising with high levels of safe professional care. However, the thousands of health and social care assistants, who are often left to deal with the most challenging needs of elderly and confused patients, receive little training and have no test of fitness to practise or opportunity to engage in continuous upskilling—nor, of course, are they registered and regulated.

Fortunately, thanks to Members on all sides of the House and, in particular, the efforts of my noble friend Lord Howe during the passage of the Care Bill, we now have the opportunity to address this. The promise of basic training and certification of healthcare support workers, as recommended by Francis, Cavendish and, indeed, my own report, are already under way, with the new care certificate being piloted.

Tomorrow, Health Education England and the Nursing and Midwifery Council launch a major review of the training of the whole of the caring workforce, from healthcare support workers to postgraduate nurses. The review, entitled the “Shape of Caring”, brings together key professional groups—including Health Education England, the Nursing and Midwifery Council, the Council of Deans of Health, the Royal College of Nursing, Unison, employers, the Department of Health, NHS England and, crucially, a wide range of patient forums—with the sole aim of creating an integrated training pathway for all who, day to day, care for patients, in whatever setting they are in. The aim is to ensure that patient care is the golden thread that runs through the whole of training and that continuous professional development is guaranteed for everyone who comes into contact with patients or clients.

All staff should have a grounding in what good care looks like; all should have an understanding of other people's skills and competences; and all should recognise that care is dependent on a team, no matter how important an individual member might be at a particular time. I am enormously privileged, and declare an interest, that I have been asked to chair the review and to report at the end of February to Health Education England. It is my hope that, if we could get the framework and standards right, and if we could get agreement across this House and the other place that those proposals should be taken forward, we would have for the very first time an integrated pathway of training, qualifications and care right throughout the profession. That would be something that was worth striving for.

6.15 pm

**Lord Mawson (CB):** My Lords, I, too, thank the noble Baroness, Lady Cumberlege, for introducing this debate. Three months ago, my 95 year-old mother, living alone, had a heart attack early one morning at home in Bradford. The ambulance was called and the paramedic saved her life by deciding to take her by blue light the 15 miles to a hospital in Leeds because he feared the local hospital in Bradford, serving half a

[LORD MAWSON]

million people, was not up to the job. That paramedic's good judgment saved her life and now she is back home and, amazingly, recovering well.

My mother has fortunately lived a well and independent life and so has not often had to use the health and social care system, so this was all quite new and a fresh experience for her as she became catapulted into the NHS institution. As a person who was now totally dependent on others, at this point she felt that she had a good experience of the system and was treated well by many of the NHS staff. Those of us in the family, however, less dependent and observing the system close up, were left with a few questions to ask. Abuse of the elderly can be subtle, and large, well-meaning government-facing institutions with a tick-box culture can be very inhumane and impersonal, with the best will in the world.

First, on visiting my mother in hospital after the incident, I was greeted by more than 71 notices either side of the door of the ward telling me what to do as well as to wash my hands. If we are the environments we live in, then McDonald's has a more welcoming environment and clear communication with the customer than this. It is all very amateur and confusing for visitors and patient alike.

Secondly, why did the initial meeting with the social worker not include a person from the health service? It was held in the hospital. Why was a plan that was agreed to by the family then totally ignored and not taken forward when my mother reached the community hospital nearer home? The health people down the line knew nothing about it. Personal communication is essential if vulnerable elderly people are to feel secure. Why are these basics still so difficult in the age of the internet?

Thirdly, why were staff in the local cottage hospital telling us confidently that they did not normally speak with social services—"Nothing to do with us, love"? Why was there no evidence to us that health and social care were partners? At one point, when they did meet, they had an argument in front of the patient. If it is all about working in partnership at a basic level, they still did not seem to get it. My family's experience of the system was that, despite all the rhetoric about a seamless service, in reality health and social services still seemed to work in separate universes.

Fourthly, why was my mother not given a bath at the new cottage hospital in the four-week period that she was there but had just hand-washing? Is this not rather basic care for a 95 year-old? She wanted a bath. Why when she came home did the social worker then tell my brother, a retired experienced nurse, that he could not arrange a bath at home either until she was given a "bath assessment" at the end of May, weeks later? And we are still waiting. Why did he tell us that the policy was that he could help my mother out of a bath at home but not help her into it? It was health and safety, we were told. Members of the family did the business, but it is all very confusing for sane people.

Finally, why when an assessor comes around to visit my mother at home is this professional not allowed to use her common sense and good judgment? My mother

told me she arrived with a pen and piece of paper in her hand, and asked my mother if she knew how to make a cup of tea. "Sit down, love", my mother said. "I've been making tea for 90 years. If I haven't mastered it by now, there is something seriously wrong". Treating elderly people like children for the sake of a form that keeps civil servants happy up the tree is abusive, makes the elderly people cross and, by the way, often tells us little about the reality on the ground. My questions to the Minister are: when will these systems receive some innovation and when will we learn—as the noble Lord, Lord Griffiths, rightly said—what caring communities are all about?

6.20 pm

**Baroness Greengross (CB):** My Lords, the noble Baroness, Lady Cumberlege, has given us the opportunity to consider a whole range of abuses of elderly people. In my very short time, I will concentrate on the rather hidden abuse of people in the community. Unfortunately, as we learnt from the Health and Social Care Information Centre, in just one year—2013—there was a 4% rise in cases of alleged abuse referred for investigation. Sadly, the hidden abuse is very likely not to be referred at all. I have been involved in this issue for many years and helped to establish Action on Elder Abuse because nobody took these issues as seriously as they need to be taken. I am really appalled that we still have to take into account the fact that most of this sort of community-based hidden abuse is not understood or reported.

There are reasons for this. An elderly woman, a mother, who is smashed up by her son will not report it because that makes her seem a very inadequate mother to produce that sort of son. There are other reasons, too. For example, a lot of elder abuse is the result of a whole history of domestic violence in a family that continues into the old age of one member of that family. Sometimes it is a question of revenge, such as for a daughter who was abused in some way in childhood by her father. There are other examples. There is a lot of fraud, which personalised budgets and choice can in fact increase very easily. It is very simple to extract money from benefits or pensions from somebody who is elderly, frail and confused.

Abuse is very hard to detect if a confused elderly person is cared for by a family who provide the basics of food and drink but then shut the door and leave that person in a room alone without any real contact with other human beings. We know that, worse, it is not difficult to use the personalised money they receive for the family's other needs. I agree with the noble Baroness, Lady Barker, about deficiencies in the law in this country. I have also tried to argue with the noble Earl that some sort of easier method of gaining entry to someone's home if there is a suspicion of abuse is needed because it is extremely difficult to detect what is going on if you wait until it is publicly recognised. Social workers—very specialist ones—need some way of investigating what is going on.

We know that the elderly people most likely to need care in their homes very often suffer from dementia. The noble Lord, Lord Turnberg, said how difficult it is to care for many years for somebody who has dementia and can be aggressive and difficult. People just do not

always have the stamina to continue year after year doing that. We must do something to make sure that these people are better cared for and supported in their task.

6.24 pm

**Lord Wills (Lab):** My Lords, I hope that it is acceptable for me to speak very briefly in the gap. This is an important issue, and the noble Baroness has done your Lordships' House a great service by enabling it to be discussed. I support everything that she said about the abuse of powers of attorney—I have examples that I could add to hers.

I should also like the Government specifically to address one way in which elderly people are deprived of their property by the unscrupulous. That is when cold callers, usually on the telephone, persuade the confused elderly to buy goods and services that they simply do not need. It is difficult to detect, and even when it is detected, it can be difficult to put right. It is a serious issue which I came across regularly when I was a Member of Parliament. It is deeply distressing for the families involved and for the elderly person who has signed up to that sort of deal. It is not easy to find solutions, but I hope that the Minister can at least reassure me that the Government are looking at ways to increase protection for the elderly at risk of such exploitation.

6.25 pm

**Lord Hunt of Kings Heath (Lab):** My Lords, I, too, thank the noble Baroness, Lady Cumberlege, and also pay tribute to the noble Baroness, Lady Greengross, who many years ago first alerted the nation to the problem of abuse of older people. It is fantastic that she is here battling away on that most important issue.

I acknowledge that we have made progress in recent years, with the changes in the Care Bill—perhaps not as much as we wanted but definite progress—strengthening the CQC regulatory framework and the requirement for local authorities to submit returns on incidents of abuse of vulnerable adults. What will happen when those returns come to the Health and Social Care Information Centre? Can one then expect that to form the basis of government policy changes?

I turn to the question of regulation, which the noble Baroness raised. The noble Earl and I have argued about the regulation of care workers; we will not solve that this afternoon. The noble Baroness also raised the question of the Law Commission's work. Until a few weeks ago, we fully expected, in the fifth year of this Parliament, to have a Bill from the Government. It became known among the regulatory bodies that in fact the Government were not now going to produce a proper Bill but were going to produce a draft Bill for pre-legislative scrutiny. There is another rumour that the Government are not even going to bring a draft Bill in the next Session. I do not think that it needs a draft Bill. It is quite clear that the work undertaken by the Law Commission is perfectly ready for a Bill to be prepared and put into the Queen's Speech.

The great danger—this is the main point I want to make—is that if we do not have a proper Bill, I should have thought that there is absolutely no chance of a Government in 2015 bringing forward a substantive Bill in the first two terms, so it could be quite a long time before we get a substantive Bill. The noble Earl's department is doing no work on the Section 60 orders that we currently use. There could be incredible blight among the regulatory bodies unless the Government begin to get a grip. Of course, the noble Earl will not respond to me on this point, but even at this late stage, I would hope that the Government would reconsider why we cannot have a substantive Bill in the next Session.

On financial abuse, is the noble Earl ready to say a little more about what we can do about the abuse of the power of attorney and the point raised by my noble friend Lord Wills on cold callers?

I also ask the noble Earl about the comments of the noble Lord, Lord Mawson. It seems to me that one reason for the lack of co-ordination between agencies is the normal organisational resistance to working together. The second is obviously cost shifting between different bodies, which we know happens at local level. Does the noble Earl agree that a third reason is that people are being very defensive? The reason for filling the forms in is not for the benefit of the older person; it is to prove, when an inquiry happens, when an investigation takes place, that the staff have done what is right. What will the Government do to move away from the current blame culture into one in which staff are encouraged to work together, not just fill in these ridiculous forms, which are no good to anyone?

6.29 pm

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** My Lords, I cannot hope to do justice in the short time available to the excellent contributions from noble Lords to this debate. However, I express my gratitude to my noble friend Lady Cumberlege for enabling us to discuss such an important subject.

We have stated in no uncertain terms that it is the right of every citizen to live in safety, free from abuse and neglect. Everyone is entitled to receive care delivered by well trained, properly managed and compassionate staff. We are determined to make this a reality. Despite this, cases continue to come to light of abuse and neglect, particularly of older people. We have only to look to the truly abhorrent and sickening cases uncovered at Winterbourne View and by the recent "Panorama" programme, which exposed appalling abuse and neglect at two care homes.

It is important that we also recognise that abuse and neglect is not limited to care provided in residential settings; it can take place anywhere, including someone's own home, and be carried out by anyone, not just those paid to provide care. Nor is abuse limited to just the physical kind. It takes many forms including the psychological, exploitation and financial. Time and again we hear of targeted fraud on older people, as the noble Lord, Lord Wills, explained, but more often than not the person responsible for the abuse is in a position of trust and power. Everyone should be vigilant

[EARL HOWE]

in helping to identify those experiencing abuse and neglect or at risk of it. They could be people working in health, social care, policing, banking, trading standards, leisure services, faith groups and housing—the list goes on. As made clear in the Care Bill, sharing of information is crucial. Findings from serious case reviews have sometimes stated that if professionals or others had acted upon their concerns or sought more information, death or serious harm might have been prevented.

We have a growing ageing population, which is to be celebrated, but there needs to be a sharp focus on the quality of life. Radical reform is needed of how health and social care are delivered. The Care Bill starts this process by providing the legal framework to achieve this. It places the well-being principle, prevention and early intervention at its heart. However, we are under no illusion that legislation will eradicate the type of behaviour that leaves people feeling distressed, frightened and fearful.

As many noble Lords emphasised, including the right reverend Prelate, my noble friend Lord Willis and the noble Lord, Lord Griffiths, eradication of these practices and behaviours can be realised only through a collective change in culture—one that leaves no place for abuse and neglect of any kind; one that shares an individual and collective responsibility for spotting when abuse is taking place and identifying those most at risk of experiencing it; and one that works in a collaborative way to challenge and address those corrosive practices.

It is right that people are held to account for the quality of care that they provide. Measures are being implemented to ensure that company directors who are complicit or turn a blind eye to poor care will be liable to prosecution. In future, they and provider organisations could face unlimited fines if found guilty. This should provide additional incentives for effective management and support of staff. There are already systems and processes in place to provide public assurance, including Care Quality Commission registration requirements and the Disclosure and Barring Service. These alone though do not go far enough.

The noble Lord, Lord Turnberg, referred to poor commissioning services. We will be working with the Association of Directors of Adult Social Services and the Local Government Association to develop a set of commissioning standards for local authorities that focus on quality care and support for individuals.

However, following the publication of the Francis report into the failings of Mid Staffordshire NHS Foundation Trust, Camilla Cavendish was asked to review how healthcare assistants and support workers in health and care settings were valued and supported. She proposed, among other measures, the introduction of a certificate of fundamental care, now known as the care certificate. This will give evidence to employers, patients and service users that the person in front of them has been trained to a specific set of standards and knows how to act with compassion and respect. I think that it will also raise the standing and prestige of that person, an issue rightly raised by the right reverend Prelate and the noble Lord, Lord Turnberg.

Health Education England, working alongside key partners, has already begun piloting the care certificate across England, as my noble friend Lord Willis mentioned. Subject to evaluation, there will soon be a standard national approach to training on the skills and values needed to be an effective healthcare assistant or social care support worker. It is planned to roll this out in March next year.

I say to the noble Lord, Lord Turnberg, that “I care” ambassadors are uniquely placed as qualified and experienced care workers to promote the image of social care and act as role models. We are fully committed to ensuring that social care services employ people with the right values and skills by introducing a fit and proper person test for directors and a care certificate for front-line staff. Where a director is deemed unfit for the role by the CQC, it will be able to insist on their removal.

In addition, the system of regulation and inspection needs to improve. The CQC is currently introducing a new system of inspection of social care providers, based on much tougher fundamental standards of care, that clearly has the individual at its heart. It will be structured around five key questions that matter most to people—are services safe, caring, effective, well led and responsive to people’s needs? New inspections will draw on the views of people and their family who are experts by their experiences of the services that they see and use. The inspections will be carried out by people who deliver the type of care. CQC has been piloting this new approach in more than 200 social care providers since April this year. It will begin to inspect and rate all providers against the new standards from this October.

New measures in the Care Bill make clear local authorities’ responsibilities and those of key partners, such as the lead commissioner and local police, in safeguarding adults. This is vital in ensuring clear accountability, roles and responsibilities for helping and protecting adults who are experiencing, or at risk of, abuse and neglect.

Every local authority must establish a safeguarding adults board. These boards will be responsible for managing and co-ordinating arrangements that exist to prevent and respond to adult abuse and neglect. They will also have a duty to make inquiries or require another agency to do so. These inquiries will establish whether any action needs to be taken and, if so, by whom.

To make new legislative duties effective, services need to combine efforts to ensure that those who need to be cared for are protected. Strong professional relationships with those staff working in housing, the NHS, community pharmacists and local police will ensure that when concerns are raised they are firmly addressed, while never forgetting the person at the centre of those concerns and ensuring that they are a part of the discussion.

My noble friend Lady Cumberlege asked me about the Government’s response to the Law Commission’s report, a topic also raised by the noble Lord, Lord Hunt of Kings Heath. It is right for me to place on record our gratitude to the Law Commission for the significant time and effort that have been put into

developing a detailed and thorough analysis. The department is considering the proposals very carefully and will produce a formal response in due course. It is not possible for me to comment on next steps at this stage until the contents of the Queen's Speech are known after 4 June.

My noble friend Lady Cumberlege cited a graphic case of an individual who was abused by her daughters. I would say to her that the Office of the Public Guardian should be informed where abuse of a power of attorney is suspected, and it will investigate the claims and work closely with the police where appropriate. The Government have commissioned a practical legal guide for front-line practitioners to support them in using the law where it is necessary to gain access to someone where it is being prevented.

My noble friend also referred to the instance of abusive workers being dismissed from one employer and then going to work elsewhere. If care home or home care employers sack an employee for abusive practice, they are under a legal obligation to refer the person to the Disclosure and Barring Service. When employers are recruiting, they must make robust and rigorous checks and adopt a value-based approach to appointing staff.

Time prevents me covering more subjects. I will write to noble Lords whose questions I have not answered, but I hope my response today leaves no doubt in anyone's minds about our position on this. We have zero tolerance of abuse or neglect of anyone living in our society. We have taken firm steps to challenge and address those people who do so and organisations that turn a blind eye to poor practices. We will continue to make improvements as part of the response to the Francis report and the Berwick review. We agreed to develop a new criminal offence for individuals and organisations of ill treatment or wilful neglect of users of care services. Following consultation on the proposals for the new offences, we are now carefully considering all the responses. We remain committed to legislating for the new offences as soon as parliamentary time allows.

## Royal Commission

6.41 pm

*The Lords Commissioners were: Lord Butler of Brockwell, Baroness D'Souza, Lord Hill of Oareford, Baroness Royall of Blaisdon and Lord Wallace of Tankerness.*

**The Chancellor of the Duchy of Lancaster (Lord Hill of Oareford) (Con):** My Lords, it not being convenient for Her Majesty personally to be present here this day, she has been pleased to cause a Commission under the Great Seal to be prepared for proroguing this present Parliament.

*When the Commons were present at the Bar, the Chancellor of the Duchy of Lancaster continued:*

My Lords and Members of the House of Commons, Her Majesty, not thinking fit personally to be present here at this time, has been pleased to cause a Commission to be issued under the Great Seal, and thereby given

Her Royal Assent to divers Acts and Measure, the Titles whereof are particularly mentioned, and by the said Commission has commanded us to declare and notify Her Royal Assent to the said several Acts and Measure, in the presence of you the Lords and Commons assembled for that purpose; and has also assigned to us and other Lords directed full power and authority in Her Majesty's name to prorogue this present Parliament. Which commission you will now hear read.

*A Commission for Royal Assent and Prorogation was read, after which the Chancellor of the Duchy of Lancaster continued:*

My Lords, in obedience to Her Majesty's Commands, and by virtue of the Commission which has now been read, We do declare and notify to you, the Lords Spiritual and Temporal and Commons in Parliament assembled, that Her Majesty has given Her Royal Assent to the several Acts and Measure in the Commission mentioned; and the Clerks are required to pass the same in the usual Form and Words.

## Royal Assent

6.59 pm

*The following Acts and Measure were given Royal Assent:*

Co-operative and Community Benefit Societies Act,  
Deep Sea Mining Act,  
Inheritance and Trustees' Powers Act,  
Gambling (Licensing and Advertising) Act,  
Intellectual Property Act,  
Pensions Act,  
Defence Reform Act,  
Water Act,  
Immigration Act,  
Care Act,  
House of Lords Reform Act,  
Church of England (Miscellaneous Provisions) Measure.

## Prorogation: Her Majesty's Speech

7.01 pm

*Her Majesty's most gracious Speech was then delivered to both Houses of Parliament by the Chancellor of the Duchy of Lancaster, in pursuance of Her Majesty's Command, as follows.*

My Lords and Members of the House of Commons, my Ministers' first priority has been to strengthen the economic competitiveness of the United Kingdom through the growth of the private sector and the creation of further opportunities for employment. To this end, legislation has been passed to make it easier for businesses to protect their intellectual property and to reform the financial services sector. Legislation has also been enacted to introduce a new Employment Allowance to support the creation of jobs and to help small businesses.

My Government has made it a priority to promote investment in infrastructure across the United Kingdom. In pursuance of this, legislation has been passed to update energy infrastructure and to improve the water industry. Legislation was also introduced to enable the building of the High Speed Two railway line to provide further opportunities for economic growth in many of Britain's cities.

My Ministers have worked to promote a fairer society that rewards people who work hard. In pursuit of this goal, legislation was brought forward to support people who have saved for their retirement and to reform the way long-term care is paid for so that the elderly should not have to sell their homes to meet the costs of their care.

Legislation was enacted to ensure sufferers of mesothelioma receive payments where no liable employer or insurer can be traced.

Policies have been pursued which are designed to ensure that every child has the best start in life, regardless of background. Measures have been passed to reform the law on marriage in England and Wales to make provision for same-sex couples.

My Government attaches the highest priority to reducing crime and protecting national security. Legislation was passed to reform the way in which offenders are rehabilitated in England and Wales. Alongside these reforms, legislation was enacted to introduce new powers to tackle anti-social behaviour, cut crime and reform the police.

Legislation was passed further to reform Britain's immigration system to attract people who will contribute and deter those who will not.

With regard to the defence of the Realm, legislation was brought forward to improve the way defence equipment is procured and to strengthen the Reserve Forces. Legislation was also passed governing remote gambling and in relation to the European Union.

My Government has taken forward a range of measures designed to foster greater accountability in public life. Legislation was passed to provide for greater transparency in lobbying, third party campaign spending and trade union administration. Measures were also

enacted regarding local government, to close the Audit Commission and to give effect to a number of institutional improvements in Northern Ireland.

My Ministers have pursued policies to benefit people in every part of the United Kingdom and have continued to work to foster a strong working relationship with the devolved Administrations.

The Duke of Edinburgh and I were pleased to welcome Her Excellency the President of the Republic of Korea and His Excellency the President of the Republic of Ireland on their visits to the United Kingdom. We were heartened by the warm welcome we received on our visit to Italy and the Holy See.

On the international stage, my Government has worked to reduce conflict and alleviate human suffering, through negotiations with Iran, by championing the rights of Syrians, and by supporting the Afghan people. My Ministers helped to secure the first international Arms Trade Treaty and are leading a worldwide effort to end the scourge of sexual violence in conflict. My Ministers have striven to promote British trade and investment around the world, creating new opportunities for the British people. Working with European partners, my Ministers have made progress towards a more open, competitive, flexible and democratically accountable European Union.

Members of the House of Commons, I thank you for the provisions which you have made for the work and dignity of the Crown and for the public services.

My Lords and Members of the House of Commons, I pray that the blessing of Almighty God may rest upon your counsels.

**The Chancellor of the Duchy of Lancaster (Lord Hill of Oareford):** My Lords and Members of the House of Commons, by virtue of Her Majesty's Commission which has been now read, we do, in Her Majesty's name, and in obedience to Her Majesty's Commands, prorogue this Parliament to the 4th day of June, to be then here holden, and this Parliament is accordingly prorogued to Wednesday, the 4th day of June.

*Parliament was prorogued at 7.09 pm*

# Written Statements

Wednesday 14 May 2014

## Armed Forces: Defence Equipment and Support Statement

**The Parliamentary Under-Secretary of State, Ministry of Defence (Lord Astor of Hever) (Con):** My honourable friend the Minister for Defence Equipment, Support and Technology (Mr Philip Dunne) has made the following Written Ministerial Statement.

On 10 December 2013, the Secretary of State for Defence announced his intention to establish the Defence Equipment and Support (DE&S) organisation as a bespoke trading entity, from April this year.

Since that announcement, having agreed the principle that DE&S should be provided with the necessary freedoms to allow it to operate along more commercial lines, within an agreed operating cost budget, we have worked with HM Treasury and the Cabinet Office to agree the governance and accountability structure within which the new DE&S will operate.

I can confirm that, on 1 April 2014, DE&S was launched in its new form and is now an arm's-length body to the rest of the Ministry of Defence. The DE&S has been provided with the unparalleled freedom to manage its own business, outputs and workforce within an operating cost envelope set to drive significant efficiencies.

Ministerial oversight of the new DE&S is being provided through an Owner's Council chaired by me. As the first Chief Executive of the organisation, Bernard Gray as Chief of Defence Materiel has become an Additional Accounting Officer, directly responsible to Parliament for the resources and performance of DE&S. The Permanent Secretary, as Principal Accounting Officer, remains accountable to Parliament for the department as a whole.

To assist the programme of delivery and transformation, the DE&S will introduce private sector skills through a number of contracts for Managed Service Providers (MSPs). DE&S will remain responsible for its outputs, with the MSPs providing high-quality support and expertise in the key areas of Project Delivery, Human Resources and Management Information, Finance and Information Technology. The contract notice for the first MSP—Project Delivery—was issued on 14 April and Invitations to Negotiate were issued to eight companies on 12 May. The contract notice for the second MSP—Human Resources—was also issued on 12 May. We expect to have the contracts in place later this year.

The launch of the new DE&S provides an unprecedented opportunity to transform the process of defence acquisition and support for our Armed Forces, while improving value for money. The changes we are introducing will result in a higher performing delivery organisation, which is better able to deliver vital equipment and support to the front line, on time and at the agreed price. In doing so, we remain consistent with the Report on Defence Acquisition from 2009

and the Levene recommendations from 2011. We are also thinking further ahead, to ensure that by the middle of the next Parliament DE&S is a genuinely customer-facing, match-fit organisation, providing a robust public sector comparator should a future Government decide to re-examine the potential for a GoCo model. This is the beginning of the transformation process. We are empowering the DE&S to meet head on the challenges of delivering a most complex and demanding portfolio of work to meet its customers' needs.

Full details of the DE&S governance structure, function, policies and strategic objectives are contained in a new Framework Document and Corporate Plan. I have placed copies of both documents in the Library of the House.

## ECOFIN Statement

**The Commercial Secretary to the Treasury (Lord Deighton) (Con):** My right honourable friend the Chancellor of the Exchequer (George Osborne) has today made the following Written Ministerial Statement.

A meeting of the Economic and Financial Affairs Council was held in Brussels on 6 May 2014. Ministers discussed the following items:

### *Current Legislative Proposals*

The Presidency provided an update on the ongoing work on financial services.

### *Parent Subsidiary Directive*

Council discussed a proposal for a Directive to amend the Parent Subsidiary Directive. The proposal looks to close a loophole whereby companies operating across Europe could exploit differences between Member States in the tax classification of certain financial instruments in order to reduce their overall tax liability. The Presidency concluded that further work will need to take place at technical level to clarify the text as necessary and that it will need to return to a future Council, probably in June. The Government supports an agreement as soon as possible.

### *Financial Transaction Tax*

Council held a state of play discussion on the proposal for a Council Directive implementing enhanced co-operation in the area of Financial Transaction Tax (FTT). Ten of the Member States participating in the enhanced co-operation circulated a statement during the Council expressing their political commitment to a FTT. The main points of note are that the participants wish to implement the tax in stages, with the first stage applying to shares and some derivatives, and that they wish to implement this first stage by 1 January 2016.

At Council, which was in public session (and can be seen here <http://video.consilium.europa.eu/webcast.aspx?ticket=775-979-14373>), the UK stated concerns about the economic impact of the tax and that the enhanced co-operation procedure has to operate with transparency as Article 330 of the Treaty on the Functioning of the European Union sets out, with all Member States participating in the deliberations. The UK was supported

on these points by a number of other Member States. Additionally, the UK expressed that the Court of Justice of the European Union's recent ruling allowed for the UK and any Member State to challenge an adopted FTT in court if it is harmful to them or the Single Market.

*Macroeconomic Imbalances Procedure: In-depth reviews*

Council adopted Council conclusions on the results of the UK and 16 other Member States' Macroeconomic Imbalances Procedure: In-Depth Reviews. The UK does not have an excessive imbalance and does not need to take further action under the Macroeconomic Imbalances Procedure.

*Follow-up to the meetings of G20 Finance Ministers and Governors (10-11 April) and IMF/World Bank (11-13 April) in Washington DC*

The Presidency and Commission briefed Ministers on the main outcomes of the G20 Finance Ministers and Central Bank Governors and IMF/World Bank meetings held in Washington DC from 10 to 13 April. The Government remains supportive of the Australian G20 agenda, particularly on the development of comprehensive growth strategies.

## Legislation

### Statement

**The Chancellor of the Duchy of Lancaster (Lord Hill of Oareford) (Con):** Following the conclusion of business in the House on Wednesday 14 May 2014, I expect Parliament to be prorogued until 4 June, concluding the current 2013-2014 Parliamentary Session. Subject to proceedings today, 28 Bills will have received Royal Assent in the 2013-2014 Session:

*Government Bills:*

Anti-social Behaviour, Crime and Policing  
Care  
Children and Families<sup>1</sup>  
Defence Reform  
Energy<sup>1</sup>  
European Union (Approvals)  
Finance<sup>1</sup>

Financial Services (Banking Reform)<sup>1</sup>  
Gambling (Licensing and Advertising)  
High Speed Rail (Preparation)  
Immigration  
Intellectual Property  
Local Audit and Accountability  
Marriage (Same Sex Couples)<sup>1</sup>  
Mesothelioma  
National Insurance Contributions  
Northern Ireland (Miscellaneous Provisions)  
Offender Rehabilitation  
Pensions  
Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration  
Water

*Consolidation and Law Commission Bills:*

Co-operative and Community Benefit Societies  
Inheritance and Trustees' Powers

*Private Members' Bills:*

Citizenship (Armed Forces)  
Deep Sea Mining  
House of Lords Reform (No. 2)  
International Development (Gender Equality)  
Leasehold Reform (Amendment)

*The following Government Bills introduced in this Session will carry over, resuming their passage in the next Session:*

Consumer Rights  
Criminal Justice and Courts  
Deregulation  
Finance (No.2)  
High Speed Rail (London-West Midlands)<sup>2</sup>  
Wales

Further Bills for the next Session of Parliament will be announced on Wednesday 4 June 2014.

Notes:

<sup>1</sup> Denotes Bills introduced in the previous Session which were carried over and completed their passage in this Session.

<sup>2</sup> Denotes a Hybrid Bill.

## Written Answers

Wednesday 14 May 2014

### Abortion

#### Questions

Asked by **Lord Patten**

To ask Her Majesty's Government whether they intend to issue guidance to doctors regarding the permissibility of granting an abortion by means of amending form HSA1 issued under the Abortion Regulations 1991 as governed by section 1 of the Abortion Act 1967; and, if not, why not. [HL6915]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** The 1967 Abortion Act requires that two doctors certify in good faith that there are lawful grounds for an abortion, based on an understanding of the facts of a woman's case. Any change to this requirement would require a change in the Abortion Act and this is a matter for Parliament.

The Department will be issuing guidance shortly to all those involved in abortion care about compliance with the Abortion Act.

Asked by **Lord Patten**

To ask Her Majesty's Government what is their assessment of the incidence of sex-selective abortion in (1) China, and (2) India; and whether there is any evidence of that practice amongst those of Chinese or Indian background living in the United Kingdom.

[HL6918]

**Earl Howe:** Abortion on the grounds of gender alone is illegal.

On 21 May 2013, the Department published analysis of birth ratios in the United Kingdom. This found that, when broken down by the mothers' country of birth including those born in China and India, birth ratios in no group are statistically different from the range that we would expect to see naturally occurring. The UK birth ratio is within normal limits; that is to say 105 male births per 100 female births. The full report can be found on the Gov.uk web site; enter 'gender birth ratios'.

However, the Department remains vigilant for anecdotal evidence of sex-selective abortion.

The Department has not made an assessment of birth ratios or the incidence of sex-selective abortions in China and India.

### Alcohol

#### Question

Asked by **Lord Brooke of Alverthorpe**

To ask Her Majesty's Government whether they will define the challenges referred to in the Department of Health's April 2014 publication *Living Well for Longer* that they have laid before the drinks industry to reduce alcohol harm to health that is linked to premature avoidable deaths. [HL7010]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** In July 2013, the Government set a challenge to the alcohol industry to ask them to do more to reduce alcohol harm through the Public Health Responsibility Deal alcohol network. The challenge was formally set out in the 17 July 2013 Government's response document *Next steps following the consultation on delivering the Government's alcohol strategy*. It says:

"The Government believes that the alcohol industry can go further to show that voluntary action can deliver the significant changes needed. It is now challenging industry to take action in other areas, increasing their level of ambition and ownership of the issues, to reduce alcohol-related crime and disorder and health harms, tackle the harmful effects of binge drinking and to support growth in local economies. This includes seeking rapid action in the following areas: supporting targeted local action; tackling the high strength or high volume products that can cause the most harm; promoting and displaying alcohol responsibly in shops; and improving education around drinking."

### Asylum Seekers

#### Questions

Asked by **Lord Roberts of Llandudno**

To ask Her Majesty's Government why they changed their contracting model for the provision of accommodation for asylum seekers in danger of destitution. [HL6878]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** The COMPASS (Commercial and Operational Managers Procuring Asylum Support Services) project procured in accordance with the Public Contract Regulations 2006. The commercial principles behind the COMPASS procurement included:

- A desire to manage demand for asylum accommodation services under a regional procurement model to create efficiency and quality from economies of scale
- Appointing financially secure suppliers able to respond with potentially significant fluctuations (increases and decreases) in demand
- Identifying suppliers with a proven track record and who would take the care of asylum seekers seriously
- Updating the contract performance regime to align with Government procurement and Home Office strategic objectives and in recognition of National Audit Office reports into the previous accommodation contracts

Asked by **Lord Roberts of Llandudno**

To ask Her Majesty's Government whether the Home Office plans to re-examine its savings forecasts in the light of the additional costs incurred in the transition between contractors overseeing the Government's accommodation provision for destitute asylum seekers. [HL6880]

**Lord Taylor of Holbeach:** COMPASS savings are directly linked to the number of people in asylum accommodation that changes continually. COMPASS savings are therefore monitored and reappraised against Home Office forecasts continually. The latest benefits review, carried out after the end of the 2013-14 financial year, indicates that savings for that year exceeded those profiled in the original business case and that the project remains on target to deliver £140m of financial benefits during its lifetime. Savings are being made despite the supported population increasing in line with higher asylum intake.

*Asked by Lord Hylton*

To ask Her Majesty's Government how many applications for asylum were received from children arriving unaccompanied into the United Kingdom for each of the last three years for which figures are available. [HL6883]

**Lord Taylor of Holbeach:** In 2012 and 2013 there were 1,125 and 1,174 applications for asylum received from children arriving unaccompanied into the United Kingdom (Unaccompanied Asylum Seeking Children).

These figures are available in table as\_08 (Asylum data tables Volume 2) of Immigration Statistics October to December 2013: <https://www.gov.uk/government/publications/immigration-statistics-october-to-december-2013>.

There are currently no comparable figures for 2011. An internal review of UASC data highlighted issues with the definitions used for data published prior to 2012. Revised UASC figures for 2011 will be published in Immigration Statistics January to March 2014 on 22 May 2014.

*Asked by Lord Hylton*

To ask Her Majesty's Government whether they will assess the research in progress in the Universities of Cambridge and Oxford on communicable diseases among refugees and displaced people. [HL6886]

**Baroness Northover (LD):** Once the study publishes its findings, we look forward to assessing this as part of the overall body of evidence on the topic.

*Asked by Lord Roberts of Llandudno*

To ask Her Majesty's Government how they decide which retailers can be accessed using the Azure prepayment card given to asylum seekers. [HL6997]

**Lord Taylor of Holbeach:** The Azure card is provided to failed asylum seekers supported under the provisions of section 4 of the Immigration and Asylum Act 1999.

Any retail outlet that provides food and other essential living items and accepts visa transactions can apply to join the Azure card scheme.

The card is currently accepted by Tesco, Asda, Sainsbury's, Morrison's, the Co-operative, Boots, Peacocks, Early Learning Centre, Mothercare, The British Red Cross, The Salvation Army and a few small independent retailers. There are ongoing discussions with other outlets that may be interested in joining the scheme.

## Botswana

### Question

*Asked by Lord Pearson of Rannoch*

To ask Her Majesty's Government whether, in view of the terms of Botswana's independence agreed by the United Kingdom in 1966, they will discuss with the government of Botswana its long-term plans for those Basarwa or Bushmen who wish to remain permanently in the Central Kalahari Game Reserve. [HL6835]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** The Government regularly discusses with the Government of Botswana the situation of the San (also known as the Basarwa or Bushmen). We have consistently encouraged the Government of Botswana to seek an inclusive, sustainable and negotiated solution. We will continue to do so.

## Central African Republic

### Questions

*Asked by Lord Alton of Liverpool*

To ask Her Majesty's Government what plans they have to commit troops to the European Union mission to the Central African Republic. [HL7014]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** The UK will not be contributing combat troops to the European Union's security operation in the Central African Republic (EUFOR). However, the UK has helped EUFOR planning and has provided one Ministry of Defence officer to the Operational Headquarters in Larissa. The UK has also provided airlifts to help with its deployment, and is providing a share of EUFOR's common costs.

*Asked by Lord Alton of Liverpool*

To ask Her Majesty's Government what assessment they have made of the impact of the crisis in the Central African Republic on the Building Stability Overseas Strategy. [HL7015]

**Baroness Northover (LD):** The crisis in the Central African Republic (CAR) has highlighted the importance of the cross-government approach set out in the Building Stability Overseas Strategy (BSOS), including rapid response, upstream prevention, and working in partnership with others in the international system. BSOS remains a core strategy for HMG's work in fragile and conflict-affected states.

In alignment with this, the UK continues to support international efforts to restore peace and security to CAR, some of which is funded by the Conflict Pool's Early Action Facility, which was created to support BSOS. We have provided logistical support to the

French Operation Sangaris and £2m in non-lethal support to the African-led International Support Mission to the CAR (MISCA). The UK has committed £23m in humanitarian support to CAR since July 2013, funding a range of NGOs and UN agencies to provide access to protection, food, water, shelter, health and sanitation.

### Children: Disabled Children

#### Question

Asked by *Baroness Uddin*

To ask Her Majesty's Government what assessment they have made of the impact of the removal of ring-fenced funding for short breaks for disabled children under the Aiming High programme; and what is their assessment of (1) the number of short breaks that were funded under Aiming High for disabled children in 2007–08 and in each year since, and (2) the number of short breaks that were publicly funded through other delivery partners over the same time period.

[HL6870]

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** The Government has made available over £800 million for short breaks for disabled children between April 2011 and March 2015 through unringfenced local authority grants. Since April 2011, local authorities have had a statutory duty to provide a range of short breaks services for disabled children and it is their responsibility to make an assessment of the type and number of short breaks needed locally for disabled children and their families and to monitor the impact of their funding decisions from year to year.

The Government does not collect data on the number of publicly-funded short breaks delivered to disabled children by local authorities or other delivery partners.

Since 2008-09, the Department has collected information from local authorities through Section 251 reports, showing how much they have spent each year on short breaks for disabled children. These reports suggest that removing the ring-fence for short breaks provision has not any significant impact on local authorities' expenditure in this area.

Details of local authority expenditure on short breaks between 2008-09 and 2012-13 are set out in the table below. Section 251 returns for 2013-14 are not yet available.

<i>Financial Year</i>	<i>Local authority expenditure on short breaks for disabled children</i>	<i>Local authority expenditure on short breaks for disabled children who are looked after</i>	<i>Annual totals</i>
2008-09	114,657,000	58,216,000	172,873,000
2009-10	151,043,000	77,806,000	228,849,000
2010-11	212,623,000	70,083,000	282,706,000
2011-12	221,822,000	66,713,000	288,535,000
2012-13	225,037,000	61,416,000	286,453,000

### Children: Domestic Abuse

#### Question

Asked by *Lord Laming*

To ask Her Majesty's Government what is their assessment of the Co-ordinated Action Against Domestic Abuse's Second National Policy Report, *In plain sight: effective help for children exposed to domestic abuse*, published in February 2014.

[HL6901]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** The Home Office recognises the impact that exposure to domestic violence and abuse can have on children, as stated in the second national policy report, *In plain sight: effective help for children exposed to domestic abuse (2014)*, produced by the Co-ordinated Action Against Domestic Abuse.

The Government's approach to tackling domestic violence and abuse is laid out in the Violence Against Women and Girls Action Plan, refreshed in March 2014:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/287758/VAWG\\_Action\\_Plan.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/287758/VAWG_Action_Plan.pdf)

This sets out our commitment to work with the Troubled Families Programme, particularly identifying learning around intervening with families where domestic violence is an issue. We will be taking forward action to consider interim data from the independent evaluation of the Troubled Families Programme to assess the prevalence of domestic violence within families currently being worked with and to inform practice in services for troubled families.

Domestic violence and abuse training for health visitors to provide support to families where they suspect violence against women or children may be a factor was developed in autumn 2013 and was rolled out this year.

### Courts: Health and Safety

#### Questions

Asked by *Lord Beecham*

To ask Her Majesty's Government what steps they are taking, and within what timescales, to ensure that custody trials can be listed at Newcastle Magistrates' Court, in the light of the closure of the court cells in December 2013 following safety concerns.

[HL6846]

To ask Her Majesty's Government what assessment they have made of the impact of the closure of the court cells at Newcastle Magistrates' Court since December 2013.

[HL6847]

**The Minister of State, Ministry of Justice (Lord Faulks) (Con):** The cell accommodation at Newcastle Magistrates' Court is housed within the interconnected Pilgrim Street Police Station which is due to close in summer 2014 and belongs to Northumbria Police.

The cells have not been in use since 7 April, 2014 when a temporary arrangement was put in place to enable urgent fire safety works to be undertaken. Whilst five of the 13 cells are unlikely to be used again due to safety concerns, the remaining eight are now available for use as the fire safety work has been completed.

The current temporary closure has been extended until 30 May, 2014 to enable conclusion of discussions with the Northumbria Police and Crime Commissioner over future use and maintenance of the cells once the Police Station closes.

The temporary arrangement, comprising a daily remand court at North Tyneside and the listing of other custody work in available courtrooms across the court estate in Northumbria, is not wholly satisfactory and the impact is being assessed on a daily basis, in particular the impact on victims and witnesses. HM Courts & Tribunals Service is seeking to conclude the discussions with the Northumbria Police and Crime Commissioner as quickly as possible and currently intends to resume use of the cells on 2 June, 2014.

### Disabled People: Toilets

#### Question

Asked by *Baroness Thomas of Winchester*

To ask Her Majesty's Government what steps they are taking to ensure that accessible toilets for disabled people in buildings other than private dwellings comply with published national standards. [HL6932]

**The Parliamentary Under-Secretary of State, Department for Communities and Local Government (Baroness Stowell of Beeston) (Con):** In buildings other than dwellings, Part M of the Building Regulations requires that reasonable provision is made for accessible toilets where relevant types of building work are undertaken. Statutory guidance on how that can be achieved is contained in *Approved Document M (Access to and use of buildings)*. The building control body is responsible for ensuring that relevant building work complies with this requirement.

Provisions in the Equality Act 2010 require employers and those providing a service to the public or carrying out a public function to make a "reasonable adjustment", so that disabled people are not placed at a "substantial disadvantage" compared to non-disabled people. Ultimately, only a court can decide what is "reasonable" in any particular case. However, Part 4 of the Equality Act 2010 (Disability) Regulations 2010, prescribes circumstances in which it is not reasonable for such a body to remove or alter a physical feature which was provided in or in connection with a building to assist with access to the building or the use of facilities and which satisfy the relevant design standard. The Schedule to these Regulations provides details of how to determine whether the design standard is satisfied, and refers to design considerations and provisions in Approved Document M.

### Education: Education, Health and Care Plan

#### Question

Asked by *Baroness Uddin*

To ask Her Majesty's Government what assessment they have made of the number of people likely to qualify for an education, health and care plan; and how that number will compare to the number with a statement of special educational needs. [HL6871]

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** Education, Health and Care (EHC) plans will be introduced from September 2014. The Children and Families Act 2014 ensures that eligibility for an EHC plan remains the same as it is now for a statement of special educational needs (SEN). Therefore, we expect all children and young people who have a statement, who would have continued to have one under the current system, to be transferred to an EHC plan: no child or young person should lose their statement and not have it replaced with an EHC plan simply because the system is changing.

We expect the overall number of EHC plans to be greater than the number of statements of SEN because the eligibility for EHC plans is the same as for statements, and in addition EHC plans will be available for young people up to age 25 where necessary.

### Elections: Freepost

#### Question

Asked by *Lord Roberts of Llandudno*

To ask Her Majesty's Government how many days it has taken to receive Royal Mail approval of contents of freepost election addresses in each of the European Parliament constituencies. [HL6876]

**Lord Wallace of Saltaire (LD):** Government does not have a role in the approval of the content of election addresses.

Royal Mail is responsible for checking that candidates' election addresses meet Royal Mail's conditions of carriage and candidates' legal responsibilities. Royal Mail's guidance sets out its aim to approve or request changes to artwork within 48 hours of receipt.

However, it remains the party's or candidate's responsibility to ensure that the content of their election addresses complies with the law.

### Electoral Registration

#### Question

Asked by *Lord Willis*

To ask Her Majesty's Government, further to the Written Answer by Baroness Stowell of Beeston on 9 April (WA 304), whether the range of services to which they refer includes electoral registration.

[HL6834]

**The Parliamentary Under-Secretary of State, Department for Communities and Local Government (Baroness Stowell of Beeston) (Con):** Local authorities are statutorily required to provide a number of services including electoral registration. Section 8 of the Representation of the People Act 1983 provides for the appointment of an officer of the council to be the Registration Officer for the registration of parliamentary and local government electors, and section 54 of that Act provides that expenses properly incurred by a registration officer in the performance of his registration duties shall be paid by the local authority by whom the registration officer was appointed.

Additionally, the Government has committed to funding all net costs of the transition to Individual Electoral Registration to ensure that authorities are not left with unfunded burdens in line with the New Burdens Doctrine. In April 2014 the programme paid non-ring fenced section 31 grants to local authorities in England and Wales and paid invoices directly to Scotland to cover core Individual Electoral Registration costs.

## Employment: Disabled People

### Question

Asked by *Baroness Thomas of Winchester*

To ask Her Majesty's Government what steps they are taking to close the employment gap for disabled people since the ending of the quota system in 1995; and how progress is being monitored.

[HL6929]

**The Parliamentary Under-Secretary of State, Department for Work and Pensions (Lord Freud) (Con):** The disability employment gap has reduced. The Quarterly Labour Force Survey data is used to measure the employment rate gap between working age disabled people and the total working age population.

The Government is committed to ensuring that all disabled people have the opportunities and support that they need to get a job and to remain in work. There is a range of provision to provide this support including the Work Programme, Access to Work and Work Choice programmes. Further, in December 2013, the Government published 'the disability and health employment strategy: the discussion so far'.

A new Health and Work Service (HWS) is being developed to provide occupational health advice and support for employees, employers and GP's to help individuals with a health condition to stay in or return to work. The intention is to introduce the service by the end of 2014.

In July 2013, The Prime Minister launched the Disability Confident Campaign to help increase employer confidence in recruiting and retaining disabled people as part of a diverse workforce, and to provide opportunities for employers and organisations to share learning and good practice.

## Energy: Electricity

### Question

Asked by *Lord Jenkin of Roding*

To ask Her Majesty's Government when they intend to publish drafts of the several orders and regulations implementing the electricity market reforms

under the Energy Act 2013; when they plan to table motions in both Houses of Parliament to enable the drafts to be debated; and when they expect that any orders and regulations that are approved will come into force. [HL7019]

**The Parliamentary Under-Secretary of State, Department of Energy and Climate Change (Baroness Verma) (Con):** The implementing secondary legislation for Electricity Market Reform (EMR) is currently being finalised. It is the Government's intention that these regulations will be laid before the House at the beginning of June 2014 and published concurrently.

The regulations will then be scrutinised by both the JCSI (Joint Committee on Secondary Legislation) and the SLSC (Secondary Legislation Scrutiny Committee). Should the regulations be approved by the committees, then Business Managers in both Houses will be asked to schedule scrutiny debates. Once debated, approval motions will be tabled in both Houses.

Subject to the will of Parliament, it is intended that the Regulations will come into force around 1 August 2014.

Additionally at the beginning of June, the Government will publish the response to four consultations:

- Electricity Market Reform: Consultation on Proposals for Implementation (October 2013)
- EMR: Consultation on industry code and licence modifications (January 2014)
- EMR: Contracts for Difference Regulations - Consultation on Directions to Offer Contracts for Difference (March 2014)
- EMR: Consultation on Balancing and Settlement Code subsidiary documents (April 2014)

We will also publish an accompanying handbook setting out the final detailed policy of EMR, titled *Implementing Electricity Market Reform*.

The publication of this information alongside the laying of legislation provides certainty to industry on final EMR policy design and keeps EMR on track for delivery this year.

## Environment: Coastal Defences

### Questions

Asked by *Lord Bassam of Brighton*

To ask Her Majesty's Government what sea defences are currently in place in East Sussex; and what defences in that region are at present in the planning stages. [HL6937]

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** There are sea defences, including many shingle beaches, along the Sussex coastline and some of these defences are backed by sea walls. There are also concrete defences at the foot of cliffs between Brighton and Newhaven. Full details of the sea defences can be found in the Shoreline Management Plans for 'South Foreland to Beachy Head' and 'Beachy Head to Selsey Bill' on the Gov.uk website at:

<https://www.gov.uk/government/publications/shoreline-management-plans-smmps/shoreline-management-plans-smmps>

Work is ongoing to repair “soft defences” (beaches and shingle structures) which were affected by the storms during the past winter. Lewes District Council is planning to initiate a Newhaven to Brighton Marina Strategy, which will consider options for the currently undefended section of the chalk cliffs at Peacehaven. The Environment Agency and local councils have an ongoing programme to maintain, and in some cases improve, their defences. Investment in improvements over recent years means that work planned in the next few years is principally oriented to maintaining existing defences.

*Asked by Lord Bassam of Brighton*

To ask Her Majesty’s Government what is the status of the application for funding for extending sea berms and defences in Fairlight, East Sussex.

[HL6938]

**Lord De Mauley:** Rother District Council has applied to the Environment Agency for funding for a study in 2015/2016, and a subsequent scheme in 2016/2017, under the Coast Protection Act 1949. The project is called ‘Fairlight Coast Protection Works phase 3’. The bid is being considered by the Environment Agency alongside other potential projects in England as part of a six year programme of flood and coastal erosion risk management works.

## Environment: Coastal Erosion

### Question

*Asked by Lord Bassam of Brighton*

To ask Her Majesty’s Government whether there are any current or planned assessments of coastal erosion following recent cliff falls near residential areas in East Sussex.

[HL6939]

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** The management of coastal erosion along the East Sussex coastline is the responsibility of the Coast Protection Authorities under the Coast Protection Act 1949. Coast Protection Authorities regularly monitor and assess the condition of the coastal cliffs in their areas. The Coast Protection Authorities for the East Sussex coastline will continue to monitor the coast line following the cliff falls during the last winter.

## EU: Funding

### Question

*Asked by Lord Bassam of Brighton*

To ask Her Majesty’s Government why European Union solidarity funding was not sought to assist with damage caused in the recent floods and cliff falls.

[HL6940]

**The Commercial Secretary to the Treasury (Lord Deighton) (Con):** EU Solidarity Fund money is available to eligible States suffering from large-scale natural disasters but is subject to a number of eligibility requirements, including on the level of direct damages.

Comparing the recent damage in the UK to the 2007 floods, and following contact with the Commission, the Government’s assessment is that we did not meet these conditions.

However, the Government continues to explore external mechanisms, including through discussions with EU institutions such as the EIB, to support the existing package of UK Government support, which includes £130 million for flood recovery in the South West.

## EU: Imports

### Question

*Asked by Lord Lester of Herne Hill*

To ask Her Majesty’s Government whether they will seek to persuade the European Union to revoke the ban on the import from India of alphonso mangoes.

[HL6888]

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** The EU has banned the import of five plant products from India, including all varieties of mangoes, because of repeated findings of plant pests. Protecting the UK’s plants from incursions of pests and diseases is a high priority for the Government, and the pests intercepted on imports from India could cause significant damage to UK glasshouse crops worth £321 million a year.

The Standing Committee for Plant Health will consider revoking the ban once India has demonstrated that it can meet the EU’s import requirements designed to prevent the movement of plant pests. We are discussing with the Indian Government and the European Commission what steps can be taken by exporters and the Indian plant health authorities to ensure that the necessary standards are met so that trade can be resumed as soon as possible.

## Eugenics

### Questions

*Asked by Lord Patten*

To ask Her Majesty’s Government, further to the Written Answer by Earl Howe on 8 April (WA 206–7), what is their working definition of a human eugenic practice.

[HL6917]

To ask Her Majesty’s Government, further to the Written Answer by Earl Howe on 8 April (WA 206–7), why the principles set out in Article 3(2) of the European Union Charter of Fundamental Human Rights that prohibit human eugenic practices only apply to the United Kingdom when implementing European Union law.

[HL6919]

To ask Her Majesty’s Government, further to the Written Answer by Earl Howe on 8 April (WA 206–7), by what date their consideration of

the implications for devolved responsibilities will be completed to allow full ratification of the Council of Europe Convention on Human Rights and Biomedicine. [HL6920]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** The Government has not developed a working definition of human eugenic practice.

Article 51 of the European Union Charter of Fundamental Rights states that the instrument applies to Member States only when they are ‘implementing Union law’. This reflects the pre-Charter case law on the rights and principles that the Charter reaffirms.

We have no set date for completion of consideration of the issues that relate to full ratification of the Council of Europe Convention on Human Rights and Biomedicine.

### Fair Trade Day

#### Question

Asked by **Lord Bourne of Aberystwyth**

To ask Her Majesty’s Government how they have promoted Fair Trade Day. [HL6907]

**Lord Ahmad of Wimbledon (Con):** It has not proved possible to respond to this question in the time available before Prorogation. I will correspond directly with the noble Lord as soon as possible.

### Female Genital Mutilation

#### Question

Asked by **Baroness Valentine**

To ask Her Majesty’s Government what training is available for general practitioners in identifying cases of female genital mutilation. [HL6866]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** The Government published the guidance, *Multi-Agency Practice Guidelines: Female Genital Mutilation* in 2011, which provides advice to health professionals and the steps to be taken when dealing with suspected or actual female genital mutilation (FGM).

The Department is working with NHS England, Health Education England and the Royal Colleges to develop materials and training to support National Health Service staff including general practitioners to better identify and support girls at risk of FGM. Further announcements on this work will be made in due course.

An FGM NHS Choices page ([www.nhs.uk/fgm](http://www.nhs.uk/fgm)) was recently launched containing information and support for frontline professionals who are concerned about the practice and are seeking advice.

### Former Prime Ministers: Public Duty

#### Cost Allowances

#### Question

Asked by **Lord Storey**

To ask Her Majesty’s Government, further to the Written Answer by Lord Wallace of Saltaire on 7 April (WA 238–9), which specific amounts of Public Duty Cost Allowance funding each former

Prime Minister was allocated by way of reimbursement of (1) necessary office costs, (2) “secretarial costs”, and (3) all other costs, in each year that the reimbursement was awarded to them; what systems are or were in place to assess and audit such expenses claims; and, if there are no such systems in place, whether they will introduce them. [HL6989]

**Lord Wallace of Saltaire (LD):** There is no allocation within the public duties allowance for different categories of spend. It is for the former Prime Minister to submit receipts for payment within the annual allowance. The allowance is subject to audit, both by Internal Audit and the National Audit Office. Relevant supporting documentation is provided in support of claims.

### Gaza

#### Question

Asked by **Baroness Tonge**

To ask Her Majesty’s Government what action they intend to take, other than increasing the aid budget, to reduce food insecurity and unemployment in the Gaza Strip. [HL6951]

**Baroness Northover (LD):** UK support to Gaza includes providing food vouchers to 5,750 households. Our support provides work and an income to 5,300 vulnerable refugees in Gaza, and short term placements to boost the skills and employability of around 1,000 refugee women. We provide long term, predictable support to UNRWA’s General Fund, around 33% of which is spent in Gaza. Our support to the UN Access Coordination Unit helps 24 UN agencies and 90 INGOs get aid and goods into Gaza. Through our programme we are also helping to develop the Palestinian private sector. Movement and access restrictions prevent sustainable recovery of the Palestinian economy, so we continue to press the Government of Israel to ease those restrictions and allow the export of goods from Gaza to Israel and transfers to the West Bank.

### Global Partnership for Education

#### Questions

Asked by **Baroness Goudie**

To ask Her Majesty’s Government how they plan to encourage other donor governments and developing country partner governments to pledge support at the Global Partnership for Education replenishment in June. [HL6980]

**Baroness Northover (LD):** DFID are working closely with other international donors and developing country partner governments to support the GPE replenishment. We are meeting regularly with donor governments to discuss support for the GPE replenishment. We are also liaising closely with GPE to ensure that the new funding model works to increase domestic financing to education.

*Asked by Baroness Goudie*

To ask Her Majesty's Government whether Ministers will attend the Global Partnership for Education replenishment conference in June.

[HL6981]

**Baroness Northover:** Ministerial attendance is currently being discussed and we will look to make a decision in the coming weeks.

*Asked by Baroness Goudie*

To ask Her Majesty's Government how they are collaborating with the Global Partnership for Education to ensure that more children with disabilities can access quality basic education.

[HL6982]

**Baroness Northover:** DFID is collaborating with the Global Partnership for Education on the design of their new funding model to incentivise countries to improve their collection and use of data on children with disabilities. Currently there are very limited data in most developing countries. GPE will also work to strengthen the quality of education sector plans - particularly on how they address disability issues.

*Asked by Baroness Goudie*

To ask Her Majesty's Government what steps they are taking to work with the Global Partnership for Education to ensure that an ambitious goal and targets are agreed for education for all after 2015.

[HL6983]

**Baroness Northover:** DFID is working across Her Majesty's Government and with its international partners in education including the Global Partnership for Education to aim to ensure that, by 2030, all girls and boys completing primary education are able to read, write and count. We are also looking to be more ambitious by increasing the proportion of young women and young men with the technical and transferable skills to get decent jobs.

The main process to define a new goal for education is being led by UNESCO through its Education For All Steering Committee. The UK is represented by Norway and working closely with Norwegian counterparts to further our priorities.

## Government Departments: Management Information Reports

### Questions

*Asked by Lord Mendelsohn*

To ask Her Majesty's Government which official, with what job title, is responsible and accountable for departmental management information in the Cabinet Office.

[HL6890]

**Lord Wallace of Saltaire (LD):** Within Cabinet Office the official who holds responsibility for departmental management information is Bruce Mann, Finance Director.

*Asked by Lord Mendelsohn*

To ask Her Majesty's Government which official, with what job title, is responsible and accountable for departmental management information in the Department for Business, Innovation and Skills.

[HL6891]

**The Parliamentary Under-Secretary of State, Department for Business, Innovation and Skills (Viscount Younger of Leckie) (Con):** The Cabinet Committee PEX(ER) agreed that all Departments appoint a Senior Civil Servant level Head of Management Information. In the Department for Business, Innovation and Skills this responsibility is held by The Director of Finance, Planning and Performance, Charu Gorasia.

*Asked by Lord Mendelsohn*

To ask Her Majesty's Government which official, with what job title, is responsible and accountable for departmental management information in the Department for Education.

[HL6969]

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** A number of officials across the Department are involved with producing, analysing and using management information that is relevant to their areas of responsibility.

*Asked by Lord Mendelsohn*

To ask Her Majesty's Government which official, with what job title, is responsible and accountable for departmental management information in the Department of Energy and Climate Change.

[HL6970]

**The Parliamentary Under-Secretary of State, Department of Energy and Climate Change (Baroness Verma) (Con):** Angie Ridgwell, Director General for Finance and Corporate Services, is the lead official responsible and accountable for management information within DECC.

*Asked by Lord Mendelsohn*

To ask Her Majesty's Government which official, with what job title, is responsible and accountable for departmental management information in the Department for Environment, Food and Rural Affairs.

[HL6971]

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** Departmental Management Information (MI) is generated for a wide variety of business functions. Checking and sign off of MI produced is carried out within relevant areas of the Department.

*Asked by Lord Mendelsohn*

To ask Her Majesty's Government which official, with what job title, is responsible and accountable for departmental management information in the Home Office.

[HL6974]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** The information used and provided by the Home Office, as with other Departmental obligations, is a matter for the Permanent Secretary. He is supported in doing so by his Chief Operating Officer, his Director of Performance, his Chief Internal Auditor and by an obligation on all senior officials to maintain accurate records.

Asked by **Lord Jopling**

To ask Her Majesty's Government, further to the Written Answer by Lord Bates on 6 May (WA 365), whether they will now answer the question which was put. [HL6993]

**Baroness Northover (LD):** DFID's Executive Management Committee review year-to-date and forecast expenditure against budgets each month through a monthly Management Information report.

There is no formal cost overrun percentage threshold that triggers a review of specific budgets. The EMC does however examine potential material overspending each month that represents a significant risk to the DFID's overall Resource and Capital budgets.

## Government Departments: Procurement

*Question*

Asked by **Baroness Seccombe**

To ask Her Majesty's Government, further to the Written Answer by Lord Deighton on 6 May (WA 368–70), what was the breakdown of departmental private office spending on Government Procurement Cards in the Department for Energy and Climate Change between 2008–09 and 2009–10. [HL6990]

**The Parliamentary Under-Secretary of State, Department of Energy and Climate Change (Baroness Verma) (Con):** GPC spend above £500 by the Department are published on the GOV.UK website. Details for May 2012 to March 2014 are available at:

<https://www.gov.uk/government/collections/gpc-departmental-spend-over-500>

Details for April 2010 to April 2012 are archived at: [http://webarchive.nationalarchives.gov.uk/20121025080026/http://www.decc.gov.uk/en/content/cms/accesstoinform/expenditure/spend\\_over\\_500/spend\\_over\\_500.aspx](http://webarchive.nationalarchives.gov.uk/20121025080026/http://www.decc.gov.uk/en/content/cms/accesstoinform/expenditure/spend_over_500/spend_over_500.aspx)

The Department does not hold records of any details prior to April 2010. Those for 2008–09 and 2009–10 were held as a mixture of electronic and paper records by both BIS and Defra. Locating and retrieving these records would incur disproportionate costs.

## Government: Buildings

*Question*

Asked by **Baroness Valentine**

To ask Her Majesty's Government how much property in London is owned by central government; and how much of it is not in use. [HL6865]

**Lord Wallace of Saltaire (LD):** Since the 2010 General Election we have vacated over 1.5 million square metres of property across the country. The number of central administrative estate holdings within the 5 central London postcodes is currently 92, a reduction of over

50% since 2010. This reduction has generated significant savings, for example, we saved £60 million by selling a lease on Admiralty Arch.

On 1 January 2014, 2.5% of the central administrative estate that is mandated to be on e-PIMS (electronic Property Information Management System) was vacant. This is well below the reported national average (private and public sector) of 10.2%. Figures for the London region indicate a vacancy rate of 1.8% at January 2013, which compares favourably with the average vacancy rate (private and public sector) for London of 7.2%.

Government property and land that is available to rent or buy can be found at <https://www.gov.uk/find-government-property>.

## Government: Growth Council

*Question*

Asked by **Lord Hennessy of Nympsfield**

To ask Her Majesty's Government who are the members of the Prime Minister's Growth Council; and how many times it has met since its creation. [HL6896]

**Lord Wallace of Saltaire (LD):** A list of members is available in the Library, and online at [www.gov.uk](http://www.gov.uk).

In line with the practice of previous governments, information relating to the proceedings of Cabinet Committees, including what issues were discussed, is generally not disclosed as to do so could harm the frankness and candour of internal discussion.

## Gypsies and Travellers

*Question*

Asked by **Baroness Whitaker**

To ask Her Majesty's Government what is the nature of the "urgent consideration" they are giving to improve the attainment outcomes of Gypsy, Roma and Traveller pupils noted in Annex D of their paper on the Child Poverty Strategy 2014–17; and whether they will (1) reconsider the use of the Pupil Premium in this regard, and (2) seek the advice of the Department for Education's Stakeholder Group on Gypsy, Roma and Traveller education. [HL6959]

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** The draft Child Poverty Strategy document references measures currently under consideration to improve the attendance of Gypsy, Roma and Traveller (GRT) pupils. Attendance levels for many of these pupils are unacceptably low. In 2012/13, the overall absence rate for Gypsy / Roma pupils (15.3%) was around three times the national rate for all pupils (5.3%) and for Traveller of Irish Heritage pupils, was around four times the national rate (21.4%). Poor attendance at school is a real barrier to improving attainment for this group of pupils and there is an urgent need for improvement. GRT families, stakeholder groups, schools and local authorities –

working in partnership – have an important role to play in fostering the highest expectations when it comes to attendance so that all GRT children can benefit from their full educational entitlement.

The Government is investing £2.5 billion in the pupil premium this year to improve the attainment of pupils from low-income families and so improve their future life chances. Most GRT pupils are benefiting from the pupil premium on the basis of their economic circumstances. In 2013, three quarters of Traveller of Irish Heritage and 60% of Gypsy / Roma pupils attracted pupil premium funding. There are no plans to change the pupil premium funding criteria.

The summer term meeting of the Department for Education's reference group on GRT will provide an opportunity for further discussion on improving the attainment of GRT pupils.

## Health and Work Service

### Question

Asked by *Lord Luce*

To ask Her Majesty's Government what progress they have made in the implementation of the Health and Work Service; and whether that implementation is being taken in stages. [HL6925]

**The Parliamentary Under-Secretary of State, Department for Work and Pensions (Lord Freud) (Con):** We have made good progress towards the implementation of the Health and Work Service.

The tendering process closes on 9 May 2014 and we will formally announce the successful supplier for England and Wales in July 2014. Implementation will begin in late 2014 and the details will be confirmed when the chosen supplier has been appointed.

## Health: Lyme Disease

### Question

Asked by *Lord Condon*

To ask Her Majesty's Government what action they are taking in response to the predicted increase in tick-transmitted diseases such as Lyme disease. [HL6944]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** Public Health England (PHE) and the National Health Service have public information on tick-borne diseases on their websites, and PHE works with patient groups to promote the recognition and prevention of Lyme disease. PHE also provides information for health professionals, and wrote to all general practitioners last spring to alert them to the risks. A new leaflet for the public will be released later this month and advertised through social media sites and the PHE website. National parks and other organisations also offer advice to visitors on avoiding tick bites and awareness of Lyme Disease, and PHE will work with these groups to enhance the information available over the summer season. PHE is also developing national guidance for the management of Lyme disease, and a research programme through the Health Protection Research Unit at Liverpool with NHS partners.

## Health: Neurofibromatosis

### Questions

Asked by *Lord Bassam of Brighton*

To ask Her Majesty's Government whether they intend to review special educational needs assessments to ensure that the needs of neurofibromatosis sufferers are taken fully into account by education services; and if so, when. [HL6839]

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** Schools are already required to support children with long term medical conditions, and this would include sufferers of neurofibromatosis. Non-statutory guidance is available to schools, "Managing Medicines in Schools and Early Years Settings", to help them manage medicines and supporting children with medical needs such as this.

From September 2014, there will be a new duty, (introduced in the Children and Families Act 2014), on governing bodies of maintained schools (and proprietors of academies) to make arrangements to support pupils at school with medical conditions and to have regard to statutory guidance. The proposed text of the guidance (upon which we have consulted publicly) is available on GOV.UK so that schools can prepare for implementation in the autumn term. It sets out the requirements on schools to support children with medical conditions, which we would expect them to apply to conditions like neurofibromatosis.

Asked by *Lord Bassam of Brighton*

To ask Her Majesty's Government what guidance they provide to schools, colleges and universities about taking into account the additional difficulties that neurofibromatosis sufferers encounter with examinations. [HL6840]

**Lord Nash:** Guidance given to schools and colleges is a matter for the Office of Qualifications and Examinations Regulation and I have asked its Chief Regulator Glenys Stacey to write directly to Lord Bassam of Brighton. A copy of her reply will be placed in the Lords Library.

Equality Challenge Unit provides advice for higher education institutions on a range of matters, including reasonable adjustments for students with disabilities. More information is available at [www.ecu.ac.uk](http://www.ecu.ac.uk).

## Health: Opiates

### Question

Asked by *Lord Luce*

To ask Her Majesty's Government whether there is any evidence that the prescription of opioid medication to relieve chronic pain has led to fatal overdoses in patients in the United Kingdom; and whether there is any evidence of abuse in the use of opiates by patients. [HL6924]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** From incidents reported to the National Reporting and Learning System (NRLS) there is evidence that the prescription of opioid medicines for all conditions, including chronic pain, have led to

fatal overdoses in patients in England and Wales. However, this information cannot be used to provide evidence of abuse.

The report *A review of controlled drug incidents reported to the NRLS over seven years* (2005 to 2011) published in the *Pharmaceutical Journal* in 2013 provided details of the number and types of patient safety incidents involving Controlled Drugs (CDs), including opioid medicines, reported to the NRLS. In addition incidents with reported outcomes of death and severe harm were also analysed qualitatively. A copy of the report has been placed in the Library.

There were 72,028 incidents reported to the NRLS over the seven year period. Of 10,678 incidents of reported harm there were 54 deaths, 74 incidents of severe harm and 10,550 incidents of other harm. Incidents involving overdose of CDs accounted for 89 (69.5%) of the 128 incidents reported of serious harm (combining death and severe harm).

Unsafe use of CDs is the number one cause of serious harm from medication incidents reported to the NRLS. NHS England is working with the Care Quality Commission and has established a clinical safety group of the National Accountable Officers for Controlled Drugs Committee. This group is providing further guidance to Accountable Officers for Controlled Drugs and healthcare practitioners on safer use of controlled drugs.

### Health: Polio

#### Question

Asked by **Lord Bourne of Aberystwyth**

To ask Her Majesty's Government what steps they are taking to prevent the worldwide spread of polio. [HL6908]

**Baroness Northover (LD):** On 5 May 2014, the World Health Organisation (WHO) issued a statement regarding the recent international spread of wild poliovirus and Temporary Recommendations (TR) under the International Health Regulations 2005 to prevent its further spread. The TR are primarily focused on countries exporting and/ or infected with wild polio virus. The Government fully supports the WHO statement.

The UK remains deeply committed to the eradication of polio, and is a long-time supporter of the Global Polio Eradication Initiative. At the Global Vaccine Summit in Abu Dhabi in 2013 DFID pledged up to £300 million for polio eradication. In 2013 DFID also provided additional support for the outbreaks in the Horn of Africa and Syria.

### Helen Ukpabio

#### Questions

Asked by **Baroness Miller of Chilthorne Domer**

To ask Her Majesty's Government when they will acknowledge receipt of the letter sent on 12 April by the Bar Human Rights Committee to the Home Secretary with regard to Helen Ukpabio's visit to the United Kingdom. [HL7021]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach):** Home Office officials have responded to the Bar Human Rights Committee's letter to the Home Secretary of 12 April 2014 regarding Helen Ukpabio.

Asked by **Baroness Miller of Chilthorne Domer**

To ask Her Majesty's Government what is their response to the concerns set out in the letter sent on 12 April by the Bar Human Rights Committee to the Home Secretary; and what course of action will be taken with regard to future visits by Helen Ukpabio to the United Kingdom. [HL7022]

**Lord Taylor of Holbeach:** It is the general policy of the Home Office not to disclose or discuss, to a third party, personal information about another person's immigration status unless there is a substantial public interest in doing so. This is because the Home Office has obligations in law to protect this information.

### Higher Education: Student Loans

#### Question

Asked by **Lord Barnett**

To ask Her Majesty's Government what is (1) the total sum, and (2) the percentage, of student loans that have been written off as bad debt. [HL6849]

**Lord Ahmad of Wimbledon (Con):** Information on the repayment status of student loans is available in the Student Loans Company (SLC) publication '*Student Loans for Higher Education in England, Financial Year 2012-13*'.

The Amount of Total Public Debt outstanding (including loans not yet due for repayment) at the start of Financial Year 2012-13 including interest was £40,271.5m, rising to £46,590.4m by the end of Financial Year 2012-13.

The amount of debt written off or cancelled during the Financial Year 2012-13 was £27.0m. This figure is 0.07% of the Total Public Debt outstanding at the start of Financial Year 2012-13 and 0.06% of the Total Public Debt outstanding at the end of Financial Year 2012-13.

Write offs occur for policy reasons; when borrowers die, become permanently disabled or when their loan reaches age thresholds. An estimate of 'bad debt' has not been provided in the answer as there is no standard definition for this.

Statistics referring to the Financial Year 2013-14 will be published in June 2014.

### Housing: Letting Agents and Landlord Accreditation Schemes

#### Questions

Asked by **Baroness Hayter of Kentish Town**

To ask Her Majesty's Government what guidance they offer to local authorities on the outline and content of local letting agent and landlord accreditation schemes. [HL6986]

To ask Her Majesty's Government whether they will publish copies of any guidance that they provide to local authorities on local accreditation schemes for letting agents and landlords. [HL6987]

To ask Her Majesty's Government how many local authorities operate either letting agent or landlord accreditation schemes. [HL6988]

**The Parliamentary Under-Secretary of State, Department for Communities and Local Government (Baroness Stowell of Beeston) (Con):** Information on how many local authorities operate letting agent or landlord accreditation schemes is not centrally held. The decision on whether to establish letting agent or landlord accreditation schemes is best made by local authorities who can take account of local conditions and circumstances. The Department does not therefore produce any guidance on such schemes.

We are improving standards in the sector. Later this year, we will bring regulations into force that will require the remaining 3,000 letting and property management agents to join one of the 3 approved redress schemes, thereby improving protection for both tenants and landlords. In addition, we have made over £4 million available to 23 local authorities to help them tackle acute and complex problems with rogue landlords in their area. This builds on the £2.6 million we have given nine local authorities to support enforcement against "Beds in Sheds".

## Immigration

### Question

*Asked by Lord Condon*

To ask Her Majesty's Government how many meetings have taken place in 2014 between British and French authorities to discuss homeless people living in the Calais area who seek unlawfully to board British vehicles travelling to Dover; and what has been the outcome of any such meetings.

[HL6946]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** The UK works closely with the French authorities on matters of border security and cross border criminality to maintain the integrity of our joint border controls.

The Home Office and Border Force regularly meet the French at Ministerial, official and operational level to enhance our effectiveness in tackling irregular migration and organised immigration crime, including between Calais and Dover.

Recent collaboration has resulted in a grant of £2 million from the UK to replace and upgrade the Passive Millimetre Wave Imaging (PMMWI) equipment currently deployed in the ports of Calais and Coquelles.

In respect of the UK response to increase our impact on Organised Immigration Crime in France (especially northern France) Border Force have established a UK Task Force (Op Groundbreaker) and assembled Intelligence /Investigation Officers from Immigration Enforcement, Border Force, National Crime Agency and Kent Police. The Task Force is able to provide a robust response to OIC and work closely with French colleagues in Police Aux Frontières (PAF) nationally

and in particular with OCRIEST (Office Central de Répression de l'Immigration Irrégulière et de l'Emploi d'Etrangers sans Titre - a specialist PAF Unit dedicated to tackling organised crime groups in France and abroad).

## Immigration: Children

### Question

*Asked by Lord Roberts of Llandudno*

To ask Her Majesty's Government what analysis they have made of the report Cedars: two years on by Barnardo's; and what plans they have to implement the recommendations made in that report. [HL6877]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** The Home Office welcomes Barnardo's report which highlights the significant improvements that have been made to the family returns process, the reduction in the numbers of children held with their families for immigration purposes and the fact that the accommodation at Cedars is used as a last resort.

The Home Office is carefully considering the report and its recommendations. The recommendation for risk assessment for the use of personal protection clothing is already part of operational visit planning and changes to the contract with the escort supplier, Tascor, are underway to enable the creation of specialist escort teams for family moves.

## Independent Living Fund

### Question

*Asked by Baroness Uddin*

To ask Her Majesty's Government what provisions exist to safeguard monies identified by the Independent Living Fund (ILF) as needed to meet the critical and substantial need of recipients; and whether such funds will be ring-fenced by local authorities to ensure monies are used exclusively for continuation of care when the ILF ceases. [HL6942]

**The Parliamentary Under-Secretary of State, Department for Work and Pensions (Lord Freud) (Con):** All the funding that would have been allocated to the ILF in 2015/16 to support its users from July 2015 onwards will be transferred to local authorities in England and to the devolved administrations in other parts of the UK. Local government social care funding is not ring-fenced, allowing local authorities the flexibility to manage their budgets locally in line with local needs and priorities. Local authorities have a statutory duty to assess and fund the eligible care needs of all disabled people, including former users of the Independent Living Fund. The Public Sector Equality Duty applies to local government in the same way as it does to central government.

## Industrial Strategy Council

### Question

*Asked by Lord Adonis*

To ask Her Majesty's Government on what dates the Industrial Strategy Council has held meetings since it was set up; and, for each meeting, (1) who attended, and (2) what was the agenda. [HL6873]

**The Parliamentary Under-Secretary of State, Department for Business, Innovation and Skills (Viscount Younger of Leckie) (Con):** The first meeting of the Industrial Strategy Council was on 14 May 2013. The agenda consisted of:

1. Role of the Council
2. September Conference
3. Supply chains
4. Witty Review

The meeting was attended by:

Tera Allas, Keith Anderson, Gordon Ballard, Marcus Bryson, Vince Cable, Victor Chavez, John Cridland, Martin Donnelly, Warren East, Peter Hansford, Lord Hutton, Harry Keenan, Sir Richard Lambert, Janice Munday, Mark Turner, Robin Webb, Frances O'Grady, Michael Snyder, Keith Wiggins.

The second meeting of the Industrial Strategy Council took place on 27<sup>th</sup> November 2013. The agenda consisted of:

1. Policy update
2. Progress update and next steps
3. Update on small businesses
4. Supply chains

The meeting was attended by:

Keith Anderson, Gordon Ballard, Judith Batchelar, Marcus Bryson, Vince Cable, Neil Carson, John Cridland, Martin Donnelly, Warren East, Peter Hansford, Lord Hutton, Harry Keenan, Bernadette Kelly, Sir Richard Lambert, Janice Munday, Richard Parry-Jones.

The third meeting of the Industrial Strategy Council will take place on 19th May 2014.

## Israel and Palestine: West Bank

### Question

Asked by *Baroness Tonge*

To ask Her Majesty's Government what action they intend to take to secure compensation for the European Union-funded humanitarian housing shelters close to Ma'ale Adumim, which were demolished by Israeli authorities on 9 April. [HL6953]

**Baroness Northover (LD):** Any decision to respond to these demolitions would be taken by the EU rather than the UK. We and our EU partners regularly lobby Israel against the demolition of Palestinian homes and infrastructure and forced transfer of population in Area C and East Jerusalem. Officials most recently raised the issue of demolitions with the office of Prime Minister Netanyahu on 1 May. On 5 May the EU missions in Jerusalem and Ramallah issued a statement condemning recent home demolitions and evictions of Palestinians in the occupied West Bank and urging Israel against such actions.

## NHS: Ambulance Service

### Question

Asked by *Lord Hunt of Kings Heath*

To ask Her Majesty's Government what is their response to the Care Quality Commission report on the East Midlands Ambulance Service published on 9 April; and when Mr Brian Britten will receive

a full response to his complaint to the Service about an incident in February in which an ambulance in which he was being conveyed abruptly lurched.

[HL6875]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** The Care Quality Commission (CQC) is the independent regulator of health and adult social care providers in England and has a key responsibility in the overall assurance of safety and quality. The Government expects the East Midlands Ambulance Service NHS Trust to take prompt action to remedy the concerns recently highlighted by CQC inspectors.

East Midlands Ambulance Service NHS Trust advises it has recently responded in full response to Mr Britten's complaint.

## NHS: Data

### Question

Asked by *Baroness Byford*

To ask Her Majesty's Government whether persons whose National Health Service data has been compromised are informed of that fact; and, if so, what remedy or compensation is available to them.

[HL7004]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** National Health Service organisations are individually responsible for managing incidents where patient data has been compromised. Guidance provided by the Health and Social Care Information Centre is that data subjects should be informed when personal data about them has been lost or inappropriately placed in the public domain, unless the cost of doing so would be prohibitive or the risk to those concerned is judged to be minimal. Where there is any risk of identity theft it is strongly recommended that this is done.

There are no central guidelines on remedies or compensation. Individuals whose data has been compromised may make a complaint through local NHS complaints procedures or if they believe that an incident resulted from a breach of data protection requirements they may report this to the Information Commissioner. In some circumstances individuals might seek redress through the Civil Courts.

## NHS: Drugs and Medicines

### Question

Asked by *Lord Oakeshott of Seagrove Bay*

To ask Her Majesty's Government what consideration they have given to using the purchasing power of the National Health Service as a major customer of AstraZeneca and Pfizer to ensure that Pfizer honours any undertakings given in the event of a successful takeover of AstraZeneca. [HL6985]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** Both companies supply the National Health Service with vital medicines that are used to treat millions of patients each year. It is for clinicians to make prescribing decisions based on their

patient's individual clinical circumstances and our priority is to ensure that patients continue to get the medicines they need.

### **Nigeria** *Question*

*Asked by Baroness Miller of Chilthorne Domer*

To ask Her Majesty's Government what briefings they have received from the United Kingdom Ambassador to Nigeria with regard to the incitement by certain individuals to treat some children as witches; and what reports they have received about the physical and mental effects on children subjected to such accusations. [HL7020]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** Our High Commission in Abuja have previously reported on children being accused of witchcraft in Nigeria. We are aware of various reports detailing the physical and mental damage caused by such accusations. Our officials in Nigeria, and in London, regularly meet with individuals and non-governmental organisations to discuss this.

Child abuse is appalling and unacceptable wherever it occurs and in whatever form it takes. Abuse linked to faith is an abhorrent crime, which should be condemned by people of all cultures, communities and faiths.

### **Northern Ireland: On-the-runs** *Questions*

*Asked by Lord Maginnis of Drumglass*

To ask Her Majesty's Government, further to the Written Answers by Baroness Randerson on 26 March (WA 124) and 3 April (WA 226), and by Lord Bates on 6 May (WA 410–11), whether they have any plans to reconsider the scope of Lady Justice Hallett's inquiry into on the runs or to assess its possible impact on the judicial, financial or community processes. [HL7016]

**The Parliamentary Under-Secretary of State, Wales Office (Baroness Randerson) (LD):** The Government has no plans to reconsider the scope of Lady Justice Hallett's inquiry, nor to assess the impacts on the judicial, financial or community processes.

*Asked by Lord Maginnis of Drumglass*

To ask Her Majesty's Government, further to the Written Answers by Baroness Randerson on 26 March (WA 124) and 3 April (WA 226), and by Lord Bates on 6 May (WA 410–11), in the light of the scope of Lady Justice Hallett's inquiry into on the runs, what role they envisage for the Northern Ireland Office, the Northern Ireland Civil Service and the Police Service of Northern Ireland in that inquiry. [HL7017]

**Baroness Randerson:** As noted in earlier written answers, the inquiry will have full access to files held by the Government; government officials who are requested to appear will be expected to do so. The inquiry may also interview key individuals from the Northern Ireland Civil Service, the police and any

others where those individuals are willing. The Northern Ireland Office is providing appropriate support to the inquiry team, as its' sponsoring department.

### **Prisoners: Parcels** *Question*

*Asked by Lord Beecham*

To ask Her Majesty's Government on how many occasions in the last two years parcels sent to prisoners have been found to contain drugs, extremist materials, mobile phones, SIM cards or pornography. [HL6848]

**The Minister of State, Ministry of Justice (Lord Faulks) (Con):** Details of illicit items found in post or packages are recorded on the prison incident reporting system, and collated in a central database. However, to identify the number of parcels containing drugs, illicit materials, mobile phones, SIM cards or pornography would require a manual search of over 34,000 individual records, which could only be done at disproportionate cost.

### **Prisoners: Repeat Offenders** *Question*

*Asked by Lord Ouseley*

To ask Her Majesty's Government how many repeat offenders serving prison sentences of less than one year have been provided with a resettlement package to facilitate their return to the community in the past year. [HL6897]

**The Minister of State, Ministry of Justice (Lord Faulks) (Con):** Obtaining the information requested would involve the 35 probation trusts in searching the individual records of offenders and this could not be done without incurring disproportionate cost.

### **Prisoners: Temporary Licence** *Question*

*Asked by Lord Bourne of Aberystwyth*

To ask Her Majesty's Government what is their policy on the release of prisoners on temporary licence. [HL6905]

**The Minister of State, Ministry of Justice (Lord Faulks) (Con):** Carefully managing prisoners into the community on temporary licence toward the end of their sentence is a key part of efforts to rehabilitate them back into society. Release on Temporary Licence (ROTL) plays an important role in public protection by ensuring that offenders are tested in the community under strict conditions before being released. It also provides a valuable means of helping prisoners prepare for their resettlement in the community by, for example, finding work or rebuilding links with their families, which helps to reduce reoffending.

But this should never be at the expense of public safety which remains our absolute priority.

In March this year, the Government announced plans to improve temporary release policy and practice following reviews prompted by three very serious incidents last year. A key part of these plans is to have a new scheme of restricted ROTL for serious offenders. In those cases, there will be more stringent risk assessment procedures, with greater involvement of psychology and probation professionals and more restrictive licence conditions. In addition, and as soon as suitable equipment is available, we will be able to tag offenders on temporary release.

In the vast majority of cases ROTL is used effectively and successfully. Prisoners fail to comply with licence conditions in less than one tenth of one per cent of cases.

### Prisoners: Women

#### Questions

Asked by *Baroness Wheatcroft*

To ask Her Majesty's Government how many women prisoners had GCSE C-grade or equivalent in English and maths on being imprisoned in (1) 2010, (2) 2011, and (3) 2012; and how many had such qualifications upon release. [HL6857]

**Lord Ahmad of Wimbledon (Con):** We do not centrally hold information on the prior attainment of prisoners or their qualifications upon release.

Asked by *Baroness Wheatcroft*

To ask Her Majesty's Government what proportion of current women prisoners were convicted of violent crime. [HL6860]

**The Minister of State, Ministry of Justice (Lord Faulks) (Con):** At 31 March 2014, 29% of the female prison population were under immediate custodial sentence for violence against the person. A breakdown of the figures is below:

Adults 845  
18-20 year olds 44  
15-17 year olds 0  
Total 889

Further detail can be found in the Offender Management Statistics Quarterly Bulletin. The latest edition covering October to December 2013 and annual statistics for 2013 are available at the link below:

<https://www.gov.uk/government/publications/offender-management-statistics-quarterly-october-december-2013-and-annual>

Asked by *Baroness Wheatcroft*

To ask Her Majesty's Government what proportion of current women prisoners were in employment before being jailed. [HL6858]

To ask Her Majesty's Government what proportion of current women prisoners suffered from alcohol or drug addiction or mental illness when they committed the crimes for which they were jailed. [HL6859]

To ask Her Majesty's Government what proportion of current women prisoners have children under the age of 18. [HL6861]

**Lord Faulks:** The Ministry of Justice does not centrally collate or hold information on the questions above. However, a survey conducted between 2005 and 2010 (Surveying Prisoner Crime Reduction) provides some information on these topics.

Copies of the reports are available at:  
[www.gov.uk/government/collections/surveying-prisoner-crime-reduction-spcr](http://www.gov.uk/government/collections/surveying-prisoner-crime-reduction-spcr)

### Public Expenditure

#### Question

Asked by *Lord Selkirk of Douglas*

To ask Her Majesty's Government, further to the Written Answer by Lord Deighton on 23 April (HL 6672), for each £100 of identifiable public expenditure per capita in England, for each of the last ten years, how much was spent in (1) Wales, (2) Scotland, and (3) Northern Ireland. [HL6895]

**The Commercial Secretary to the Treasury (Lord Deighton) (Con):** The tables below show the expenditure per capita in Wales, Scotland and Northern Ireland for each £100 of identifiable expenditure per capita in England. This is over a ten year period.

In order to produce this analysis, a modified version of the per capita expenditure provided in the Written Answer by Lord Deighton on 23 April (HL 6672) has been used.

Per capita identifiable public expenditure showing for each £100 spent in England, the amount spent in Scotland, Wales and Northern Ireland, 2003-04 to 2007-08

	£				
	2003-04	2004-05	2005-06	2006-07	2007-08
	outturn	outturn	outturn	outturn	outturn
England	100	100	100	100	100
Scotland	121	118	121	122	122
Wales	117	115	116	117	115
Northern Ireland	131	130	128	128	129

Sources: expenditure data from past and present editions of PESA and mid-year population estimates from various sources, on a consistent basis to Country and Regional Analyses 2013

Per capita identifiable public expenditure showing for each £100 spent in England, the amount spent in Scotland, Wales and Northern Ireland, 2008-09 to 2012-13

	£				
	2008-09	2009-10	2010-11	2011-12	2012-13
	outturn	outturn	outturn	outturn	outturn
England	100	100	100	100	100
Scotland	119	117	117	119	119
Wales	113	112	113	116	114
Northern Ireland	126	124	124	127	128

Source: per capita expenditure data from Country and Regional Analyses 2013

## Public Sector: Equality Duty

### Question

Asked by *Baroness Thomas of Winchester*

To ask Her Majesty's Government what training is provided on disability awareness to staff in Jobcentre Plus offices as part of the public sector equality duty; and what steps are being taken to ensure that awareness by staff of obligations under the duty is improving. [HL6930]

**The Parliamentary Under-Secretary of State, Department for Work and Pensions (Lord Freud) (Con):** DWP, in partnership with Civil Service Learning, provides a wide range of diversity and disability learning opportunities for staff.

The 'Equality and Diversity Essentials' package provides an overview of the Equality Act 2010, the Public Sector Equality Duty and covers disability for customers and employees. The learning is targeted at all new employees as part of induction and as a refresher for other staff.

DWP offers a follow up 'Disability Awareness' course. This aims to build the confidence of managers to give effective support to disabled employees.

DWP customer facing staff are trained in the skills required to support a range of claimants and to respect their individual needs. This approach ensures they are skilled to deal with a diverse set of circumstances, whilst treating everyone as individuals. Jobcentre Advisers, in particular, have access to a comprehensive training programme which focuses on raising awareness of the individual's personal circumstances, including disabilities, and also recognises that those circumstances can affect individuals in different ways.

The Department regularly participates in external benchmarking activity to measure and improve performance for disabled staff, customers and service users. 2013 results showed a significant improvement in performance from 2012.

## Public Sector: Private Contractors

### Question

Asked by *Lord Roberts of Llandudno*

To ask Her Majesty's Government how they are ensuring (1) that adequate plans are in place for private contractors managing new public sector contracts, and (2) that any such plans include reference to what will be passed on by previous contractors and clear arrangements for exiting previous obligations. [HL6879]

**Lord Wallace of Saltaire (LD):** Although it is the responsibility of the Contracting Authority to ensure that adequate plans are in place for private contractors managing new public sector contracts, the Crown Commercial Service was created to support departments in improving their commercial relationships and strengthen the role of the centre of Government in overseeing procurement.

The Model Services Contract, published by the Crown Commercial Service in January 2014, contains standard contractual provisions relating to contract termination and supplier replacement:

[https://ccs.cabinetoffice.gov.uk/sites/default/files/files/Transparency/Model%20Services%20Contract%20v1\\_0.pdf](https://ccs.cabinetoffice.gov.uk/sites/default/files/files/Transparency/Model%20Services%20Contract%20v1_0.pdf)

## Schools: Air Quality

### Question

Asked by *Lord Bourne of Aberystwyth*

To ask Her Majesty's Government how they are testing air quality in schools. [HL6904]

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** The Department for Education does not conduct air quality testing in schools. Under the Control of Asbestos Regulations 2012, the employer – either the local authority or the school – has clear responsibilities to manage asbestos-containing materials in schools safely. The regulations include a requirement that exposure to asbestos fibres is reduced to a level that is as low as reasonably practicable.

The condition of asbestos containing materials can be monitored by visual inspection and by checking for any signs of damage. In some cases the employer may arrange for air sampling to be done to establish the levels of asbestos fibres.

## Schools: Asbestos

### Questions

Asked by *Lord Avebury*

To ask Her Majesty's Government why data on the presence of asbestos were not covered in the Property Data Survey Programme in United Kingdom schools; and what are their plans for removing any remaining asbestos from United Kingdom schools. [HL6856]

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** The Property Data Survey gathers high-level condition data across the state-funded educational estate in England only. The surveyors employed on the programme are general building surveyors and they perform a visual, non-intrusive survey. In comparison, considerably more detailed surveys are required to assess asbestos and that is why asbestos is not included as part of the Property Data Survey.

The Department for Education does not have a programme for the phased removal of all asbestos from schools in England. Under the Control of Asbestos Regulations, the employer - either the school or local authority - has clear responsibilities to manage asbestos containing materials in schools safely. The advice from the Health and Safety Executive is that it is safer to leave undisturbed or undamaged asbestos in place and to carefully manage it rather than to risk disturbing or damaging asbestos unnecessarily. If asbestos is managed effectively, as required by the regulations, the safest and most effective way to plan for its removal is when existing buildings are refurbished or replaced.

*Asked by Lord Bourne of Aberystwyth*

To ask Her Majesty's Government what steps they are taking in relation to asbestos in schools.

[HL6903]

**Lord Nash:** Under the Control of Asbestos Regulations 2012, the employer - either the local authority or the school - has clear responsibilities to manage asbestos-containing materials in schools safely. We expect schools to have an asbestos management plan in place and to actively manage it in line with legal requirements.

The Department for Education takes the issue of asbestos management in schools seriously. Our policy, as in other aspects of school management, is to give schools the support that they need to fulfil their responsibilities effectively.

We have set up the Asbestos in Schools Steering Group to raise awareness and promote the effective management of asbestos in schools and published new guidance in October 2012 which is available on the gov.uk website:

<https://www.gov.uk/government/publications/asbestos-management-in-schools>

We also asked the Committee on Carcinogenicity (CoC) to review the relative vulnerability of children to low levels of asbestos exposure. We committed to review our asbestos policy following publication of the CoC statement and this review is currently underway.

## **Schools: Disruptive Behaviour**

### *Questions*

*Asked by Lord Quirk*

To ask Her Majesty's Government how many teachers have resigned from their posts in each of the past 10 years, citing disruptive behaviour as a factor in their resignation.

[HL6965]

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** The information requested is not held by the Department for Education.

*Asked by Lord Quirk*

To ask Her Majesty's Government what action they are taking to help teachers, (1) to increase and maintain the respect in which they are held, and (2) to reduce unacceptable behaviour without having to resort to exclusion.

[HL6966]

To ask Her Majesty's Government what progress they are making in enlisting parental co-operation with the aim of reducing bad behaviour in schools.

[HL6967]

To ask Her Majesty's Government what comparisons they have made of classroom behaviour in the United Kingdom with that in Germany and other continental countries; and what relevant conclusions they have drawn.

[HL6968]

**Lord Nash:** The majority of schools are safe and disciplined environments, where teachers are respected and pupils learn in an orderly environment. Nevertheless,

Ofsted indicates in its 2013 annual report that there are 700,000 pupils in schools where behaviour is just not good enough.

The Government has taken strong action to support schools in maintaining discipline and developing a culture of respect. The Education Act 2011, strengthened teachers' powers to discipline pupils for poor behaviour: teachers can now issue same-day detentions, search pupils for banned items, and have clarity on their reasonable force powers.

The Department for Education issued streamlined advice in 2011 on behaviour and discipline to make it absolutely clear what teachers can and should do to reduce unacceptable behaviour. Our advice ensures that all schools have a whole-school behaviour policy which sets out the high standards of behaviour expected of pupils at all times and is underpinned by effective discipline and education.

In 2013 the National Foundation for Educational Research's Teacher Voice Survey found that just under a third of teachers did not have the confidence to use the powers they have to discipline pupils for unacceptable behaviour. As a result, in February 2014 we updated our advice to communicate a clear message that teachers have the right to impose discipline in the classroom. This updated advice lists a range of tough but permissible sanctions that can be deployed to tackle poor behaviour. These include imposing a school-based community service such as tidying a classroom, putting the pupil on report or the imposition of written task such as writing lines or an essay. This advice is available at: <https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>. We have also removed barriers to maintained schools using alternative provision as a means of early intervention in order to reduce the need for exclusion.

Teachers must have the support and respect of parents to manage pupil behaviour so they can teach in an orderly environment. Good schools recognise the importance of engaging parents and have developed their own approaches according to the particular circumstances of the school. In March 2014, we published a series of case studies on behaviour and bullying, which include examples of what good schools are doing to engage parents in a spirit of openness and shared responsibility. These case studies contain examples of the work good schools do with parents to encourage participation of hard- to-reach groups and are published at:

<https://www.gov.uk/government/collections/managing-behaviour-and-bullying-in-schools-case-studies>

We have also commissioned a series of questions on teachers' and headteachers' perceptions of school climate and ethos in the OECD Teaching and Learning International Survey (TALIS). This will give us a better understanding of how England compares to other OECD countries in relation to discipline in the classroom. The results of this survey will be published in the summer.

## Schools: Exclusions

### Question

Asked by **Lord Quirk**

To ask Her Majesty's Government how many pupils were excluded from (1) primary, and (2) secondary, schools in 1980, 1990, 2000, 2010 and during the latest year for which figures are available. [HL6964]

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** The requested information for the 2009/10[1] and 2011/12[2] academic years is published in the permanent and fixed period exclusions statistical first releases for each year.

Information on permanent exclusions for the 1999/2000[3] academic year is publicly available in the 1999/2000 permanent exclusions statistical first release. Information on exclusion rates prior to 2005/06 was collected via the Termly Exclusions Survey rather than the School Census.

Information on permanent and fixed period exclusions for the 1979/80 and 1989/90 academic years is not held by the Department for Education.

[1]<https://www.gov.uk/government/publications/permanent-and-fixed-period-exclusions-from-schools-in-england-academic-year-2009-to-2010> (table 1 and 6)

[2]<https://www.gov.uk/government/publications/permanent-and-fixed-period-exclusions-from-schools-in-england-2011-to-2012-academic-year> (table 1 and 8)

[3]<http://webarchive.nationalarchives.gov.uk/20120504203418/http://education.gov.uk/rsgateway/DB/SFR/s000275/index.shtml> (table 1)

## Sharia Law

### Question

Asked by **Lord Alton of Liverpool**

To ask Her Majesty's Government whether they consider that Brunei's proposal to introduce Sharia law executions violates the human rights principles of the Commonwealth Charter; and what representations they have made to Brunei about the matter. [HL6935]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** It has not proved possible to respond to this question in the time available before Prorogation. Ministers will correspond directly with the Member.

## Sudan

### Question

Asked by **Lord Alton of Liverpool**

To ask Her Majesty's Government what assessment they have made of reports of the threat of a military campaign by Malian Jihadists in Chad; and of military action in Jebel Marra and Abyei in Sudan. [HL6819]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** We have not seen any reports of threatened military action by Malian fighters in Chad, Jebel Marra or Abyei. However, the UK is

concerned about the vulnerability of fragile states across the region. For this reason, the UK supports efforts to increase regional co-operation on cross border threats such as those of the EU and UN. This approach is reflected for example in our integrated North and West Africa strategy.

## Syria

### Question

Asked by **The Lord Bishop of Coventry**

To ask Her Majesty's Government what assessment they have made of the displacement of people from the Syrian town of Kessab. [HL6832]

**Baroness Northover (LD):** According to UN sources, approximately 1,500 to 1,600 families have been displaced from the city of Kessab.

## Taxation

### Question

Asked by **Lord Bichard**

To ask Her Majesty's Government how many people currently complete a tax return; what is the average cost per case to HM Revenue and Customs of dealing with such tax returns; and whether they have made an estimate of the additional cost if all taxpayers were required to complete a tax return. [HL6867]

**The Commercial Secretary to the Treasury (Lord Deighton) (Con):** Around 10 million individuals are required to complete a Self Assessment tax return each year.

The particular information about cost per case is only available at a disproportionate cost. But although HM Revenue and Customs (HMRC) does not have this information readily available the average cost of processing a personal income tax return was published by HMRC in the 'International Tax Benchmarking Study' in 2011 which is available on the HMRC website at: [www.hmrc.gov.uk/research/benchmarking.pdf](http://www.hmrc.gov.uk/research/benchmarking.pdf)

## Thames Tideway Tunnel

### Question

Asked by **Lord Berkeley**

To ask Her Majesty's Government what time period of asset use they have assumed in calculating the cost benefit of the Thames Tideway Tunnel. [HL6962]

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** The Government has used 100 years, in line with the Treasury Green Book recommendation that the appraisal period should be taken as the useful life of the assets. Further detail can be found in the November 2011 Defra document "Costs and Benefits of the Thames Tunnel".

## Tobacco: Packaging

### Questions

Asked by **Lord Palmer**

To ask Her Majesty's Government what meetings have taken place between Ministers or officials of the Department of Health with representatives of Action on Smoking and Health and other third party groups regarding the introduction of standardised tobacco packaging; and whether they will publish any briefing or material for each relevant meeting.

[HL6909]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** Details of Ministerial meetings with external stakeholders are published quarterly in arrears on the Gov.uk website at:

[www.gov.uk/government/collections/ministerial-gifts-hospitality-travel-and-meetings-2013#department-of-health-dh](http://www.gov.uk/government/collections/ministerial-gifts-hospitality-travel-and-meetings-2013#department-of-health-dh)

The Department does not keep a central diary of the engagements that every Departmental official has had with representatives of Action on Smoking and Health or other third party groups. In discharging their official duties, Ministers, special advisors and Departmental officials meet with representatives from such organisations in a wide range of fora, including speaking engagements, conferences and seminars.

The Department has no plans to proactively publish briefings or other materials relevant to meetings about standardised packaging of tobacco products.

Asked by **Lord Palmer**

To ask Her Majesty's Government what assessment they have made of the conformity of the introduction of standardised packaging for tobacco with the better regulation principles; and how they intend to review or assess the impact of such proposals.

[HL6910]

**Earl Howe:** Standardised packaging of tobacco products is a policy that is still under consideration by the Government. Therefore, no final decisions have been made regarding the policy. The Government will be publishing a final, short consultation that will contribute to final decision-making.

The Department's policy development activity is undertaken in accordance with the Government's policy on better regulation.

Asked by **Lord Palmer**

To ask Her Majesty's Government what estimate they have made of the impact on United Kingdom gross value added and gross domestic product, and on the numbers of jobs, of the introduction of standardised tobacco packaging.

[HL6911]

**Earl Howe:** The Department published a consultation-stage impact assessment (IA) alongside the *Consultation on standardised packaging of tobacco products* in 2012 that covered potential costs and benefits. The consultation asked 12 questions that were specific to this IA.

The Government will hold a final, short consultation on standardised packaging of tobacco products. In this consultation Ministers will ask, in particular, for views on anything new since the last full public consultation that is relevant to the development of this policy. The Department will publish a further consultation-stage impact assessment alongside this consultation.

Asked by **Lord Palmer**

To ask Her Majesty's Government what representations they have received from organisations opposed to standardised tobacco packaging.

[HL6912]

**Earl Howe:** The Department received over 668,000 responses to the *Consultation on standardised packaging of tobacco products* in 2012. A summary report of the consultation was published by the Department on 12 July 2013 and copies have already been placed in the Library.

In 2013 the Department held a series of meetings with representatives of tobacco companies and the wider tobacco manufacturing industry to further inform the development of the impact assessment for standardised packaging of tobacco products.

The Government will hold a final, short consultation on standardised packaging of tobacco products. In this consultation Ministers will ask, in particular, for views on anything new since the last full public consultation that is relevant to the development of this policy.

Asked by **Lord Palmer**

To ask Her Majesty's Government whether they will place in the Library of the House all risk assessments undertaken by the Department for Business, Innovation and Skills into standardised tobacco packaging.

[HL6913]

To ask Her Majesty's Government whether they will place in the Library of the House all risk assessments undertaken by HM Treasury into standardised tobacco packaging.

[HL6914]

To ask Her Majesty's Government whether they will place in the Library of the House all risk assessments into standardised tobacco packaging undertaken by HM Revenue and Customs. [HL6941]

**Earl Howe:** The Government continues carefully to consider all issues relevant to the introduction of standardised packaging of tobacco products.

The Government will be holding a final, short consultation including draft regulations in which Ministers will ask, in particular, for views on anything new since the last full public consultation that is relevant to the development of this policy.

A further, developed consultation stage Impact Assessment (IA) will be published alongside the upcoming public consultation. Her Majesty's Revenue and Customs has contributed to the revised IA.

The Department of Health will continue to work with other government departments on the development of proposals for standardised packaging of tobacco products.

## Transforming Rehabilitation

### Question

Asked by **Lord Ouseley**

To ask Her Majesty's Government what assessment they have made of the effects and impact of the Transforming Rehabilitation Strategy 2013 to date; and how many repeat offenders are not in receipt of a facilitated resettlement programme to enable their return to the community when they leave prison.

[HL6898]

**The Minister of State, Ministry of Justice (Lord Faulks) (Con):** Under our Transforming Rehabilitation reforms the market will be opened up to a diverse range of new rehabilitation providers, so that we get the best out of the public, voluntary and private sectors, at the local as well as national level. Evidence from implementing our pilots and from the experience of other departments in using Payment by Results has informed the strategy, as has engagement with co-commissioning partners at a national, Police and Crime Commissioner and Local Authority level.

We will continue to assess impacts through a robust contract management system, only paying providers in full for real reductions in reoffending. We are on course to award and mobilise the new contracts for delivering rehabilitation services by 2015.

The Ministry of Justice does not hold data centrally on how many repeat offenders are not receiving rehabilitation services prior to release from prison. However, as a result of our reforms, for the first time in recent history, statutory supervision and rehabilitation will be provided on release from custody to all 50,000 of those sentenced to less than twelve months in prison.

## Ukraine

### Questions

Asked by **Lord Hylton**

To ask Her Majesty's Government whether the Permanent Council of the Organisation for Security and Co-operation in Europe is considering Ukraine at its weekly meetings; and what recommendations, if any, it has so far made, in particular about conflict prevention.

[HL6954]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** The Organisation for Security and Co-operation in Europe (OSCE) has been at the forefront of the international response to the crisis in Ukraine over recent months. The crisis has been a regular topic of discussion on the Organisation's agenda since the Permanent Council met to discuss it in special session on 3 March. Both the Permanent Council and the Forum for Security and Co-operation have discussed Ukraine on numerous occasions since then.

The OSCE has launched a number of initiatives to contribute towards de-escalation of the crisis. On 21 March the Permanent Council agreed to the deployment of a Special Monitoring Mission (SMM) to Ukraine. That Mission, which includes a UK Deputy Chief Monitor and 9 UK staff, swiftly deployed across the country with a mandate to gather information, report on the security situation and assess how best to meet the concerns of all parties. The Mission is providing regular reporting and recently played a key role in the negotiation of the safe release of the Vienna Document unarmed military inspectors who had been detained in Slavyansk. In Geneva on 17 April the US, the EU, Ukraine and the Russian Federation agreed that the Mission should have a role in verifying the implementation of agreed steps towards de-escalation. The Government fully supports this Mission's work and is actively backing it with both finance and personnel. The UK has so far contributed over £1 million and is currently the second biggest contributor to the Mission's core costs.

In addition to the SMM, the OSCE has been active in Ukraine through the work of its autonomous institutions, the High Commissioner on National Minorities and the Representative on Freedom of the Media, while there has been a rolling programme of visits by unarmed military inspectors under the Vienna Document 2011. The Office for Democratic Institutions and Human Rights (ODIHR) is sending a large scale mission of 1000 observers to monitor the Ukrainian Presidential Elections on 25 May. The UK will be providing 10% of the total number of observers with 10 Long term Observers and 90 Short Term Observers.

There are no current plans for an OSCE Summit, while the next formal Ministerial Council is due to take place in Basel, Switzerland on 4-5 December 2014. However the Secretary of State for Foreign and Commonwealth Affairs, my right hon. Friend the Member for Richmond (Yorks) (Mr Hague), been in regular contact with OSCE Chairman and Swiss Foreign Minister Didier Burkhalter, most recently when they met in Vienna on 6 May, while the Minister for Europe, my right hon. Friend the Member for Aylesbury (Mr Lidington), spoke by telephone to OSCE Secretary General Lamberto Zannier on the same day.

Asked by **Lord Hylton**

To ask Her Majesty's Government when the Organisation for Security and Co-operation in Europe will next meet; and whether Ukraine will be on its agenda.

[HL6955]

**Baroness Warsi:** The Organisation for Security and Co-operation in Europe (OSCE) has been at the forefront of the international response to the crisis in Ukraine over recent months. The crisis has been a regular topic of discussion on the Organisation's agenda since the Permanent Council met to discuss it in special session on 3 March. Both the Permanent Council and the Forum for Security and Co-operation have discussed Ukraine on numerous occasions since then.

The OSCE has launched a number of initiatives to contribute towards de-escalation of the crisis. On 21 March the Permanent Council agreed to the deployment of a

Special Monitoring Mission (SMM) to Ukraine. That Mission, which includes a UK Deputy Chief Monitor and nine UK staff, swiftly deployed across the country with a mandate to gather information, report on the security situation and assess how best to meet the concerns of all parties. The Mission is providing regular reporting and recently played a key role in the negotiation of the safe release of the Vienna Document unarmed military inspectors who had been detained in Slavyansk. In Geneva on 17 April the US, the EU, Ukraine and the Russian Federation agreed that the Mission should have a role in verifying the implementation of agreed steps towards de-escalation. The Government fully supports this Mission's work and is actively backing it with both finance and personnel. The UK has so far contributed over £1 million and is currently the second biggest contributor to the Mission's core costs.

In addition to the SMM, the OSCE has been active in Ukraine through the work of its autonomous institutions, the High Commissioner on National Minorities and the Representative on Freedom of the Media, while there has been a rolling programme of visits by unarmed military inspectors under the Vienna Document 2011. The Office for Democratic Institutions and Human Rights (ODIHR) is sending a large scale mission of 1000 observers to monitor the Ukrainian Presidential Elections on 25 May. The UK will be providing 10% of the total number of observers with 10 Long Term Observers and 90 Short Term Observers.

There are no current plans for an OSCE Summit, while the next formal Ministerial Council is due to take place in Basel, Switzerland on 4-5 December 2014. However the Secretary of State for Foreign and Commonwealth Affairs, my Rt. Hon. Friend the Member for Richmond (Yorks) (Mr Hague), has been in regular contact with OSCE Chairman and Swiss Foreign Minister Didier Burkhalter, most recently when they met in Vienna on 6 May, while the Minister for Europe, my Rt. Hon. Friend the Member for Aylesbury (Mr Lidington), spoke by telephone to OSCE Secretary General Lamberto Zannier on the same day.

*Asked by Lord Hylton*

To ask Her Majesty's Government what recommendations the Chairperson-in-Office and the Secretary General of the Organisation for Security and Co-operation in Europe have made to the member states concerning Ukraine. [HL6956]

**Baroness Warsi:** The Organisation for Security and Co-operation in Europe (OSCE) has been at the forefront of the international response to the crisis in Ukraine over recent months. The crisis has been a regular topic of discussion on the Organisation's agenda since the Permanent Council met to discuss it in special session on 3 March. Both the Permanent Council and the Forum for Security and Co-operation have discussed Ukraine on numerous occasions since then.

The OSCE has launched a number of initiatives to contribute towards de-escalation of the crisis. On 21 March the Permanent Council agreed to the deployment of a

Special Monitoring Mission (SMM) to Ukraine. That Mission, which includes a UK Deputy Chief Monitor and nine UK staff, swiftly deployed across the country with a mandate to gather information, report on the security situation and assess how best to meet the concerns of all parties. The Mission is providing regular reporting and recently played a key role in the negotiation of the safe release of the Vienna Document unarmed military inspectors who had been detained in Slavyansk. In Geneva on 17 April the US, the EU, Ukraine and the Russian Federation agreed that the Mission should have a role in verifying the implementation of agreed steps towards de-escalation. The Government fully supports this Mission's work and is actively backing it with both finance and personnel. The UK has so far contributed over £1 million and is currently the second biggest contributor to the Mission's core costs.

In addition to the SMM, the OSCE has been active in Ukraine through the work of its autonomous institutions, the High Commissioner on National Minorities and the Representative on Freedom of the Media, while there has been a rolling programme of visits by unarmed military inspectors under the Vienna Document 2011. The Office for Democratic Institutions and Human Rights (ODIHR) is sending a large scale mission of 1000 observers to monitor the Ukrainian Presidential Elections on 25 May. The UK will be providing 10% of the total number of observers with 10 Long Term Observers and 90 Short Term Observers.

There are no current plans for an OSCE Summit, while the next formal Ministerial Council is due to take place in Basel, Switzerland on 4-5 December 2014. However the Secretary of State for Foreign and Commonwealth Affairs, my Rt. Hon. Friend the Member for Richmond (Yorks) (Mr Hague), has been in regular contact with OSCE Chairman and Swiss Foreign Minister Didier Burkhalter, most recently when they met in Vienna on 6 May, while the Minister for Europe, my Rt. Hon. Friend the Member for Aylesbury (Mr Lidington), spoke by telephone to OSCE Secretary General Lamberto Zannier on the same day.

*Asked by Lord Hylton*

To ask Her Majesty's Government whether they expect that an Organisation for Security and Co-operation in Europe Summit meeting will discuss Ukraine and crisis management there in the immediate future. [HL6958]

**Baroness Warsi:** The Organisation for Security and Co-operation in Europe (OSCE) has been at the forefront of the international response to the crisis in Ukraine over recent months. The crisis has been a regular topic of discussion on the Organisation's agenda since the Permanent Council met to discuss it in special session on 3 March. Both the Permanent Council and the Forum for Security and Co-operation have discussed Ukraine on numerous occasions since then.

The OSCE has launched a number of initiatives to contribute towards de-escalation of the crisis. On 21 March the Permanent Council agreed to the deployment of a Special Monitoring Mission (SMM)

to Ukraine. That Mission, which includes a UK Deputy Chief Monitor and nine UK staff, swiftly deployed across the country with a mandate to gather information, report on the security situation and assess how best to meet the concerns of all parties. The Mission is providing regular reporting and recently played a key role in the negotiation of the safe release of the Vienna Document unarmed military inspectors who had been detained in Slavyansk. In Geneva on 17 April the US, the EU, Ukraine and the Russian Federation agreed that the Mission should have a role in verifying the implementation of agreed steps towards de-escalation. The Government fully supports this Mission's work and is actively backing it with both finance and personnel. The UK has so far contributed over £1 million and is currently the second biggest contributor to the Mission's core costs.

In addition to the SMM, the OSCE has been active in Ukraine through the work of its autonomous institutions, the High Commissioner on National Minorities and the Representative on Freedom of the Media, while there has been a rolling programme of visits by unarmed military inspectors under the Vienna Document 2011. The Office for Democratic Institutions and Human Rights (ODIHR) is sending a large scale mission of 1000 observers to monitor the Ukrainian Presidential Elections on 25 May. The UK will be providing 10% of the total number of observers with 10 Long Term Observers and 90 Short Term Observers.

There are no current plans for an OSCE Summit, while the next formal Ministerial Council is due to take place in Basel, Switzerland on 4-5 December 2014. However the Secretary of State for Foreign and Commonwealth Affairs, my Rt. Hon. Friend the Member for Richmond (Yorks) (Mr Hague), has been in regular contact with OSCE Chairman and Swiss Foreign Minister Didier Burkhalter, most recently when they met in Vienna on 6 May, while the Minister for Europe, my Rt. Hon. Friend the Member for Aylesbury (Mr Lidington), spoke by telephone to OSCE Secretary General Lamberto Zannier on the same day.

## Violence Against Women

### Question

Asked by **Lord Morrow**

To ask Her Majesty's Government, further to the Written Answer by Lord Taylor of Holbeach on 9 April (WA 305), what engagement will take place between the Home Office and the devolved administration in Northern Ireland with a view to expanding such services to Northern Ireland.

[HL6874]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** The provision of domestic violence services is a devolved matter and the decision about the use of Independent Domestic Violence Advisers will be for the Northern Ireland Executive.

The Government will continue to work with the Northern Ireland Executive in relation to the Violence Against Women and Girls Action Plan.

## Waste Management: Fly-tipping

### Question

Asked by **Baroness Byford**

To ask Her Majesty's Government whether the provision in the Clean Neighbourhoods and Environment Act 2005 on stop, search and seizure of vehicles suspected of involvement in fly-tipping has been commenced; and, if so, how many vehicles have been seized under that provision. [HL7002]

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** In 2014/15 we plan to commence the revised powers under the Clean Neighbourhoods and Environment Act 2005 in respect of the stop, search and seizure of vehicles. Local authorities and the Environment Agency have similar powers under the Control of Pollution (Amendment) Act 1989. Local authorities have reported to Flycapture, the national flytipping database, that 1149 vehicles have been seized since April 2008.

## Water Management

### Question

Asked by **Lord Berkeley**

To ask Her Majesty's Government whether there is a requirement in the Urban Waste Water Treatment Directive to treat surface rainwater runoff. [HL6960]

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** The Urban Waste Water Treatment Directive requires the collection and treatment of urban waste water. The Directive defines urban waste water as 'domestic waste water or the mixture of domestic waste water with industrial waste water and/or run-off rain water'. Therefore, the treatment of surface rainwater runoff is required where it is mixed with domestic or industrial waste water and collected in a collecting system.

## Water Management: Sewage

### Question

Asked by **Lord Berkeley**

To ask Her Majesty's Government for how many spills a year the Environment Agency has licensed the upgraded Mogden sewage works; and how many were achieved in the first year of operation. [HL6961]

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** Mogden Sewage Treatment Works has an Environmental Permit issued by the Environment Agency to discharge treated and storm effluent to the Thames Estuary at Isleworth. The discharge of storm effluent is permissible only when the capacity of onsite facilities for treatment and containment are exceeded. This includes a 77,000m<sup>3</sup> storm tank.

The permit does not specify a number of spills per year. It requires the works to provide secondary treatment for a specific flow rate of incoming sewage.

The current version of the permit came into effect on 31 March 2013. During the subsequent 12 months, Thames Water reported 54 occasions when the works discharged storm sewage to the Thames. Thirty-four of these were during the wet weather in January and February.

Wednesday 14 May 2014

## ALPHABETICAL INDEX TO WRITTEN STATEMENTS

Armed Forces: Defence Equipment and Support.....	<i>Col. No.</i> 205	Legislation .....	<i>Col. No.</i> 207
ECOFIN.....	206		

Wednesday 14 May 2014

## ALPHABETICAL INDEX TO WRITTEN ANSWERS

Abortion.....	<i>Col. No.</i> 499	Government Departments: Procurement .....	<i>Col. No.</i> 515
Alcohol.....	499	Government: Growth Council .....	516
Asylum Seekers.....	500	Gypsies and Travellers .....	516
Botswana .....	502	Health and Work Service .....	517
Central African Republic.....	502	Health: Lyme Disease .....	517
Children: Disabled Children .....	503	Health: Neurofibromatosis .....	518
Children: Domestic Abuse .....	504	Health: Opiates .....	518
Courts: Health and Safety .....	504	Health: Polio.....	519
Disabled People: Toilets .....	505	Helen Ukpabio .....	519
Education: Education, Health and Care Plan .....	506	Higher Education: Student Loans.....	520
Elections: Freepost.....	506	Housing: Letting Agents and Landlord Accreditation Schemes .....	520
Electoral Registration .....	506	Immigration.....	521
Employment: Disabled People .....	507	Immigration: Children .....	522
Energy: Electricity .....	507	Independent Living Fund .....	522
Environment: Coastal Defences .....	508	Industrial Strategy Council.....	522
Environment: Coastal Erosion.....	509	Israel and Palestine: West Bank .....	523
EU: Funding.....	509	NHS: Ambulance Service .....	523
EU: Imports .....	510	NHS: Data.....	524
Eugenics .....	510	NHS: Drugs and Medicines .....	524
Fair Trade Day.....	511	Nigeria.....	525
Female Genital Mutilation .....	511	Northern Ireland: On-the-runs .....	525
Former Prime Ministers: Public Duty Cost Allowances .....	511	Prisoners: Parcels .....	526
Gaza .....	512	Prisoners: Repeat Offenders .....	526
Global Partnership for Education.....	512	Prisoners: Temporary Licence.....	526
Government: Buildings .....	515	Prisoners: Women .....	527
Government Departments: Management Information Reports .....	513	Public Expenditure .....	528

	<i>Col. No.</i>		<i>Col. No.</i>
Public Sector: Equality Duty .....	529	Taxation.....	534
Public Sector: Private Contractors .....	529	Thames Tideway Tunnel .....	534
Schools: Air Quality .....	530	Tobacco: Packaging .....	535
Schools: Asbestos .....	530	Transforming Rehabilitation .....	537
Schools: Disruptive Behaviour .....	531	Ukraine.....	537
Schools: Exclusions.....	533	Violence Against Women .....	541
Sharia Law.....	533	Waste Management: Fly-tipping.....	542
Sudan.....	533	Water Management.....	542
Syria .....	534	Water Management: Sewage .....	542

## NUMERICAL INDEX TO WRITTEN ANSWERS

	<i>Col. No.</i>		<i>Col. No.</i>
[HL6819] .....	533	[HL6878] .....	500
[HL6832] .....	534	[HL6879] .....	529
[HL6834] .....	506	[HL6880] .....	500
[HL6835] .....	502	[HL6883] .....	501
[HL6839] .....	518	[HL6886] .....	501
[HL6840] .....	518	[HL6888] .....	510
[HL6846] .....	504	[HL6890] .....	513
[HL6847] .....	504	[HL6891] .....	513
[HL6848] .....	526	[HL6895] .....	528
[HL6849] .....	520	[HL6896] .....	516
[HL6856] .....	530	[HL6897] .....	526
[HL6857] .....	527	[HL6898] .....	537
[HL6858] .....	527	[HL6901] .....	504
[HL6859] .....	527	[HL6903] .....	531
[HL6860] .....	527	[HL6904] .....	530
[HL6861] .....	528	[HL6905] .....	526
[HL6865] .....	515	[HL6907] .....	511
[HL6866] .....	511	[HL6908] .....	519
[HL6867] .....	534	[HL6909] .....	535
[HL6870] .....	503	[HL6910] .....	535
[HL6871] .....	506	[HL6911] .....	535
[HL6873] .....	522	[HL6912] .....	536
[HL6874] .....	541	[HL6913] .....	536
[HL6875] .....	524	[HL6914] .....	536
[HL6876] .....	506	[HL6915] .....	499
[HL6877] .....	522	[HL6917] .....	510

	<i>Col. No.</i>		<i>Col. No.</i>
[HL6918] .....	499	[HL6966] .....	531
[HL6919] .....	510	[HL6967] .....	531
[HL6920] .....	511	[HL6968] .....	531
[HL6924] .....	518	[HL6969] .....	514
[HL6925] .....	517	[HL6970] .....	514
[HL6929] .....	507	[HL6971] .....	514
[HL6930] .....	529	[HL6974] .....	514
[HL6932] .....	505	[HL6980] .....	512
[HL6935] .....	533	[HL6981] .....	513
[HL6937] .....	508	[HL6982] .....	513
[HL6938] .....	509	[HL6983] .....	513
[HL6939] .....	509	[HL6985] .....	524
[HL6940] .....	509	[HL6986] .....	520
[HL6941] .....	536	[HL6987] .....	521
[HL6942] .....	522	[HL6988] .....	521
[HL6944] .....	517	[HL6989] .....	512
[HL6946] .....	521	[HL6990] .....	515
[HL6951] .....	512	[HL6993] .....	515
[HL6953] .....	523	[HL6997] .....	501
[HL6954] .....	537	[HL7002] .....	542
[HL6955] .....	538	[HL7004] .....	524
[HL6956] .....	539	[HL7010] .....	499
[HL6958] .....	540	[HL7014] .....	502
[HL6959] .....	516	[HL7015] .....	502
[HL6960] .....	542	[HL7016] .....	525
[HL6961] .....	542	[HL7017] .....	525
[HL6962] .....	534	[HL7019] .....	508
[HL6964] .....	533	[HL7020] .....	525
[HL6965] .....	531	[HL7021] .....	519
		[HL7022] .....	520

---

## CONTENTS

Wednesday 14 May 2014

<b>Questions</b>	
Thames Tideway Tunnel.....	1859
Schools: Free Schools .....	1862
Universities: Part-time Students .....	1864
Nigeria: Chibok Abductions.....	1866
<b>Communications Act 2003 (Disclosure of Information) Order 2014</b>	
<i>Motion to Approve</i> .....	1870
<b>Renewable Heat Incentive Scheme (Amendment) Regulations 2014</b>	
<i>Motion to Approve</i> .....	1870
<b>European Union (Definition of Treaties) (Convention on International Interests in Mobile Equipment and Protocol thereto on matters specific to Aircraft Equipment) Order 2014</b>	
<i>Motion to Approve</i> .....	1870
<b>Afghanistan: Quarterly Statement</b>	
<i>Statement</i> .....	1870
<b>Copyright (Public Administration) Regulations 2014</b>	
<i>Motion to Approve</i> .....	1881
<b>Copyright and Rights in Performances (Disability) Regulations 2014</b>	
<i>Motion to Approve</i> .....	1903
<b>Copyright and Rights in Performance (Research, Education, Libraries and Archives) Regulations 2014</b>	
<i>Motion to Approve</i> .....	1903
<b>Elderly People: Abuse</b>	
<i>Question for Short Debate</i> .....	1903
<b>Royal Commission</b> .....	1919
<b>Royal Assent</b> .....	1920
<b>Prorogation: Her Majesty's Speech</b> .....	1920
<b>Written Statements</b> .....	WS 205
<b>Written Answers</b> .....	WA 499

---