

Vol. 748  
No. 54



Thursday  
17 October 2013

PARLIAMENTARY DEBATES  
(HANSARD)

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

*ORDER OF BUSINESS*

Introductions: Lord Carrington of Fulham and Lord Leigh of Hurley .....	641
Questions	
Energy: Winter Supply.....	641
Elections: 16 and 17 Year-olds.....	643
Energy: Long-term Supply .....	646
Golden Rice.....	648
Al-Madinah Free School	
<i>Statement</i> .....	650
Business of the House	
<i>Timing of Debates</i> .....	653
European Union Committee	
<i>Membership Motion</i> .....	654
Select Committees	
<i>Membership Motion</i> .....	654
Drugs	
<i>Motion to Take Note</i> .....	654
Commonwealth	
<i>Motion to Take Note</i> .....	693
Public Service and Demographic Change	
<i>Motion to Take Note</i> .....	735
Written Statements.....	WS 77
Written Answers .....	WA 87

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

The bound volumes also will be sent to those Peers who similarly notify their wish to receive them.

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/131017.html](http://www.publications.parliament.uk/pa/ld201314/ldhansrd/index/131017.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
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 2013,  
*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

Thursday, 17 October 2013.

11 am

Prayers—read by the Lord Bishop of Leicester.

### Introduction: Lord Carrington of Fulham

11.08 am

*Matthew Hadrian Marshall Carrington, Esquire, having been created Baron Carrington of Fulham, of Fulham in the London Borough of Hammersmith and Fulham, was introduced and took the oath, supported by Lord Trefgarne and Lord Patten, and signed an undertaking to abide by the Code of Conduct.*

### Introduction: Lord Leigh of Hurley

11.14 am

*Harold Darryl Leigh, Esquire, having been created Baron Leigh of Hurley, of Hurley in the County of Berkshire, was introduced and took the oath, supported by Lord Feldman of Elstree and Lord Fink, and signed an undertaking to abide by the Code of Conduct.*

### Energy: Winter Supply Question

11.18 am

*Asked by Lord Ezra*

To ask Her Majesty's Government whether they consider there will be adequate energy supplies to meet the demand if next winter is as cold as the last one.

**The Parliamentary Under-Secretary of State, Department of Energy and Climate Change (Baroness Verma) (Con):** My Lords, we expect the energy market to deliver over the winter of 2013-14 as it has always done. We have a range of options in place to meet any tightening of margins. National Grid has existing system-balancing tools to respond to any short-term demand or supply fluctuation, and it is consulting with Ofgem on extending the existing tools to manage any predicted risks mid-decade in electricity. For the medium to long term, in the Energy Bill currently going through your Lordships' House we are ensuring that we get the levels of investment needed to deliver secure energy supplies through a diverse mix of energy sources.

**Lord Ezra (LD):** My Lords, could my noble friend kindly elaborate on her reply? In the case of gas, bearing in mind that we are now importing more than 50% of our requirements and that storage is limited, is she satisfied that we will have enough to meet peak winter demand? In the case of electricity, bearing in mind that it is estimated that reserve capacity could be as low as 5%, instead of 15% or above as normal, is she equally satisfied that we will be able to meet peak winter demand?

**Baroness Verma:** My Lords, my noble friend is right to raise this important question, but I hope that he will be reassured to know that we still have a large percentage of our gas provided from the North Sea. We have greatly increased our import infrastructure over the past few years, so have a good diversity of supply sources and gas storage to meet our demands comfortably. For both gas and electricity, National Grid is confident that it has the right mix of tools to ensure that energy requirements are met reliably and safely without having to resort to contingency measures.

**Viscount Hanworth (Lab):** The Minister is bound to acknowledge that since the Government came to power there has been an unprecedented hiatus in investment in the energy industry. This must be due in large measure to the mixed messages that the Government have given in regard to their energy policy. She is also surely aware that, among the big six energy companies, those that have reaped the largest profits have had the worst investment records. What measures, beyond those contained in the Energy Bill, are the Government taking to encourage investment in the power industry?

**Baroness Verma:** My Lords, I remind the noble Viscount that under this Government, since 2010, £35 billion-worth of investment in the energy sector has come forward and there has been a 56% increase in the renewables sector. It is a fallacy to say that there is a hiatus when we are a very open and welcome country for investment. However, if we were to go by the plans that the noble Viscount's party is trying to project, that investment would be driven away.

**Lord Lawson of Blaby (Con):** My Lords, I welcome the noble Lord, Lord Ezra, to his place. I recall well his being the chairman of the Coal Board when I was Energy Secretary. My noble friend the Minister referred to the Energy Bill but it has nothing to do with his Question. The Bill will do its damage in the future when it implements the targets of the Miliband Climate Change Act but there is a crisis in this coming winter, which is a result of the large combustion plant directive. That European directive requires us to close prematurely coal-fired power stations. Will she give an assurance that if it is a question of either implementing the directive straight away and the lights going out or saving the lights from going out, the Government will choose the latter course and not implement the directive?

**Baroness Verma:** My Lords, I am always grateful for my noble friend's very helpful questions and I reassure him that the Energy Bill is relevant to the Question because it brings forward all the measures we need for long-term security in energy at a competitive price. I think that I have already answered the Question: we have enough energy there and we have the measures in place to be able to respond to any short-term fluctuations, so I hope my noble friend will be reassured that his lights and our lights will stay on.

**Lord O'Neill of Clackmannan (Lab):** My Lords, does the Minister agree that the Energy Bill is still deficient in one respect at least—carbon targets? Were carbon targets to be included in the Bill, it would be a clear indication to investors of the Government's intent

[LORD O'NEILL OF CLACKMANNAN]  
in this area. At the moment, nobody really knows how green this Government want to be. The absence of these targets is the surest confirmation that their energy policy is a shambles.

**Baroness Verma:** My Lords, the noble Lord really needs to look at our record. We have seen an increase of 56% in renewable energy, which will bring down carbon targets. We have committed ourselves, but we cannot see a target put in place against a global backdrop of what we do not yet know. We need to ensure that we are leaders, by having our carbon reductions at the forefront; we also need to ensure that our trading partners look at their carbon emissions. We need to do this collectively, not singularly as a country on our own.

**Lord Renton of Mount Harry (Con):** My Lords, I have listened with great interest to the Minister's optimism, but is she aware of the implications of an amendment passed last week in the European Union Parliament that will prevent the EU from sharing in the cheap energy revolution created by fracking for shale gas? The effect of this is likely to be a doubling of our household energy costs. Will she study this very carefully to see if there is any way in which the amendment can be bypassed?

**Baroness Verma:** My Lords, I think I would prefer to write to my noble friend directly on the issues that he raises and put a copy in the Library. However, I reassure him that what we are trying to achieve through the Energy Bill is greater competition so that we see lower bills and a securer source of energy.

**Lord Tomlinson (Lab):** Does the Minister accept that an important part of government energy policy is the energy company obligation? Designed to help poor consumers, it is in a shambles and failing. It appears that as much as 60% of the total cost of that could be going to wealthier consumers, and the cost is spiralling out of control.

**Baroness Verma:** No, my Lords. I reassure the noble Lord that 230,000 low-income and vulnerable households will benefit this year from the energy company obligation.

## Elections: 16 and 17 Year-olds

### *Question*

11.25 am

*Asked by Lord Roberts of Llandudno*

To ask Her Majesty's Government, further to the Edinburgh Agreement of 15 October 2012, whether they plan to allow 16 and 17 year-olds in England, Wales and Northern Ireland to vote in future referenda, and all 16 and 17 year-olds in the United Kingdom to vote in general elections.

**Lord Roberts of Llandudno (LD):** My Lords, I beg leave to ask the Question standing in my name on the Order Paper, and declare my interest as president of the youth organisation Bite the Ballot.

**Lord Gardiner of Kimble (Con):** My Lords, it was for the Scottish Parliament to decide on the franchise for the referendum on Scottish independence. That decision does not affect the voting age for parliamentary and local government elections in the United Kingdom. That remains the responsibility of the UK Parliament. Reflecting the different views in society at large, there is no consensus within the Government on this issue, and there are no plans to lower the voting age in this Parliament.

**Lord Roberts of Llandudno:** I regret that Answer; I had hoped for a more positive one. The Minister must be as concerned as I am that at the most recent general election only one-quarter of those eligible to vote between the ages of 18 and 24 did so. People have lost their confidence in politicians and in politics. People are disengaged in so many ways. Does the Minister not agree on the importance of young people having a good citizenship course, possibly in every school in the United Kingdom? At the end of such a citizenship course, they should be able to register at the age of 16 to become voters and be put on the electoral register.

**Lord Gardiner of Kimble:** My Lords, I entirely agree with my noble friend that democratic engagement is essential. That is why the Government are investing in the engagement programme to ensure that the levels of electoral registration and engagement in the democratic process improve. My noble friend has raised the particular issue of young people aged 16 to 24, but that also includes residents of social housing and all sorts of other initiatives such as Operation Black Vote and Bite the Ballot. This issue is very important and the Government are investing in that programme.

**Baroness Royall of Blaisdon (Lab):** My Lords, I am proud to say that my party is in favour of votes at 16, but that must be in parallel with improved citizenship teaching. Lessons well taught including active citizenship, as at the Bethnal Green Academy, are crucial in the development of our young people. However, there is an alarming decline in an already low number of teachers trained to teach citizenship. Indeed, in too many schools, and in free schools, citizenship is not taught. Will the Minister say what the numbers of citizenship teachers are, and what the Government are doing to address the problem of the lack of them?

**Lord Gardiner of Kimble:** I should say straightaway that I do not have the precise details but I will write to the noble Baroness with those figures. However, citizenship education is clearly an important part of the national curriculum, as indeed it has been since 2002 since her party's term of office. I applaud that. Ministers have agreed that citizenship education should be in the new national curriculum. It is very important, and I say again: even if some do not agree that 16 year-olds should have the vote, clearly they can enrol on the electoral roll at 16 and it is important that that is the beginning of the stage of age-related majority, which across the piece is a very interesting subject.

**Lord Elton (Con):** This is about participation. Will the Minister start talking about maturity, judgment and experience and how they relate to the decision about when people should have the power to vote for the future of this country, to fight for it, and the age of consent? A broad range of decisions is based on calendar age. If the biological age of this country is changing, we need to know.

**Lord Gardiner of Kimble:** My Lords, in preparation for this Question I asked about age-related legal thresholds for a number of issues. My noble friend mentioned fighting for our country. At 18 you can join the Armed Forces without the consent of a parent or guardian, be deployed, sit on a jury, buy alcohol and hold a licence to sell alcohol. There are many other sectors in which 18 is considered a suitable age-related threshold.

**The Earl of Listowel (CB):** Does the Minister welcome the rapid development of school councils, which give young people important assistance to develop a sense of citizenship, and children in care councils so that young people in the care of local authorities can speak regularly about their concerns to those in charge? In relation to this Question, is he thinking about the need for children to be able to enjoy their childhood and the concern that sometimes children seem more and more to be accelerated through their childhood?

**Lord Gardiner of Kimble:** I entirely agree that children should have a right to enjoy their childhood. What we have seen recently, and in the past, has shown that children have not been given the care that they should have been given to enjoy their childhood. The British Youth Council, for example, delivers the youth voice programme on behalf of the Government. Under the previous Government and this Government there has been a range of programmes as part of ensuring that young people engage in the democratic process and also enjoy their childhood.

**Lord Phillips of Sudbury (LD):** My Lords, I declare an interest as president of the Citizenship Foundation. Does the Minister accept that Parliament and successive Governments have failed young citizens in that we legislate madly and do not equip school leavers with the skills and knowledge necessary to be engaged in what is now a hugely complicated democracy? Will he review his reply to the noble Baroness, Lady Royall, in which he spoke of citizenship education? Does he accept that the status of citizenship education is woefully inadequate for the demands put upon it, which is reflected in the fact that it is not part of the Ofsted inspection report? Is it not vital that we do something about it?

**Lord Gardiner of Kimble:** My Lords, I will reflect on what my noble friend said. I have been hearing about the National Citizen Service, a personal social development programme for 16 and 17 year-olds. More than 460 hours of social action were completed by participants last year. Young people are increasingly doing an important role in the voluntary programme, and we need to ensure that that continues.

## Energy: Long-term Supply Question

11.33 am

Asked by **Lord Forsyth of Drumlean**

To ask Her Majesty's Government what is their estimate of the investment required over the next decade to ensure a competitive and secure energy supply for the United Kingdom.

**The Parliamentary Under-Secretary of State, Department of Energy and Climate Change (Baroness Verma) (Con):** My Lords, the Energy Bill is currently going through your Lordships' House. I am very grateful to all noble Lords who have made detailed contributions to the proceedings thus far. The Bill will drive £110 billion-worth of investment that is required in our electricity market between now and 2020. Our investment will not only help provide the infrastructure we need but will bring real economic growth and help support as many as 250,000 jobs in the low-carbon electricity market by 2020.

**Lord Forsyth of Drumlean (Con):** Will my noble friend confirm that government policy and regulation costs will add 22% to the average energy bill by 2020? Will she ensure that all the highly regressive and secret levies are exposed by requiring the energy companies to itemise them on household electricity bills?

**Baroness Verma:** My Lords, my noble friend is of course right to raise the greater transparency that energy companies need to demonstrate in showing where costs are. However, the main driver behind energy price rises has been wholesale energy costs. We want a secure energy market; we need a diverse mix. We also need to meet our legal obligations, which have been set through the Climate Change Act 2008 and our globally agreed targets. We are working hard to ensure that we press energy companies to be as transparent and as open as possible with what they are putting on their energy bills.

**Lord Wigley (PC):** My Lords, as a keen supporter of having new reactors at the Wylfa nuclear power station in Anglesey, I press the Minister to clarify the Government's policy on the decommissioning of nuclear power stations. Is she aware that the Trawsfynydd nuclear power station, which ceased electricity generation 20 years ago, still employs 700 people on the decommissioning? Will she give a guarantee that, first, the companies providing new reactors will have to internalise the costs of decommissioning and, secondly, in the event that that fails to happen, there will be a copper-bottomed government guarantee that the communities welcoming these new developments will not be left without cover for those costs?

**Baroness Verma:** My Lords, the noble Lord asks a very important question. Of course, the Government have pledged not to put any public subsidy in place for any costs of new nuclear, including decommissioning. As part of the acceptance of any agreement with a company wishing to site nuclear, it will need to show that decommissioning costs have already been included in its costings.

**Lord Tanlaw (CB):** My Lords, does the Minister's estimate show that the forthcoming switch of clocks to winter time will reduce household and office consumption of energy? If the information is not available today from her department, the Energy Saving Trust or the Environmental Audit Committee, can she give an assurance that it will be available to noble Lords by March next year, when the clocks change to summer time and this question will be asked again?

**Baroness Verma:** My Lords, it is a very interesting question.

**Noble Lords:** Hear, hear!

**Baroness Verma:** I refer back to the measures that we are taking through the Energy Bill. One of those measures is about looking at demand in energy usage. We of course want to ensure that not only are we generating more energy but that we are encouraging businesses and people to reduce energy use.

**Lord Grocott (Lab):** My Lords—

**Lord Spicer (Con):** My Lords, I declare an interest listed in the parliamentary register, and ask this question.

**The Chancellor of the Duchy of Lancaster (Lord Hill of Oareford) (Con):** My Lords, forgive me. It is Labour's turn for a question.

**Lord Grocott:** Given that the Prime Minister and the Chancellor have frequently expressed concern about the influence of the left and, as they describe it, "Marxist policies" in Britain, what would be their attitude of the involvement of a communist country in our energy supply industry?

**Baroness Verma:** My Lords, luckily, the UK is the most open economy in the world and therefore welcomes inward investment, including in the nuclear sector and renewable energy, from everyone in the world.

**Lord Spicer:** My Lords—

**Lord Teverson (LD):** My Lords, does the Minister agree that not enough determination has been shown by the official regulator, Ofgem, or by our competition authorities over the past decade to make sure that there is sufficient competition in the energy market, which would at last favour consumers? Would she nudge those organisations to grow some teeth and perhaps bare them, so that consumers get a fairer deal out of energy prices?

**Baroness Verma:** My Lords, my noble friend makes a very important point. We have seen the need for a robust regulator, which is why we have given Ofgem additional powers to investigate and penalise any market manipulation in the wholesale markets. We are also giving it extra powers to ensure that there is greater competition in the marketplace. I reassure my noble friend that under this Government there has been an increase in smaller generators being able to partake in the energy market, from three to seven. We want to see greater competition because we think that competition, not freezing energy prices, is the way to encourage lower prices.

**Lord Grantchester (Lab):** My Lords, while estimates of the investment required may vary, according to the energy mix in the future, would the Minister like to see energy companies put more emphasis on investment and keeping prices for the consumer down rather than on executive pay packages and dividends to shareholders?

**Baroness Verma:** My Lords, of course the noble Lord is right that we want to see greater investment, and that is what the Government are doing. This Government are working hard to get the £110 billion-worth of investment that is needed. Twenty per cent of our capacity is coming off-grid. We need that investment, we needed it earlier and, sadly, we are having to work very hard to catch up. However, rest assured that we are working very hard to ensure that energy companies are more transparent and are responding to the competition. However, if consumers need to change their energy companies because they are charging too much, they must be encouraged to switch, which is what we are trying to do.

## Golden Rice

### Question

11.41 am

Asked by **Baroness Hayman**

To ask Her Majesty's Government what measures they are taking to support the introduction of "golden rice" to help alleviate childhood blindness caused by vitamin A deficiency.

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** My Lords, golden rice is being developed by the independent, non-profit, International Rice Research Institute. The UK is providing £120 million of core funding over three years to the Consultative Group on International Agricultural Research, of which IRRI is a member. The Government are also providing up to £30 million of support for the CGIAR's Harvest Plus programme, which researches nutritionally improved or bio-fortified food crops.

**Baroness Hayman (CB):** My Lords, I am grateful to the Minister for that reply and for the robust and principled attitude that I believe Her Majesty's Government are taking in this matter. The World Health Organisation estimates that half a million of the world's poorest children go blind every year, and half of those children die every year because of vitamin A deficiency. Against that background, should we not all agree that we should welcome the philanthropic and scientific work that has gone into the development of golden rice, enriched by vitamin A? Should we not be prepared to challenge the opposition of those who fight its introduction on a basis of ideology and zero tolerance to anything that has the initials GM against it, regardless of the cost in children's lives?

**Lord De Mauley:** I so agree with the noble Baroness. It is worth quoting from Professor Tom Sanders, who is Professor of Nutrition & Dietetics at King's College London, who said:

"Vitamin A deficiency remains a major problem in South Asia contributing to increased childhood mortality from infectious diseases such as measles as well as being a major cause of

blindness. Rice is the staple cereal in most of those countries and golden rice, which contains the precursor of vitamin A, beta-carotene, has been shown to be effective at improving nutritional status with regard to vitamin A”.

**Lord Taverne (LD):** My Lords, will my noble friend warmly congratulate the Secretary of State on his remarks? As for the NGOs, Greenpeace and Friends of the Earth do much good work and have noble aims. However, their total disregard of the overwhelming evidence in favour of genetically modified crops, which has been available for more than 15 years, means that, on balance, they have probably done more harm than good. Will he ask the Secretary of State to show the same robust approach and transfer the millions of pounds that are available for conversion to organic farming, whose claims are also unfounded, and perhaps make those funds available to our first-class research institutes such as Rothamsted and the John Innes Centre for their excellent work on genetic modification?

**Lord De Mauley:** My Lords, there is quite a lot in that question. There is increasing evidence that the development of golden rice is being blocked by anti-GM NGOs, perhaps because they fear that its successful deployment might generate broader public acceptance of a technology against which they actively campaign. As my noble friend said, my right honourable friend the Secretary of State recently drew attention to the damaging impact that such opposition can have, particularly in those parts of the world where its benefits would be most keenly felt. On my noble friend's point about funding, our recently announced agrotech strategy will go a long way towards achieving the objectives that he desires.

**Lord Walton of Detchant (CB):** My Lords, does the Minister accept that the lengthy, mischievous and misconceived opposition in this country to GM modification of foods has done considerable harm? Does he also accept that there is no conceivable scientific evidence to suggest that the current techniques used in genetic modification have any damaging effect on human health, and that in fact GM modification improves many foods and therefore should be pursued? Finally, will he try to persuade his colleagues in the European Union to reverse and abolish the ban that they imposed on GM modification in the Union?

**Lord De Mauley:** My Lords, I say a very strong yes to every aspect of the noble Lord's question. I will also say that what the opponents of this technology have done and are doing is a cause of huge disappointment. We have consistently said that we will need all the tools in the box to feed the global population as it grows to 2050. To deny this will be to deny desperately poor people in developing countries a nourishing diet, and potentially life itself.

**Lord Skelmersdale (Con):** My Lords, does my noble friend accept that there is no real difference between genetically modified crops and F1 hybrids, which have been with us for decades?

**Lord De Mauley:** My noble friend is entirely right that there are a large number of technologies, of which GM is but one, all of which are what I describe as tools in the box.

**The Countess of Mar (CB):** My Lords, does the noble Lord accept that vitamin A rarely occurs in isolation, and that it is necessary to have a substantial amount of fat in the diet for it to be absorbed? What are Her Majesty's Government doing to promote a good, all-round diet for these children, in order for the vitamin A to be made useful?

**Lord De Mauley:** My Lords, of course the noble Countess makes a really important point. However, we have to say that developing countries are capable, and are proceeding and doing a lot of work themselves to feed their populations. We are talking specifically about how we can help them in the area of genetically modified food, which will increase the vitamin A that is so necessary, in particular to reduce blindness.

**The Earl of Selborne (Con):** Does my noble friend accept that the exciting new technologies owe much to research in this country, and does he therefore accept that funding research here is a very effective way for us to tackle the urgent issue of food security around the globe?

**Lord De Mauley:** Yes, my Lords.

**Lord May of Oxford (CB):** Does the Minister agree that golden rice is part of a much larger problem? Climate change will exacerbate the difficulties that we already have in supplying food to the growing number of people we will have to deal with. This is best addressed by creating drought-resistant and other kinds of crops into which, with surgical precision, we can put the relevant genes, as distinct from what are regarded by the opponents of GM as natural crops, which have been produced by irradiation and picking things out in a much more Frankensteinian process? Does this topic not stand for a much larger issue?

**Lord De Mauley:** I absolutely agree with the noble Lord. I focused on golden rice because the Question encapsulated it. Of course, the noble Lord is absolutely right.

## Al-Madinah Free School Statement

11.49 am

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** My Lords, with the leave of the House, I shall now repeat in the form of a Statement the Answer to an Urgent Question given in another place this morning by my right honourable friend the Minister for Schools on behalf of my right honourable friend the Secretary of State for Education. The Statement is as follows:

“I welcome this opportunity to make a Statement on Al-Madinah Free School. This school serves children and young people between the ages of four and 16 in the Derby community and has been open for just a year. After a steady start by the school, we became aware of potential breaches of the conditions in its funding agreement late this summer and at the end of July we began a wide-ranging investigation into the financial management and governance of the school.

[LORD NASH]

We investigated whether the school was delivering on its commitment to be inclusive, and some allegations about the imposition of a dress requirement on female members of staff. Our investigations did indeed find significant and numerous breaches of the conditions in its funding agreement. Our concerns were such that we requested Ofsted to bring forward its planned inspection. The Ofsted report is published this morning. It has found that the school is dysfunctional and is inadequate across every category of inspection: achievement of pupils; quality of teaching; behaviour and safety of pupils; and leadership and management.

We were already taking decisive action before we received the Ofsted report. I wrote to the chair of the trust on 8 October, following the previous investigations, and set out all the requirements of the trust to take swift and decisive actions to deal with the serious concerns. We have been very clear with the trust that failure to do so promptly will result in the school's funding being terminated. We have also been very clear with the trust that it must address the breaches identified. We will not let any school, whether a free school, an academy school or a local authority school, languish in failure. The Ofsted report confirms that we are taking the right actions. We are not prepared to allow a school to fail its parents, its children and its community. We said that we will take swift action in these cases, and we are”.

11.51 am

**Baroness Jones of Whitchurch (Lab):** My Lords, I thank the Minister for repeating the Statement, but does he recognise that the damning failure of Al-Madinah school all too starkly illustrates that, in the rush to launch an ideological experiment, the Secretary of State has lost control of the free schools programme, and that it has, in fact, become a dangerous free-for-all? Does he now accept that alarm bells should have rung in the department when Ofsted deemed the school to be failing to meet basic child protection standards back in 2012, before the funding agreement was signed? Does not Ofsted's conclusion that the school has not been adequately monitored and supported expose the dangerous lack of oversight of the current free schools programme, which has a complete absence of accountability and transparency? The truth is that parents will be wondering who will guarantee the standards in their local free school, and the Secretary of State does not have an answer for them.

11.52 am

**Lord Nash:** My Lords, after the gymnastics performed by the shadow Secretary of State for Education in the other place this morning, I was rather hoping that the noble Baroness's answer might enlighten us as to the Labour Party's policy on free schools—indeed, whether it has an education policy at all. Sadly, I am none the wiser. The school was cleared by Ofsted to open if it satisfied the department on a number of points, and it did satisfy us on those points. An education adviser visited the school in November last year and reported that it was making good progress. In late July, we and Ofsted received various complaints just before the head teacher resigned. We sent the EFA in

and Ofsted went in on 1 and 2 October. I have taken swift and decisive action in this case. I will not allow the school to continue unless it satisfies me on the points set out in my letter of 8 October, and any other points we deem appropriate. We should not let the performance of this school affect the excellent work that is being done in our free schools, the first batch of which were good and outstanding in 75% of cases, as opposed to 63% of all other schools.

11.54 am

**Lord Storey (LD):** My Lords, does the Minister agree that the Government acted decisively and promptly to ensure that this action was taken? However, will he also reflect on the need to ensure that teachers and the leadership of our free schools should be fully qualified so that occurrences such as this are least likely to happen?

**Lord Nash:** My Lords, there are plenty of teachers in schools up and down the country who do not have formal qualifications and are doing an excellent job, but we ensure through Ofsted that teaching in these schools is good, and we will ensure that the governance and leadership of these schools is appropriate.

**Baroness Blackstone (Lab):** The noble Lord's answer to that question was somewhat complacent. For many years we have struggled in this country to ensure that teachers in primary and secondary schools that are state funded have proper qualifications. To allow these schools to be set up with teachers who do not have such qualifications is an invitation to problems. Will he not give a guarantee that he and his Secretary of State will reconsider their policy of allowing these schools to be established and continue in operation without qualified teachers in every case?

**Lord Nash:** I am afraid that I cannot give that guarantee. We will guarantee to ensure that the leadership and management of these schools, and teachers teaching within them, are appropriate. But I am afraid, given the state of our school system that we inherited—

**Noble Lords:** Oh!

**Lord Nash:** We have to bring innovation into the school system and will not let a dogmatic approach resist such innovation.

**The Lord Bishop of Derby:** My Lords, I declare an interest as the Bishop of Derby and congratulate the Minister and his colleagues on the monitoring and firm action that is being taken. As I understand it, this is a very local initiative. What lessons can be learnt because if we do not have the local authority playing a key role, how are we providing the right kind of framework and guidance for local initiatives so that the right kind of standards, structures and expectations are put in place and met? What are we learning and how are we going to deal with that?

**Lord Nash:** I am grateful to the right reverend Prelate for his question. This is a local initiative, it is quite a complicated situation and I do not have time to



go into all the details now, but I can assure the House that we are all over this and will not allow this situation to continue.

**Baroness Taylor of Bolton (Lab):** Will the Minister confirm that the pre-registration report actually flagged up many significant concerns, which we are now seeing in practice following what happened recently? Does he intend, as one of the lessons learnt, to ensure that such concerns are properly monitored when they are flagged up? Clearly, this was not the case in this situation, including on the vital issue of properly trained teachers. Will he also confirm that there is no place in our education system—in free schools, faith schools, home tuition or anywhere—for any practices that discriminate against the education of girls?

**Lord Nash:** I entirely agree with the noble Baroness on the last point. There is no place in our school system for such practices and we have made that absolutely clear to this school. As regards the monitoring of schools, our procedures are extremely tight. This situation developed quite rapidly over the summer, leading up to the head teacher's resignation.

**Lord Cormack (Con):** Does my noble friend accept that dogmatism is not normally compatible with common sense? Does he accept that there are many teachers in some of the finest schools in this country, which produce some of the best results, who do not have a formal qualification, just as there are many schools where all the teachers have a formal qualification but where the results are less than satisfactory? We have to preserve a sense of balance in all these things.

**Lord Nash:** I am grateful to my noble friend for his question. I agree with him entirely on both points.

**Lord Winston (Lab):** My Lords, my noble friend Lady Blackstone makes an important point. Is the Minister aware that only recently I gave a class to 17 primary school teachers teaching science for professional career development? Only one had done science at university and most of them did not have even an A-level in science? That is a very real problem when you are dealing with children under the age of 10.

**Lord Nash:** I am grateful to the noble Lord for his question. I was not aware of the lesson he referred to, although I have heard him speak on a number of occasions. I entirely agree. The state of our primary schools in many cases is not satisfactory and we have an active programme in place to improve this. I would be happy to talk to him in more detail about it privately.

## Business of the House

### *Timing of Debates*

11.59 am

*Moved by Lord Hill of Oareford*

That the debates on the motions in the names of Baroness Meacher and Lord Luce set down for today shall each be limited to 2½ hours.

*Motion agreed.*

## European Union Committee

### *Membership Motion*

11.59 am

*Moved by The Chairman of Committees*

That Lord Wilson of Tillyorn be appointed a member of the Select Committee in place of Baroness Young of Hornsey, resigned.

*Motion agreed.*

## Select Committees

### *Membership Motion*

Noon

*Moved by The Chairman of Committees*

That Lord Wallace of Tankerness be appointed a member of the following Committees, in the place of Lord McNally: House, Liaison, Privileges and Conduct, Procedure and Selection.

**The Chairman of Committees (Lord Sewel) (Non-Affl):** My Lords, with deep commiseration, I beg to move the second Motion standing in my name on the Order Paper.

*Motion agreed.*

## Drugs

### *Motion to Take Note*

Noon

*Moved by Baroness Meacher*

That this House takes note of the report of the House of Commons Home Affairs Select Committee *Drugs: Breaking the Cycle* (HC 184, 9th Report, Session 2012–13) and the report of the All-Party Parliamentary Group for Drug Policy Reform, published in January.

**Baroness Meacher (CB):** My Lords, I rise to propose that the House take note of the above two reports, the second of which is entitled *Towards a Safer Drug Policy*. Both raise serious concerns about the current legislative framework for drug policy in the UK. However, two other significant reports were issued at about the same time: the report of the Home Affairs, Health and Education Sub-Committee of our EU Committee and the BMA report, both weighty and well argued documents.

Why this flurry of reports on drug policy? I want to spend a few minutes describing the remarkable events of the past two years in the drug policy field globally. For 52 years since the single convention of 1961, the world's drug policies have been driven by the UN conventions interpreted—and I emphasise “interpreted”—to mean that every use of illicit drugs must be treated as a crime and that every user of illicit drugs and every dealer must be treated as a criminal. The conventions were not drafted on the basis of evidence about how best to reduce addiction. No; they were drafted in response to a moral belief that taking drugs is wrong and that therefore everyone involved should be punished. No thought appears to have been given to the consequences of such a policy. Whatever our personal views about the morality of taking drugs—and people's views differ—we all surely agree that

[BARONESS MEACHER]

good policy is that which reduces the level of drug addiction and harm to the individual and to others. Criminalising young people is contrary to that aim.

The Global Commission on Drug Policy deserves great credit. That august body, which includes former presidents, the former Secretary-General of the UN, Kofi Annan, and many other very senior people across the globe, was the first to call a halt to the obsession with punitive drugs policies. I quote from the first paragraph of its report:

“The global war on drugs has failed, with devastating consequences for individuals and societies around the world ... fundamental reforms in national and global drug control policies are urgently needed”.

That comes from top global people.

In the two years since the publication of the global commission report, activity on drug policy reform has developed apace. Presidents of American states, including President Obama, initiated a one-year study of the implications of current drug policy for the Americas, including the impact on the central American states ravaged by drug trafficking, as well as the impact on the Andean countries involved in the growing of the coca leaf. At the general assembly of the Organization of American States in June this year, which two of us from the APPG were privileged to attend as guests of the President of Guatemala, the two reports of that study were debated. This process continues and further discussions are planned over the next 12 months in the search for reform. Uruguay has just passed a law to regulate the supply of cannabis—in other words, to disregard the requirement of the UN conventions that the possession, use, production and trade in cannabis must be treated as a criminal offence. This is the first country directly to contravene the UN conventions.

The Netherlands, of course, has for many years made cannabis available legally to users in its coffee shops. Interestingly, the Netherlands has virtually eliminated its heroin problem. It just looks at the relationship between those two, and we need to do the same. Spain has its own system of lawful or semi-lawful cannabis supply through cannabis-growing organisations. In the US, 20 states have now legalised cannabis for medical use—de facto legalisation of cannabis. Colorado and Washington have gone a step further and legalised cannabis for social use. The Department of Justice has agreed that it will not take any action with respect to those states; this is highly significant. President Obama’s drug tsar told me personally that these states will not get away with it, but President Obama appears to have a different view.

The importance of Uruguay, Colorado and Washington is that, for the first time in more than 50 years, evaluation of a regulated system has become possible. Many people believe that regulated herbal cannabis—and I emphasise “herbal”—properly labelled, with the THC level controlled, side effects and risks clearly shown, would be a great deal safer for young people than the illegal market that we have today. Regulation could, crucially, break the supply gateway to illegal skunk and other dangerous drugs. Young people who simply want a spliff would buy herbal cannabis from a lawful supplier and would not therefore have the need to approach a drug dealer, who will do

their very best to sell them something far stronger—skunk, or worse. Now research can show whether such a policy really is safer than the illegal market. Can the Minister welcome that?

European countries are quietly moving away from criminalising addicts, providing heroin legally in a treatment setting, and establishing consumption rooms, where the police do not arrest people—the first step for many addicts in engaging with health and social services. In most European countries, the health department rather than the internal affairs department is the lead ministry, and drug addiction is accepted as a health problem rather than a crime. Can the Minister agree to look into the experiences of our European neighbours?

The EU has prepared a draft regulation of the European Parliament and the Council on new psychoactive substances. It was sent to me for comment, which I found interesting. It proposes that possession and use of NPS should be decriminalised. Does the Minister agree with the draft EU regulation?

This, then, is the context of the Home Affairs Select Committee and APPG reports and of today’s debate. The Select Committee visited Colombia, where the words “war on drugs” really mean what they say—and I was there to see it. Policies in the consumer countries supply billions of dollars to the drug barons to enable them to fight their Governments. The Select Committee concluded that there is now, more than ever, a case for a fundamental review of all UK drug policy in the international context; it calls for a royal commission on drug policy to report in 2015.

The Minister will no doubt point to the recent modest fall in traditional drug use, but it needs to be set against the explosion in the use of new psychoactive substances. But the Government also need to take note of a few other facts. Despite any recent modest fall in the use of cannabis—and it is, mainly, cannabis—the UK still has one of the highest levels of drug use in Europe. In 2011, it was one of only three countries in Europe where more than 30% of the population had taken cannabis. Are 30% of our population criminals? This is crazy. Despite our tough drug laws, England and Wales has the highest percentage in Europe of the population admitting to taking cocaine, at 9.6%, amphetamines, at 11.5%, and ecstasy, at 8.6%. The growth in the number of young adults who have ever used drugs has exploded under the Misuse of Drugs Act 1971 from 10% in the 1970s to 35% in 2009-10. There is a modest fall from 1996, but it is still a very serious problem. The cost to the Exchequer of drug-related harm is £15 billion.

The Select Committee also visited Portugal, where for 12 years the possession and use of all drugs has been decriminalised. Originally the policy was resisted by the right-wing parties; today all Portuguese political parties support that policy. I wonder why. The Select Committee believed the Portuguese model to merit significantly closer consideration by the UK. Does the Minister agree?

Our All-Party Parliamentary Group for Drug Policy Reform spent a year receiving written and oral evidence from witnesses in producing our report towards a safer drug policy. Our focus was legal highs—or new

psychoactive substances, as they are generally called. But our witnesses repeatedly told us that it was not possible to consider legal highs in isolation. Most young people use a legal high as a direct response to the contamination of traditional drugs in the illicit drug market. If we sought out the illicit drug market we would go a long way towards eliminating so-called legal highs.

Legal highs, of course, present a very serious risk to young people. As one has found, the Chinese scientists set to work with their test tubes in their laboratories; they changed the molecules and produced a new substance. Young people have no idea what that substance is, or what it contains. The UK is apparently the European hub for such drugs; I wonder why. They come here from China or India and are then distributed across Europe. Twice as many young people in this country have used legal highs as the average for the rest of Europe.

Witnesses from ACPO and the UK Borders Agency who gave evidence to us were very clear that the current drug control systems are unable to deal with the web-based selling of these drugs from overseas; the system simply cannot do it. I have already referred to the EU regulation recommending decriminalising possession and use of these drugs—not only for one year, as this Government courageously introduced some time ago, but permanently.

On the supply side, we point to the New Zealand model, which places the responsibility on the supplier to show that their product is of limited harm. The supplier, not the state, has to do the research, which seems eminently sensible. The New Zealand policy is in its early stages, and I hope that the Government will be monitoring its effectiveness. The APPG report recommends an independent drug classification body, which would classify drugs according to the level of risk identified on a scientific basis, rather than on a political whim. All political parties find these issues impossible to deal with rationally. This is not a party political issue. The reality, though, is that young people know that our drug law is an ass and disregard it; that cannot be helpful. An independent body with responsibility for research, information and classification would help a lot. We could then more easily move gradually to more evidence-based policies. We should not do these things in a hurry but we are an awful long way from where we really need to be.

Of course, politicians will be responsible for the strategic direction of policy, and we have excellent examples of this model with the Monetary Policy Committee of the Bank of England, and with NICE in the National Health Service—difficult decisions delegated to independent bodies that can act rationally. We also want the lead department for drugs to be reviewed, and we share the views of the Home Affairs Select Committee and the other reports. The ideal would be to have a cross-party review of drug policy and cross-party policies emerging from that review. In the mean time, I hope that the Minister will recognise that this debate is a genuine attempt to respond to the plea of the current Secretary-General of the United Nations who, on 26 June, called for every member state to have an open review of drug policy and to consider all options. That is quite something from the

Secretary-General of the United Nations. Can the Minister assure the House that the UK Government will join other Governments in Europe who are working with us on that review in response to the plea of the UN Secretary-General?

12.13 pm

**Lord Fowler (Con):** My Lords, first, I congratulate the noble Baroness on her speech, which was extremely effective. I agree with her that the acid test is not about criminalising drug users but how we deal effectively and properly with the problem. I also congratulate her on her report and the other report that we are considering today.

I made my maiden speech on drugs policy in the other place 43 years ago in 1970, and I am tempted to say that the debate has not changed very much in the interim. It strikes me how much of the debate is put in military terms, or semi-military terms. I still have a T-shirt given to me by the Drug Enforcement Administration in the United States with the slogan, “It is not over until we win”. That was 20 years ago and I do not think that we have won in the interim. As I have been going around the world over the past 18 months looking at the issue of HIV and AIDS, I find Ministers still talking about the war on drugs. Indeed, when I was in Russia a few months ago, a political leader said, “It is not just the war on drugs, it is total war”. In fact, Russia has probably the worst drugs position in the whole world; it has a disastrous policy.

These words may give great comfort to some politicians and increase their sense of self-righteousness, but they do not do very much to solve the problem. The truth is that this one-dimensional approach has never worked in the past and is unlikely to work in the future. We all know what we want to achieve: we want to stop the pushers; we want to persuade people not to take up the habit; and we want to deal decently and humanely with those who have become dependent. However, we are not going to deal with all those goals by saying that all you need to do is to enforce the law. That is precisely what we have been doing over the past 50 years and it is precisely the reason why we have not been successful. We need to be frank about that failure.

Before this debate, someone asked me whether I was in favour of liberalising drugs policy. My answer to that, in principle, is yes, but the real answer is that we have already liberalised our drugs policy. When the Government were seeking to deal with the HIV and AIDS crisis in 1986-87, we faced precisely that problem of how to deal with drug users who shared needles and syringes. The result, obviously, of shared needles was devastating. We had no treatment to offer—it was a death sentence—and someone with HIV simply spread it to others.

We could have taken the view that upholding the criminal law was the only policy—the only way to go—and that those who injected should be prosecuted. There were many who urged us to take that way. In fact, we decided to institute a policy of clean needles. Our advice was, obviously, not to inject at all but if, in spite of the advice, people still injected, then we would supply clean needles. In other words, we put public health in front of the strict interpretation of the law.

[LORD FOWLER]

This policy was not decided by some way-out left-wing Government or by implementing a resolution of the Liberal Democrat annual conference—I am sorry about that; it was meant to be a joke—but by the Government of Margaret Thatcher, who, for all her great qualities, did not have a reputation as a radical reformer in this area. The policy has been spectacularly successful. For the past 25 years, the spread of HIV through injecting drugs has been only 1% or 2%. It has not led to an increase in crime and drug use, and the policy has been followed by many other countries.

I agree that it has not been followed universally. It has not been followed in Russia and the result is that drug users are abandoned to their fate and an appalling tragedy is taking place before our eyes. Saddest of all, the United States has just gone back on the policy. The House will not be surprised to know that this was because of the disagreement on the budget between the Administration and the House of Representatives.

I do not pretend to have instant solutions. There were warnings—the needle park in Zurich being one, where a park was given over officially to drug users. However, we need to open a new dialogue and try for new solutions in this area. The old policies have failed and we must try, perhaps by pilot schemes, to find new and better ways forward. Some of the ideas put forward in these reports are excellent and should be carried forward. I congratulate the authors of both reports on what they have done.

12.19 pm

**Lord Howarth of Newport (Lab):** My Lords, I congratulate the noble Baroness, Lady Meacher. She is one of the leading voices in the quest for a more rational, proportionate and humane policy on drugs. The Home Secretary, in her foreword to the Government's response to the Home Affairs Select Committee, stated:

“This Government does not believe there is a case for fundamentally re-thinking the UK's approach to drugs”.

The document went on to say that,

“our new approach is working”.

It is pleasing that the Crime Survey for England and Wales has recorded a declining trend in the use of controlled drugs; that the numbers in treatment are rising; that the incidence of drug-related HIV infection has fallen so far, about which the noble Lord, Lord Fowler, spoke with justified satisfaction; that there is now faster access to treatment; and that more people are recovering from their dependence on drugs. However, the improvement in the figures for usage is, I fear, more apparent than real. The previous Minister, Jeremy Browne, told the House of Commons candidly on 6 June:

“In this country, consumption of illegal drugs has reduced, but consumption of legal drugs has increased”.—[*Official Report*, Commons, 6/6/13; col. 285WH.]

The United Kingdom is in the upper range of consumption of traditional drugs. There has been a large increase in addiction to prescription drugs and an even larger increase in the consumption of new psychoactive substances, of which it is thought that 73 entered the United Kingdom market in 2012. The internet has transformed the marketing and distribution

of drugs. The Silk Road website may have been closed, but there are numerous others, and Postman Pat continues to bring the packages up the garden path. The drug scene continuously mutates. We know that the charge on the health and justice budgets of this country is £15.3 billion. The illicit market fuels vast amounts of crime. Some 78% of people who have used drugs in the past year in this country say that drugs are easy to get. Indeed, 24% of prisoners, unbelievably, say the same thing. If we are honest, we know that the horrors experienced in the producer and transit countries of Latin America, Africa and Asia would not occur were it not for the self-indulgence of consumers of drugs in western societies such as our own.

This is not the success story that the Home Secretary wants us to believe, but policy in this area is exceedingly difficult. There is no excuse for our failure to ensure that we have a comprehensive evidence base and that we sustain an adequate research infrastructure. The UK Drugs Policy Commission, the Home Affairs Select Committee and the report of the All-Party Parliamentary Group for Drug Policy Reform, *Towards a Safer Drug Policy*, have all pointed to the deficiencies in this regard. These include the discontinuation of programmes, gaps, inefficiencies and underfunding. At the very least, we need to know as best we can what is going on in the United Kingdom. We also need a division of labour in research across Europe and indeed the globe so that we can quickly analyse what these new psychoactive substances are. The Select Committee recommended ring-fenced funding for drug research and a co-ordinating role for the Advisory Council on the Misuse of Drugs, but the Government's response was:

“We do not ... accept the need for allocated ring-fenced funding to drugs policy research ... the ACMD is not, nor is expected to be, a research commissioning body”.

This will not do. Stephen Pudney and his colleagues at the University of Essex, supported by the Beckley Foundation, have published a model study entitled, *Licensing and Regulation of the Cannabis Market in England and Wales: Towards a Cost-Benefit Analysis*. They have identified 17 distinct factors of cost and benefit. They have demonstrated how very difficult it is to arrive at a cost-benefit analysis in this area, and that it is impossible to do so with the present lack of basic information. No policy should be dogmatically ruled out and alternatives should be considered seriously. All decisions in this field are hard politically, but they will be less hard if they are evidence-based.

Another model study is the report of the New Zealand Law Commission, *Controlling and Regulating Drugs*. It recognises that the existing New Zealand legislation is unfit for the new drugs landscape, inconsistent with aspects of government policy, hugely expensive and that a punitive approach to low-level offending has adverse social consequences. It is a rational and practical report, which recommends that the manufacturers and would-be importers of new psychoactive substances should have the opportunity to seek approval by an independent regulatory authority before the substance is released on the market. It provides a detailed model for regulation, including particular protection for people under the age of 18.

There are no easy solutions. Those war-worn Latin American presidents and the hugely distinguished and experienced members of the global commission, including Kofi Annan and Paul Volcker, have taken the lead in the international debate and advocated decriminalisation of possession and use. The Secretary-General of the United Nations has issued his challenge to all of us to debate all the options that there may be in the lead-up to the United Nations General Assembly special session in 2016, in the quest to achieve a better international consensus on how we can reduce consumption and mitigate the harm that drug use brings with it. Our Government and our Parliament ought to respond constructively to that challenge.

12.25 pm

**Lord Teverson (LD):** My Lords, I, too, congratulate the noble Baroness, Lady Meacher, and the all-party group on this excellent report and on bringing this debate before the House today. When I was doing some research in this area, the thing that really encapsulated the problem for me was a United Nations report saying that, in 1998, the decision was taken to work towards the “elimination or significant reduction” of illicit drug production and abuse by 2008. We are, of course, five years on from that. The United Nations decided to extend that programme for 10 years but I guess it had no confidence whatever that there would be any greater success over that following decade either.

One of the things that strikes me about this debate is that there is a psychology in the back of people’s minds that the drugs problem, and drugs themselves, can somehow be uninvented—that we can hide them away and they will disappear. However, the reality is, as the report says so well, that we now have multiplying types of drugs and that these products will not go away. There is also the fact that any debate seems to forget that where there is a demand, there will be a market and there will be supply. That is the way that human beings, human society and global society work.

I spent most of my professional life in the freight industry, where I was very much involved in supply chains. One of the things on which I want to concentrate is the even more difficult area of the international global supply chain for illicit drugs. It is different for different drugs categories. Cannabis is now the most consumed drug but is often produced within the nations where it is consumed. Synthetic drugs, as the noble Lord, Lord Howarth, has said, often come through the post or through the internet. However, there is still, regrettably, huge international global traffic in cocaine and opiates. We do not know the exact figure of course, but that market is worth something like \$500 billion per annum—1% of global trade. We are handing that 1% of global trade to organised crime; to people who are out there to make money and are not worried about the consequences. We have to find a way of making that supply chain part of an established route, which is far more difficult than legalising or regulating the consumption side.

Why is that important? It is important because of the countries, nations, peoples and communities that are destroyed by the 90% of the drugs market that is driven by North America and Europe. In Mexico,

there have been some 60,000 deaths and murders directly related to the drugs trade, a number of them mass killings. In Venezuela, between 1990 and 2008, the murder rate per annum increased from 2,000 to 16,000. In the United Kingdom, we have roughly 500 homicides a year, which puts that somewhere in context. In Colombia, 300,000 refugees moved from that country to Ecuador. The whole problem here is that this illicit trade is undermining developing countries and even some countries that are moving up towards developed status.

I have the privilege of being a chair of the All-Party Group for Guinea-Bissau, a west African state which used to be a Portuguese colony. I shall conclude by quoting two passages from a recent publication, *Guinea-Bissau: Lessons from Africa’s first Narco-State*. It states that,

“trafficking networks have coopted key political and military leaders and transformed Guinea-Bissau into a hub for illicit commerce, particularly the multibillion dollar international trade in cocaine. This has directly contributed to instability in Senegal, Guinea, Liberia, Mali, Mauritania, Nigeria, and elsewhere in Africa ... Drawn by the lucrative revenues, al Qaeda in the Islamic Maghreb and other militant groups in West Africa have also been linked to Guinea-Bissau trafficking ... While narcotics traffickers initially targeted Guinea-Bissau because of its weak oversight and governance capacity, the drug trade has dramatically compounded these drivers of instability while spawning others”.

It further states:

“Meanwhile, economic growth has been episodic, human development indicators have been stagnant, and a humanitarian emergency imperilling 300,000 people looms”.

That number of people represents a major proportion of the country’s population.

The result of our not tackling that trade is the wasting of a number of developing countries. If we solve the problem in one country, it moves to another. We have to make that trade part of the establishment. It is difficult, but we have to take that challenge forward.

12.31 pm

**Baroness Hollins (CB):** My Lords, as my noble friend mentioned in her excellent opening speech, a report entitled *Drugs of Dependence* was published by the BMA’s Board of Science earlier this year. I declare an interest as the current chair of the Board of Science. The report sought to contribute to the debate on drug treatment and drugs policy through the eyes of the medical profession, and I wish to draw special attention to the role of doctors in our debate today.

The Chief Medical Officer, Dame Sally Davies, agrees that drug abuse should be treated more as a public health problem than as a criminal justice concern. She has said:

“We have a health problem, and we would do well as a nation to look at it as a health problem”.

But the lead for drugs and alcohol policy is the Home Office, and this Government are choosing to continue to treat it in that way. Can the Minister comment on this?

Professor David Nutt, the former chairman of the ACMD, told the Home Affairs Select Committee that drugs should be decriminalised and compared the harm caused by illicit drugs to that of alcohol. He said that,

[BARONESS HOLLINS]

“what we see now is a rising, rising, rising tide of damage from alcohol. There is no doubt a lot of people drink because it is legal and if there was an opportunity to use cannabis in a coffee shop-like model, they would not drink”.

However, Dr Clare Gerada, giving evidence to the committee as chair of the Royal College of General Practitioners and a former member of the ACMD, said that, in the case of cannabis, there would be significant direct health harm from decriminalisation, and that:

“Cannabis is not a ... good drug to be on. It causes lung cancer. It causes oesophageal cancer. It causes failure at school”.

She reminded the committee that cannabis is very addictive and said that she would not advocate any person using it. She went on:

“We have just spent the last 60 years sorting out tobacco, let us not drop in the same problem now with cannabis”.

Clinicians all encounter the effects of drugs on their patients, whether they work in a hospital as a cardiologist, as a GP, a psychiatrist or as a public health doctor. There is consistent evidence that, in primary care settings, in hospitals and in mental health settings, doctors frequently do not address drug use. For example, a history of drug use is seldom documented, even when a patient presents with symptoms which suggest that drugs may have been used. What could be the reason for such a lack of documentation? One possible explanation for the reluctance of some doctors to explore drugs use is pessimism about being able to do anything.

The medical frame of reference is a useful one in which to approach drug use. Doctors are trained to be non-judgmental, factual and professional, and should be well positioned to provide information and advice and monitor progress. We have heard already today, and read in the BMA's own report, that health should be at the centre of drug policy. Let us consider then how the medical profession could take a greater role in tackling the UK's problem with drugs, recognising of course that the number of drug-related deaths has been falling steadily during the past few years.

The health and social impact of drug use is multifaceted, but I want today to highlight one area of impact: the mental health of drug users. A report from the UK Drug Policy Commission in 2012, *A Fresh Approach to Drugs*, highlighted that people who use illicit drugs have an increased likelihood of mental health problems, and vice versa. A study of people attending community mental health and substance misuse services found that 30% of those attending reported using drugs in the previous year and that 75% of those attending a drug service had had a psychiatric disorder in the previous year. These figures are very concerning, but the nature of the relationship is still unclear and varies between different drugs.

There is substantial research evidence that heavy cannabis use by adolescents increases the risk of depression and schizophrenia in later life, especially for those who already have a vulnerability to develop a psychiatric syndrome. This is compounded by concerns about the increased availability of stronger strength cannabis and synthetic cannabinoids, which are more harmful to health and more likely cause psychosis.

Two of my children have been seriously assaulted by men who had been using cannabis. The man accused of stabbing my daughter had reputedly taken large quantities of stronger strength cannabis, with alcohol and ketamine—a cocktail—with devastating consequences for my daughter and for himself: he later committed suicide.

I have spoken about mental health, but I return to a key point that I mentioned earlier on how we can reduce drug-related harm: all doctors have an essential role to play in tackling the use of illicit drugs. Doctors from every part of the health system can improve their rates of intervention by opportunistically screening patients and identifying those with drug misuse. Commissioning the right services will be key to ensuring that adequate clinical pathways are available to patients. Education and training will be vital. The Royal College of Psychiatrists, with the Academy of Medical Royal Colleges, has reviewed the competencies required for doctors in relation to alcohol and other drugs to ensure that medical training gives adequate weight to every doctor's role in this area. All royal colleges have committed to including these competencies in their curriculum, which is an important step.

Debate on the most effective approach to preventing and reducing the harms associated with illegal drug use must be based on sound evidence. Health impact is integral to that debate.

12.37 pm

**Baroness Manzoor (LD):** My Lords, it is a real honour and a privilege to take my place on these distinguished red Benches. I have been overwhelmed by the sincerity of the welcome and the warmth and generosity of spirit shown to me by noble Lords from all sides of your Lordships' House. I thank you.

I also want to thank all the staff here for their dedicated service, and friendly and much valued support. My thanks go also to my two supporters, my noble friends Lord Lester and Lady Jolly, for all their help, encouragement and wise words. They have attempted to ensure that I have at least a basic grasp of the workings of your Lordships' House—no mean feat.

I understand that a maiden speech should not be controversial, so you can imagine the look on the faces in my Whips' office when told them that I intended to speak in this debate—start as you mean to go on, I say. I shall be brief, as I have only five minutes, but I hope that I can make further contributions at another time.

Today's topic is of immense importance and presents our society and institutions with huge challenges, so I am very grateful to the noble Baroness, Lady Meacher, for tabling this debate and thus enabling me to make my first contribution in your Lordships' House.

Through my working life, and in particular nearly 20 years of work experience in the NHS, I have gained some knowledge of the impact and effects of illegal drug abuse on health services and witnessed the horrific cost, despair and misery that drugs can bring to the lives of individuals and their families.

The link between drug abuse or misuse and the negative impact on individuals and communities is clear. Also well documented are the links between illicit drug use and crime. The Government's *Drug*

*Strategy 2010: Reducing Demand, Restricting Supply, Building Recovery* was important and I welcome it.

However, despite the fact that the usage of illegal drugs in the UK is falling, it is clear that in some areas, such as cannabis, the rates of use among young people in the UK are, as the noble Baroness, Lady Meacher, stated, among the highest in Europe. I am pleased to note, however, that greater clarity appears to be emerging on how we tackle this in the UK. I am particularly pleased by the recent comments of the leader of my party, the Liberal Democrats, that we need a more imaginative, open and, crucially, evidence-based approach to drug policy.

For my part, I wish to make three points in this debate: first, the importance of prevention and education; secondly, the issue of decriminalisation of drugs; and, thirdly, the importance of helping families and individuals. First, education is key, particularly education of the young. As a mother of two daughters, I understand the importance of that. Having a clear drugs strategy which is effectively monitored and evaluated is fundamental in all our schools, including fee-paying schools and academies. Early intervention is key, as is a cohesive implementation programme and a co-ordinated strategy between the new body, Public Health England, and the Department for Education. Indeed, I would go as far as to say that PHE must be the lead body in monitoring and evaluating the success of the education programme, and not merely a provider of centralised funds, if we are to make real progress on drugs education in our schools and in higher education. As a former governor of a number of higher education institutions, I know the importance of that.

Secondly, if the case for the decriminalisation of drugs or the retention of effective legislation to control their use was clear, there would be no merit in my address today. There is no such clarity, and the scourge of our times remains hotly disputed by those on both sides of the argument. Decriminalisation, when viewed against the vagueness of alcohol control on our streets, is not an obvious solution to the problem. Since the problem was recognised, we have appealed for a policy that is both firm and resolute. We have sought to use legislation to control and suppress those who use and abuse drugs, without much success. We have attacked the supply of drugs and the associated organised crime that supports it—again, without definable progress. That is not a condemnation of the paths that we have taken but recognition of the enormity of the problem.

Will decriminalisation solve anything? It seems that one effect would be to produce cheaper drugs with wider availability. That deregulation would introduce a massive problem of control of the drugs themselves. That would make them more accessible to criminals in countries with equally enthusiastic criminal resources, leaving the problem immune and further away from proper control.

I offer no clear solution, although I have drawn the view that continued control allows us to focus on related crime and criminals. Money laundering, illegal alcohol, prostitution, gang warfare and even armaments are intrinsically linked to and caught up with the use and marketing of drugs. To remove the drug issue would in no way reduce the horrifying effects of serious

crime, but would have the effect of drawing our attention, even partially, away from those involved in such crime. I cannot find it in my heart to support such a step.

However, there are other things that we can do here and now. This brings me to my third point: how we support those whose lives are affected by drugs. I believe that we must direct resources to help those suffering the consequences of the use of drugs and build a stronger, more cohesive society: one that helps the sick and disadvantaged and which values the importance of prevention and education in this complex and challenging area. That is why I support the view that responsibility for drugs policy should be moved from the Home Office, which rightly focuses on policing and law enforcement, to the Department of Health. That would allow a greater focus on the care and support we need to give people for them to get off drugs, into treatment and back into society.

I thank your Lordships for your patience during my first contribution to your Lordships' House.

12.44 pm

**Lord Ramsbotham (CB):** My Lords, it is a great pleasure and privilege to be able to congratulate the noble Baroness, Lady Manzoor, on her maiden speech in this House. Having heard the content of what she said, we look forward to other contributions that she will make to the work of this House. Although she mentioned that she had 20 years of experience in the NHS, she did not mention that in addition she has been a member of the Commission for Racial Equality, a trustee of the National Society for the Prevention of Cruelty to Children and has served as the Legal Services Ombudsman. I think that I can safely say on behalf of all Members of the House who have been privileged to hear her that we look forward to her contributions in many areas. I am sure that if they are of the quality of what we have just heard, they will be a huge enhancement to the work of the House.

I congratulate my noble friend Lady Meacher not only on securing the debate but on the exemplary way in which she introduced it. I entirely share her views on criminalisation and the need for both national and international reform of current drugs policy. I declare two interests: one as a member of her All-Party Group on Drug Policy Reform; and another as chairman of the cross-party group on justice, drugs and alcohol, which aims to link practitioners in the field with Members of this House.

I listened with interest as the noble Lord, Lord Fowler, introduced the word "military", because the one thing that I have always thought was utterly inappropriate in talking about drugs is the word "war". It introduces entirely the wrong perception of what people are meant to be doing. Yes, of course drugs are an evil and need to be tackled, but war is something entirely different. As for "military", as was touched on by my noble friend Lady Meacher, I add that when I was serving in the Army, every time we went off to do something somewhere we felt that we had the country behind us and, in particular, that we had cross-party support behind us. That was broken, of course, in Iraq in 2003 and has been a matter of great concern ever since. On this issue, it has always seemed to me that

[LORD RAMSBOTHAM]

cross-party agreement is essential, because the inevitable result of cross-party wrangling is inertia. In tackling something as urgent as this, with all the social and financial penalties for the life of this great country that it brings, the last thing we need is inertia caused by unnecessary wrangling on what should be a centralised policy.

I go back to my experience as Chief Inspector of Prisons. I have always thought that if anything encapsulates the nonsense of the present position, it is the way that drugs are treated in prisons. There is something called the mandatory drug test, which is meant to give a picture of drug use in prisons. It is absolute nonsense. Five per cent of people in prison are tested. I always remember going into a cell and finding nine pieces of paper on the wall. I said to the person, "What are those?". He said, "They are my certificates for being drug-free. If you come next week, there will be a 10th. They always test me because they know I am drug-free and it makes the figures look good". That is absolute nonsense. The only way to find out the actual size and shape of the problem is to test every person when they come in and decide from that what needs to be done with them.

The second thing that I found was that when the drug treatment and assessment programme started, it ended up with a lot of assessment but no treatment, because prisoners were moved around the country, away from the people who might have worked with them in prison and carried on doing so when they were released. Prison policy was totally against consistent assessment and treatment. I then found that there were masses of dealers in every prison. They were causing not only misery in prison by what they were doing to the prisoners who failed to pay them their dues for illegal substances, but terrible problems for their families outside. The misery was widespread, not helped by the fact that there did not seem to be proper liaison between the drug treatment organisations outside the prison and those people who were responsible for it.

Last week, those of your Lordships who saw the prison inspection report on HMP Oakwood would have seen that drugs were easier to obtain there than soap. It seems to me that our prisons, where we have people who cannot leave and could be treated, are the very place where we ought to have proper policies. You can do the assessment; you can start the treatment and make certain that it carries on. The whole situation shows the lunacy of the prohibition that seems to dominate our policy.

However, I do not want to end on a doom and gloom moment because I am very glad to see that while prison healthcare was not part of the NHS when I started as chief inspector, it is now. I am very glad to see that the prisons have put the responsibility for drug treatment in the hands of the NHS. That is an absolute endorsement of the way that we ought to go, and which my noble friend has so clearly recommended in her excellent report.

**Lord Ahmad of Wimbledon (Con):** My Lords, I remind all noble Lords that this is a time-limited debate. Contributions from the Back Benches are of

five minutes, which means that when the clock strikes five noble Lords should be looking to conclude their speeches.

12.51 pm

**Baroness Stern (CB):** My Lords, I, too, am most grateful to the noble Baroness, Lady Meacher, and declare my interest as the vice-chair of the All-Party Group on Drug Policy Reform, which she chairs so ably and energetically and which she has ensured is well known in many corners of the world. I shall concentrate in my remarks on human rights matters concerned with the international aspects of global drugs policies and the involvement of the Government in these.

I begin by congratulating the Foreign and Commonwealth Office on its human rights policy and the actions taken to pursue it, which are admired worldwide. They are very effective and send a message to the world about British values.

The Home Affairs Select Committee said in its report at recommendation 61:

"The Government should not turn a blind eye to capital punishment and other human rights abuses affecting those involved in the drugs trade. In particular, we recommend that the Government ensure that no British or European funding is used to support practices that could lead to capital punishment, torture, or other violations".

It is this recommendation which I would like to pursue. There are many ways in which the international drug enforcement regime can lead to human rights abuses. There are drug detention centres where addicted people are held against their will; rigid and draconian laws that impose long, mandatory prison sentences on small-scale impoverished participants in the drugs trade; sentences to be served in overcrowded, inhuman and degrading prison conditions; and prison conditions that can lead to the transmission of deadly diseases related to injecting drug use with inadequate or non-existent healthcare and no respect for the right to life or the duty of care.

Of all these, the death penalty is the most extreme. I declare an interest as I chair the All-Party Group for the Abolition of the Death Penalty. Six countries currently execute drug traffickers: China, Saudi Arabia, Vietnam, Malaysia, Singapore and, of course, Iran. Accurate figures are hard to come by but it is clear that Iran has executed hundreds of people for drug trafficking. Figures from the Iran Human Rights Documentation Center suggest that in 2012 there were 552 executions, 346 of which were for drug trafficking. Pakistan also imposes death sentences on those convicted of drug trafficking and almost restarted executions earlier this year.

It is very important to know what the Government's approach is to giving financial support to anti-narcotics activities or to contributing via the United Nations Office on Drugs and Crime, or the European Union, to anti-narcotics work in any state that uses the death sentence for drug trafficking. In response to the Home Affairs Select Committee, the Government said that they have a guidance document, *Overseas Security and Justice Assistance*, which I have read. It is an excellent document. If followed, it should ensure that no aid is given to programmes which lead to human rights abuses. The Government also say that they have lobbied



the United Nations Office on Drugs and Crime to ensure that human rights are respected when undertaking these programmes, yet we read reports that the Government support the work of the Pakistan anti-narcotics force and have supported anti-narcotics work in Iran.

Can the Minister say first whether, directly or indirectly, British Government money goes to counternarcotics work in Iran, Pakistan or any other country that imposes the death penalty? If it does, how do the Government ensure that that money is so ring-fenced that it does not lead to the arrest and subsequent sentencing to death of any individual? Secondly, in the light of what is known about prison conditions in many parts of the world, is the Minister satisfied that the Government do not support drug enforcement activity anywhere that would lead to torture or cruel, inhuman and degrading treatment?

12.56 pm

**Lord Mancroft (Con):** My Lords, I add my thanks to those of other noble Lords to the noble Baroness, Lady Meacher, for tabling this debate. Of course, 50 years ago we could not have had this debate because Governments did not have drugs policies in those days. However, it became apparent during the 1960s that we were going to need one. Very little was known about drugs or drug use in those days but it was quite clear that they were damaging to an individual's health. They hurt families and the wider communities, and there was potential damage to society itself. That is how it was perceived and, from where we are now, it probably was not entirely wrong. However, we need to look at the context of those days.

Drugs in 1971 meant cannabis, a little amphetamine, heroin—that was probably the most serious one—and some hallucinogenic drugs such as LSD. Although cocaine existed, it was not really available in the United Kingdom then. All the new NPDs such as ecstasy, methedrone and ketamine really did not exist. Crack had not been invented and prescriptions for drugs such as valium and librium were really new, and their long-term effects not known at all. In 1974, there were 14,000 heroin addicts registered with the Home Office.

There are only two things you can do about drugs, then or now. You can put in place measures to restrict or reduce the supply of drugs or try to reduce the demand for them. You can restrict the supply by use of the criminal law. Unfortunately, in the 1970s there was no recognised way of treating drug addicts, so there was nothing much that you could do about reducing demand. We introduced something called the British system, whereby addicts were prescribed heroin every single day as a way of keeping them level and out of the black market. That in fact continued in this country until the 1980s and it is the forerunner of much of the state provision of treatment today.

The central plank was to try to control or reduce supply, which was done through the passage of the Misuse of Drugs Act, supported internationally by the United Nations conventions. While those and the law may not have changed over 40 years, quite a lot of other things have. We now have 300,000 addicts, mostly of heroin and cocaine. We have crack, NPDs, ecstasy,

methedrone and ketamine, with two new drugs appearing every week. In 1992—but not until then—the Home Office decided that there was after all a link between drugs and crime. That led to the first ever drugs strategy, while my noble friend Lord Howard was in the Home Office. We learnt then that the cost of drug-related crime and the policing of drugs was about £12 billion a year.

The noble Lord, Lord Teverson, talked about the international side of the drug industry. He mentioned a lot of countries but missed out Afghanistan. The second reason why we went into Afghanistan eight years ago was to suppress the opium business, of which we are the largest consumer; 80% of the heroin on British streets comes from Afghanistan. Now we are leaving Afghanistan, though, and the poppy harvest has in fact quadrupled. I am not really sure that you could describe that as a policy success.

Whichever way you look at it—internationally, nationally or locally—I cannot see that our attempt to restrict the supply of drugs has been anything but a disastrous and incredibly expensive failure. In 1971 we did not have options but today we do. If we cannot restrict the supply, as we clearly cannot, we can reduce demand. The United Nations, the World Health Organisation and the NHS all accept that drug addiction is a primary illness; it is not curable but it is treatable. The previous Government recognised this and over 10 years put an enormous amount of time and effort into treatment, and formed the National Treatment Agency for Substance Misuse.

The present Government have taken that forward by ring-fencing the funding and by moving the National Treatment Agency into Public Health England, but there is a structural fault in drug treatment in Britain. The officials at both the Department of Health and the Home Office fundamentally do not believe in drug treatment; they believe that drugs are a symptom of social deprivation. They are backed in this feeling by the medical profession; because there is no medical treatment for drug addiction, which there is not and never has been, there is therefore presumed to be no treatment at all. Therefore the only treatment for drug addiction, in the view that is held, is substitute prescribing, which means that 150,000 out of 300,000 addicts in this country live on prescription drugs. To look at it another way, it is like taking an alcoholic off whisky, putting him on vodka and saying, “There we are, job done”. However, there is a vast amount of other treatment available such as abstinence-based treatment, which has been in existence in this country for 40 years but which virtually no one has access to because they cannot get it through the health authorities.

We started this debate 40 years ago with a degree of consensus; we need to find that consensus now. No responsible politician wants to do anything other than to reduce the demand for drugs and the harms caused by them, so there is quite a lot of agreement about the way forward. The consensus is growing among politicians, internationally and now in the media. All that we need now is for the Government to join that consensus.

1.02 pm

**Baroness Lane-Fox of Soho (CB):** My Lords, I thank the noble Baroness, Lady Meacher, for proposing this debate and particularly for being so encouraging about participating in it. I have two areas of experience that I hope may be relevant. I have been a funder and trustee of several charities that deal with the fall-out from drugs, including Reprieve, IntoUniversity and Storybook Dads. My involvement has also made me think about the impact of the internet on this issue, which, as some noble Lords may know, is my particular interest.

One charity that I know well, Just for Kids Law, provides invaluable support for children and young people, many of whom are in care, looked after or at risk of exclusion from school. As well as legal help, it offers services ranging from securing housing to finding work. The organisation is a vital resource for the most vulnerable in our society. One of the most distressing and relentless aspects of the lives of the children that JFK helps is being stopped and searched by police. We know from police statistics that 50% of all searches are to look for drugs. We also know from police data that the searches take place disproportionately among the BME population. Some JFK clients talk of being stopped more than three times a day. Not only is this hugely destructive to the lives of the children but it is expensive. JFK worked with another not-for-profit organisation, StopWatch, to produce a smartphone app that allowed the kids to register every time they were stopped, whether there was an arrest and how the police treated them. The “stop and search” app allowed young people to get some control over what they felt was persecution. It also showed the high number of searches that did not result in any substances found, data that could be very useful to the police when prioritising work.

It is interesting to reflect on that development. Technology is changing with great speed the relationship between the supposed criminal and the authorities. But could we not be even bolder in thinking about how the internet could inform some of the solutions for the enormity of the challenges facing drugs policymakers? It feels as though those currently illegally controlling the drugs industry certainly already are. Only yesterday on the Radio 4 “Today” programme there was a discussion on the increasingly high level of digital capability. Marc Goodman, an ex-officer who now studies crime and terrorism, said in his TED talk in 2012,

“all the drug dealers and gang members with whom I dealt had”, a cell phone,

“long before any police officer I knew did”.

He also talked about how hard it is for the police to stay ahead of drug cartels. For example, in Mexico there is a national encrypted radio station and telecoms network run by a group of dealers that is completely out of the reach of any state. I think it might be even harder to access remotely than the parliamentary e-mail system.

The internet is rapidly changing consumer behaviour, and this brings me to the Silk Road. This is not the beautiful route stretching through central Asia, well trodden by Marco Polo, but the website of the same

name, mentioned earlier by the noble Lord, Lord Howarth, sometimes called the Amazon.com of drugs. Launched in 2011, the site was operated on Tor, a “dark web” service that anonymises users, making it much more difficult for them to be tracked. The site allowed users to buy a huge range of semi-legal and illegal substances using the digital currency Bitcoin. The FBI closed it down last month.

Rather than a terrible crime, using Silk Road could be seen as a better approach to drug sales—a more peaceful alternative to the deadly violence that street deals have led to for decades and which, as the APPG report’s notes show, has led to many thousands of deaths at unbelievable cost. As many of commentators have written, the site was credited by its creators and users as mitigating gangs and cartels, providing quality drugs and going some way to breaking dependency cycles. It did this by breaking people’s relationships with dealers on the street and with the police—all objectives of the unsuccessful so-called war on drugs that, as has been documented today, has cost Governments around the world trillions of pounds.

I very much respect the work of the APPG, but in future work might it be possible to take the different but linked experiences of Just for Kids Law and the Silk Road to think boldly about how technology might help facilitate a different, more successful global drugs policy?

1.07 pm

**Baroness Miller of Chilthorne Domer (LD):** My Lords, I warmly congratulate my new noble friend Lady Manzoor on her excellent maiden speech. I was grateful to her for sharing with us her experiences in the health service over so many years and for her strong support for moving drugs policy and government efforts from the Home Office to the health department. It is that sort of experience that supports my gut feeling that that is the right thing to do.

I add my congratulations to the noble Baroness, Lady Meacher, not just on introducing the debate today but on all her hard work over recent months and indeed years over this issue. I know that she has tirelessly visited many different countries, not only all the EU countries but a great number of South American ones. She has put before us a lot of evidence and reports on this issue that have really helped to inform us. I shall refer slightly later to one of those in particular. I am extremely grateful to her. I think that she has really encouraged us in this House to address the issue in a far more in-depth way.

If we look at the 2010 drugs strategy and the government response to the Home Affairs Select Committee report, we can see that the Government are still hoping against hope that the “war on drugs” posture will continue to be credible. However, as we have heard from so many speakers, it simply is not. Many speakers, although I shall not repeat what they have said, have given examples of how it is not helping those on harder drugs to deal with their health problem or indeed helping young people wend their precarious way through the world of recreational drugs.

I particularly want to home in on the failure of the current posture of the Government as a world leader.

We like to think of the UK engaging in international dialogue and acting as a world power in a responsible way. Unfortunately, the Government's 2010 drugs strategy states:

"We must make the UK an unattractive destination for drug traffickers".

On the face of it, that is a reasonable statement, but where does the UK suggest would be a better destination? On to which of our friends and allies are we wishing the problem? It is a global problem, and even if we could make the UK so unattractive that no hard drug crossed our borders, the rest of the world would still be suffering from serious, ruthless criminals who have an easy route to vast profits. We would not be immune to the effects of that, so let us not make that sort of statement.

I want to talk for a moment about the visit that I was privileged to make to Colombia with the IPU and about one of the insights that gave me. It has since been underpinned by the excellent report on the coca leaf by Sophia Ostler of the UK IPU. In Colombia, I saw first hand some of the realities for the police in trying to deal with narco trafficking and I saw the UK supporting them in that. I think we still have 40 officers out there helping, and the Colombians are very grateful for that effort. One of the unforeseen effects of that support is the shift of the coca-growing effort to Peru and Bolivia. The question is: what else can small-scale peasant farmers high in the mountains grow and are there alternatives to that or to the coca leaf? That is where the report is so valuable. It shows all the current alternatives, from Coca-Cola to Red Bull. It states that companies are extremely reticent about where their coca leaf comes from and that a helpful start would be more openness and accountability from international companies already engaged in legitimate trade in the coca leaf. There are lots of other uses. It is depressing that countries in the Andean region have had to suppress their cultural use of coca tea and so on because of the UN's attitude to their traditional use. Everything I have said about coca and the Andean region could be said about Afghanistan and opium growing.

1.12 pm

**Lord Brown of Eaton-under-Heywood (Non-Aff):** I thank my noble friend Lady Meacher for securing and so brilliantly introducing this debate on a subject that is always topical and of the first importance. It is trite but true to say, first, that illicit drugs and the problems they create have for decades been a scourge around the world and, secondly, that the so-called war on drugs has conspicuously failed. I do not pretend to any particular expertise in this area, although a lifetime in the law has inevitably exposed me to many of the problems, and still less do I pretend to any easy solution. There are no quick fixes available here. Some would say that, like democracy, unsatisfactory though the present law is, it is better than any alternative and is the least worst option, but I respectfully question that. There must be better policies and better ways of control available. My main reason for participating in this debate is to encourage government to engage internationally with all those striving to reach such better solutions and to urge government to be imaginative and to recognise, as my noble friend Lady Meacher

described that a number of other countries have, that policies concentrating essentially on criminalising all aspects of the drug trade are counterproductive. Better health must be the ultimate goal.

I respectfully suggest that the central objectives of those seeking a better control system should be twofold: first, to reduce the level of harmful drug-taking, and secondly to reduce the level of criminality resulting from present systems of control. As to reducing the level of harmful drug-taking, while recognising that most drugs are harmful or at least have the potential for harm, in certain circumstances some are not, or at any rate are no more so than alcohol or smoking. Putting aside the fact that sometimes drugs such as cannabis or even ecstasy can have medicinal value, it should be possible, as presently it is not, at least to carry out studies to see at what level the consumption of various substances becomes really harmful. We should not strive to criminalise substances not shown to be significantly harmful and thereby risk alienating many consumers, particularly the young. Government should also bear it in mind that new psychoactive substances—chemical highs—not yet made illegal are increasingly being introduced into the market. A sound overall drugs policy should seek to combat the temptation to devise and resort to them too. The less the criminalisation involved, the better the chance of moving to a system by which drug-taking can be lawfully licensed and controlled and damage to health thereby reduced.

I turn to the second objective: changing the existing control system and reducing so far as possible the level of resulting criminality. Associated crime is essentially of the following kinds—of course I discount the actual offences of supply and use that one is contemplating perhaps in part, at least, decriminalising. First, there are crimes such as robberies, burglaries, theft and so forth which are committed for gain by those needing cash to fund their addiction. Many addicts' lives are dominated by their addiction and they will do anything to satisfy their craving. Secondly, there are crimes committed in the course of turf wars between rival dealers protecting their trade and internationally between drug cartels and law enforcement agencies. These crimes regularly involve murder, extortion, corruption and so forth. Thirdly, there are crimes committed by those under the influence of drugs, who are disinhibited often to a considerably greater degree than by excessive drinking. By the same token that the nation's health might be improved by licensing rather than criminalising drug supply and use, so too might associated criminality be reduced. What a prize that would be. Perhaps liberalising—further liberalising as the noble Lord, Lord Fowler, would have it—the drugs regime would involve some short-term political cost, but the longer-term benefits would be colossal indeed. I hope that government will actively participate in the search for these benefits.

1.17 pm

**Lord Judd (Lab):** My Lords, I join those who pay tribute to the noble Baroness, Lady Meacher, not only for the way she introduced this debate but for the consistent and effective work she does on this subject. She is becoming a leading figure internationally in her commitment. I was sorry to miss the first sentence of

[LORD JUDD]

her speech because I totally misunderstood that the previous business would wrap up as quickly as it did.

I am always impressed by those working on the front line on the drugs issue, and I wish we in Parliament could find ways of listening to such people more directly. I certainly learnt a great deal when I was serving under the noble Lord, Lord Hannay, on Sub-Committee F which a couple of years ago did a report on this subject. It is worth reading, not least for the evidence in the report which comes from those on the front line. I thank those in the front line for the tremendous help they have given me in clearing my thoughts and focusing for this debate.

I understand that there are moves among the Liberal Democrats to shift the drugs lead from the Home Office to the Department of Health. If so, that is immensely encouraging. I think we should all cheer that, if it is happening. I hope that other parties will be able to follow suit. The same call should be made to move the brief internationally from the UN Office for Drugs and Crime to the World Health Organisation.

This is no longer a theoretical debate. Regulation is happening now. Cannabis has been legalised in Washington state, Colorado and Uruguay. Each year that the war on drugs continues, we spend £60 billion to create an illegal drugs market with a turnover of £200 billion.

Senator John McCain, not well known for his liberal views, now supports legalising cannabis. The most recent national convert to legalise cannabis for medical use is Romania—again, not known for its liberal positions as a whole. Half the world's opium is grown for the legal opiates market; 3,500 acres is grown in the UK. None of it attracts the attention of organised crime or the Taliban. No drug is made safer left in the hands of organised criminals and unregulated dealers. Mike Barton, chief constable of Durham and lead on intelligence for ACPO, recently called for the drug supply to be taken over by the NHS. We cannot continue to allow the world's drug policy to be determined by our special relationship. It must be determined by UN principles, health, security, development and human rights. These are not supported by prohibition.

There are in fact two wars on drugs. The first is the misguided overconcentration on attempting to rid the world of certain drugs—not, incidentally, the biggest killers; those are overwhelmingly tobacco and alcohol. The second is the war against the organised criminals who profit from the unintended consequence of prohibition, namely the creation of the second largest income stream for organised criminals: illegal drugs.

There is a significant point in Sub-Committee F's report. Part of this war results often in the trade being displaced, and previously unaffected countries and communities being drawn in, sometimes with the most appalling human rights consequences. We need to take that seriously.

As with alcohol prohibition in the US, there is only one way to end this madness: ending the prohibition and replacing it with a system of responsible regulation. This must mean placing drugs under the control of doctors, pharmacists and strictly licensed retailers. Successive Administrations have continued to spend

taxpayers' money on a system of criminalisation that has never been subject to evaluation. Despite being promised an evaluation in 2010, we have still not seen one from the Government.

I am personally highly dubious about whether the Home Office has any real idea of what has resulted, positively, from the £100 billion expenditure. Legalising and regulating heroin would mean that Afghanistan no longer produced heroin for the non-medical market. What we are talking about here is the potential transformation of international relations, enabling developing countries, especially those involved in drug production and supply, to extricate themselves from the nightmare of prohibition and aspire to the same goals that we all do. Imagine reallocating £60 billion annually to development, rather than spreading crime, misery, stigma and blood-borne viruses.

1.23 pm

**Baroness Butler-Sloss (CB):** My Lords, I also thank my noble friend Lady Meacher, not just for the debate but particularly for her tireless work on drugs. With any luck, she will make some progress.

I will highlight a matter which has not so far been raised by this House: the connection between drug dealing and human trafficking. There is a clear example in the report *Drugs: Breaking the Cycle*, at paragraph 52 on page 21:

"In 2011, the Child Exploitation and Online Protection Centre published a report on people trafficking in which the largest identified trend was the trafficking of Vietnamese children into the UK—37 of the 58 children identified were trafficked into the UK to work in cannabis farms".

I have said in the Chamber on several occasions how many cannabis farms there are in this country: something in excess of 7,500, of which about 4,000 are in London. They are in rented accommodation. I warn noble Lords who happen to own rented accommodation to be very careful to whom they let it. The traffickers are taking rented houses, pulling them to pieces, subverting the electricity and the water and creating large, successful cannabis farms which are in fact almost entirely run by Vietnamese children. Until recently, those children were treated as offenders when the police raided these farms, and not as victims. It is hugely to the credit of the Court of Appeal criminal division that in a decision in July it was seen and made clear that these Vietnamese children were to be treated as victims and no longer prosecuted. Indeed, the judge who presided over that court was the noble and learned Lord, Lord Judge, who is in his place today.

Something good has happened there but, of course, if we had a rethink of cannabis it might not be necessary to have all these cannabis farms. I wonder how much cannabis is being imported into this country now, because so much is being grown here. I was interested to hear what the noble Lord, Lord Ramsbotham, was saying about the really horrifying way in which drugs are successful in prisons, and how those who are taking drugs are really not tested on this system. It was an appalling story, and I have no doubt that it was accurate. I wonder whether the Home Office should not think again and much more carefully about looking at addicts who commit relatively minor

crimes, but which are of sufficient importance to send them to prison. Should they not be going to residential clinics, which have a short-term cost but a long-term benefit? If they are weaned off drugs they will not be reoffending to fund their drug addiction. It would save a huge amount of money on the costs of keeping individual prisoners.

I finish my brief comments by saying that it is perfectly obvious that there has to be a rethink on drugs in this country. It clearly is not working and the Government should be brave enough to think about how it could be improved.

1.27 pm

**Lord Taverne (LD):** My Lords, I declare an interest as a trustee of the Independent Scientific Committee on Drugs. The debate was not necessarily promising because of the five-minute time limit for such an important and complex subject. In fact, however, the contributions have been invaluable, starting with the noble Baroness, Lady Meacher, and also with the maiden speech of my noble friend Lady Manzoor.

There is one area on which nearly everyone is agreed: we should transfer the primary leadership on this issue from the Home Office to the Department of Health. It should be treated as a medical rather than criminal problem. There was also, not total agreement, but a majority of recommendations that possession of drugs should not be treated as a crime. Some 42,000 people a year are sentenced for drug offences, and 12,000 are given jail sentences for drug possession. There is no evidence whatever that this deters drug abuse. Indeed, it discourages going for treatment because, as many speakers have pointed out, of the stigma involved in such a conviction. The last thing that those who are addicted want to do is to acquire a criminal record, which would have all sorts of disadvantages. Nor is there any evidence that longer sentences help. There has been a gradual drift towards longer sentences for all drug offences, and there is no evidence that this has helped at all.

Apart from the bodies that have been referred to, a recent report was issued by the UK Drug Policy Commission, which is headed by Dame Ruth Runciman. It is an expert commission and a very important report, but the Government do not seem to have commented on it. The Government's approach to evidence-based policy has often shown considerable shortcomings. Take, for example, the classification of drugs, to which many noble Lords have referred. The way the Home Office has neglected evidence is appalling. There is no particular evidence that the present classification is any good, but it is absurd to classify cannabis together with drugs such as heroin, cocaine and crack.

That is not the only unsatisfactory aspect. Several noble Lords have referred to the dangers of addiction to prescribed drugs. A number of bodies have warned about the excessive reliance in treatment on methadone tablets, which can easily be sold on the illicit drug market and can often lead to a relapse in people who have been trying to come off the drug. However, when they find that they can sell what has been officially prescribed, and that the methadone is easily sold, that is an incentive to relapse from treatment. As many

noble Lords have pointed out, buprenorphine is a better alternative, especially when it is combined with naloxone. It is in common use in other countries, but has been neglected in this country.

All these contributions come to one conclusion, which is that the Misuse of Drugs Act is now 40 years old, the drug scene has changed dramatically since 1971, and it is high time that it was fundamentally re-examined.

1.31 pm

**Lord Birt (CB):** My Lords, I thank the noble Baroness, Lady Meacher, for her relentless focus on drugs policy—a matter I spent 18 months of my life studying when I led the Cabinet Office review 10 years ago.

Serious drugs have been with us for hundreds of years. Heroin was sold over the counter in the UK in the mid-19th century, although it was not until the mid-20th century that diverse drug use began to rise exponentially and to involve many millions of users. Those of us who were young in the 1960s can understand this well. Drug use was part of revolutionary social and cultural change. We read about hallucinogens in our Aldous Huxley. My next-door neighbour at college, a biochemist, kept a test tube on his bookshelf that was openly labelled LSD. Marijuana appeared exotic and bohemian. Jazz musicians took heroin, we were told, and that seemed cool—and no one talked about the dangers. We know better now. Which of us would not be horrified to learn that our children, or in my case my grandchildren, were using a class A, B or C drug, or one of their legal high near-equivalents?

There are, however, modest grounds for hope. A combination of better public education and the street-smart insights of a new *Trainspotting* generation have reduced the allure of drugs. Overall numbers appear to be in gradual decline. It may take another 50 years, however, before we return once again to mid-20th century norms. In the mean time, unlike many of your Lordships, I continue to support the notion that the state needs to do all it can to stigmatise—and not to legalise or in any way legitimise—the use of classified drugs, for they are all harmful in their different ways.

We should focus on one category of drug user above all others: the 300,000 consumers of heroin and crack cocaine. They do terrible harm to themselves and to their families but cause grievous harm to the rest of us, too. They commit the majority of all crime—more than half of all burglaries and muggings—to fund their habits. The consequence is huge trauma for their victims and a vast economic cost that is borne by us all.

Problem drug users do wicked things, but for the most part, as other noble Lords have suggested, they are troubled individuals, many with mental health problems. They are rootless and chaotic, caught in the whirligig of short sentences, routinely switching in and out of prison. They merit our compassion and they need our help. We offer well intended help, but the system is itself chaotic. The problem drug user is passed between different health and justice institutions and slips between the cracks again and again. I have long believed that our present approach is not fit for purpose.

[LORD BIRT]

The notion that treatment will invariably lead to abstinence is a chimera. At best, 20% may become abstinent for more than five years, for heroin is the most pernicious and unshakeable of all addictions. Treatment, none the less, is worthwhile. A broad-based regime with a battery of approaches from heroin substitution to heroin prescription, from counselling to coaching, from help with accommodation to workplace training, will not bring a cure but will bring substantial harm reduction, including a significant cut in acquisitive crime. However, help must be available consistently and continuously.

To protect society, we need something that we do not have now: a legal framework—not necessarily a criminal framework—that would enable us to grip problem drug users to ensure that they do not slip through the cracks, and an agency that is part of the criminal justice system to keep them under what may well be a lifetime of humane and compassionate supervision. Only a step change in our approach will reduce the impact of what will be a very long-lasting epidemic.

1.37 pm

**Lord Condon (CB):** My Lords, I declare my registered interest in policing. I, too, thank the noble Baroness, Lady Meacher, for initiating this very important debate. I also add my congratulations to the noble Baroness, Lady Manzoor, for her very stimulating maiden speech.

I will set out my position on drugs policy straightaway. I am not against the prospect of reform; I would also support a royal commission. However, based on my experience as a police officer and after, and taking account of all the most recent developments around the world, including in Portugal and Uruguay, I find myself still broadly supporting the Government's evidence-based approach to reform and drugs policy. I am also encouraged by and support the most recent European Union drugs strategy statement, which for the very first time in the 2013 to 2020 policy statement incorporates the reduction of,

“health and social risks and harms caused by drugs”,

as a policy objective, alongside the more traditional reducing of supply and demand.

Those who use language such as, “The war on drugs has failed”, or who seek to polarise policy choices into a simplistic “criminalise or decriminalise” debate, undermine our ability to make informed, evidence-based strategic decisions. In the early 1970s, President Nixon and other world leaders spoke about the war on drugs and a drugs-free world. The reality is that a war in those terms has always been doomed to failure, as would a war against theft or burglary, if making progress was defined only by the total absence of illicit drugs.

As other noble Lords have said, the truth is that illegal drug use in this country is falling, and deaths from drug abuse are falling. Although, as other noble Lords have clearly articulated, there are absolutely no grounds for complacency or for ignoring the powerful calls for reform, current policies have made and make a significant impact on the drugs problem.

I respect the views of those who have argued today for change, and of others beyond this Chamber. I read with interest the views of Mike Barton, the chief constable of Durham Police, who argued that prohibition had failed and called for decriminalisation. However, I will briefly set out some concerns that still nag at me and stop me fully embracing the radical reform agenda. The current policy on illicit drugs enables parents, teachers and others to give very clear guidance to youngsters about the health risks and—yes—the criminal consequences of illicit drug use. Based on my experience with youngsters, and as a police officer, I believe that the social stigma and lifestyle impact of the criminal consequences of illicit drug activity remain a very powerful deterrent to many young people, and prevent them experimenting with drugs—which they might well do in a decriminalised regime.

Even though I welcome debate and have an open mind about many of the possible reforms, my major concern remains how any decriminalising regime could be pragmatically implemented. The experience of Portugal and other countries may not be replicated here, against the background of our very different scale, of our cultural differences and of the problems that we face.

If only so-called soft drugs are legalised—which some have argued for—the criminal suppliers will focus more intently on the supply of so-called harder drugs. Softer-drug supply may become a gateway, a loss leader and a route to addiction in the criminal market of harder drugs. Your Lordships' House has heard in previous debates about the devastating potential brain damage from some of the stronger cannabis derivatives. A caring, responsible society should set criminal parameters to protect people from some of these so-called soft drugs.

If all drugs are decriminalised, criminals will still seek to make a market. Only a laissez-faire, total free-for-all, regardless of the consequences, will limit the link between criminality and drugs. I assume that we would want to have minimum age limits, and that we would not allow our youngest people to be involved in drugs. Perhaps there would be limits on quantities and impact. Anything other than a total free-for-all would allow an illegal market to continue.

In conclusion, by all means, as so many in your Lordships' House have articulated today, let us explore reform and change to our drugs policy. However, in doing so, we must not demotivate or devalue the work of so many professionals in a variety of agencies who, day in, day out, combat and treat all aspects of drug abuse. They have not lost the so-called war on drugs. They may be coping with inadequate resources and facing real challenges, but they are making a difference.

**Lord Ahmad of Wimbledon (Con):** Perhaps I may remind the noble Lord that we are time-limited.

**Lord Condon:** My Lords, I do apologise; I am about to finish.

Nor must we, without hard evidence, dilute and damage the powerful deterrent effect of the stigma associated with the current criminal consequences of drug use or supply, which deters so many young people from experimenting. For these reasons, I support the Government's evidence-based approach to reform.

1.44 pm

**Baroness Hamwee (LD):** My Lords, it is no surprise that this has been a very intelligent debate on a multifaceted issue. I congratulate my noble friend on packing so much into a scarily short time. I attended a seminar a little while ago. During the first session, the politicians blamed the media for blocking debate through overdramatic reporting. The second session was led by a journalist, who blamed the politicians for being risk averse. We say something about this in the report of the APPG, which is led so energetically by the noble Baroness. I add my thanks, too, to Frank Warburton and Jonathan Hurlow, who did a huge amount of work on it.

We said that we recognised that politicians were apprehensive about proposing change because they might be perceived as irresponsible or soft, so they shy away from rational decisions. The report states:

“Our current drug policy suggests a preference for a flawed policy rather than appear soft on a contentious issue”.

That was addressed to all politicians. However, changes are afoot. Like others, I am attracted by the Portuguese approach of—the description is perhaps more accurate than “decriminalisation”—depenalisation. It is not a soft option, nor is it regulation. There, the number of young people becoming addicted is falling, and so are drug-related deaths.

I will focus on one part of the all-party group’s work. We realised that the world had changed. As others said, drugs are traded on the internet. If we close a site here, another will pop up there. We may ban a new drug, but already there will be several in the pipeline, because scientists in China are poring over published research—using the detail of what is in the public domain—to make small changes in the composition of the drug so that it does not fall within the current classification. It is simply not possible to keep up under the system that we have now.

They are called “legal highs”. Well, yes, they are not illegal—but how do you get over the message that not being illegal does not mean that the drugs are not unsafe? As for cigarettes and alcohol, I cannot defend the fact that some drugs are taxed and some are banned.

The all-party group welcomed the fact that temporary class drug orders do not criminalise the user—not least because a criminal record carries so many problems with employment, relationships and so on, but does not necessarily involve treatment. We heard that some young people use new psychoactive substances—legal highs—because they do not want to break the law. I do not discount that. However, the orders seem to feed a drive for the development of alternatives that are subject neither to the orders nor to the Misuse of Drugs Act. Those alternatives may be very dangerous because their contents are unknown and change from week to week, and because young people make their own risk assessments without reliable information. A harm-based policy, which must be the logical approach, suggests that temporary orders should be in place long enough for a comprehensive risk assessment, with the benefit of avoiding criminalising young people.

The Misuse of Drugs Act is clunky. A witness told us that the system was designed to cope with alcohol, heroin and cocaine, one at a time. It focuses on criminal

activity, with the obvious difficulty that if neither users nor police know the content of a substance, in the absence of accurate field-testing devices, what do you do? This and more led to our recommendation that the ACMD should become an independent decision-making body,

“to oversee risk analyses; coordinate the research they need; and make decisions on a scientific basis as to the correct classification for each drug, beginning with new psychoactive substances”,

leaving the politicians to focus on political decisions.

Of course, we need to be as imaginative as the suppliers and to look at all possible responses and tools, such as the use of the internet for good and using trading standards personnel. At the moment they are constrained in what they can do and frustrated by knowing that there has not been any deception of a buyer, who knows that they are not buying plant food or bath salts. It is a very odd collusion.

Like the noble Lord, Lord Birt, I was around in the 1960s. I do not know whether that qualifies or disqualifies me, but life was simpler then. The “war on drugs” is indeed too simplistic, and I have been greatly cheered by a lot of the views that I have heard today.

1.49 pm

**Lord Hannay of Chiswick (CB):** My Lords, when the EU Committee’s sub-committee on home affairs, which I have the honour to chair, reported 18 months ago on the European Union’s future drugs strategy, one of our most important findings was to note the paucity and the poverty of the public debate on drugs issues, including the way that such debate as there was tended to be dominated by raucous tabloid press scare stories and governmental knee-jerk reactions. One of our central recommendations was that the Government and the EU institutions should aim to stimulate an EU-wide debate on drugs policies. That finding remains as valid today as the day we made it and that recommendation remains largely ignored by both the Government and the EU’s institutions. It is in that context that I warmly welcome today’s debate and the tireless efforts of my noble friend Lady Meacher to fill that lacuna. I hope that the Government’s contribution to this debate, and other statements to be made by the Government in the months ahead, will help to serve the same purpose.

One striking consequence of this lack of informed debate is the astonishingly confused and confusing public terminology for some of the main issues at stake. It is not uncommon to read newspaper articles which actually equate decriminalisation of a limited number of drugs offences with the legalisation of trade in drugs as if the two terms were synonymous, yet there is a world of difference between them. To decriminalise the possession and use of small quantities of drugs but not their trafficking, as Portugal has done, is a completely different approach from that being followed in Uruguay, and possibly being prepared in two American states, where these commodities are being legalised. That, in turn, is quite different from the attempt being made in New Zealand to regulate legally what are called “legal highs”. If we are to have a sensible debate in this country about these matters we need to pay greater heed to these distinctions,

[LORD HANNAY OF CHISWICK]

and we need to be a lot better informed about the successes or failures of these policies in the increasing number of countries where they are being tried.

It is not surprising that such innovations are being tried since the not very wisely named “war on drugs” has fallen a long way short of being a complete success. Not only are our already overcrowded prisons, particularly in this country and the US, being filled with drug offenders, but many countries in Latin America, west Africa and Asia are being devastated by the collateral effects of that war, and of the trade in drugs, which our inability to control the demand for in our developed economies is continuing to stimulate. That certainly does not prove that all those policy innovations make good sense or should be replicated here, but it does show why a policy of simply standing pat on existing measures and refusing even to contemplate or to discuss any changes is such an inadequate one and so unlikely to be successful.

One remedy which seems to be gaining wider support and acceptance here and elsewhere in Europe is to put greater emphasis on harm reduction and on trying to treat drug users in the community rather than in prison. When we conducted our inquiry into the EU drugs strategy we came across small but encouraging signs that in this country such an approach was gaining ground, often encouraged by the devoted work of voluntary organisations. However, it is still desperately underresourced and, in terms of government policy, this seems to be something that does not dare to speak its name. Perhaps the Minister will address that concern when he replies to the debate.

I am not sufficiently expert, or perhaps sufficiently foolhardy, to put forward any ideas for specific changes in policy or the law. I am sure that all of them bristle with difficulties and drawbacks, but one of those difficulties, surely, is the political toxicity for any party or coalition of parties of changing even the smallest measure. Yet, if you come to think of it, this should not be an issue where party politics are involved at all. We should not allow such debate as there is to be dominated by a competition in demonstrating toughness towards anything to do with drugs. There is surely a good case for doing as the Government have done over airport capacity and setting up a non-political body to assess the whole field of drugs policy, including particularly the innovations taking place elsewhere in Europe and in the wider world, with a remit to report back early in the next Parliament in the hope—even the expectation—that such an approach could lead to cross-party policy-making and a shift away from the very unsatisfactory status quo. I would very much welcome the views of the Minister on this suggestion.

1.55 pm

**Baroness Greenfield (CB):** My Lords, I congratulate the noble Baroness, Lady Meacher, on bringing attention to these important reports. I declare an interest as an ambassador of the Angelus Foundation, which aims:

“To help society understand the dangers of ‘legal highs’”.

As a neuropharmacologist researching the cellular mechanisms underlying various neurological and mental disorders, I have a particular interest in the impact of

recreational drugs on the brain. After so many eloquent and informed speeches, I would like to make just two points.

The first is to question the actual meaning of the phrase “relatively less harmful”. Much is often made of the fact that, in a 2007 paper, cannabis came in with a final net score lower overall than that for tobacco or alcohol, suggesting that it might be safer, but then again, in the same paper, cannabis scored higher than LSD, which is widely regarded as a model for psychoses such as schizophrenia. Is having hallucinations really more welcome than, say, the relaxing effects of moderate amounts of alcohol? Similarly, on the same scale, cannabis also had a higher score than ecstasy, a drug for which in the past five to six years more than 60 papers have documented adverse short and long-term effects on the brain. Therefore, on that comparison, cannabis should be more harmful. Moreover, smoking cigarette after cigarette in one sitting is unlikely to achieve an “overdose” akin to a single session of marijuana that can send smokers to A&E with acute panic attacks.

These drugs all have detrimental effects, but they are qualitatively different. Surely any direct comparison is like benchmarking apples against pears. Further factors might come into play, such as the differential effects of certain drugs on the still developing adolescent brain. In teenagers a certain region, the prefrontal cortex, is still not fully operational, accounting perhaps for the tendency of young people to take more risks and seek sensation. This, in turn, may be reflected in the differential statistics, where the risk of cannabis addiction has been estimated for adults to be about one in 10, but almost doubles for teenagers to one in six. A recent report in the *Lancet* has documented cannabis as having a dependence syndrome in the young, including,

“increased risk of motor vehicle crashes, impaired respiratory function, cardiovascular disease and adverse effects on adolescent mental health”.

Subsequently, a paper published in *Proceedings of the National Academy of Sciences* has shown that persistent cannabis use was associated with neuropsychological impairment among adolescent-onset users, for whom cessation did not fully restore neuropsychological functioning. Confounding factors such as socioeconomic status or personality differences were subsequently eliminated: the link appears direct between cannabis use and an irreversibly lowered IQ. No similar claims have been made for nicotine. Even if such qualitatively different drugs could be compared on a quantitatively single scale, the crucial question is then: just how harmful is a “less harmful” drug? The phrase lacks any precise definition, and cannot therefore really be used as a valid justification or a starting premise.

My second point relates to the paradoxical signals sent out that, although the laws may be relaxed on a drug, it is still to be avoided. Already the possibility of cannabis legalisation is all too readily glamorised as a cool and trendy campaign to support, with little negative publicity offsetting that image, in contrast, for example, with tobacco. It would be helpful to know how the preventive programmes mentioned in the reports—we have heard too little about those this afternoon—will be funded and rolled out. The reports paint a rather



gloomy picture of the preventive programmes, yet one initiative they did not explore, which has proved successful, is a community-wide approach, such as the one in the US, where community anti-drug coalitions have shown positive impacts when a community-wide response is taken up.

Another possibility has been prompted by my own experience of speaking in schools and penal institutions on drugs and the brain. Adults and teenagers alike get fascinated by basic neuroscience that can give insights into drug action: the “plasticity” of the brain whereby dynamic, endless reorganising of individual neuronal connectivity is driven by individual experience through chemical messengers signalling between different brain cells. It is this chemical transmission, this plasticity, that is modified in various ways by different recreational drugs. If this personalisation of the brain could be the individual mind, then “blowing your mind” might be an unintentionally accurate description. I have found from experience that this carries weight with young audiences.

Other noble Lords have spoken on the legislative and political merits of the recommendations of these reports. I would urge that such considerations be placed in the wider context of a thought-through programme of prevention that should first be in place and proven to be effective.

2 pm

**Lord Patel of Bradford (Lab):** My Lords, I very much welcome this debate and thank the noble Baroness, Lady Meacher, for giving us the opportunity to fully explore the important issues raised by the reports of the all-party parliamentary group and the Home Affairs Select Committee. I take this opportunity to add my warm welcome to the noble Baroness, Lady Manzoor, and congratulate her on her maiden speech. I look forward to her further contributions in the House. As the noble Baroness, Lady Hamwee, said, the debate has, not surprisingly, been excellent and full of expertise. It has posed many interesting and challenging issues. It has not only given us a variety of views but shown the breadth of expertise and experience that we have in the House on this subject.

As noble Lords may be aware, I, too, have had a long-term interest in drugs policy and service provision, from setting up and managing day care and rehabilitation services in the late 1980s, which the noble Lord, Lord Mancroft, mentioned, to serving on the Advisory Council on the Misuse of Drugs and the board of the National Treatment Agency for Substance Misuse. More recently, my work on a cross-departmental review of drug treatment in prisons resulted in the publication of the Patel report.

From my experience of carrying out this national review, I believe that our overriding concern must be to have a drugs policy that supports some of the most vulnerable people in our communities and their families—a policy that is evidence based and listens to the views of users and carers; a policy that is adaptable and able to meet new challenges, including new drugs as they emerge; and a policy that is sustainable in the long term. To do this, we clearly need to learn from quality research, including the experiences and evaluations of

different approaches from other countries. In fact, in their response to the report of the all-party parliamentary group, the Government state this explicitly. They say that,

“we must continue to listen and learn from emerging trends, new evidence and international comparators”.

However, I ask the Minister what steps the Government are actually taking to ensure that we do not spend several years doing this when there is enough clear evidence to act now, such as that from Portugal’s alternative community-based treatment and diversion approach.

Of course, there are new risks to which we must urgently attend, as the noble Baroness, Lady Hamwee, mentioned. I am speaking about risks posed by the rapid changes in drug manufacture, the new psychoactive substances and so-called club drugs. While temporary drug control orders are to be welcomed as a helpful step in dealing with these new threats, they are not sufficient. As I understand it, the Government have used three temporary banning orders in total, despite the fact that there are well over 100 legal highs out there and they are coming in at a rate of more than 70 a year. In fact, in the last year alone, 73 new substances came on to the British market and are now freely available from 690 online shops. The noble Baroness, Lady Lane-Fox, highlighted the pros and cons of the internet market. In addition, the Angelus Foundation thinks that there could be up to 300 head shops selling these substances on UK high streets. The European Monitoring Centre for Drugs and Drug Addiction is monitoring 280 new substances across Europe.

Against this disturbing background, Les Iversen, chair of the Advisory Council on the Misuse of Drugs, has said that the ACMD has the capacity to review only about four legal highs a year. I believe that it has to carry out a review even for a temporary banning order. I would therefore like to understand more about the Government’s rejection of the all-party parliamentary group’s key recommendation regarding these orders. Perhaps the Minister can explain the thinking behind not making these orders permanent in a way that does not, as the all-party group recommends, add to the criminalisation of young people.

On the question of decriminalisation, which many noble Lords have mentioned, and the issue of whether we have a punishment-led or treatment-led approach to drug problems, I have to say that all Governments, my own included, sometimes fail to make the right decisions based on evidence. This is due to the pressures that build up from public debate, which is itself often ill informed as a result of exaggeration in the media and cries that the Government of the day are somehow being soft on drugs if they give way to the advice of the experts. Let us be clear about this: the evidence supports treatment rather than criminalisation and punishment. The recent experience in Portugal on using drug treatment panels rather than the traditional criminal justice system supports this. We have also recently seen a complete reversal of direction in some US states, which have legislated to legalise marijuana use, as my noble friend Lord Judd said.

It is therefore disappointing that the Government, “does not believe there is a case for fundamentally re-thinking the UK’s approach to drugs”.

[LORD PATEL OF BRADFORD]

My noble friend Lord Howarth also used that quote. I strongly urge the Government to ensure that our current drug policy is based on research and evidence, rather than the ideological and moral opinions of media commentators. It is not appropriate in such a dynamic and ever changing situation as that presented by drugs issues to have a blanket ban on fundamentally reviewing any policy. Surely our policy development and implementation must respond to change and, in particular, the evidence.

The first treatment that a drug user receives must be about stabilising the chaos in their lives; if that means something other than abstinence, so be it. Arguments around whether there should be harm minimisation or an abstinence-based approach are, at best, divisive or completely miss the point. The noble Lord, Lord Fowler, highlighted that issue in relation to needle exchange schemes. Abstinence is not about telling all addicts that the only way to move forward is to stop suddenly; it is about providing the right range of treatment options at the right time.

The previous Labour Government invested significantly in drug treatment and revolutionised its provision, with significant results. For example, the waiting time for treatment was cut by more than half, far fewer people dropped out of treatment and outcomes were greatly improved. Recent government rhetoric appears to have moved away from creating a constructive approach and providing a choice of treatments to drug users, to focusing on and ensuring that offenders are punished and drug users are effectively pressured to become abstinent.

At the same time we are seeing major changes in the way that the finances for drug treatment are being distributed and managed. The previous Labour Government had ring-fenced these moneys, but this is no longer the case after the system has been devolved to health and well-being boards, which gives me some cause for concern. I ask the Minister to provide some reassurance that the policy is not being driven by a concern to command public confidence, rather than providing appropriate and evidence-based treatment options with a robust mechanism for protecting the funds for this treatment.

What I find frustrating is that, although we in the drugs sector are fortunate to have a relatively good evidence base on what works and what is cost-effective—research has concluded that for every £1 spent on young people's treatment services, there is a return of up to almost £2 over a two-year period and £8 over the longer term—young people's programmes are generally not supported by evidence, and programmes such as DARE, which have been shown to be ineffective, are still being used.

The UK Drug Policy Commission noted that UK Governments have invested little in independent evaluations of the impact of their drug reforms and policies, particularly around the criminal justice system. A number of well evidenced programmes, such as those involving the use of naloxone, have not been implemented, as the noble Lord, Lord Taverne, said. Can the Minister provide an explanation as to why these programmes have not been implemented?

Perhaps I may make a plea that we do not forget the voices of users and carers in this debate. After all, it is those people most affected not only by drug problems but by our national policies and treatment approaches who suffer the most. When I was taking part in the review of prison drug treatment services, all 22 of us on the committee were anxious to hear the voices of users, but no one thought that it would happen. In a five-week period, we consulted user groups across the country who had talked to offenders, ex-offenders and drug users to get feedback for the report. We expected 50 people to respond in that time; 500 users, including current and ex-offenders, came forward and gave us some amazing evidence. It is really important that we do not put that evidence to one side.

Finally, after listening to all the many excellent contributions, I suggest that the way forward on these complex and challenging issues is to establish cross-party group to review drug policy—a group that examines all the evidence carefully, listens to the voices of users and carers, and carefully develops an effective drug policy. Maybe the Minister and I could set this in motion today. I am sure that there are a number of people here in the Chamber who would be prepared to contribute their time and expertise to it. I look forward to hearing the Minister's response and, again, I congratulate the noble Baroness, Lady Meacher, on pursuing these critical issues.

2.09 pm

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** My Lords, I am sure that I join all speakers in congratulating the noble Baroness, Lady Meacher, on securing this debate. I see her as a great asset to this House. The combination of expertise and experience, which I think we all expected, have produced an excellent debate, and I thank all noble Lords who have contributed to it.

As I doubt that I shall cover all the points raised, I hope that noble Lords will allow me to write to the noble Baroness, Lady Meacher, with a commentary on the debate and circulate it to all noble Lords who have spoken, as I think that that will do justice to the value of the contributions and the seriousness with which the Government also view this issue.

I also join in the welcome to my new noble friend Lady Manzoor and congratulate her on her maiden speech. We will all look forward to her contributions in the future, given the excellence of her speech today.

As the noble Lord, Lord Ramsbotham, pointed out, drugs ruin lives and cause misery to families and communities. For this reason, the Government have published the most ambitious drug strategy to date, *Reducing Demand, Restricting Supply, Building Recovery: Supporting People to Live a Drug Free Life*. That title is important; it sums up the strategy that we are seeking to pursue. Launched in 2010, it is highly ambitious in its aims and it balances activity across three strands: preventing drug use in our communities; supporting individuals in recovering from dependence; and cracking down on the illegal drugs trade.

This Government are committed to breaking the vicious cycle of drug and alcohol dependency. However, as many noble Lords have pointed out, there are no

quick fixes. Simply focusing on reducing the harms caused by illicit drug use is not enough. This is why we are leading the way as one of only a few EU member states that have raised the level of ambition to take recovery beyond the treatment system and enable people to sustain their recovery. I hope that the noble Lord, Lord Hannay, is encouraged by that and by the role that we see ourselves playing in Europe.

While the strategy has recovery at its heart—helping individuals to be free from dependence on drugs and alcohol and to rebuild their lives—it balances this with a focus on education and support, which are needed alongside law enforcement. Since its publication, this Government have continued to focus on all three strands of the drug strategy to continue making a difference. We have removed unnecessary layers of bureaucracy, introduced streamlined processes and improved the accountability of decision-makers across a number of key areas. It is a policy in which all government departments work together. I assure the noble Baroness, Lady Hollins, and indeed all noble Lords, that the Home Office and the Department of Health have a shared approach to this issue.

Local communities are now at the heart of the public health agenda. We have scrapped expensive police authorities and introduced a single accountable person to make decisions on local crime, disorder and policing; we have established the National Crime Agency to lead the fight against serious, organised and complex crime; we have published the *Transforming Rehabilitation* plans to change the way we manage and rehabilitate offenders in the community; and new community budget areas will be able to combine resources from various local sources into a single pot with greater local control to improve services for local people.

There are some promising signs that our approach is working, with continuing positive trends in a number of key areas. Drug use is at its lowest since measurement began in 1996, with the use of any drug in the past year falling from 11.9% to 8.2% in 2012-13. In 1996, this figure was 11.1%.

**Baroness Meacher:** Does the Minister accept that that recent drop has mainly been in the use of cannabis and that it has been substantially offset by the explosion in the use of legal highs?

**Lord Taylor of Holbeach:** I do not want to sound complacent in giving these figures. I understand exactly what the noble Baroness is saying but the noble Baroness, Lady Greenfield, told us why it was very important to suppress the use of cannabis and how dangerous it can be as a drug. However, the figures show that there has been a considerable reduction in drug use. I think that we should acknowledge that and take some encouragement from it. We are going to need some encouragement because this is a difficult issue with which to deal.

I was going on to say that school pupils tell us that they are taking fewer drugs too. That is really important because these habits can be dealt with when people are young. In 2012, 12% of 11 to 15 year-olds reported having taken any drug in the past year, the latest in a downward trend from 20% in 2001.

The number of heroin and crack cocaine users—not just cannabis users—in England has fallen below 300,000 for the first time since records began in 2004-05, according to figures published by what was then the National Treatment Agency for Substance Misuse, now Public Health England, in March.

I agree with my noble friends Lady Miller and Lord Teverson and the noble Lord, Lord Ramsbotham, about targeting the supply side of this issue. To restrict the supply of drugs, the police, SOCA—now, the NCA—and other enforcement agencies are seizing significant quantities of drugs off the streets. In 2012-13, more than 109 tonnes of class A drugs were seized at home and abroad as a result of SOCA's activity. The police and the UK Border Force made 216,296 drug seizures in England and Wales in 2011-12.

Local criminal justice partners across England and Wales managed the transfer of 88,000 class A drug-misusing offenders into treatment and recovery services in 2011-12 through the drug interventions programme, or DIP. The DIP is estimated to help to prevent around 680,000 crimes per year. This is the approach of intervening and not seeking to drive drug users into criminality. Moreover, well over 250 new psychoactive substances, also known as legal highs, have been banned to date. In June, we legislated to make 10 more legal highs temporary class drugs within a matter of days.

I agree with my noble friend Lady Manzoor that enabling addicts to recover is the right way forward. That is why we are supporting individuals in recovering from dependence. The strategy has maintained quick access to treatment, with average waiting times being only five days. Record numbers are recovering from dependence, with nearly 30,000 people successfully completing their treatment in 2011-12, up from 27,900 the previous year and almost three times the level seven years ago, at 11,200. Drug-related deaths in England have fallen over the past three years.

I should like to comment on the review and report of the noble Lord, Lord Patel of Bradford—and this applies, too, to the remarks of the noble Lord, Lord Ramsbotham. The Government are very grateful for the report in this important area. A number of recommendations from his report are being implemented as part of the Government's health and justice reforms. I know that the Patel report proposed pooling all government drugs funds under a single, central governmental structure; this has been implemented, with the Department of Health funding all substance misuse work in prisons. I hope that that is carrying forward the noble Lord's ideas, and the expertise that he brought to his report.

Given that we are making progress, the Government are not currently persuaded that there is a case for fundamentally rethinking the UK's approach to drugs. However, we are not complacent and must continue, as we have been doing with today's debate, to listen and learn from emerging trends, new evidence and international comparators. In particular, we are building on the commitment in the drug strategy to, "review new evidence on what works in other countries and what we can learn from it".

We are conducting a study on international comparators to learn more from the approach in other countries. We continue to develop our approach to evaluating

[LORD TAYLOR OF HOLBEACH]

the effectiveness and value for money of the drug strategy. This includes publishing an update on our approach to evaluation alongside the next annual review. The update will set out, at a high level, the approach to evaluation; it is not the evaluation itself.

I turn to some points raised in the debate. If I say that we are confident in our current approach to tackling drugs, it is not to be complacent. Drug usage has fallen to its lowest level since records began and people going into treatment today are far more likely to free themselves from dependency than ever before. However, as the noble Lords, Lord Birt and Lord Condon, pointed out, it is a very long haul. We are continually looking at new ways to reduce demand, restrict supply and promote recovery. The Government are undertaking an international study that will examine approaches in other countries, and we will seek to engage with the United Nations on this matter.

Given the complexity of the issue, the economic and social costs of class A drug use, and noting that the vast majority of this is attributed to crimes committed to fuel problem drug use, the Home Secretary will continue to be accountable for the overall drug strategy. However, as I have explained, all government departments work together on that strategy. Of course, there are other societal harms, including family breakdown, poverty, crime and anti-social behaviour. That is why drugs policy has to be a cross-government issue.

The Government are committed to an evidence-based approach. A number of noble Lords, including the noble Lord, Lord Howarth of Newport, and my noble friend Lord Taverne, hoped that we would pursue an evidence-based approach. Our approach is informed by the expert advice of the ACMD.

**Lord Howarth of Newport:** I am grateful to the Minister. He talks, rightly, about the need for a cross-departmental strategy and an evidence-based approach. Is he satisfied with the contribution of the Department for Education to the demand reduction aspect of his strategy? He will, perhaps, be aware of the observation by the charity, Mentor:

“We are spending the vast majority of the money we do spend on drug education on programmes that don’t work”.

He will be aware of the comment by the Department for Education that they,

“do not monitor the programmes or resources that schools use to support their teaching”.

**Lord Taylor of Holbeach:** I can only point to the fact, which I have already quoted, of the reduction of drug use among school children. When I talk about cross-governmental co-operation, I am demonstrating that it is one of the areas that is very important. Schools can be very important in this, and I am satisfied that the Department for Education is playing its full part.

We are also committed to undertaking an evaluation to assess the effectiveness and value for money of the current drug strategy as well as reviewing the drug strategy on an annual basis. The second annual review will be published shortly.

I agree with my noble friends Lord Fowler and Lady Hamwee that the “war on drugs” is an unhelpful term and does not reflect the complexity of the issue.

However, I believe that the legalisation of drugs would not eliminate the crime committed by organised career criminals; such criminals would simply seek new sources of illicit revenue through crime. Neither would a regulated market eliminate illicit supplies, as alcohol and tobacco smuggling clearly demonstrate. Regulation also carries its own administrative and enforcement costs and could cause increases in drug use and availability. I do not believe that it is a risk worth taking.

**Lord Fowler:** I apologise for intervening, but could my noble friend be absolutely clear on the clean needles policy? I have been listening to what he says very carefully. All the international experience to which he refers suggests that when countries do not follow that policy, it has a disastrous effect with regard to HIV. Do the Government in the United Kingdom remain absolutely committed to the clean needles policy?

**Lord Taylor of Holbeach:** Yes, I can give my noble friend that commitment.

It may help if I go on and stick to my notes in order. We talked about the medical evidence; the recent *British Medical Journal* report stated that global drug prices are falling and purity is increasing. However, this focused on international drug supply indicators. I thank the noble Baroness, Lady Hollins, who always makes a valuable contribution to our debates. In the UK, we are seeing low purity levels and high wholesale prices for both cocaine and heroin, alongside some very large seizures and the lowest drug usage levels since records began. We should acknowledge the work being done by those individuals working to achieve this.

We have a cross-government action plan, which is already delivering successful outcomes. We continue to work with the ACMD to monitor closely this market, and our evidence-based approach continues to support UK law enforcement to disrupt supply and communications activity to reduce demand. Hundreds of new psychoactive substances identified in the EU are already controlled drugs in the UK, and we are leading the international response through the G8 and with the EU to tackle the threat from NPS. However, we are not complacent—I use that word again. We are conducting an international comparators study of alternative approaches adopted abroad to address drug issues, including legislative responses to the legal-high market. We want to understand the opportunities and drawbacks of the alternative approaches to help inform any further necessary steps to protect the public. We welcome the contributions that this debate has made in that field. But the noble Baroness, Lady Greenfield, brought us up sharp with her informed comments on cannabis.

We are committed to explore the full use of existing drug, medicines and consumer protection legislation, as well as the Intoxicating Substances (Supply) Act 1985, to disrupt the NPS market.

I also point to the work done by my honourable friend, the former Minister Jeremy Browne. He visited Portugal, which has been mentioned by a number of noble Lords, Denmark, Sweden, Japan, South Korea, Canada and the USA, and has spoken to the New Zealand representative responsible for drug policy.

Visits to the Czech Republic and Switzerland are planned for November. We recognise the global nature of this issue and we are determined to learn from other countries.

I have been taken short by a couple of interventions on these issues which rather threw me, but I confirm to my noble friend Lord Fowler my remarks on needle use. I thank all noble Lords for speaking. The Government are committed to a balanced approach, focusing on reducing demand, restricting supply and building recovery. Drug use is at its lowest level since measurement began in 1996. We are not complacent and we will continue to increase the resilience of young people to enable us to make a good choice on a range of issues, not just drugs but alcohol, sexual health and obesity. I thank the noble Baroness for presenting us with this chance to talk about that.

2.31 pm

**Baroness Meacher:** My Lords, I rise, first, to thank the noble Baroness, Lady Manzoor, for using this debate for her maiden speech. It was charming of her to do so. I give special thanks to my two vice-chairs who are here today, the noble Lord, Lord Howarth, and my noble friend Lady Stern, not only for their valuable contributions today but for their ongoing work for the APPG which has made all the difference. I also thank Frank Warburton our research officer, without whom none of our reports would be produced at all.

I have to reply to just one point made by the noble Baroness, Lady Greenfield. The word “cannabis” applies to many different compounds; the whole point of regulation is to split the market for the low THC/high CBD relatively safe herbal cannabis from the illegal market for the much more dangerous high THC cannabis. That is the point. The scientists who gave evidence to our committee made that point very strongly.

It has been an extraordinarily rich, well informed and wide-ranging debate. I say a special thank you to the noble Lord, Lord Patel, for his challenge to all parties. I say thank you very much to all noble Lords who have spoken today.

*Motion agreed.*

## Commonwealth

### *Motion to Take Note*

2.33 pm

*Moved by Lord Luce*

That this House takes note of the future of the Commonwealth, in the light of the Commonwealth Heads of Government Meeting in Sri Lanka in November.

**Earl Attlee (Con):** My Lords, the timings on this debate are very short indeed. Noble Lords have only four minutes, and I remind them that when the clock says, “4” their time is up.

**Lord Luce (CB):** In just a month’s time the leaders of 53 Commonwealth countries will meet in Sri Lanka. It is an opportunity which Commonwealth Governments

must take to add value and momentum to this very special group of nations. It is a British interest to strengthen ties with the Commonwealth and an opportunity for this Parliament to influence progress. I am grateful to all noble Lords who are taking part in this debate and I look forward to the Minister’s response.

Despite centuries of human achievement, we still see endless conflict, death and cruelty, starvation and poverty in so many parts of the world. Yet we in Britain are fortunate to be equal members of a unique group of nations which covers one-fifth of the land of this world and includes more than 2 billion people. It embraces a complete cross-section of the globe, from the Pacific to Africa to the Caribbean, big states such as India and small states such as Trinidad, rich and poor, following many religions and beliefs. We share a common history stemming from our empire, a common language and shared aspirations for good governance, the rule of law, respect for human rights and increased prosperity. Many of us in this Chamber have witnessed in our lifetime the transition from empire to this Commonwealth of equal nations.

Throughout the Commonwealth’s history the Queen has given us the inspiration and the ability to stick together through numerous crises, from apartheid to Rhodesia. During her reign she has made 150 Commonwealth visits. Indeed, she has been the unifying figure of the Commonwealth. The new Diamond Jubilee Trust recognises her special role. We could not invent the Commonwealth today. It stems from our shared history and experience. At its heart is contact between people as much as contact between Governments—links which cover every facet of our lives. The 750,000 Commonwealth immigrants who arrived in this country between 1950 and 1960 symbolised the end of empire and are now an integrated part of our lives in Britain. This Commonwealth migration applies to many other countries as well. Furthermore, the links that have been forged by more than 90 Commonwealth professional bodies cover every aspect of life, from medicine and universities to forestry and the media. Many other noble Lords will demonstrate today as wide a range of Commonwealth links and interests as I have.

All this gives us an opportunity which we either discard or seize—the opportunity to use this organisation to improve the quality of life for all of us, if it is grasped more fully by people and Governments. The British Empire has long since gone but we can still punch above our weight. For example, soft diplomacy is becoming increasingly important. Modern technology gives us the means to use this vast network to our mutual benefit. The Commonwealth is unique. Membership is not a substitute, but complements our membership of NATO, the European Union, or our natural relationship with the United States. Because it is so comprehensive in its range, the Commonwealth does not create a day-to-day impact on people’s lives or headlines in the media, unless there is a crisis, but its significance should not be underestimated.

The main purpose of this debate is to explore how we can all achieve added value from our membership and strengthen the Commonwealth to benefit all members. Let me comment first on intergovernmental co-operation and then people-to-people contact. First, we need to

[LORD LUCE]

face up to the significance of the Commonwealth Heads of Government Meeting in Sri Lanka in November. Together with Gambia's recent withdrawal, the spotlight is indeed on the core values, highlighted in the new charter of the Commonwealth. Sri Lanka's human rights record in recent times has been disappointing. Our Government have made it clear that we expect to see at CHOGM concrete progress on human rights, judicial independence, free and fair regional elections and proper access and freedom of movement for civil society and the media. The Prime Minister has decided to participate in this conference, while Canada's Prime Minister will not attend and is reviewing Canada's funding programme for the Commonwealth. I understand that the Commonwealth has been active in working for reconciliation and improvements in human rights in Sri Lanka. Is there a lesson to be learnt here from South Africa's successful Truth and Reconciliation Commission? Can the Minister report to the House on the progress that is being made? The reputation of the Commonwealth is at stake.

While on human rights, I ask the Minister to accept that our arguments are likely to be more persuasive if we demonstrate that we are making our own improvements. For example, it would be helpful for our Government to state at CHOGM that we plan to restore the right of return to the British Indian Ocean Territory to those Chagossians who, in the late 1960s, were expelled by us from their homeland to make way for Diego Garcia. This remains a blot on our copybook which we must rectify.

The most important aspect of CHOGM is to pursue the implementation of a series of recommendations from the previous meeting in Perth. These ranged from ways to improve governance, human rights and the rule of law to economic and commercial development and cultural collaboration. If Governments are to get more advantage from this, it is worth stressing how important it is for Ministers in virtually every department to think in Commonwealth terms and to work collectively to that end. One of the agreed recommendations was to strengthen the Commonwealth Ministerial Action Group to deal with a full range of serious or persistent violations of Commonwealth values. The Commonwealth's ability to deal effectively with conflict resolution could act as a model to the rest of the world. Intervention in the past with countries that have flouted Commonwealth standards, such as Fiji, Sierra Leone, Nigeria and Pakistan, demonstrate its value. Other areas include strengthening democracy through the newly-established Commonwealth Network of Election Management Bodies and the monitoring of elections.

The other side of the coin is what we are doing to strengthen development and to help small states with their economies. We need to know, for example, what progress is being made to implement the millennium development goals, universal access to healthcare, plans to eradicate polio and to address malaria, malnutrition, diarrhoea and respiratory infections. More widely, there is the question of the empowerment of women, who are vital to economic development, and broad issues such as smuggling, human trafficking, piracy and climate change, which we are all committed to

tackle. The Commonwealth ought also to be removing remittance transfer barriers and encouraging the skilled diaspora living in the West to contribute to their countries of origin. In all this, what contribution is DfID making to Commonwealth countries and what form does it take?

Of course, trade and investment is a crucial aspect of development and this year's theme is "opportunity through enterprise". The combined GDP of the Commonwealth is more than £6 trillion and it contributes more than 20% of the world's trade and investment. We have the advantage of common language and some regulatory frameworks which should facilitate trade. However, we could be doing far more in the Commonwealth. Growth rates in many African and Asian countries are improving. Trade opportunities are there to take.

There is of course overlap between the government and non-governmental sectors. I must highlight the role of the Commonwealth Foundation, which deals with the private side of the Commonwealth, of which I had the privilege of being the chair in the 1990s. The purpose of this organisation is to stimulate the role of non-governmental bodies in development. It has embarked on a strategy to facilitate a dialogue between civil society and government. Civil society becomes more robust as the newly educated and professional middle classes emerge and aspire to play a part in the development of their countries. At the same time, there are citizens that remain outside the realm of the policy-making processes. The foundation is there to help strengthen the capacity of organisations that work in these diverse contexts to support Commonwealth principles and values.

Beyond all this there is a whole kaleidoscope of connections between individuals and organisations in the Commonwealth. Much of it is known only to those involved. The Royal Over-Seas League, of which I am president, supports educational projects in Namibia, Botswana and Kenya. The Association of Commonwealth Universities is shortly to mark its centenary. As a former university vice-chancellor, I know the value of meeting with academics in the Commonwealth. The Commonwealth Press Union meets to exchange views about how to maintain and build a free press. The Council for Education in the Commonwealth, of which I am a vice-patron, meets to stimulate discussion on furthering educational collaboration. The new Commonwealth Youth Orchestra is beginning to unite people through music.

Education is one of the most important areas. The Commonwealth of Learning, 25 years old and based in Vancouver, uses distance learning to promote education and training. For example, it has a Lifelong Learning for Farmers programme and a Virtual University for Small States.

Another remarkable project has been the Commonwealth Scholarship and Fellowship Scheme. In 53 years, some 27,000 people have benefited from this. Many Commonwealth leaders in all spheres were Commonwealth scholars. Mr Carney, the Governor of the Bank of England, is one such example. I am glad that the Government have invested £87 million in the scheme over four years to 2015. It is good that there is now an additional Commonwealth-wide endowment

scheme, to which we have contributed and which marked Her Majesty's Diamond Jubilee. Moreover, in 2012, there were 117,000 Commonwealth students in higher education in the United Kingdom.

The important thing is the future. Fifty per cent of Commonwealth citizens are under the age of 25. The Commonwealth will mean something to them only if they have a knowledge and understanding of its value. If our young people are taught about our history and our contemporary Commonwealth, and if it is made a reality for them, then the opportunities are enormous and the benefits immeasurable. Much can be done in a practical way to twin schools and to arrange youth exchanges. I welcome the fact that the Royal Commonwealth Society is this month launching a Commonwealth youth leadership scheme. It is exciting that the BBC and the British Council are playing a leading part in the Commonwealth class project, where Commonwealth identity will be promoted to seven to 14 year-olds by linking no fewer than 100,000 Commonwealth schools online.

The Perth summit also agreed to give priority to youth unemployment, to encourage new entrepreneurial business and adequate vocational training. Will the Minister tell us what action has been taken to encourage and support young people, and what is being done in schools to make the Commonwealth alive for them?

Last week the Queen launched the Commonwealth Games relay baton, which will tour every Commonwealth country before arriving at the Games in Glasgow next summer. The Commonwealth Parliamentary Association has more than 16,000 members, who exchange visits and meet regularly to discuss global issues or to give practical advice about their parliamentary experiences. It is heart-warming to learn, too, that every local authority in the UK is committed to fly the Commonwealth flag between Commonwealth Observance Day next March and the Commonwealth Games in the summer.

Recently, the Royal Commonwealth Society carried out a Commonwealth conversation which demonstrated that the level of interest and knowledge of the Commonwealth is stronger in small as opposed to larger states. It concludes that by 2050 the Commonwealth might either be a total irrelevance or a vibrant global entity. At the moment, the Commonwealth profile is too low. We need all those who believe in the Commonwealth, from the secretary-general to other leaders, to speak up for the Commonwealth.

Next year we will mark the beginning of the catastrophic First World War. It would be right to remind ourselves that there were 1.5 million Indian volunteers and thousands of servicemen from West and East Africa, the West Indies, Canada, Australia, New Zealand and South Africa who fought alongside us, sacrificing their lives in defence of the free world. The tradition continues, for today we have many Commonwealth citizens in our Armed Forces.

The Indian leader Nehru said that the Commonwealth can deal with problems "with a touch of feeling". Is that not exactly what this world needs? In an exchange with President Nasser of Egypt, Nasser said, "I put my extremists in prison. What do you do with yours?". Nehru said, "I put mine in Parliament". This surely is what the Commonwealth is all about.

However, as Don McKinnon, the former secretary-general, said in his recent book, *In the Ring*:

"The true role of the Commonwealth is to create more and better democracies"—

not modelled on some liberal western template but where all adult people have a say about who governs them and are able to exercise influence over policies of the governing body. The Prime Minister of India, Manmohan Singh, has stressed the link between democracy and development. He said:

"The more democracy you have the more development you'll get".

I regard the future of the Commonwealth as one of the most exciting challenges of our time. We have an instrument to hand to make the quality of life better for us all. To take up the challenge requires leadership, inspiration, a strategy from Governments and active participation by our citizens. It is all about people. This Parliament must now give a lead. I look forward to the Minister's assessment of the strategy. I beg to move.

2.48 pm

**Lord Selsdon (Con):** My Lords, I am honoured to follow in the steps of the noble Lord, Lord Luce, and also of my noble friend Lord Howell, who lead on these matters.

I am a by-product of the Commonwealth. I was brought up in Canada; my family were Australian-Scots; my great-uncle was Stafford Cripps and then Ghana came into it. I feel rather homeless. While I was pro the EU, I am now rather anti the EU and becoming more and more pro the Commonwealth.

In my office I have a large map, a chart, which I look at every day. Most of it is covered in red and it shows the position of His Majesty's ships at sea and in harbour on the date of my birth. I will not say when that was. That chart reminds me that the Empire, if I may dare call it that, was based upon trade and created added value. I looked at the chart this morning and saw that in those days we were out there not for political reasons but to buy. We took 60% of the tea crop of India; 30% of the tea crop of Ceylon; 27% of the Caribbean coffee production; 42% of Africa's; 32% of New Zealand's butter and 60% of its cheese. It went on and on, with wheat, flax, aluminium, zinc, copper and lead from Australia. All these things were creating added value, and that was trade.

As development in the economies grew, so people went out to them to find work. My Scottish family had the opportunity to ship masses of people out to Australia, but they had no back cargo. Then they found that there was meat. British technology developed the chilling machinery so that lamb and other meat could come back from Australia. To me, the Commonwealth should be more about trade and less about politics. But when looking at the world I conclude irrevocably, partly from being a navigator and recognising that Greenwich is the centre of the earth, that the United Kingdom is now in effect the centre of the earth in terms of politics, trade, intellectual property and people.

Having been brought up in Canada, I have wondered whether I am a Commonwealth citizen. If I am a member of the Commonwealth, why can I not have a

[LORD SELSDON]

little tampon or stamp for my passport saying, “Commonwealth citizen”? In the early days of immigration and migration, people wondered why we could not give precedence to people who were from the Commonwealth nations, but as time moves on, I realise that politics comes into this. For example, we seem to be a bit worried about the Gambia at the moment.

In my days in the banking world, I thought it would be a good idea to look at all countries, not just the Commonwealth countries which seemed to have run out of money. I wanted to get back as much money as possible from Claude Cheysson at the Commission, who was spending it on French projects around the world rather than on British ones. I went on a trip. My noble friend Lord Moynihan will recall that we had a great mentor in the person of Lord Jellicoe. I went to west Africa with Lord Jellicoe and the Duke of Kent to visit the French territories and I found myself being adopted by Société Commerciale de l’Ouest Africain. The society asked me to help it in Senegal, saying that there was a problem with the British territory over on the other side of the water. I went on holiday to Senegal with my wife and small son because people are kind to children when you are travelling abroad and not being too commercial. Later, back at my bank, I looked into the possibility of creating a “Senegambia”. That was because the Frenchman I met wore a rather smart khaki bomber jacket-type uniform, while the other one was dressed in what was in effect British gear. I use that just as an aside, but the idea behind it is that we should co-operate with France as well.

2.52 pm

**Baroness Scotland of Asthal (Lab):** My Lords, I commend the noble Lord, Lord Luce, on bringing forward this important and timely debate. I am also pleased to follow the noble Lord, Lord Selsdon, in admitting that I, too, am a child of the Commonwealth. I am of mixed heritage, having been born on a tiny island in the Caribbean sea between Guadeloupe and Martinique—the island of Dominica. That mixed heritage very much reflects the heritage of the Commonwealth. I, too, believe that if the Commonwealth did not exist, we would have to create it because it provides an opportunity for people of disparate beliefs, from different backgrounds and with different histories to come together.

Traditionally, the link of the Commonwealth was the fact that many of the islands and countries that formed it were British in character. Our union was a very valuable, attractive and compelling one. It was a loose but supportive Commonwealth family although, as with any family, disagreements would arise. There were robust challenges, questions and arguments, as well as solutions. What is unusual about the Commonwealth family is that new people are constantly trying to join it. We had Mozambique in 1995 and Rwanda in 2009. Many noble Lords will know that I am part French because I have a French grandfather. I cannot stress enough to your Lordships how much ire has been aroused in my French cousins by the fact that Rwanda has adopted English as its official language since joining the Commonwealth.

What binds the Commonwealth together is not just a shared historical connection with Great Britain, but a shared commitment to the rule of law, human rights, the protection of freedom of expression and minority rights. In 1991, the Heads of Government of the countries of the Commonwealth met in Harare and signed the Harare Commonwealth Declaration. As we all remember, that declaration was signed in the aftermath of the collapse of the Soviet Union. I think that it is actually a very beautiful document. If we had had more time, I would have liked to have read into the record its principles, because they are the principles to which we should all adhere. They renewed international optimism about the spread of democracy and human rights. As the noble Lord, Lord Luce, has said, this year, for the first time in the Commonwealth’s 64-year history, these values have been set out in one document, the Commonwealth Charter, which was signed by Her Majesty the Queen on 11 March, which is Commonwealth Day. From that eclectic mix and through its shared experience of heritage and aspiration, the Commonwealth has an extraordinary ability to meld together diverse and challenging histories into something that is capable of delivering unity, peace, tranquillity and productivity.

That productivity has been profound. Commonwealth countries make up 26% of the world’s population and account for 15% of global gross national income. The total gross domestic product of the Commonwealth is greater than that of the European Union and is predicted to grow by 7.3% between 2012 and 2017. Trade in goods within the Commonwealth is now worth about £250 billion each year to its members. There are huge positives to be gained from being a member of the Commonwealth. As we have heard, our exports to India are increasing, as they are to Canada and Australia. As the trade envoy to South Africa, I want to mention that we are hoping to double trade with that country by 2015. Within the Commonwealth itself, trade between other Commonwealth members is up by 50%.

Before I close, I want to mention the Queen’s Diamond Jubilee Trust. We hope that, through the trust, great benefits in the Queen’s name will be able to be given to the whole of the Commonwealth. We will make a decisive contribution to the global efforts now under way to eliminate avoidable blindness by the year 2020. We seek to build up a new cadre of young leaders. I believe that the Commonwealth is healthy, but it will need all of us to ensure that it does that which it can do so as to heal many of the ills that are afflicting us. To borrow from Martin Carter, one of the greatest Caribbean and Commonwealth poets:

“I do not sleep to dream, but dream to change the world”.

The strength of the Commonwealth family is in the depth of the talents of its members. I hope that this House will dare to plan a future for the Commonwealth that will make all those dreams come true.

2.58 pm

**Lord Chidgey (LD):** My Lords, I also congratulate the noble Lord, Lord Luce, on bringing this debate to the Chamber. He has an unblemished record of many years of service not just to this House but to the Commonwealth as well. Wherever you go in the Commonwealth, his name comes up—always favourably, which is not the case for everyone.



Over many years, the Commonwealth has brought together in a constructive way the diverse perspectives held by its membership on global economic, financial, social and environmental developments. There have been significant collective Commonwealth actions to identify and raise interest in global issues. These include climate change, multilateral debt, migration and skills, the unique disadvantages of small states, aid effectiveness, poverty reduction, transforming economies and achieving sustainable development. Since 2009, the Commonwealth Heads of Government and Finance Ministers' meetings have all highlighted the potential of the Commonwealth to play an important role as a forum in which members and non-members of the G20 can work together on global economic policy issues. The 2009 London summit announced fiscal stimulus packages which have indirectly helped poorer countries, injected more liquidity into financial systems with guarantees for poorer countries, and have agreed with some success not to increase protectionism.

The 2010 Toronto summit established a working group on development with a mandate to create a development agenda and multiyear action plans, to be adopted at the Seoul summit. The Commonwealth has been actively encouraging G20 leaders to think beyond national concerns to the needs of those not present at their G20 table. Canadian Prime Minister Harper took the significant step of starting a dialogue between himself, as the 2010 G20 chair, and the secretaries-general of the Commonwealth and La Francophonie.

In 2013, the Commonwealth charter was adopted, setting out the core principles of the Commonwealth, including democracy, human rights, the rule of law and good governance. It formalised the advantages shared by member states: a common language, a common rule of law and—not to be undervalued—a common system of accountability. Despite the charter's intention to strengthen the Commonwealth, the controversy over Sri Lanka hosting this year's CHOGM while claims of war crimes committed against the Tamil Tigers remain unresolved threatens to undermine the Commonwealth's fundamental values. The Prime Minister of Canada, with a nod to the large Tamil community in his country, has withdrawn from the CHOGM, as we have heard. However, there is a much larger Tamil population in southern India, and should India choose to respond to the general concerns, it could have a far greater influence.

The relationship between the Commonwealth and the G20 can potentially grow further and deepen, building on a unique set of Commonwealth advantages and promoting the Commonwealth's wider impact. The Commonwealth can advocate globally for the inclusion of resilience and vulnerability aspects in the G20 development plans: asking for trade liberalisation from G20 members towards all developing countries; ensuring the proposed financial safety net covers small states and, potentially, all external shocks; promoting additional debt relief for small states who have large debts; promoting aid for trade, as this is especially effective in small states; and linking small states' networks to a G20-supported knowledge-sharing network.

The Commonwealth has a long record of building consensus around global challenges and is well placed

to provide both analytical and practical insight into the debate, based on the extensive experience of growth and development within the unmatched variety of its membership. In the governance of the Commonwealth, whether you are a small island nation, a huge landmass or a leading industrial nation, you have one thing in common—just one vote.

3.02 pm

**Lord Ramsbotham (CB):** My Lords, I congratulate my noble friend Lord Luce on obtaining this debate. I am very glad that he mentioned the Commonwealth charter, because it seems to me that one of the great values of that charter is that it sets out very clearly the core values that unite the member nations. Two of them sprung to mind when preparing for the debate. The first is where it says:

“We will be guided by our commitment to the security, development and prosperity of every member state”.

Then, there is the second:

“We support international efforts for peace and disarmament”.

Early in my military career, I had the great privilege and pleasure of serving in the King's African Rifles, which used to have battalions in every colonial territory in east Africa and served in both world wars, but which at that time was confined to Kenya, Uganda and Tanganyika, which we were helping to independence. Thanks to the initiative of my noble friend Lady Flather, every year on Commonwealth Day, a number of us are able to assemble at the Commonwealth Gates and lay wreaths in honour of regiments such as the King's African Rifles. I am always very moved that one of the things that happens is that the guard that is on its way from Knightsbridge to Horse Guards always salutes those assembled at those gates.

I say that because, since serving, I have had the great pleasure and privilege of seeing Commonwealth troops deployed in various conflict resolution positions around the world, for example in United Nations operations. I have always been struck by the particular way in which the corps of values that unites them has influenced the contributions to conflict prevention, post-conflict reconstruction and the other aspects of conflict resolution. I well remember talking with Admiral Howe, the American commander in Somalia, and asking him if he had any wishes. After saying he wanted a British officer in his headquarters, he said that the contingents trained by us had a very much better approach to the task in hand than others, citing Malawi and Botswana.

I mention the corps of values also because, currently, I am a member of the Committee on Soft Power, which is looking at how British influence in the world might be spread by the soft diplomacy that my noble friend mentioned. Earlier this week, we had the great pleasure of taking evidence from the high commissioner from Mozambique, one of the most recently joined members of the Commonwealth. What I found very revealing was his description of what membership of the Commonwealth meant for Mozambique. He mentioned, of course, the help that it had received from the United Kingdom but also made the very pointed suggestion that it was membership of the partnership of all the other nations in different parts of the world—the Commonwealth is represented on

[LORD RAMSBOTHAM]  
every continent and subcontinent—that made the most difference for Mozambique and encouraged them the most.

If I may end on a slightly depressing note, I thoroughly echo the remarks made by my noble friend about the Chagos Islands. I declare an interest as one of the vice-chairman of the all-party group. Expulsion of people from their homeland is not only a contradiction of just about every human rights document that there is, from Magna Carta to the United Nations charter, but is contrary to the core values that we have mentioned and which are contained in the Commonwealth charter. Our continued procrastination over this issue is nothing less than a national disgrace and something that we really should move very quickly to deal with, if it is not to undermine our reputation among the very people with whom we wish to promote it. Can the Minister give an assurance that this issue will be tackled with urgency?

3.07 pm

**Lord Black of Brentwood (Con):** My Lords, I declare an interest as chairman of the Commonwealth Press Union Media Trust, one of the venerable professional institutions that the noble Lord, Lord Luce, mentioned in his compelling speech. I join other noble Lords in thanking him for securing this debate at this time.

Born in its modern form on 28 April 1949, the Commonwealth next year reaches pensionable age, and 65 is a good opportunity for reflection. In so reflecting, we can point to important accomplishments: giving, as we have heard, a united voice to countries that share a common history and language and working hard to make progress in areas ranging from encouraging the leadership of women to strategic thinking on ocean governance. However, any reflection must lead us also to the conclusion that, unlike some younger institutions, such as the South Asian Association for Regional Cooperation and the African Union, which are relevant to members because of their heavy focus on economic development, the Commonwealth suffers from one great defect: its failure ever to establish a central mission. In an overcrowded market of international organisations, you need a unique selling point. The Commonwealth does not possess one.

The central reason for that is the diversity of its membership. Building a core mission that is as relevant to the people of Canada and New Zealand as it is to the people of Zambia and the Solomon Islands is exceptionally difficult. However, if the Commonwealth is to have a future in a rapidly changing world, then it must develop clarity about its aims and its mission.

The Commonwealth charter, as the noble Lord, Lord Ramsbotham, said, is an admirable attempt to do that. It is a statement of rights and responsibilities broad in scope and noble in ambition. However, the problem with it, of course, is that it is worthless if members simply pay lip service to it and no one—through persuasion, leadership or even disciplinary action—tries to ensure it has force.

I will outline two pertinent examples. First, Article V of the charter states clearly that the Commonwealth is,

“committed to peaceful, open dialogue and the free flow of information, including through a free and responsible media”.

However, Commonwealth countries are littered with colonial laws that stifle the free flow of information and muzzle the media, including criminal libel and state licensing of journalists—although none of them yet has a royal charter. In Uganda, Cameroon, Bangladesh and Rwanda, to name just a few, the state of press freedom is parlous and punitive laws are deployed to stop the development of an independent media and to punish journalists. Sri Lanka, Singapore and Rwanda languish near the bottom of the Reporters Without Borders 2013 World Press Freedom Index. Although there have been improvements, there is still a tragic problem with the safety of journalists, six of whom have been killed this year in Pakistan, India and Bangladesh. Media freedom is fundamental to the charter, because the right of free expression is one on which all others rest, yet the record of the Commonwealth here is lamentable.

My second example is Article II, which states that the Commonwealth is,

“implacably opposed to all forms of discrimination, whether rooted in gender, race, colour, creed [or] political belief”.

But how can the Commonwealth be “implacably opposed” to discrimination when a disgraceful 80% of Commonwealth countries have laws criminalising consensual sexual conduct between adults of the same sex, punishable by imprisonment or even death? Is it so “implacably opposed” that, only a few years ago, CHOGM was hosted in Uganda, one of the most brutal regimes for gay men and women on the planet? No, for “implacably opposed”, read “turn a blind eye”.

We are discussing the future of the Commonwealth. That future must be established on the rock of a core set of beliefs and a zeal to uphold them. The charter is an admirable attempt to do that, but at the moment is sadly no more than empty words, as the journalists who die, the gay men who are persecuted, the women who are denied life-saving HIV drugs and others testify. If the Commonwealth is to have a future—everyone speaking in today’s debate will passionately believe that it must—it must show the leadership, courage and determination to begin the process of turning the charter into reality. Let that please be the message to CHOGM from today’s debate.

3.11 pm

**Lord Kakkar (CB):** My Lords, I, too, join other noble Lords in thanking my noble friend Lord Luce for having secured this important debate and, in so doing, declare my own interest in the register with regard to healthcare but particularly as a serving officer of the All-Party Parliamentary Group on Global Health and the UK business ambassador for healthcare and life sciences.

We have heard that the Commonwealth is uniquely diverse in geography, ethnicity and stages of economic development. That represents an important challenge in terms of the delivery of universal healthcare, an objective which must be attuned ideally with the objectives or one of the themes of this year’s Heads of Government meeting, with growth and equality defined in terms of equality of development.

It is clear that the 54 current member states of the Commonwealth are diverse also in access to healthcare, the burden of disease that the populations of those nations experience and the outcomes. It is quite striking, for instance, that although 40% of the world's population lives in Commonwealth nations, the Commonwealth carries 60% of the burden of HIV and AIDS.

In terms of access to healthcare, there is a 300-fold difference between Malta and Tanzania, for instance, in the figure for doctors per 100,000 of population. In terms of outcomes, a woman is 300 times more likely to die from complications during childbirth in Sierra Leone than in Singapore. There is therefore much to do. Focusing on the delivery of healthcare is an important opportunity for the Commonwealth to demonstrate to each individual citizen the real benefits of being part of an organisation and entity as diverse as the Commonwealth.

A focus on healthcare, in terms of education, innovation, research and the delivery of high-quality care, is nothing new for Commonwealth nations; indeed, throughout its 64-year history there have been important exchanges of medical practitioners and other healthcare professionals between Commonwealth countries. So many citizens, doctors and nurses of Commonwealth countries have come to serve in our own NHS and have returned to their own home countries, having learnt much and applied it, and taken on leadership roles to develop healthcare in those nations. Our own practitioners and doctors have gone to other Commonwealth countries and been able to learn much and bring it back to improve the delivery of healthcare in our own country.

How do we take these opportunities forward? How do we ensure that, with modern technology, and a focus on high-quality education, innovation and reverse innovation, healthcare is better for all Commonwealth citizens? I had the privilege of addressing the Health Ministers of the Commonwealth earlier this year at their annual meeting and was able to propose the creation of something known as Common Health—a hub for exchange of educational materials, best innovative practice and life-saving information, made available at the fingertips of every healthcare practitioner across the Commonwealth through modern communications technology. If this initiative were able to go forward—indeed, it was endorsed to do so—it would provide an opportunity to ensure that everything that we have learnt and that has been validated in each Commonwealth country, having been shared among the learned societies and professional organisations for healthcare practitioners in those countries, could be shared broadly across a community of practitioners, numbering possibly some 2 million doctors and some 15 million other healthcare professionals. That would be unique and it could provide the opportunity to change in a material way the lives of every Commonwealth citizen. Will Her Majesty's Government consider such initiatives, focusing on the provision of improved healthcare, as an important objective of our contribution to the activities and work of the Commonwealth?

3.15 pm

**Lord Brooke of Sutton Mandeville (Con):** My Lords, I congratulate the noble Lord whom I follow on his

choice of subject today and of course issue the same congratulations to the noble Lord, Lord Luce, who comes from a long tradition of family service to the Crown and to the Commonwealth overseas. I think that he is himself the last member of the Overseas Civil Service to sit in Parliament—I notice him nodding—and he was exactly the right person to open this debate.

Four years ago, I closed my speech in a debate on the Commonwealth initiated by the noble Lord, Lord Sheikh, with reference to the career of a Mancunian non-conformist missionary who had devoted his career to teaching the Admiralty Islanders the commandments of God and the laws of cricket. I do not propose to repeat that today, but his sporting avocation is a key to the Commonwealth. I offer a coincidence of a startling and anticipatory kind. Our Library's well balanced brief tells us that Lord Rosebery, in 1884, made the first allusion to the Commonwealth of Nations. Simultaneously, at the Oval Test in 1884, the English wicket-keeper, Alfred Lyttelton, achieved what remains the greatest bowling feat by a wicket-keeper in Test cricket. With Australia at 532 for four, he took off his pads and took four for 19, bowling underarm. Lyttelton's relevance does not end there. He was Secretary for the Colonies—note the portfolio—in Arthur Balfour's Administration and remains the only British Cabinet Minister ever to have played in an Ashes Test. Cricket remains a good bond and omen. I shall return to cricket in my fourth minute.

This debate has been overshadowed by the dilemma of the location for CHOGM when the host country is still being investigated for the origins of past tragedies. I imagine that most of those taking part in this debate will want to declare where they stand on the dilemma. I ought, in that context, to declare an historical interest in that my brother is a former executive vice-president of the Commonwealth Magistrates' and Judges' Association. There is something Shakespearean, not to say Sophoclean, about the location dilemma, and my interest is in damage limitation, perhaps leading to the ground hills of a solution, the die seemingly having been cast as to the location. The Canadian leadership will still be metaphysically present because of its financial conditions, but how the Sri Lankans play their hand matters more than the views of the rest of the Commonwealth, although we have clues as to the sensible way that our hand will be played.

My personal particular hope is derived from my experience when the late, great Sir Keith Joseph delegated to me the responsibility of representing the United Kingdom Government at the Commonwealth Education Ministers' Conference in Nicosia in 1984 and at the subsequent meeting in Sofia in 1985, which Sonny Ramphal sandwiched into the margins of the UNESCO meetings in Bulgaria that year. The agenda was dominated by the United Kingdom having imposed full cost charges on overseas students. It was effectively a rerun of the battle of Rorke's Drift, with us cast as the garrison and everyone else except the Canadians and the New Zealanders playing the Zulus.

What was striking, and what I hope can be repeated in Colombo, was the astonishingly good humour with which the action was played out. The British ambassador in Sofia, who joined our delegation there, said that it was his first experience of a Commonwealth occasion

[LORD BROOKE OF SUTTON MANDEVILLE]

and that it was unique in its friendliness. As to the verdict on the dilemma, I revert to the spirit of the time-honoured mantra of all cricket umpires that, at this stage, we should give the batsman at the wicket the benefit of the doubt and thus that, in that spirit, the match should go on.

3.19 pm

**Lord Wills (Lab):** My Lords, I, too, congratulate the noble Lord, Lord Luce, on securing this timely debate on the future of the Commonwealth and on his excellent opening speech, which so well set out all its merits and the issues confronting it.

It is the Commonwealth charter, adopted this year, as we have heard, which, in the words of the Commonwealth Secretariat,

“brings together the values and aspirations which unite the Commonwealth—democracy, human rights and the rule of law”.

As the Foreign Secretary said in welcoming it:

“Strong, clear values are crucial to the future credibility and success of the Commonwealth”.—[*Official Report, Commons, 4/3/13; col. 56WS.*]

On the eve of its Heads of Government meeting, how is the Commonwealth measuring up to its new charter and entrenching those strong, clear values? It is clearly a work in progress for many members.

Human Rights Watch, for example, has concluded that in Pakistan last year, the human rights crisis has continued to worsen in Balochistan and that in Bangladesh, the overall human rights record worsened in 2012. Amnesty has criticised the use of torture by security forces in the Maldives and serious failings in the justice system after what seems to have amounted to a coup against the democratically elected president. We have heard from the noble Lord, Lord Black, about the appalling record of many member countries towards gay men and women. Of course, our record is not unblemished. We have heard from the noble Lords, Lord Luce and Lord Ramsbotham, and I associate myself with their remarks about the position of the Chagos islanders.

Of course, the Commonwealth has not always vigorously enforced those strong, clear values of democracy, human rights and the rule of law. There is always a case for constructive engagement, which the noble Lord, Lord Brooke, has just set out very well, and encouraging those who transgress gently and gradually towards redemption.

However, too much constructive engagement can be misread as validating breaches of those strong, clear values of democracy, human rights and the rule of law. In my view, that is the case when Sri Lanka, which has shown contempt for those values consistently, despite many international representations to it about its conduct, is still being allowed to host this Commonwealth Heads of Government Meeting and so shortly become the Commonwealth chair-in-office, voicing in international forums the Commonwealth position, including, presumably, the articulation of those core values.

The Sri Lankan Government host this meeting having made scant effort to secure accountability for the appalling atrocities committed by their forces in the brutal civil war, graphically documented by the

UN and by the Channel 4 film which showed the deliberate targeting of hospitals by heavy artillery, deliberate denial of food and medicine to civilians in the no-fire zone and summary executions of civilians. Despite considerable international pressure on them to mend their ways, the Sri Lanka Government continue to target journalists and human rights activists. There are well substantiated reports of enforced disappearances, and the Government orchestrated the impeachment of the Chief Justice after she ruled against the Government in a key case.

No doubt the Minister will say that she deplores all that and that the Government will continue to make representations to the Sri Lankan Government about their concerns— at least, I hope that she will say that— but I hope that she is in no doubt about how that Government will present this Government’s decision to attend the Colombo meeting. When the then Culture Secretary decided to spend his Christmas holiday in Sri Lanka, just six months after the end of the civil war and all those atrocities, the state-run broadcaster in Sri Lanka claimed that “his arrival despite the accusations made by the British government on the human rights record of Sri Lanka is an indication that the charges have not been authenticated”. What does the Minister think the reaction in Sri Lanka will be when the visitor is not just the Culture Secretary but the Prime Minister and the heir to the Throne as well?

As we have heard, the Canadian Prime Minister has understood the significance of attending this meeting. He is not going because, he says, “It is clear that the Sri Lankan government has failed to uphold the Commonwealth’s core values”. I would be grateful if the Minister could explain exactly why the Government have not adopted the principled stand of the Canadian Prime Minister. If the Sri Lankan Government continue to refuse to show greater commitment to these Commonwealth values of democracy, human rights and the rule of law, how long are the Government going to continue to make representations before they conclude that they have failed to make any progress, and then what will they do? What damage does the Minister think will be done to the credibility of the Commonwealth when those strong, clear values of democracy, human rights and the rule of law are being flouted in the country which is the next Commonwealth chair-in-office?

3.24 pm

**Lord Hannay of Chiswick (CB):** My Lords, my noble friend Lord Luce’s initiative in holding this debate could not be better timed in that it enables this House to look at the wider issues and future development of the Commonwealth, as well as addressing some of the short-term matters arising in connection with next month’s Commonwealth Heads of Government Meeting in Sri Lanka. Too often in the past, those short-term issues have obscured the need for us to take a clear-eyed view of the role that the Commonwealth should play in the overall picture of Britain’s external relations. Too often also, successive British Governments have approached a heads of government meeting with either a spirit of damage limitation or excessive expectations. Neither of those approaches is a good guide to long-term policy making.

The first step in taking that wider view is to rid ourselves of two misconceptions. The first is that the Commonwealth is in some way an alternative for this country to its membership of the European Union. It is no more that now than it was when the Macmillan and Wilson Governments concluded in the 1960s that it was not a viable alternative. Indeed, it is even less so than then. So far as I can see, not one Commonwealth Government wants Britain to leave the European Union and most would deeply deplore it, as the Australian Government—not the most enthusiastic supporter of Britain's original membership back in the 1960s—made clear in a recent submission to the Government's balance of competences review. Looking ahead, we should surely conclude, just as the French have done over the Francophonie, that this is not an either/or choice but a both/and one.

The second misconception is the tendency for Britain to take a proprietorial view of the Commonwealth. We may have founded the organisation but it does not belong to us, any more than it does to its other members. When we talk about the Commonwealth as being a soft-power asset for Britain, which I believe it is—and which I am sure the committee of the noble Lord, Lord Howell of Guildford, will find it to be—it can only be so to the extent that it is a soft-power asset for all its members.

Has the Commonwealth expanded too far? I do not believe so. It was right to respond positively to the membership bids by Mozambique and Rwanda. The Commonwealth of the future should not be regarded simply as a prolongation of an imperial colonial past. If one day in the future a democratic, human-rights observant Myanmar were to wish to join, I hope we would welcome it with open arms. We must certainly not abandon the hope that one day Zimbabwe, too, will want to—and will be able to—rejoin.

In what way should we be trying to strengthen the Commonwealth? I certainly do not believe that we should give up the aim of making the Commonwealth a more effective guarantor of the human rights of its citizens. That aim was checked at the last CHOGM meeting in Perth. The holding of the next meeting in Sri Lanka will certainly not strengthen its credibility, but we should persevere in the effort in the medium and long term. We need to build up that network of professional cultural links, which are such an important part of the Commonwealth's value to its members.

In that context, the Government's immigration policy, which seems to be having a disproportionately discouraging effect on the movement of professionals—it is certainly doing so in the field of higher education, where large drops are occurring in the intake of students from a number of the larger Commonwealth countries—surely needs to be reviewed. There is a contradiction between the Government's support for the Commonwealth and the effect of their immigration policies. Surely, too, we should be expanding further the grant of Commonwealth scholarships in this country and not limiting them to its developing members.

The Commonwealth has many achievements behind it, not least the remarkably effective stand that it took against apartheid in sport. I would be confident that it has many more ahead of it, so long as it does not

compromise its values, and that it will remain for the foreseeable future an indispensable part of Britain's international relationships.

3.29 pm

**Lord Moynihan (Con):** My Lords, I am indebted to the noble Lord, Lord Luce, for introducing this debate. He was critically influential in providing guidance and assistance to me exactly 30 years ago when I was elected Member of Parliament for Lewisham East, for which I thank him. His wise counsel continues to illuminate subjects dear to his heart and his family history, notably in the context of the Commonwealth.

While this House focuses primarily on legislation in its capacity as a revising body, it occasionally takes on the important role of offering advice and steering policy, particularly when the timing of debates is fortuitous. The Foreign Secretary was right to say,

“From our very first day in office I pledged to put the ‘C’ back into the FCO”.

For it is a striking fact that even though the Commonwealth has its historical roots in the 19th century, it is perhaps one of the international organisations or platforms that is most suited to the world of the 21st. One great characteristic of CHOGM is that, similar to the hosting of the Olympic Games, the spotlight of the world's media comes to shine into the recesses of that country. In the run-up to the Beijing 2008 Olympic Games, it focused on Tibet. Now, increasingly, it is focusing on the question of why the Sri Lankan Government have not yet independently or credibly investigated the allegations of war crimes; why there continues regrettably to be a lack of accountability for human rights violations; why the concerns of UN human rights chief Navi Pillay have not been addressed in full; and why political intervention with the media and judiciary go, as my noble friend Lord Black stated, far beyond the norms of acceptability.

As a number of noble Lords have commented, this year marked the adoption by all member countries of the Commonwealth charter, which sets out for the first time in a single document the Commonwealth's core values of democracy, human rights and the rule of law, and commits its leaders to upholding these values. If, in year one of the existence of the charter, Sri Lanka does not recognise that the brick that has been removed from the base of the Commonwealth edifice by the decision of the Canadian Prime Minister may not be the last one, as my noble friend Lord Chidgey hinted, and that the organisation is structured on values, any further “tinkering” or “inconsistency” by Commonwealth leaders—I quote the Commons Foreign Affairs Select Committee report—will not number among the last steps taken. If Sri Lanka does not recognise these realities, it is blind to its own destiny.

It is critical that the values of the Commonwealth, which are under scrutiny, are brought under the international spotlight and that the Government of Sri Lanka are encouraged to respond positively. When the current emphasis of the Commonwealth is, rightly, on young people, we must convey to them the values of, and describe the institutions that underpin, the Commonwealth. Now is the time for stronger diplomatic intervention by Commonwealth leaders and a determined response by the Sri Lankan Government.

[LORD MOYNIHAN]

We should not turn a blind eye to the dogmatic reaction from Keheliya Rambukwella that Prime Minister Harper's decision not to go to CHOGM in Sri Lanka is "a lone battle". In fact, the lone battle is that being waged by the Sri Lankan Government. At this stage, the answer for me is a protracted and absolutely necessary process of diplomacy and engagement, not isolation. Now more than ever, the Commonwealth must stand in defence of freedom and respect for human dignity. Brad Adams, Asia director of Human Rights Watch, was right when he stated that:

"The meeting ... is a chance for the Commonwealth to show that its stated principles actually mean something".

We owe that to the wider world of the Commonwealth, and we owe it to the young people and the athletes of the Commonwealth, including those from Sri Lanka, who will be gathering in Glasgow for the Commonwealth Games next year. These issues must be resolved by politicians and diplomats, and must not lead to the easy resort of some politicians to call for sporting boycotts.

3.33 pm

**Lord Browne of Ladyton (Lab):** My Lords, I am delighted to follow the noble Lord, Lord Moynihan, in this debate. I thank the noble Lord, Lord Luce, and congratulate him on securing this timely debate. I agree with him that for the Heads of Government convening in Colombo in November there is a significant history to be celebrated and a narrative that is redolent with optimistic potential, but, as the noble Lord, Lord Black of Brentwood, reminded us, as did my noble friend Lord Wills, there is also a narrative of challenge.

The latter is a familiar narrative for this part of the 21st century for organisations such as the Commonwealth. It is a narrative of challenge of reform and renewal, particularly a narrative of re-establishing trust among current Commonwealth countries and Governments in the credibility of the organisation, as well as rebuilding confidence in the delivery mechanisms of the secretariat, which involves dealing with institutional reform, developing leadership and showing a degree of resolve. The nature and scale of this challenge should not be underestimated despite the obvious achievement. For example, 70% of the Commonwealth secretariat's budget is contributed by only three, possibly now only two, countries, and 30 out of 54 countries—or 53 as it is now—in the Commonwealth are in arrears in their contributions to it. There is a manifest north/south divide in the narratives of the Commonwealth. It was exemplified most recently by the differential narratives of the Canadian Government's decision and the Gambian Government's decision. This narrative is blocking relationships between countries. It is being exploited by others outside the Commonwealth, as the Library note makes clear in relation to China, and involves a significant deterioration in relationships. Polling shows that there is a lack of knowledge about the Commonwealth among the public of its member countries, and why would there not be when a majority of Governments do nothing to explain, promote or support the Commonwealth? None of this is new, and these challenges are not even comprehensive.

What is new is that part of the process of reform and renewal was to be the relaunch of the Commonwealth as a partnership of nations committed to upholding the Commonwealth values as set out in the new charter signed by Her Majesty in March. These values of democracy, human rights, the rule of law and good governance are all to be seen in a shared vision of bringing together better opportunities for people around the world. This is a challenging ambition in itself. Just how challenging has been exemplified by some of the references that have already been made to the varying views about the rights of citizens in the Commonwealth and by the evidence in pages 8 to 12 of the Library note, which make shocking reading, about the behaviour of some Governments in Commonwealth countries. The issues that frame this challenge for the Commonwealth are identified in the EPG's report and recommendations. If we were to look for an agenda for the future of the Commonwealth, we could do worse than just to take that report and its recommendations as the agenda for the CHOGM.

How is that consistent with the question that has already been asked by convening this important relaunching of CHOGM in Sri Lanka at this time? How can we not be appalled by the idea of doing that, as the Canadian Government were? There is only one justification in being present there, and that is encapsulated in the Answer that the Prime Minister gave to a Question at Prime Minister's Questions on 9 October. In response to a Question about attendance, he said:

"I think it is right for the British Prime Minister to go to the Commonwealth conference because we are big believers in the Commonwealth ... but ... we should not hold back from being very clear about those aspects of the human rights record in Sri Lanka that we are not happy with".—[*Official Report, Commons, 9/10/13; col. 160.*]

The Prime Minister has set a challenging ambition for our attendance at that conference, and I invite the noble Baroness, Lady Warsi, for whom I have enormous respect, to spell out in more detail exactly what our Government will do during the time that our senior representative, our Prime Minister, is there to live up to the challenge that he has set for himself.

3.38 pm

**Lord Crisp (CB):** My Lords, I wanted to take part in this debate more to listen than to speak, and I have been wonderfully rewarded so far. I come at this as rather a newcomer to the Commonwealth, or to the issues of the Commonwealth, although, of course, I was born a Commonwealth citizen. A lot of people in this country do not pay a great deal of attention to the Commonwealth. I have been paying attention to it only since I started working in health in Africa in the past few years. I shall say a few words about health, following my noble friend Lord Kakkar.

My first point is about links. As the noble Lord, Lord Luce, said in his excellent speech, there is a kaleidoscope of links between our country and all the Commonwealth countries. I was in Uganda yesterday for the launch of the Uganda UK health alliance, which brings together about 200 British organisations working in health in Uganda. The speech given by the Minister of Health there was very much about our shared legacy, our friendship and what we can do

together and the future. Anyone who works in health in Africa will be aware of the painful legacy of colonialism that is still there, but the mood music is very much about the shared future that we have together.

If, in Uganda, there are 300-plus links between hospitals, schools and churches, all working on the desperate health problems of countries like Uganda, we can see how many links there are around the world and how important they are. I chair Sightsavers—its proper name is the Royal Commonwealth Society for the Blind—so am involved with a great deal of other links around the world. I was delighted to hear what the noble and learned Baroness, Lady Scotland, said about the Queen Elizabeth Diamond Jubilee Trust and its approach to eliminating some of the avoidable blindness in the Commonwealth. That would be a most remarkable impact.

In addition to the wealth of links that bind us all together, the Commonwealth is a truly remarkable organisation because it brings together rich countries, poor countries and fast-growing countries, and it is not geographically bounded. It is important to Africa. As my noble friend Lord Kakkar has already mentioned, the Commonwealth Health Ministers Meeting is one of the great meetings for Health Ministers in Africa. They see it as an opportunity to influence the agenda because they are sitting down together with rich countries and having a major impact. In parenthesis, I very much support the noble Lord's proposal which was made there, and would be interested to hear what the Minister has to say about that.

The Commonwealth is also important to us on health. It gives us access to learning and development of all kinds of approaches to health around the world. It is based on a shared history and largely shared values. I say "largely shared values" because I am very conscious of the points made by the noble Lord, Lord Black, and others about, for example, the attitudes in some countries towards gay men and women, and to women in some others.

The single point I really want to make on this is that it is a rapidly changing world. We in the UK have our traditional ways of doing things, but we can learn from people without our resources—particularly in health—about how to do things differently, and how you use the community, to take that example from Africa, in things such as health and education in ways which we simply do not do in this country. It is in our interest to promote these links and the Commonwealth more generally, both for that self-interest and for our co-development with our partners in the Commonwealth.

Finally, I come back to the people-to-people aspects which the noble Lord, Lord Luce, mentioned right at the beginning of the debate. We underplay the Commonwealth. I am not at all unusual in not having thought much about the Commonwealth at all beyond, perhaps, the Commonwealth Games and a few other things like that. It has been, to put it slightly rudely, something that the enthusiasts have understood, and if you know about the Commonwealth you know about the Commonwealth. The profile needs to be raised in many different ways, as the noble Lord, Lord Luce, again said. With that comes the scope for greater shared growth and development in a wide range of different countries.

3.42 pm

**Baroness Gardner of Parkes (Con):** My Lords, I spoke in my noble friend Lord Sheikh's debate of December 2009, and I will repeat a bit of that today. It is important to know the history of how the Commonwealth Members are entitled to sit in the House of Lords. Things seemed to have gone desperately wrong in 2009, when it looked as if we had been barred from sitting. Inadvertently, the Labour Government claimed, and I am sure that that is right, they had forgotten to renew the clause giving Commonwealth citizens the right to sit in the House. This was all printed in the *Hansard* of 10 December 2009.

I had telephoned the Clerk of Parliaments, because I was speaking in that Commonwealth debate, as always, and said that I would like to know which Act I was sitting under. He said, "It was always the 1981 Act. Unfortunately, that has gone and been replaced by the 2006 Act". I could give noble Lords the names of these Acts but there is no time. "As a result," he continued, "your position is anomalous, to say the least". Anyway, I mentioned it in the debate and the noble Baroness, Lady Kinnock, replied to say that they had a few months previously discovered, three years after the Act, that Commonwealth Members were not listed and had no rights. However, she confirmed that they would correct this error before the next election and that I should keep coming, which of course I did.

However, after that, time passed by, and the issue was to be brought back in the Constitutional Reform Act. We got the agreement through in the last hour of the last day of the previous Parliament. Many noble Lords will remember what a day it was. Everyone was arguing about whether we should touch the Bill at all, having brought such a major constitutional Bill to the House, and how we could be expected to deal with all the stages on one day, when everyone thought that it was about three weeks' work. It looked as if we would not get anywhere. However, the noble Lord, Lord Armstrong, spoke up for the Civil Service, I spoke up for the noble Lords who would lose their right to sit here, and another noble Lord spoke up in favour of standards. A number of noble Lords spoke.

I pay tribute to the noble and learned Lord, Lord Mackay, who managed to persuade noble Lords to put the matter aside and bring in Jack Straw, who was the Lord Chancellor, and the noble Lord, Lord Bach, who were both marvellous throughout this whole procedure. They came with all the members of the various parties and we returned to the Sitting at 12.05 am on the last day, which was the day of Prorogation. It was almost the very last thing that went through, and I am very glad that it did. Looking around the Chamber today, I could not tell you who is Commonwealth-only, as I am, and who is Commonwealth but also has British citizenship. It is good that we have that variation.

Time is short, but I must also say that the Commonwealth as a whole has a huge regard for the Queen and there is a great deal of affection there. The Commonwealth Parliamentary Association, whose past three conferences I have attended, is in a worrying position. The rest of the world and all the Commonwealth believe that you must have internal audit, and there

[BARONESS GARDNER OF PARKES]

has been a resistance to that. However, Alan Haselhurst has now persuaded the CPA executive committee to accept that a formal internal audit is required. As noble Lords will know, Australia has withdrawn from the Commonwealth Parliamentary Association but is still completely devoted to the Commonwealth. However, it has withdrawn. I am told that it was bipartisan and that it withdrew because of this lack of efficiency and proper administration, and that the internal audit is so essential, worldwide, in everything—giving transparency and clarity on these matters—and so that had to be resolved. Until that is resolved, I see no prospect of Australia returning, which would be a great pity, as it can be a very good organisation. I have attended the past three conferences, including one in Sri Lanka. There is no time to say more, but I am very hopeful that CHOGM will go well.

3.47 pm

**Lord Anderson of Swansea (Lab):** My Lords, we have had many valuable contributions to this debate. I am sure that we are all delighted that the noble Baroness was made constitutionally legitimate by a Labour Government.

I pose the question: what is the Commonwealth for? What, according to the question put by the noble Lord, Lord Black, is the central mission? That question is not asked of other international organisations—NATO or the UN, for example—but a substantial answer was given by the noble Lord, Lord Luce, in his excellent opening. There are real problems of definition, which become more acute at the time of CHOGMs. Of course, there is no lack of aspiration, grand declarations or inquiries, such as the Commonwealth Eminent Persons Group, and now, of course, we have the charter.

I pose the question: what are the tangible benefits for us and for other members of the Commonwealth relationship? Is it to be seen in political solidarity—one for all and all for one? We would expect that, for example, on controversial matters such as, for us, the Falklands and Gibraltar. Alas, I do not see such solidarity among Commonwealth members because, understandably, they give a higher priority to other organisations of which they are members, such as regional organisations.

We should ask whether there should, as a matter of course, be meetings of Commonwealth members at all—or at all relevant—international fora before and when those meetings are held. Equally, the fact of the exchange of views between finance Ministers and others has the effect of influencing both us and our Commonwealth partners. Do we see strong advantages to members in trade and economics? There is some evidence of trade co-operation, but there is no Commonwealth preference and, as we saw over the recent order for aircraft by India, where, oddly, the French aircraft was chosen over the Typhoon, Commonwealth countries take hard-nosed decisions over such purchases. Currently, President Hollande is in South Africa, and there have been major French trade missions to India. On aid, DfID's multilateral aid review concluded that the Commonwealth was poor value as a mechanism for the distribution of aid.

What of human rights, which has been the core function of the Commonwealth? I recall that the report of the Foreign Affairs Committee in 2012 concluded that it was disturbed to note the ineffectiveness of the mechanisms for upholding Commonwealth values. The Maldives is a member of the Commonwealth Ministerial Action Group, yet it has an appalling record on women's rights—and, of course, 60% of Commonwealth countries still have the death penalty. The major recommendation of the Commonwealth Eminent Persons Group relating to a human rights commissioner was rejected. Clearly, it is the view of the majority that the Commonwealth is a loose club from which they benefit.

Next month's CHOGM is in Sri Lanka. In my judgment, it was sad that that venue was chosen, and a mistake on the part of the Government to be represented by the Prime Minister. If we are to be represented at all, perhaps it should be by a junior Minister. It is absurd also that Sri Lanka will now be the chairman in office, and, equally, will be a member of the Commonwealth Ministerial Action Group, when the Prime Minister of Sri Lanka has made it clear that the country wants no interference from outsiders.

Where, then, is the purpose of the Commonwealth? We should be realistic. We should see the overall potential. It is not our principal international organisation, but it is unique. With all its problems, other countries still want to join. Perhaps it is in the Commonwealth network—often technical, often professional, as was mentioned by my noble and learned friend Lady Scotland, and the noble Lords, Lord Kakkar and Lord Crisp, and often enabling relations between professionals—that the value of the Commonwealth is best seen. Surely our message should be: be realistic, do not exaggerate the potential of the Commonwealth, but acknowledge that, for all countries, extra value and an extra dimension is provided by membership of the Commonwealth club.

3.52 pm

**Baroness Flather (CB):** My Lords, I have always associated the noble Lord, Lord Luce, with the Commonwealth. I know that his father, too, was involved in it—although probably it was not called that at the time. I am from the Commonwealth. I have kept my links with my country of origin, India, and I also visit Africa frequently.

Many speeches this afternoon were in praise of the Commonwealth: in praise of what is going on and in praise of what is possible. I am sorry that my speech may not be quite in that vein. I have in my hand the 16 items of the charter. They are like apple pie and motherhood. Anybody could use the charter, in any country, as a model. There is nothing in it with which you could possibly disagree. However, words do not make reality, and I fear that that is what the charter will be: no reality, only words.

I will tell the House why I say that. Noble Lords may have read recently that the Indian Government had decided to give a lot of money for food for the poorest. The view is that it is not getting to the poorest, and that either the money or the food is disappearing to the middlemen. That is one thing. The second thing is that, if the food does get to the poorest, everybody assures me that it will not get to



the women and girls; it will go to the men and boys. This is the reality of the Commonwealth. India has the largest number of undernourished people in the whole world, but look at the money that has come into that country and its economic prosperity. However, that money has gone mostly to Switzerland. There are trillions of dollars in Switzerland belonging to Indian businessmen, which is very depressing.

As regards Africa, I was in Uganda last year. Every time I saw a good farm or a good building, I discovered that it belonged to the president's wife. I think that she owns about a third of the best assets in Uganda. That, again, is very depressing. Who is carrying the loads? It is the women. Where are the men? They are in the shops. Nothing has changed and I fear it is very likely that nothing will change. We cannot influence that. The saddest thing is that there is no desire to improve the situation of women because clearly that does not suit the men. If the women slave all day and ask for nothing, is that not the best thing for the men?

Somebody referred to women's economic contribution. Indeed, without them, these countries would not function. When I was in Jamaica, I suggested to the women that they should go on strike for a day and the whole country would come to a standstill. Women make an economic contribution but it is not recognised. They are not entitled to anything and they are not given anything. People need education and food. An item in the charter refers to food, shelter and education. Instead of having 16 items in the charter, we should have two very important ones and try to put them in place.

I am a great admirer of all the links we have with the Commonwealth. I hope that that will continue and grow. I belong to two organisations. One educates very poor girls in the Commonwealth—girls only, please note—and the other supports a disabled children's centre: the only one in India which trains women and men from other south-east Asian countries. We should continue with all the things that we can do as individuals or groups. However, I am not sure that the Commonwealth will do much for the people who need its help.

3.57 pm

**Baroness Hooper (Con):** My Lords, the noble Lord, Lord Luce, has done us a great service in securing this debate at this critical time. I fully support the sentiments and hopes for the future of the Commonwealth which he expressed so clearly today.

My focus is on education. I echo much of what has already been said on that, especially by the noble Lord, Lord Luce, in his splendid opening speech. I hope that when the Commonwealth Heads of State meet in Sri Lanka, they will find time to consider and acknowledge the role that co-operation in this field has to play. The shared language, values, standards and heritage that bring the Commonwealth nations together need to be nurtured and future generations have to be helped to recognise that it is these factors that mark out the Commonwealth as a relevant and unique institution today which continues to evolve and change to meet new challenges.

The UK Government clearly acknowledge the importance of education, and of international co-operation in this field. We are all aware of Ministers

who go on overseas visits and seek to recruit students from all over the world to come to attend our universities and other institutions. As 33% of the world's population lives in the Commonwealth, and 50% of those are aged under 25, there is plenty of scope in that regard. I hope and trust that priority is given to Commonwealth students and, indeed, to Commonwealth teachers. However, we should not forget the overseas territories. Students from those tiny territories were at one stage expected to pay full overseas student fees until our campaign happily succeeded in putting them on the same basis as our home students.

I know that my own University of Southampton has welcomed Commonwealth students over the years and that it currently has 1,607 students enrolled from Commonwealth countries. I mention this simply as an example. However, that university is eager to do more. This is where the Commonwealth Scholarship and Fellowship Plan, already referred to, comes in. It was established in 1959, is funded by member Governments to provide an international programme of exchanges and scholarships for Commonwealth citizens, and has been a huge success. Like, I am sure, many others here, I have had the same opportunity to meet some of the students who are over here to benefit from this programme. Their enthusiasm for and commitment to the Commonwealth cannot be in doubt. I say to the noble Baroness, Lady Flather, that many girls have figured in that programme. I hope that the Minister can assure us that UK funding via the Department for International Development and the Department for Business, Innovation and Skills will be fully maintained and, if possible, increased to build on this programme.

Other organisations and networks make important contributions, of course. For example, the Association of Commonwealth Universities, which is currently celebrating its centenary, is due to meet later today in London, and some of us may be there. The Commonwealth of Learning in Canada celebrates its 25th anniversary this year, as the noble Lord, Lord Luce, has said. I should also mention my special interest because, as the then Education Minister in the Lords, I followed in the footsteps of my noble friend Lord Brooke and attended the Commonwealth Education Ministers' conference when the Commonwealth of Learning was conceived.

I cannot conclude my remarks without paying tribute to the Commonwealth Parliamentary Association, of which I am an active member and which continues to play a vital role in the development of the Commonwealth and the wider field of education by ensuring that the democratic values and traditions that we all share as member countries are kept alive in the hearts and minds of successive generations of elected politicians and the officials who serve and preserve democratic institutions. In that, the UK branch of the CPA plays a very important role.

4.02 pm

**Lord Paul (Non-Affl):** My Lords, I, too, congratulate the noble Lord, Lord Luce, on introducing this very timely debate.

I have shared my life almost equally between two member states of the Commonwealth and have been an ardent supporter of it. At the outset, I want to

[LORD PAUL]

express my admiration for both the concept and the institutions of the Commonwealth. Conceptually it is unique—a voluntary association embracing a diversity and fraternity unusual in today's world. This outreach, extending to every region of the globe and including the largest spectrum of nationalities and faiths, gives the Commonwealth a rare stature. It is an invaluable asset that can and should be more vigorously employed in contributing to the resolution of international issues.

Nowadays, international opinion is at long last beginning to have a serious influence on the behaviour of states. This is evident in the situation that prevails in the host country of next month's meeting, Sri Lanka. That is also true of other countries hitherto impervious to world sentiment. It is now timely and appropriate for the Commonwealth as a collective to be more assertive in its diplomatic endeavours. The Commonwealth would become even more persuasive if it were to mobilise and utilise the services of its many elder statesmen whose credentials carry significant authority. I therefore urge the Government's delegation to CHOGM to think along these lines and seek the collaboration of other nations in making the Commonwealth more effective in contributing to peace, justice and freedom.

As members of a freedom-fighting family, we were surprised and delighted when, at the time of Indian independence in 1947, India's Prime Minister Jawaharlal Nehru took the decision for India to stay in the Commonwealth. This encouraged the notion of a multidimensional organisation, diverse in its activities and membership. Institutionally, the Commonwealth has accomplished much through its secretariat and associated groups. I am particularly encouraged by its activities in the education sector. Being actively engaged in the work of several schools and universities in India and this country, I can testify to the value of such initiatives as the Commonwealth of Learning and the Commonwealth scholarships.

However, institutions are most successful when they engage the broadest constituencies. The Commonwealth draws its life-blood from the Governments of its members, but it has been sadly lacking in connecting with ordinary citizens—in establishing wide popular support. Therefore, I hope that the institutional structure will increasingly involve the public of the member states—for instance, in supplementing English as the official language of Commonwealth communications. This can only enrich and strengthen interactions.

The Commonwealth is at an interesting moment in its evolution. To continue its mission, it must change, adapt and grow. If it does not, it will become less relevant and marginalised. That is a fate that its distinguished record does not deserve and to which I hope next month's gathering will give some serious consideration.

To date, the position of head of the Commonwealth has been vested in the monarch of the United Kingdom. It has been admirably filled by Her Majesty the Queen, to whom we are all indebted for her wholehearted commitment and genuine interest in the Commonwealth. She has set an extraordinary precedent. Looking to the future, I think that what needs to be considered is a clear succession protocol or procedure.

4.06 pm

**Lord Lexden (Con):** My Lords, in this debate, kindly made possible by the noble Lord, Lord Luce—I join others in thanking him for it—I should like to return briefly to an issue which I raised in a debate that I initiated a year ago. It is an issue that should trouble us profoundly. Allusion has already been made to it by my noble friend Lord Black and the noble Lord, Lord Wills. Millions of our fellow Commonwealth citizens live under laws that brand them as criminals because of their sexual orientation alone. Their offence is the homosexuality with which they are imbued and by which their lives are inevitably shaped. The numbers criminalised in this cruel fashion are very large because so many Commonwealth countries defy the obligations placed on them by international law.

People in Britain rarely guess the proportion that adhere to these obligations correctly. They are reluctant to believe that more than a small minority of Commonwealth states could behave with such inhumanity in the early 21st century, when the need to respect human rights is so widely accepted. The shocking truth is that more than three-quarters of our Commonwealth partners—41 states out of 52—put homosexuals outside the law. In some of them, the punishments that can be imposed are almost unimaginably harsh. Life imprisonment is the penalty in Sierra Leone; in Malaysia, it is 20 years in prison with flogging. One's heart goes out in particular to the young people, who, as we have heard, are so numerous in today's Commonwealth.

The number of lives wrecked by these inhumane laws is not to be measured simply by sentences imposed on, or by unchecked persecution endured by, homosexuals. The widespread criminalisation of homosexuality has been a great driving force in the spread of HIV/AIDS, the worst pandemic of our times. A single appalling statistic underlines the extent of the suffering that has been inflicted on so many of our Commonwealth partners as a result. While the Commonwealth accounts for nearly 30% of the world's population, it also contains more than 60% of the people living with HIV across the globe.

How is a route out of this suffering and oppression to be found? In a number of countries, including Belize, Jamaica and Singapore, brave individuals are challenging the violation of their human rights in the courts. Powerful legal assistance is being provided to them without charge through the International Commission of Jurists, the Human Dignity Trust and the Commonwealth Lawyers' Association. There could be no finer example of a Commonwealth partnership in the cause of human progress. Success in one state could embolden the judges in other jurisdictions because of the similarity of their laws inherited from the British Empire. However, this is the moment when the central institutions of the Commonwealth should assert themselves with vigour and authority.

It is now two years since the report of the Eminent Persons Group recommended that Heads of Government should take steps to encourage the repeal of discriminatory laws. An appropriate form of words was included in the Commonwealth charter, although it contains no specific reference to the decriminalisation of homosexuality. But it has been decided that:

“Member governments have the discretion to identify which, if any, laws are considered discriminatory, and the steps deemed appropriate to address these”.

This is a formula for inaction, and it must be overturned. Do the Government intend to make a statement on homosexual equality before next month’s meeting? Millions of criminalised homosexuals look to the Heads of Government for an unequivocal commitment to their basic human rights, and to the Commonwealth Secretariat for an effective strategy to secure them—a strategy devised in close consultation with LGBT organisations throughout the Commonwealth who are increasingly working together for the common good.

4.10 pm

**Baroness Prashar (CB):** My Lords, I, too, thank the noble Lord, Lord Luce, for introducing this timely debate. At present, the future of the Commonwealth looks precarious and its moral authority appears to be under siege. Some of this is exaggerated—for example, the suggestion that the Commonwealth may well disintegrate. The Commonwealth’s current situation should not be seen as a reason for its disintegration but as an urgent signal for the people and Governments of the Commonwealth to strengthen their resolve to reassert its unique features, rigorously implement the reforms recommended by the EPG in its report, *A Commonwealth of the People: Time for Urgent Reform*, and consider further radical changes to enable the Commonwealth to realise its full potential, which it has in abundance.

The strengths of the Commonwealth have been eloquently expressed. They include its reach. It is guided by values and principles, which were reasserted and enshrined in the charter of the Commonwealth and endorsed by all 54 Governments in March this year. These values are the hallmark, strength and anchor of the Commonwealth. It is not just an intergovernmental association but a people’s Commonwealth, with myriad professional organisations and civil society bodies doing excellent work. The noble Lord, Lord Luce, listed them, and we heard from the noble Lord, Lord Crisp, about the mutual learning that can take place.

I shall mention a couple more examples. There is the Commonwealth Environmental Investment Platform, launched earlier this year, which connects entrepreneurs, investors, innovative technology and business across the Commonwealth. Secondly, as we have heard, there is the Commonwealth Class, a joint project with the Secretariat, the BBC and the British Council in the run-up to the Commonwealth Games. The Commonwealth is an organisation of networks which moves freely at various levels, recognising that delivering sustainable change belongs to the whole society and not simply to Governments. However, these strengths must be built upon; we cannot just live on affection for the Commonwealth.

What is needed is hard-headed action and a rigorous enforcement of the charter and its values. We need radical reform of the institutions of the Commonwealth. In the last debate in this House on 7 March, I suggested:

“Now that we have a charter that provides a strong framework of core values, should we not be thinking of creating regional Commonwealth hubs, or at least offices, in three regions ... with a slimmed-down secretariat in London? This may seem a bold

suggestion but it would enable the secretariat to respond to the relevant needs and priorities of countries in those regions within the framework of the charter”.—[*Official Report*, 7/3/2013; col. 1696.]

It would develop a very meaningful relationship with civil society organisations. In response to my suggestion, the noble Lord, Lord Wallace of Saltaire, said that,

“Her Majesty’s Government would welcome such a development if viable proposals were put forward”.—[*Official Report*, 7/3/2013; col. 1705.]

I would like to hear from the Minister whether any action has been taken.

The Commonwealth Secretariat, civil society and professional organisations need adequate resources. We have heard about the level of expectation that is put on the Commonwealth; the current budget of the secretariat is tiny and civil society and professional associations are not well supported. Some are even having their grants withdrawn. The Eminent Persons Group report’s recommendations which were not accepted should be accepted, because it was an impressive report. In a lecture this week, Sir Ron Sanders, a member of the EPG said, “With regard to the Commonwealth chair-in-office, we recommended to the last summit in 2011 that the position of the two-year-in-office and the Troika of the past, present and future Chairs of Commonwealth meetings be abolished”. That was rejected, but he said that “had it been accepted, the Commonwealth would not now be subjected to the criticism of the President of Sri Lanka being in chair-in-office of the Commonwealth while he and his government defend themselves in the United Nations Human Rights Commission”.

The fact that the President of Sri Lanka will become the chair-in-office after CHOGM for two years is a matter of grave concern. CHOGM is an opportunity to rethink. It is an opportunity to set in motion changes and reforms which will reassert its moral authority and make it more responsive. I would very much like to hear from the Minister what steps Her Majesty’s Government are taking to urge and influence the reform agenda.

4.15 pm

**Lord Naseby (Con):** My Lords, as the House may know I am chairman of the All Party Sri Lanka Group, which I started in 1975. I try to go to Sri Lanka once a year. My very best friend is an active Tamil living in the south of the country, leading the campaign for the rebuilding of Jaffna hospital, so I do not take all my information from the high commission in London.

Let me say at the start that Sri Lanka is a founder member of the Commonwealth and a very proud member. It is even more proud to hold this CHOGM convention. There are four core values: democracy, freedom of the media, human rights and trade. Let us start with democracy. There always have been elections in Sri Lanka. Only once, under JR Jayewardene did the then president decide that, because he had done so well in the provincial elections, he did not need to rerun to be president. Nevertheless, the turnout embarrasses us. It is more than 80%, nearly 90% quite often. Its register embarrasses us—it is better than ours. No one, so far, in Sri Lanka has been prevented

[LORD NASEBY]

from voting, as happened in parts of the United Kingdom in our last general election. In addition, it has had two female presidents. So far, we have had only one female leader.

On the media, there was censorship during the war; of course, there was. We had censorship in the United Kingdom during the war. When I went there just over a year ago, I saw every leading editor in the English language press, including from the *Sunday Leader*, which is every bit as strong as *Private Eye*, the *New Statesman*, or any other publication. When asked, individually, in a room that was not bugged, not one said that they suffered from censorship. There is no censorship. Yesterday I telephoned the Sri Lankan Government and asked about CHOGM. The statement that I was given was that all accredited media will be given access to CHOGM. I believe that that is absolutely fundamental, and I hope that my noble friend on the Front Bench makes a note of that.

Human rights are a challenge; of course they are. After 26 years of war that decimated the top half of Sri Lanka, it is as bad as Germany was in 1945. There are huge problems of infrastructure that are now being addressed. I hope that everybody who goes there will look at the way in which it is being rebuilt. There are new homes, new schools, the reopened railway line, and so on. We can travel up and down Sri Lanka, as the cook of another friend of mine did all the way from Jaffna by bus, without being stopped once or needing papers. People can go where they like and every member of CHOGM can go wherever they like or see whoever they wish. There are still challenges. The LLRC, which was boycotted by the human rights groups has gone quite a long way, and makes further progress each month.

Of course, other areas have still to be addressed. There are two outstanding: one is alleged war crimes. We are beginning to get the answers from the census—the first census done by Tamil teachers in the Tamil area showing that in the last days of the war somewhere between 7,000 and 9,000 people were killed. That confirms what the in-country UN report says—not the external report that is being advised by the Global Tamil Forum and other parties; it is what the in-country report says about the same figures. So we are beginning to get somewhere there.

As to the Chief Justice, all I can say to my noble friend is that I am not a lawyer. However, I have now checked the constitution and there is provision in it for the Chief Justice to be removed, and that provision has been followed. We should remember that the Motion to remove her was initially moved by the Opposition.

There are problems still but they are being worked on. Trade will provide a wonderful opportunity.

The members of CHOGM will be very welcome in this beautiful country where, thankfully, they nearly all speak English and foreigners will find it much easier. The delegates will be able to go anywhere and see anyone they like and they will be greeted by just one word, “ayubowan”, which means “welcome” in Sinhalese.

4.20 pm

**Lord Judd (Lab):** My Lords, if ever the Commonwealth needed a champion, the noble Lord, Lord Luce, would be exemplary as such a person. He constantly holds the flag high.

We live in a great paradox. The processes and institutions of globalisation have made individual people feel less and less significant, more and more marginalised and, indeed, alienated. There is a tremendous need to build up a sense of confidence among people. In the face of this reality I have described, there is a tendency to take resort in nationalism and ethnic groupings. We should not condemn that because if it enables people to find a place in which to feel personal significance it can be a good thing. However, the paradox is that we have never lived in an age in which interdependence globally was more real. This is true in economic terms, in migration terms, in climate change terms and the consequences of the movement of peoples, in security terms—it is true in almost any dimension you may wish to consider. In fact, there are very few major problems facing our children that can be solved in any way other than by effective international co-operation at the global level.

It is a mistake to see the Commonwealth as a rival or a potential alternative to existing institutions. That does no one any good whatever. Regional groupings such as Europe are crucially important, as are regional groupings in other parts of the world. There are the ad hoc groupings on issues such as defence and so on, and NATO has been mentioned already in this debate. However, the Commonwealth can bring a free association of diverse nations and people who have decided, for one reason or another, that they want to belong to each other in a closer relationship. That can be tremendously important in the deliberations of these other institutions. It is not a substitute for them—it cannot be a substitute for them—but it can be a way in which you can strengthen a spirit of co-operation and mutual understanding.

That is why the work with youth is so important; that is why the work that goes on in the exchanges of communities, professionals and different elements of public services and so on is very important. The building of this sense of mutuality and understanding can be the spirit surrounding the formal negotiations that go on in the other crucial institutions I have mentioned

Of course, if we want to make that contribution as a Commonwealth club, if I may use the phrase, we should try from time to time, as long as we do not become over-introspective, to ask ourselves what we feel as a group are the things that matter. We attempted that in the Harare declaration in 1991 and it proved a sad experience. I could not have put it better myself, if I am allowed to be so arrogant, than Hugo Swire, the Minister of State, writing in the *Parliamentarian* recently, who said:

“We have been all too aware that if the Commonwealth cannot protect democracy and stand up for human rights, then it is losing credibility and becoming untenable”.

That is a sobering but very accurate observation.

We have now had a chance to revamp all that with the charter, which again emphasises the principles and

values that we are trying to work on together. Human rights, as has been mentioned, are crucial, but they are not something on which one nation should lecture another. They are a struggle for us all. There is not a single member of the Commonwealth or, I would dare to say, a single member of the international community who does not have to face issues of human rights. We are in a mutual struggle to enhance the human condition and build the stability and confidence that comes when human rights are being fulfilled. We all know that the absence of human rights leads to insecurity, danger and extremism. The Commonwealth, as a resource of human co-operation within the crucial but essentially more formal international institutions, has a big role to play. I do not believe that we have begun to realise that potential.

4.26 pm

**Lord St John of Bletso (CB):** My Lords, I join others in thanking my noble friend for introducing this topical debate ahead of the CHOGM meeting next month. While clearly there is enormous support throughout the House for the role and importance of the Commonwealth, some noble Lords have rightly pointed out the questionable human rights record in Sri Lanka. However, I listened with great interest to the glowing account given by the noble Lord, Lord Naseby.

A theme which has been taken up is that there is certainly scope for improvement in the Commonwealth so that it can be more effective, and that it is in need of some reform. Some have referred to the Commonwealth as a social club, but almost everyone agrees that it has been extremely effective in its soft power and diplomacy. I am a firm supporter of the Commonwealth and I agreed with my noble friend Lord Luce when he said that we could not invent the Commonwealth today. With a membership of more than 2.2 billion people worldwide, my specific interest relates to the role and value of the Commonwealth in improving the lives of its 18 member states in Africa, now that the Gambia has recently left.

Somewhat controversially, and despite the questionable recent election in Zimbabwe, I share the views of my noble friend Lord Hannay, in that I hope the time will come when Zimbabwe will rejoin the Commonwealth family. With the theme of this year's CHOGM conference focused on growth, equity and inclusive development, this is a particularly important priority for the people of Zimbabwe where the unemployment rate is estimated to be running at 85%, with the majority trying to work in the informal sector. The country is possibly facing another economic disaster, so there is a desperate need for more international investment and support. Rising food prices in many Commonwealth countries threatens disaster and, with that, unrest. I hope that the challenge of food security will be addressed at this year's meeting. There also needs to be more consensus on measures to reduce levels of national debt, especially in some of the smaller Commonwealth states, which continue to be a major impediment to sustainable economic development.

The digital revolution has promoted huge improvements in communications and has increased business between Commonwealth networks, yet youth

unemployment remains a major challenge for most Commonwealth members. It is on the subject of digital inclusion that I wish to address my remarks in the limited time available. It is extremely encouraging to note that up to 80% of all Africans have access to a mobile telephone. The digital economy provides huge scope for improvements in access to education, better healthcare, business information and other benefits. However, all this depends to a large degree on access to reliable and affordable broadband. While the CDC Group has achieved a lot in making infrastructure improvements in many Commonwealth states, access to broadband, particularly in Africa, remains extremely poor. Despite the fact that several large fibre optic cables now service the African coastline, fewer than 5% of the population of Africa have access to broadband.

In conclusion, although there is scope to reform and improve the effectiveness of the Commonwealth, this year's CHOGM meeting is not just an opportunity for leaders to hold discussions, exchange views and build consensus on topical and challenging issues, it is a pivotally important meeting to establish and consolidate the credibility of the Commonwealth family for the future.

4.30 pm

**Lord Triesman (Lab):** My Lords, there could hardly be a better time for this debate, just a few weeks before CHOGM. I, too, thank the noble Lord, Lord Luce, for introducing it, not least for his magisterial summary, inevitably repeated in part by other noble Lords, precisely because it was so comprehensive.

We live in an increasingly multipolar world, which makes it of greater importance all the time to understand multinational organisations, including the Commonwealth. I must say at this point that I share the points made by noble Lords, Lord Hannay and Lord Judd, about other regional organisations. It is not a competition and there are perfectly good roles for each of them. There are other kinds of network as well, which are having a growing impact. The world is highly connected and networked—the Commonwealth has become, as the noble Baroness, Lady Prashar, described it, a people's Commonwealth, not least because of that.

The Commonwealth's strength is a history of shared experience. The commitment in the modern period, at least for the most part, is to shared governmental standards, economic development and the rule of law. There is a sense that, together, we are stronger and that we gain great strength through co-operation. All of this is cemented together not just by elements of common language but if, and only if, we have a common commitment to exacting standards of conduct in each individual—and equal—nation.

I am wholly with the noble Lords, Lord Luce, Lord Crisp and Lord St John of Bletso, when they make the point—which I share enthusiastically—that nobody starting today could create the Commonwealth or, indeed, probably the Francophonie; or the curious circumstances in which some nations are members of both. History has dealt a particular hand, which has a new modern life. Nowhere could you achieve this blend: large and small nations, some as small as Tuvalu; some of the largest economies and some of the most

[LORD TRIESMAN]

modest; developed and developing countries; and predominantly Hindu, Muslim and Christian countries—some deeply religious and some essentially secular. The common ground for all 53 is in the values of democracy, human rights and the rule of law; themselves the building blocks of peace and current and future prosperity. I wholly endorse the point made by my noble and learned friend Lady Scotland that they were summed up, in words at least, in the Harare principles, even if people have not wholly lived by those principles.

It is easy to understand why anyone who has served as Minister for the Commonwealth feels the honour of that role. I say to the noble Lord, Lord Moynihan, that I do not recall in the Foreign Office ever leaving the “C” bit out. The Commonwealth had that importance for all of us. There are many examples of why we should feel proud, such as the scholarships and the involvement in higher education. There are many examples of positive co-operation programmes, such as the 2008 secretariat initiative, which assisted many countries to innovate in order to enhance healthcare provision, promoting e-health. I was very intrigued by the comments of the noble Lord, Lord Kakkar, about the imperatives for life-saving information and the possibilities of sharing them. Assisting the Seychelles in its path to WTO accession demonstrated what can be offered in the financial sector.

Centrally, the work of the Commonwealth and its Eminent Persons Group in sustaining the core values is critical. Where nations, for whatever reason, resile from these values, reform and reinstatement of the values is a key Commonwealth function, and the noble Lord, Lord Ramsbotham, was quite right to mention the influence of the charter in this.

The noble Lord, Lord Anderson, mentioned the exacting standards of solidarity and trade and asked whether these are key functions of the Commonwealth. Well, maybe not enough, but the Foreign Affairs Committee in another place has rightly described what may be a key function of Commonwealth membership; that is, as a badge of honour and,

“implying a guarantee that a country is upholding high standards in democracy and human rights”.

Membership is voluntary; members choose of their volition whether they intend to uphold those values.

However, I also feel, as do some noble Lords, that because we see so much that is positive—and this debate has proved it—we may be too relaxed, a little too complacent, about some of the new thinking needed to sustain the health of this key multinational organisation. Having a critical and friendly edge generates renewal, as the noble Lord, Lord St John, said—I think that he was also looking for a slightly deeper review. If we took any other view of the Commonwealth, it would soon be portrayed as not much different from some of the other multinational organisations that do not succeed.

As my noble friend Lord Browne, said, there are fundamental financial issues and contributions to be dealt with. There are fundamental issues with some of the countries. I do not accept the Gambian president’s allegation that the Commonwealth remains colonialist—the evidence does not support it. There is an increasingly

authoritarian regime there with a history of human rights violations which fears that it may be judged to fall outside the standards of the charter which were adopted in 2012 and signed off by Her Majesty on 11 March this year. The president claims that he—and I mean he—can cure AIDS and infertility with herbal concoctions, and that homosexuality is one of the three biggest threats to human existence. Perhaps he decided to jump before he was pushed. Let me be clear from these Benches that I am wholly in sympathy with the noble Lords, Lord Black and Lord Lexden, in what they said about the necessity to address these issues squarely.

However, it is right, given the history of the Commonwealth, to continue to review whether there are colonial frames of mind, patronisation and condescension. It is essential to listen to a diverse membership, not to be paralysed by anxieties but ready to hear the perceptions of those who may be critical. We have to be attentive to the continuing stress lines between members. We must use our best endeavours to assist. We are familiar with tensions between India and Pakistan and must continue to be. There are other tensions; for example, economic rivalry between the economic powers of Africa. South Africa and Nigeria reflect on occasions rather more tension than is perhaps normal in commercial competition.

There have been some prized initiatives. The Maltese CHOGM emphasised e-networks—the noble Lord, Lord St John, also talked about digital inclusion. That initiative was launched with great élan and then more or less vanished. We could look at a number of programmes across the Commonwealth and say with an element of regret that the infrastructure around them has not been capable of sustaining them. That has been true in the case of youth development, on which there was a report on 17 September; on education, which the noble Baroness, Lady Hooper, drew to our attention; on health, employment, civic and political participation; and on the subject of press freedom, where I again find myself in strong agreement with the noble Lord, Lord Black. I would be grateful for the Minister’s views on all this. The upcoming CHOGM will bring some very important difficulties to the surface and we had better face them squarely.

I have a lot of time and respect for the current Secretary-General, but he and others must recognise a growing sense that the Commonwealth is not as fully committed to its core values as it should be. In a number of areas, I hear a discussion where the view is expressed that we overlook, or respond too weakly to, human rights abuses by members. Key recommendations of the Eminent Persons Group on reform have either not been implemented or been implemented very slowly. My noble friends Lord Wills and Lord Browne have rightly focused on this, as did my noble friend Lord Paul when he argued that the Commonwealth should be more assertive. That is absolutely right.

It is fundamental to the role of the Commonwealth that it addresses human rights violations and does not ignore them. The apartheid Government of South Africa negotiated their own departure not least because of the terminal international isolation that they faced.

The Commonwealth was among the leading forces that produced that isolation, and that is greatly to its credit.

Let us be frank about Sri Lanka and the confounding decision to hold CHOGM in Colombo. The regime stands credibly accused of crimes against humanity and war crimes, of ongoing perpetration of the most serious human rights violations, suppression of opposition, media comment and the rights of free assembly. Those will increase during CHOGM as it tries to ensure that it is not disrupted in any sense. That is obviously what led to Canada's decision, and I do not want to comment further on that.

My right honourable friend Douglas Alexander summed it up in clear terms up in March when he said:

"I have called previously on the British Government to use the prospect of the summit to encourage Sri Lanka to meet its international obligations and to address concerns about on-going human rights violations".

He repeated that six weeks later. I fear that, although there has been a response to Questions in the other place, it is at best muted. It needs to go far further.

Surely, the response to date cannot be regarded as adequate to the circumstances pertaining in Sri Lanka. First, the United Kingdom delegation could not be more heavyweight: it includes the Prime Minister, the Foreign Secretary and the Minister of State. In my view, the Government took the decision too early, before they could have taken effective soundings, six months ahead of the summit. Why was the decision taken before the facts were known?

Secondly, the Government have said nothing so far about the Sri Lankan President becoming the Chairman-in-Office of the Commonwealth for the next two years. From a Commonwealth point of view, I believe that that is simply unacceptable and I am eager to hear what is the Government's position on that. Thirdly, what will the Government say to Sri Lanka about civil rights abuses, the restrictions being imposed during CHOGM and the planned restrictions on the international media? Just getting the licence to go there is not the issue; it is whether you can then perform the functions of a journalist. Let us be clear: journalists can often get permission to go somewhere; it is whether they can perform the functions of a journalist that matters.

Those are the issues. If we want renewal, if we want bolstered trade, if we want to ensure that trade reduces or eliminates poverty, if we want to make health and education policies a reality, the Commonwealth is a great forum to do that. These are the areas in which our judgments will have to be made.

4.42 pm

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** My Lords, I thank the noble Lord, Lord Luce, for introducing this timely debate and all noble Lords for their thoughtful contributions, especially my noble friend Lady Gardner of Parkes. I particularly enjoyed listening to my noble friend Lord Brooke of Sutton Mandeville. I am not sure that any Cabinet Minister can live up to the reputation of playing in the Ashes, but I once umpired a UK-Bangladesh parliamentarians one-day match. Perhaps that is my contribution.

At the outset I echo the words of the noble Lord, Lord Paul, and use this opportunity to put on record our appreciation for the tremendous role that Her Majesty plays in leading the Commonwealth. Her role as an example to us all and we hope that she continues to lead the organisation for many years to come.

The Government are a strong supporter of the Commonwealth, and the forthcoming Commonwealth Heads of Government Meeting in Sri Lanka is an opportunity both to reaffirm the importance of the Commonwealth to member states and to maintain efforts to strengthen and reform the organisation to ensure that it retains its relevance and impact in future. This Government have strengthened the UK's engagement with the Commonwealth. We firmly believe that it is in our interests that we have a strong Commonwealth. The Commonwealth bridges all of the continents, embraces 2 billion people and represents all of the world's faiths. Its membership includes many of the fastest-growing and increasingly technologically advanced economies in the world. I endorse the description of the Commonwealth of the noble Lord, Lord Triesman.

However, to remain relevant to its people today and to continue to have a real impact on the international stage, it must respond to the changing world that it inhabits. That is why the UK has played a leading role in efforts to reform the Commonwealth. Since Commonwealth heads last met in Perth in 2011, the Commonwealth has embarked on an ambitious but necessary programme of reform. Member states have been implementing a series of important recommendations made by the Commonwealth Eminent Persons Group in its report, *A Commonwealth of the People: Time for Urgent Reform*, which was agreed following the Perth CHOGM. I am grateful to my noble friend Lord Howell of Guildford who, as Minister for the Commonwealth, made an essential contribution to that process, but I accept the strong words of my noble friend Lord Lexden that we need to go much further.

We have seen some important milestones for the Commonwealth during the past two years. Perhaps the most significant has been the agreement of the Commonwealth Charter which gives the organisation, for the first time, a single document setting out its core values. This was referred to by the noble and learned Baroness, Lady Scotland, the noble Baroness, Lady Prashar, and others. The Government want the charter to become an established, recognisable statement of what the Commonwealth stands for. The charter should be accessible to all Commonwealth citizens and used as a means to protect and promote the core democratic values which underpin the organisation. It is an indispensable tool for reform both now and in the future but we recognise, as the noble Lord, Lord Browne, detailed in his speech, that the charter remains an aspirational document to many Commonwealth member states. Its signature is therefore only the start of a longer process of reform. It remains crucial, as we lead up to CHOGM, for the Commonwealth to ensure that human rights and values are at the forefront of its work.

As we have heard today and previously, given the human rights situation in some Commonwealth member states, some question the credibility of the Commonwealth

[BARONESS WARSI]

as an organisation founded on values. We recognise these concerns but we should recognise, too, that there are also mechanisms at the Commonwealth's disposal such as the charter which can be used to help challenge, influence and, ultimately, effect reform. The noble Lord, Lord Judd, clearly put that view. Through signing the charter, for example, all member states have agreed to oppose,

"all forms of discrimination, whether rooted in gender, race, colour, creed, political belief or other grounds".

However, my noble friend Lord Black was right to say that the charter now needs to be put into practice, so it is for the UK and countries with similar views to keep making the case for acceptance and integration. We will continue to press other states to recognise that the LGBT community, which has come under particular pressure in some Commonwealth countries, deserves the same protection as all others.

The Commonwealth Ministerial Action Group is a further mechanism at the Commonwealth's disposal. The Government strongly supported the recent reform of CMAG, which enhanced its mandate as the custodian of Commonwealth values. The UK is not currently a member of CMAG. However, the Government have consistently called for CMAG to exercise its strengthened mandate. I have raised these issues personally with the current chair of CMAG, Dipu Moni, as has my right honourable friend the Minister of State for the Commonwealth. We have also raised our concerns with the Commonwealth Secretary-General. We want to see CMAG demonstrate that it plays a valuable and effective role in addressing situations of concern.

The noble Lord, Lord Luce, my noble friends Lord Chidgey and Lord Brooke, the noble Lords, Lord Wills and Lord Hannay, and my noble friend Lord Moynihan all raised the forthcoming Commonwealth Heads of Government Meeting in Sri Lanka. At this year's meeting, we will look to the Commonwealth to assess the progress it has made since Perth, to identify areas where further work is needed and to be ambitious in what it hopes to achieve in future. In particular, CHOGM is an opportunity for the Commonwealth to work collectively to influence a number of crucial issues unfolding on the global stage. One, which this CHOGM will discuss, is the post-2015 development agenda following the publication of the report of the UN high-level panel, co-chaired by my right honourable friend the Prime Minister. Commonwealth member states should take this opportunity to ensure that the views of the Commonwealth on this vital subject are reflected in the final framework. Foreign and Commonwealth Office Ministers have regularly raised our priorities with the secretary-general and fellow Commonwealth Ministers, and my department's officials have co-ordinated a cross-Whitehall approach to the meeting. We will continue to work with key stakeholders up to and beyond CHOGM.

Given the considerable importance that the Government place on the promotion and protection of human rights in the Commonwealth, some have quite rightly questioned why my right honourable friends the Prime Minister and the Foreign Secretary will attend this year's meeting in Sri Lanka. We will attend CHOGM because it is the right thing to do for

the Commonwealth, but in doing so we will take a very clear message. It is a message that the British Government have given consistently in this Parliament and in our contacts with the Sri Lankan Government at every level: that Sri Lanka must make progress on human rights, reconciliation and a political settlement. It is also vital that the media are able to travel to Sri Lanka and report freely. I hear what my noble friend Lord Naseby said, but we will continue to press the Sri Lankan Government to honour their public assurances on this matter. CHOGM will highlight the work yet to be done to achieve the aims to which the Sri Lankan Government have agreed, in follow-up to their own Lessons Learnt and Reconciliation Commission's report. The Commonwealth should look closely at what it can do to help to support Sri Lanka in making the progress that we all expect.

The noble Lords, Lord Wills and Lord Browne, specifically raised the question of our approach to CHOGM. Our approach can be reflected in the way in which we have handled the situation in other fora. At the Human Rights Council in March this year we co-sponsored the resolution on Sri Lanka. It is important to recognise the progress that has been made—for example, on reconstruction and de-mining—but I accept that much more needs to be done. The Foreign Secretary, the Prime Minister and others will deliver a strong message to the Sri Lankan Government on our concerns and the need for progress, but we feel that engagement is the right way forward.

Noble Lords have also raised the Gambia's decision to withdraw from the Commonwealth, a decision noted by this Government. It is too soon to say what the Gambia's withdrawal from the Commonwealth will mean for the organisation or for the Gambia and for its people. The Commonwealth is of course a voluntary organisation, so any decisions on membership are a matter for each member Government. However, we should not let this detract from the simple fact that membership of the Commonwealth remains a genuine aspiration for many countries. The Commonwealth continues to attract interest from potential new members. Indeed, we understand that applications for membership from South Sudan and Burundi are currently being considered by the Commonwealth Secretariat.

The noble Lord, Lord Luce, raised the issue of the UK's funding to the Commonwealth. The UK remains the largest single donor to Commonwealth organisations. During the financial year 2013-14, the Foreign and Commonwealth Office and the Department for International Development expect to contribute around £45 million to Commonwealth organisations and programmes. That includes around £8 million of support for the Commonwealth Fund for Technical Co-operation, around £1 million for the Commonwealth Youth Programme, which helps young people across the Commonwealth contribute to development, and another £1 million to the Commonwealth of Learning, to enable poor people across the Commonwealth to access open and distance learning opportunities in formal education. Of course, we also make large payments in bilateral programmes in many of the individual Commonwealth countries. These are significant commitments, so we continue to encourage Commonwealth organisations to look to make more



effective and efficient use of the resources that they are given, and to focus on reforms that affect core strength and comparative advantage.

My noble friend Lord Selsdon raised the issue of trade. There is great potential within the Commonwealth to promote the long-term prosperity of its members. The Commonwealth is a natural place for the UK and other member states to do business. Our shared principles of democracy, the rule of law and good governance, combined with our similar legal systems, provide a solid foundation for doing business—a platform for trade, investment, development and prosperity. Among its members are some of the world's most dynamic and fast-growing economies such as India, Nigeria and Malaysia. As a whole, the Commonwealth accounts for one-third of the world's population and its economies export more than \$3 trillion in goods and services each year. The organisation has a strong presence in groupings such as the G20, leaving the Commonwealth well placed to influence key decisions across the global economy.

The noble Lord, Lord Luce, also raised the issue of education about the Commonwealth within the UK. The new history curriculum is less prescriptive than before and gives teachers more freedom over the content that should be taught. While it does not make explicit reference to teaching about the Commonwealth, there is nothing that precludes schools from teaching about it if they choose to do so. At key stage 3, for example, pupils should be taught about the challenges for Britain, Europe and the wider world from 1901 to the present day, and we think therefore that that will include the study of the Commonwealth. I take the point that noble Lords made about reflecting the Commonwealth contribution during the First World War as we approach the centenary commemoration next year, something that I personally been involved with.

The noble Lord, Lord Ramsbotham, and my noble friend Lord Chidgey raised the issue of the British Indian Ocean Territory. On 18 December 2012 the Foreign Secretary said that he was going to review policy towards the resettlement of the British Indian Ocean Territory. This review has been under way since then and we have been in touch with all those with an interest, especially the Chagossian community here in the UK, in Mauritius and in the Seychelles. Ministers have agreed that we should have an independent study that will, with as much transparency as possible, properly explore what might be possible, what is realistic and what it would cost. I am sure that I will report back to the House when that is concluded.

I thank the noble Lords, Lord Kakkar and Lord Crisp, for their contribution on healthcare. The UK Government have put improving health, especially the health of women and girls, at the heart of their work, especially the work within DfID. DfID is providing direct support to countries to enable them to move more rapidly towards universal health coverage. This includes technical assistance and financial support and is focused on helping countries to strengthen their health financing systems and their service delivery. We continue to see an important role for the Commonwealth Secretariat in advocating the recommendations in the

high-level panel report on health in a post-2015 framework, which is where we think this can be brought to the fore.

My noble friend Lady Hooper and the noble Lords, Lord Hannay of Chiswick and Lord Paul, asked about Commonwealth scholarships. The UK supports two scholarship programmes open to Commonwealth students: the Commonwealth scholarship and fellowship plan and the Chevening scholarships. DfID has increased funding, providing a total of £87 million for Commonwealth scholarships for developing countries over a four-year period until 2015. This corresponds to some 800 new scholarships per year. Her Majesty's Government have been keen to ensure that the wider Commonwealth scholarship and fellowship plan is genuinely Commonwealth-wide in nature. More than 150 Chevening scholarships have been awarded to citizens of Commonwealth countries during the year 2013-14.

The noble Lord, Lord Hannay, asked about immigration policy and the impact on travel from the Commonwealth. The Government take every opportunity to make clear that Britain remains open for business. As the Prime Minister said, we want the brightest and the best to help create the jobs and growth that will enable Britain to compete in the global race, and that of course includes students.

The noble Lord, Lord St John of Bletso, asked about Zimbabwe. The Commonwealth Heads of Government Meeting in Perth in 2011 agreed to look forward to the conditions being created for the return of Zimbabwe to the Commonwealth and continue to encourage the parties to implement the global political agreement faithfully and effectively. Any application from Zimbabwe to reapply for membership of the Commonwealth would be a matter for all 53 countries to decide. It would be reviewed in the light of the Government of Zimbabwe addressing the issues of concern and the breaches of Commonwealth fundamental values which led to Zimbabwe's suspension and withdrawal, including the removal of repressive legislation and guarantees on the freedom of the press.

The debate today has been wide-ranging and balanced. I value the injection of realism in the speeches of the noble Lord, Lord Anderson, and the noble Baroness, Lady Flather. The UK remains fully committed to the Commonwealth. We believe it is an organisation that makes a positive and tangible impact on the world stage and that it has an important role to play in advancing democracy, human rights and sustainable development across the globe. As a network, the Commonwealth continues to provide an established forum that cuts across the traditional UN voting blocks and the developing/developed country divide, but we need to ensure that, through this year's CHOGM and beyond, member states work together to make the Commonwealth more efficient, more focused and more relevant in today's world.

4.58 pm

**Lord Luce:** My Lords, it remains for me to thank noble Lords enormously for their contributions to the comprehensive debate about the Commonwealth today which shows what a comprehensive association of nations it is. I am very grateful to the Minister for her

[LORD LUCE]

long and full reply to the debate and for showing her commitment and the Government's commitment to the Commonwealth.

*Motion agreed.*

## Ageing: Public Services and Demographic Change Committee Report

*Motion to Take Note*

4.59 pm

*Moved by Lord Filkin*

That this House takes note of the Report of the Public Service and Demographic Change Committee *Ready for Ageing?* (Session 2012–13, HL Paper 140).

**Lord Popat (Con):** My Lords, there are 21 speakers for the debate this evening. If the Back-Benchers stick to five minutes for each speaker, that should enable the House to adjourn by 7.15 pm.

**Lord Filkin (Lab):** My Lords, our ageing society is by far our biggest social change, bringing great benefits. Many people will live longer, much longer than might have been expected, and in doing so will contribute much to our society and economy, and will benefit personally from this longer life. This change is happening now. There will be 24% more people aged 65-plus in our present decade, and the change will persist for decades to come. By 2030, there will be over 100% more people aged 85-plus compared to 2010. Our report explored what we all need to do to maximise the benefits of this great social change. The House will be relieved to hear that I will be assuming that all Members have read it, given that it was only 10 pages long; I will pick out a few of the highlights.

First, I offer warm thanks to a talented and challenging committee. You could not get a better committee of Members to work with than we had. They were superb and their commitment and contribution was very great indeed. I also thank our two special advisers, Howard Glenister and Jonathan Portes; it is particularly good to see Professor Glenister with us today. I also thank our excellent staff, Bina Sudra, Tristan Stubbs, Tansy Hutchinson and our quite remarkable clerk, Susannah Street. I thank Philippa Tudor for the quiet support she gave in the background to this process. We had a remarkably pressured timetable, trying to deal with 70 witnesses in about three months, and she was very helpful indeed. Lastly, I thank the House itself for agreeing to the suggestion for this ad hoc Select Committee.

How, then, do all of us need to change to be ready for this ageing society? Clearly, first, as individuals, our prime responsibility is always to try to manage our own lives ourselves rather than to expect others to do it for us. Clearly, people need to understand the probabilities and risks consequent on ageing—that they may need to save more, to work for longer, to at least make provision for their social care and to think about how they care for others. Individuals also need to engage with the choices and behaviours that are likely to make for a healthier and happier longer life. We have control over quite a lot of things—at least, some of us do.

It may well be that many people need trusted, accessible, person-centred information and evidence to make these informed choices and, hopefully, the behaviour shifts that might go with them. Clearly, civil society itself will have to make changes in how it will need to engage with ageing and how it can better work to support the many more older people in our society. It would be naive to think that the state, either central or local government, was able to support all the increased numbers of people in our society. Yet there is enormous potential if civil society itself engages positively in this and the question, of course, is how we stimulate such a growth of civil action.

Clearly, civil society also needs to understand the choices that we all have to make collectively as a nation to address the changes and some of the pressures and choices consequent on them. Finally, we need to use the assets of many more older people as a resource that is able to contribute to meeting the needs of other older people. That is obvious to many of us and axiomatic. Again, we need to think about how we make it happen in practice.

There needs to be much greater engagement with ageing from businesses generally, large and small. Ageing affects our economic growth, our fiscal position and the supply of labour to businesses, which others may speak on later. Business needs to become much more positive about flexible working for older people, otherwise we will have labour supply problems, less economic growth and less fiscal contribution than we otherwise would. In other countries, particularly Germany, business is actively engaged in these debates. I look forward to hearing invitations to discuss these issues from some of our business leadership figures, not least the CBI.

Local government will clearly be at the fulcrum of ageing at local level. In some local authorities, the scale of the changes in their older population is quite remarkably greater even than the dramatic figures I have given already. Clearly, local government's role has to go way beyond just the management of social care, although that is already an enormously taxing role for it. It has to address the failures of planning and housing supply for older people at a local level, which clearly cause greater problems for many people and clog up family housing that could be released. Local authorities will need to work with, and generate greater engagement from, the voluntary sector and civil society to increase volunteering, to support attempts to reduce loneliness and isolation, and to contribute towards informal social care. We will need a quite remarkable scale of increase in informal social care. Again, it would be naive to think that the state will deal with all those things by itself. There is, therefore, a very large range of roles for local authorities over and above their new public health role. One would expect to see thoughtful local authorities making estimates of the scale of demand that they will face, and starting to have dialogues with their communities about how they will plan for and address those great opportunities and pressures.

The voluntary sector—which I recognise does enormously good work—will itself want to consider, individually and collectively, how it will need to change

to make a greater contribution to meeting the needs of an ageing society. I doubt that doing what it has done in the past, or even doing more of what it has done in the past, would be adequate or sufficient. Therefore, we have already started discussions with some of the key voluntary sector organisations about how they need to assess the scale of future need and how they will raise their game to meet the future needs that will be required of our society.

Public health at national and local level is, I think it is obvious to all of us, a central issue in how we address ageing. I will give one simple illustration. If, over the next 15 years, we were able to shift the behaviours of many people in our society so that they made healthier lifestyle choices about diet, weight, exercise, smoking and drugs—and we all know ourselves how difficult some of those resistances are—the personal, fiscal and economic benefits would be remarkable. I argue, both to government and to civil society: think of what we have done on smoking, but also think of how we make these changes. They start to make coping for an ageing society more bearable in public policy terms, but they also make individuals' lives that much happier and more fulfilled if they are able to enjoy them in that way.

On the NHS, I think we would all acknowledge that the fact that we are living longer is due in part to the great success of medical science and of the NHS itself, combined with many people making better lifestyle choices. That, therefore, is to be celebrated. Nevertheless, an ageing society is by far the biggest challenge that the NHS has faced since its foundation. I will give three reasons why that is the case. First, there will be an enormous increase in the number of long-term conditions in our society, consequent on many more older people, many more much older, older people, and the propensity that that causes to generate long-term conditions. In the past you died of certain conditions; now you live many years longer with those long-term conditions. That is a wonder, but it has challenges.

Secondly, there will obviously be very great increases in cost for the NHS and for social care, consequent on that increase in long-term conditions and social care needs itself, so we will see remarkable increases in cost hitting the system as well. Thirdly, every bit of evidence we received, and all the expert opinion—including the briefing noble Lords have received from the NHS Confederation—is of one mind that the system needs to go through quite a remarkable change so that it moves to the better management of long-term conditions in the community and away from what is essentially an acute and hospital-centric focus. Everybody broadly agrees with that diagnosis; the challenge is how it is going to be made to happen.

The problem—without wishing to be party-political for a second—is that politicians do not always give the impression that they are facing up to the scale of those three issues: the scale of increased demand, increased cost and how to bring about that system change. We all hope that NHS England, when it produces its strategy in the autumn, will set out a clear vision as to how that should be addressed, both assessing the demand and setting out how it thinks the system should change to do so. However, even if it does that

well, it will not be able to do it without clear, strong, consistent political leadership, preferably supported by all political parties.

How has central government responded to our call for action? First, we all recognise that central government is not responsible for all these challenges. They are issues for all of us. However, many of us consider that central government is responsible for leading the debate and setting out the issues so that we as a society can face them rather than hide from them. It is also remarkable that there was no rebuttal in the Government's response of the fundamental evidence and analysis that the committee set out in its paper. They did not say that we got it wrong; they were almost totally silent on that. Therefore, it is reasonable to assume that the diagnosis we presented was reasonably accurate. That has been the view of many experts, as well.

We were disappointed not to see from the Government a vision statement, or a commitment to produce some sort of vision, about what they think we should do for our older society in future, and some sort of outline of how, as a society collectively—central government and civil society—we should go about making that vision a reality. They have also resisted our request to set out an honest debate with the public about the opportunities, challenges and changes. We argued for a White Paper and a Green Paper to set out the issues so that we could all engage with them seriously. They did not respond to that. In part I know why, but it is a great shame, because that is what we all need.

In my final few minutes, I will say a little about what we have done to maximise engagement with the Government on this report. Our committee ceased to exist in March, but we chose to ignore that and to continue having very vigorous discussions among ourselves, and excellent meetings with Ministers and senior civil servants. We tended to go in twos, as is our way, whenever we could. I met five or six Ministers, virtually all the top civil servants relevant to this, and special advisers, and I thank them all. Without exception, the conversations were thoughtful, and with many officials we could discuss both policy and politics—realities—at the same time, because those things are real.

Next we should acknowledge that the Government have done some very good things in a difficult environment. They have made remarkable progress on pensions reform and on putting into practice the fundamentals of Turner. Steve Webb is to be commended on that, in an incredibly difficult fiscal context. That is good progress, but, as we said, it is the start, not the end of the story.

The situation is similar with Norman Lamb and social care. It is not the thing to mention this week, but we should recognise that Dilnot, even if you did not think that it was the perfect answer, was a brave and difficult thing to do, and was not always welcomed by the Treasury. Again, that is to be commended; it gives us a basis to move forward. We will have to get the details right as we work on it.

We have had discussions with Mark Prisk, the Housing Minister, as well as with Norman Lamb. We had excellent discussions in closed seminars about what the report said, and there was a recognition in

[LORD FILKIN]

the Government's response that there were significant failures in current policy and practice. The market in specialist housing for older people does not appear to be working, and there is a need to do something about that. Again, I commend the honesty and engagement that we have had there.

I wish I could be as positive everywhere, but, as noble Lords will sense, I am not going to be. What still amazes us as a committee is that we have not seen from the Department of Health any published data of its estimation of the increasing demand consequent on the absolutely certain increase in the number of older people. Perhaps we will get that from NHS England; let us hope so. It is fundamental to the situation. When you know that you will face massive increases in demand, you make some assessment of what that will look like and you then think about what it implies.

Secondly, there is still a doubt over the Government's narrative that the massive systems changes that we all recognise need to happen will just come about organically in a bottom-up process. Clearly, the leadership of the NHS and the health service generally looks for clear, solid, consistent ministerial support for these changes. That is difficult, but they will not happen without it. Lastly, we need an honest conversation between politicians—hopefully of all parties—and the public about the changes that our NHS will face.

I am coming towards the end. I will now deal with the fiscal implications of this. As noble Lords will know, the dependency ratio is obviously worsening as a consequence of these demographics, and I will not go into detail on that. Many more older people, and older old people, will mean much more spending on pensions, health and social care. It is axiomatic that that will happen. The debate is about how much of that extra expenditure should be paid for by the state out of taxation and how much of it should be paid for by individuals themselves. However, it will have to be paid for one way or the other because our society will demand a level of care and healthcare befitting a civilised society. Therefore, we must face up to a discussion on that.

Apart from what the Nuffield Foundation and the IFS have produced, to date we have not seen much indication of the scale of that future cost. However, the material that has been produced is frightening enough. It signals a gap of at least £35 billion, and probably £54 billion, by 2021-22. The IFS told me that those figures had been reached just by looking at the 4% per annum historical trends; not by assessing the elemental increase in demand consequent on having more older people with long-term conditions, so I think the figures, are, if anything, likely to be an underestimate. We have to discuss as a society the implications of how we fund these increased public service costs. There are no right or simple answers to that, but thoughtful discussion, preferably across the party divide, would be helpful. Ideally, I think that some Turner-style process that commanded cross-party support would be a healthy approach.

We have not seen what we hoped for from the Government in terms of a Green Paper or even a ministerial subgroup to look at these issues. However,

I hope that all is not lost. We are 18 months away from an election. Although I have been putting these questions to the Government, it seems to me they are equally questions for all three political parties. We hope that all three political parties engage seriously with these questions over the next 18 months, and, we hope, do so in a more transparent way so that there is a proper engagement by experts in their thinking about how we as a society address these challenges.

I am pleased to say that one of the consequences of our work is that eight major charities came together into the Ready for Ageing Alliance. They will work with our committee and maintain a constant dialogue with experts and politicians about these issues over the next 18 months. No doubt they will inspect the election manifestos, and the work behind them, of all the major parties.

As noble Lords sense, my committee members and I think that these are important issues. We will not let them go. We look forward to further discussions in the House and with wider and civil society about them. The benefits of getting this right are enormous, but if we are in denial on these issues we will massively underestimate those benefits.

5.17 pm

**Lord Mawhinney (Con):** My Lords, I presume to speak on behalf of all the committee colleagues of the noble Lord, Lord Filkin, by thanking him for the leadership which he gave the Select Committee and for his own knowledge and enthusiasm which drove that leadership. The five-minute advisory length of speeches will constrain committee members from dealing in any depth with the multitude of issues that we raised. No doubt that was part of the Government's thinking when they scheduled this debate at this time.

I will restrict myself to one issue only, which came through regularly and strongly in the evidence that we were given. The report states:

“To meet the needs of our ageing population ... the health and social care system needs to work well 24 hours a day, seven days a week”.

The Secretary of State told us that,

“we have to have a 24/7 NHS”.

That is good. Actually, it is vital that we have such a service, but when will we have it? We called on the Secretary of State in our report to,

“within 12 months ... set out how this will be made real”.

To date, we have heard nothing. The clock is ticking in an otherwise silent room and we look to my noble friend the Minister to inject a degree of urgency in his colleagues—for I suspect that my noble friend senses that urgency even if at times he, too, is constrained from being as explicit about the issue as some of the rest of us wish to be.

Because there was no indication of timing, I put down a Parliamentary Question in July asking the Government what was the percentage of GPs providing a full weekend service. My noble friend will remember his Answer. He told me that it is all being looked at by NHS England. My heart sank because, first, I was a Minister long enough to know that when Ministers are trying to distance themselves from something difficult, they pass it on to someone else. Secondly, as my noble friend knows, I am not a great admirer of NHS

England, particularly of its chief executive Sir David Nicholson—he with the wildly chequered career. He is the one who the previous Secretary of State, Mr Lansley, wanted to be wholly in charge of the NHS, rather than the Secretary of State. I know what the department thinks of Sir David. I know what the health professions and the public think of him. I maintain hope that my noble friend will be persuaded to join me and the majority, and put Sir David on a bicycle as quickly as possible.

On the other hand, the Prime Minister announced just recently that he was going to initiate a pilot study in nine areas about GP surgeries running through the weekend and providing a full service. This is very good. Well done, Prime Minister. I am not sure why there are nine areas. To be honest, as a former health Minister, I am not sure whether this policy needs to be piloted at all, but it is a step in the right direction. On the other hand, after 11 and a half years as a Minister, I have developed a marginally healthy scepticism. I was immediately reminded of that old Chinese proverb that states:

“A journey of a thousand miles starts with a single step”.

I have to say to my noble friend that I think we still have 999 miles and 1,750 yards to go. We need a full-week service.

I tabled another Parliamentary Question to my noble friend. I asked him to tell me what percentage of full social care was available at weekends. My noble friend—perhaps above all of his colleagues on the Front Bench—is too courteous and sophisticated to have given me the Answer that the words yelled out: “Nothing to do with me, gov”. We all know who has the primary responsibility for delivering social care. However, we all also know that it is to do with the Government. It is to do with providing what the Government believe people need. If it is not a matter for the Government, who is it for? While we dicker, duck and dive, there are more elderly people with frailties in mind and body, needs, deprivation, suffering and pain. All are made worse by the absence of a full seven-day-a-week service. Only government can ensure that care, support and treatment are administered effectively—I repeat, effectively—24 hours a day, seven days a week.

I have no vested interest but I have hard-won, emotionally draining experience about the importance of that to which I make reference. Near the end of her life, my mother had to spend two weekends in a local hospital because she had contracted pneumonia. Her care and treatment adversely affected her condition, even though the infection was cured. The hospital wrote a self-satisfied letter telling me how good the standard of care that it provided had been. We, the family, could not wait to get her out of the hospital and back to the residential home. In this day and age, that may sound strange because residential and nursing homes have not always had a very good reputation or appreciation—and some of them should not have, because some of the things that have happened have been horrendous. However, I want to say how grateful I am to Abbott House in Oundle for its professional, sympathetic and focused care for my mother and her

well-being, despite the pressures that people are facing and the inadequacies of what the NHS made available at weekends.

Our report’s conclusion was that a radical change and an improvement in health and social care were badly needed to provide a full service. I share the view of the noble Lord, Lord Filkin: radical change will take time, and time in politics means cross-party support or radical change will never happen. Without it, the present scandal of the treatment of our elderly will grow to a point where it is not handleable by politicians who wish to act humanely. That is the size of the challenge and the size of the problem that this Government face.

5.26 pm

**Lord Hutton of Furness (Lab):** My Lords, it is always a great pleasure to follow a speech from the noble Lord, Lord Mawhinney, as indeed it was for me to serve under the leadership of my noble friend Lord Filkin on the Select Committee. I am grateful to the House for giving me the opportunity to serve in that capacity.

I should start my remarks by drawing the attention of the House to the interests that I have declared in the Register of Lords’ Interests.

It will probably not be a surprise to any of your Lordships that a Select Committee of this House took the unanimous view very early on in its deliberations that the fact that Britain was becoming an ageing society did not mean the end of the world as we know it. Far from it—it is going to be a blessing, not a curse. However, one thing was very clear to all of us: that if we are to respond to the quite significant challenges that the ageing nature of our society is going to present, then we expect—and we are right to demand—vision, leadership and a coherent strategy from government. So, too, are we right to expect that from all those parties that aspire to government. Nowhere is that more obvious and clear than in the area of pensions, and that is where I want to concentrate my remarks this evening.

We tried to draw attention to two very significant problems that we face. We all know that not enough people in Britain are saving for their retirement and that those who are generally tend not to be saving enough. That led us to conclude that nearly 11 million people of working age are, on current trends, likely to be heading towards inadequate retirement incomes. That will be a significant social and economic problem for our country and we need to address it with urgency.

As my noble friend said, there are plenty of positive signs that the Government are now beginning to address this problem. The previous Government set in train the implementation of the important recommendations of the noble Lord, Lord Turner, and the present Government have taken those forward. That is to be welcomed. However, we also took the view that, in their present guise and format, defined contribution pension schemes are unlikely to be able to discharge the very heavy responsibility that we are about to place on them. In the future, millions more people will be saving not in final salary or career average defined

[LORD HUTTON OF FURNESS]

benefit schemes but in defined contribution schemes. Of course, the one characteristic of those schemes is that there is no guaranteed level of retirement income.

We all know the history of the demise of defined benefit. We will not be able to recreate new defined benefit schemes in the UK or, for that matter, in any other developed nation. That is part of the pensions past. I hope that we can sustain defined benefit pensions in the public sector for as long as possible. We know that the millions of people who will be enrolled automatically into new workplace pension schemes will be saving in defined contribution schemes. It was the committee's view that they are not fit for purpose; they are not going to be adequate in their current form to address the expectations that millions of people have for the level of income that they can aspire to in retirement. How we respond to that is the crucial challenge in the pensions world today. We have obsessed in this House and elsewhere about how we can prolong defined benefit schemes. That debate is concluded—we will not be able to do that in the private sector. But there has been insufficient attention until recently about the inadequacies of defined contribution schemes. I, and I am sure all members of the committee, would welcome the Government's new focus on addressing the shortcomings in defined contribution schemes. That is the big challenge that we face.

The Government's response to date in its defined ambition pension plans and proposals have some promise and potential, but there is a warning to the Government that I would like to give tonight—to avoid the gimmicks and expensive flummery, as well as the false promises of guarantees and other devices that have been floated. In the world of defined contributions, it is unlikely to be possible to construct anything that looks like a defined benefit-style guarantee of retirement income. That is simply not a possibility, and we should not mislead people somehow into thinking that it is possible.

What we felt was possible was that the Government could convene on a much more urgent basis the attention of the industry and employers on how the current structure of defined contribution pensions could be improved—and I think that they can. From my experience, I believe that we have to focus in future on outcomes from defined contribution schemes and work to ensure that there is greater confidence in those outcomes. That is a challenge primarily to the pensions and investment industry as to how those improvements could be brought about. I personally do not believe that there is a case for some legislative solution or some magic wand to be waved over this problem by government. That is simply not a possibility; it is not the world that we live in. But there is an urgent case for more focused action and intention, led by government, as to how the current failing platform of defined contribution could be improved for millions of people going forward. We have a special responsibility now that we have decided, as successive Parliaments, to automatically enrol people into defined contributions, as to how we can improve the way in which those schemes work for future generations. This is a pressing problem, and it is incumbent on government and others to address it as a matter of urgency. I welcome what the committee had to say about that matter.

I want to finish with a quote, not a quote from your Lordships' Select Committee but a comment from the National Audit Office, in a report that it made in July 2013, when it said:

“Measures to encourage people to save for retirement are not being managed by Departments with enough coherence or accountability”.

Sadly, I think that that is true, but the Government have time to put that right. I hope that they pay attention to our report as well as the work of others, and begin to address with more urgency this chronic problem of how to improve the performance of defined contribution schemes. If they can do that, I hope that a beginning of a stronger coherence and consensus around pensions policy will emerge as a result.

5.33 pm

**Baroness Tyler of Enfield (LD):** My Lords, in the short time available, I should like to do two things—to give my reactions to the government response to the report and to focus on one key issue raised in the report.

I was at least pleased that the government response said that the Government shared the ambitions of the Select Committee report of making the country, “one of the best places to grow old”.

The response is certainly detailed and offers a good overview of current policy on issues related to ageing. I very much applaud the very important measures that the coalition Government have taken in very difficult financial times. I mention in particular the Pensions Bill and the Care Bill, which is currently before this House, which I consider to be a landmark piece of legislation. But—and, of course, there has to be a but—while the government response is long on past achievements and current policy commitments up to 2015, it is short on the long term and the need for a long-term strategic joined-up understanding of the big choices facing the country over the next 10 to 20 years, particularly the need to stimulate a national debate so that people understand the implications, the choices ahead and difficult decisions that will have to be taken about the balance of responsibilities between the individual and the state. Asking the chief scientist to lead an analysis of the challenges of an ageing society is a welcome step forward, but it would have been so much more effective if the chief scientist had been asked to report to Parliament every year on both progress made and the challenges ahead and, indeed, if the Government had produced an action plan with specific goals and milestones that this House could monitor.

Will the Minister consider those suggestions and respond in due course? I recognise that that will require consideration across government. There was no response on the call for a White Paper setting out a long-term vision from Government, their role in stimulating a national conversation, the two cross-party commissions after the next election, or indeed that party political manifestos should address those issues. In retrospect, perhaps it was a little unrealistic to expect the Government to respond to something about party political manifestos. From these Benches, I am pleased to report that the Deputy Prime Minister has now established a new Liberal Democrat policy working group, to be chaired

by my right honourable friend Paul Burstow, to consider how public policy can address the broad issues of an ageing society. I am pleased to be able to serve as a member of that group.

In the rest of my contribution I want to focus briefly on attitudes to ageing and the issue of loneliness and social isolation. *Ready for Ageing?* addressed these issues but, perhaps inevitably it did not attract the headlines in the same way as issues around retirement pensions, health and social care, and so on did. I would argue that not enough focus has been given to the importance of social isolation and loneliness, which are so often both the root cause and consequence of issues that were discussed at length in the report and which no doubt will be discussed in the debate.

A big barrier to making the UK ready for ageing is the denial of most younger people of the likelihood of becoming older themselves, with all its perceived negative connotations. It is human nature to put off thinking about becoming old, until the day it happens, but the problem is that by then it is usually too late to do the financial and other planning necessary to ensure a happy and comfortable retirement. If we could take away some of the fear, perhaps more younger people would be more willing to face up to the fact that, barring ill fortune, such as accidents and grave illness earlier in life, the chances are that they will live longer than they currently expect—certainly longer than most previous generations thought likely or even possible. That is a fact.

I do not have time to go into all the life expectancy details here, but it is so important to understand the issues of why younger people, or those in middle age, do not do the thinking and preparation that they need to do. We also need to address a key social trend that has not had enough attention. A lot of people who will be moving into old age over the next 20 or 30 years will be childless and will not have adult children to provide some of the care and support that so many do today. The issue of loneliness and isolation is significant. We need to be realistic. It would not be true to say that the majority of older people are lonely; the majority live happy and non-lonely lives. However, some of the statistics are very stark. Do noble Lords know that some 5% of people aged 65 plus in the UK said that they spent Christmas Day 2010 alone? How should we feel about that? It has also been said that loneliness is very bad for our health. Something that brings that home starkly is the estimate that loneliness is as harmful to health as smoking 15 cigarettes a day. There is much that can be done about this.

I am very pleased to be involved with a project that is being taken forward by the think tank, CentreForum, which is looking specifically at what can be done for old people to help them to avoid loneliness and isolation. I am pleased that the charity Age UK is involved because I believe that the answer to many of these issues lies with voluntary organisations, charities and faith groups, but it is for the Government to create the climate in which these things happen.

I shall finish by saying something that may sound a little trite. In later life, he or she who is rich is he or she who has a strong network of family and friends around them. We must do all we can to encourage that.

5.40 pm

**Lord Livingston of Parkhead (Con):** My Lords, I speak here today with some amount of nervousness and a large dollop of disbelief. First, I thank the House for the warmth of its welcome, and particularly my two supporters, the noble Lord, Lord Reid, and my noble friend Lord Green, whom I will be honoured to succeed as Minister of State for Trade and Investment in December. I also thank my mentors and the people who are huddled on the Second Floor West, somewhere near the fire escape, for all their guidance; my roommates have been very helpful. Most of all, I thank the staff of the House. They have been unfailingly pleasant and smiling and I thank them for all their help, particularly for their directions. This is not a House for those who are geographically challenged like me. I think it was designed along the line of Hogwarts: there are some staircases that do not lead to the same place today as they did yesterday.

I used the phrase “disbelief” about speaking in this august Chamber. That, in part, reflects my background. My family came to this country over a century ago. They were penniless when they arrived. When my great-grandfather became prosperous he moved into a two-bedroom flat, with just 12 of the family. My father was the first person in our family to go to university. He became a doctor, a GP in the east end of Glasgow near Parkhead. His 30 years of service to one of the most deprived communities in the whole of Britain is one of the reasons I took the title “of Parkhead”. The other reason is because I am a lifelong supporter of Glasgow Celtic. Its home is at Parkhead and I thought a recognition of the first British team to win the European Cup was appropriate.

I chose to make my maiden speech today for the simple reason that this debate is about one of the most important issues facing society today. In tackling this subject the committee chaired by the noble Lord, Lord Filkin, has shown many of the great attributes of this House: it is considered, long-term, bipartisan and constructive.

I should like to expand on a few of the points raised in this excellent report. First, too many people are still facing a cliff edge on retirement. They need help going into retirement but do not want to completely give up doing things because they still have a contribution to make to society. That contribution may take place through voluntary work and it is highly appropriate to have an organisation to help with that.

However, as an ex-businessman, I want to raise the issue of what business can do. Businesses already have to meet an increasing demand 24/7. There are peaks in demand, with customers wanting things very quickly seven days a week. These workers present a real opportunity. They are well trained, reliable and want to work part-time. They can help to meet some of the peaks in demand and be great mentors for newer workers. They provide a real opportunity for business. However, business needs to change its attitude to grab it but it will need help. Flexibility of pensions would assist it.

Businesses can benefit from this demographic shift in other ways and it can contribute to its solution. Most products today are designed for youth—it is the

[LORD LIVINGSTON OF PARKHEAD]

hot thing to do. However, there are more and more affluent older people—it is a growing market—and businesses need to put more effort into designing inclusive products that can not only assist people as they get older but can also provide real solutions, particularly for those who are housebound, to give them an outlook on society and to help them stay independent for longer.

Indeed, the emotional and financial case for independence is absolutely overwhelming. It costs something around £3,000 a month to keep someone in a care home; to keep them in a hospital bed is a multiple of that. To help them live on their own usually is a fraction of it. We need to look at what kind of levers we can introduce to allow people to live for longer independently. I will refer to two of them—carers and housing.

I turn first to carers. Carers already play a vital role, but it is a very tough one. Too often the stress and physical demands are too much, so that they themselves also become ill, and society ends up looking after two people rather than none. A little bit of help, such a small amount of respite care, can make a world of difference. Also, there should be grants to assist in the provision of a washing machine, given the amount of laundry that a caring situation can often create. A little money and effort can yield multiple returns.

We also have to recognise the need for the right type of housing. It should be designed to be more inclusive from the start. This will help people to stay in their homes for longer, but as their needs become greater, it is vital to provide them with the right sort of housing with the right sort of monitoring and care. That will help not only the ageing population, it will free up family homes for younger people and make the whole housing ladder more flexible. This area has to be looked at with the same urgency with which the issue of starter homes and social housing is being considered.

The UK is not unique. We face the same demographic challenges as many other countries. In fact, there are other countries in Europe with far worse challenges, while the position in Japan is more urgent still. We should look to them to learn about some of the things that they are doing, both on the micro and the macro basis. We do not have a monopoly on this problem, and I am absolutely sure that we do not have a monopoly on the solutions. If we take the right measures, we can make a big difference. As was said earlier, longevity and longer good health are a blessing. If we do not take these measures, we will have a crisis. We owe it not only to those who are now ageing but even more to our grandchildren and our great-grandchildren to take action sooner rather than later.

5.46 pm

**Lord Wei (Con):** My Lords, it is a great honour and pleasure to follow my noble friend Lord Livingston of Parkhead's insightful, witty and passionate maiden speech. We all welcome his contribution to the House, and indeed to the whole country and beyond. As a businessman, he distinguished himself when running BT, not merely by driving it forward to growth commercially inside and especially outside the UK,

but also in helping to spearhead many corporate social initiatives, including those that have helped to create suitable employment for those in later life, initiatives which I know are dear to his heart.

From an early age he has shown tremendous commercial acumen and has had a stellar rise from his start as an accountant to becoming a chief accountant, then a banker and venture capitalist, before becoming the youngest ever FTSE CEO in 1991, of the Dixons Group, at the age of 32. Subsequently, he became the BT Group finance director, head of retail and group CEO. It has been an amazing rise. As a Scot from humble beginnings and originally from overseas, I am sure that he will bring additional experience to your Lordships' House, not least from his being a non-executive director at Celtic. What better representative could we have as our soon to be installed Trade Minister, promoting the country, bringing commercial expertise to our trade promotion bodies, and insight and common sense to our deliberations in this House? I know that fellow Peers will join me in congratulating him on his appointment and once again on his wonderful maiden speech.

Turning to today's debate, I declare an interest as co-chair of the All-Party Parliamentary Group on Life Transitions. I want to thank the Select Committee, chaired by the noble Lord, Lord Filkin, for its tremendous work and the Government for their response. It is just over a year since I had the privilege of co-authoring a report on life transitions that touches on many of the areas highlighted in the Select Committee's report. It is encouraging to see how the report I wrote, supported by the Gulbenkian Foundation and entitled, *Next Steps: Life Transitions and Retirement in the 21st Century*, finds echoes in much of the tone and language of the work of the Select Committee, and indeed that we are able to think about life transitions, in this case those of ageing and retirement, in terms of presenting significant challenges and opportunities for public policy and public services. It is no longer enough to stick to our silos and care about the services on either side of a particular life transition; we now need to integrate and consider the impact of transitions both on service provision and on the individuals, families and communities who are affected by them.

I agree with many of the recommendations made in the Select Committee report. They are generally balanced, thoughtful and sensible, but I want to highlight one area where I feel that more research could be carried out, which is how the efforts of public and social entrepreneurs can contribute to enabling a smoother transition in later life, particularly when it comes to planning for retirement and ageing, and in building the support networks to cope better with and combat isolation. We tend to see retirement in the public policy arena in terms of hard fiscal, and non-fiscal, measures: pensions, saving, housing, social and healthcare implications and so on. However, in *Life Transitions and Retirement in the 21st Century*, we found that a major challenge for people was also the softer side and that better consideration is needed to enable people to feel positively about ageing and to see it as a journey, rather than as a disparate set of choices which can be



confusing, easy to ignore when you are busy and sometimes daunting given the prospect of ill health and the end of life itself.

Specifically, we argued for a framework to provide a national retirement service that could mobilise charities, private organisations and government bodies to better signpost and draw in the ageing population. It would start when people are healthy and still in work and be designed to connect people locally and across generations, while giving them the information and training needed to make the right choices for them as they enter later life. A pilot to explore this has been initiated, which starts this weekend in Stoke with sponsorship, again, from Gulbenkian under the banner of the Retirement Transitions Initiative, using the incubation capabilities of the Shaftesbury Partnership—in which I declare a former interest as a founder. The scheme will work with employers, community organisations such as football clubs, charities, government agencies and faith groups, and local champions to encourage people to attend pre-retirement courses in a relaxed, down-to-earth and friendly local environment. By knitting people together and giving them the right information, the aim is to empower them and help them build resilience and networks of support from a cross-section of society. The aim is both to help prevent costs to the NHS and other statutory bodies further down the line and for us to learn what works and explore what blockages exist that might affect policy.

I would have liked to see a bit more in the Select Committee report about these aspects of ageing and how we can provide a cross-party consensus around significantly expanding holistic retirement planning courses under a national campaign, before it is too late. I would also have liked to see a bit more on how older people themselves can be a source of wisdom and ideas about how to improve the relationship between social care and health services and on how best to release equity and financial assets to pay for retirement or to incentivise continuing to work and a shift into portfolio part-time work. Those going through the process of retiring from the corporate world, as well as those who are unemployed or dealing with chronic illness, can often see more clearly than even some experts what the challenges are and what can be done. The APPG on Life Transitions aims to provide a forum to hear from the public and actors in the community such as social entrepreneurs about these challenges and the possible innovations in this area. I would like, in this regard, to ask the Minister whether the Chief Scientific Adviser's research will be able to go further and gather or even crowdsource innovation and ideas from a wider audience than purely professionals and experts alone.

Clearly, the challenges and opportunities of an ageing society are mammoth and will require contributions from all quarters. How will we facilitate new kinds of start-up businesses, for example, that explicitly incorporate the wisdom and experience of part-time or non-executive semi-retirees along with young unemployed graduates and apprentices? How do we enable even more brokering of non-monetary means of bartering and support between those in later life and the wider population so that even those with limited means can still have a decent life? What role might housing design and building

play in enabling young and old to live near each other and to support each other in their respective challenges, along Shared Lives and Homeshare lines, or is policy to lead inadvertently to a dangerous ghettoisation of different generations? These and many more questions and ideas need exploring if we are to have a step change in our understanding of later life and what is possible from both a wider public and public policy perspective.

### 5.53 pm

**Lord Bichard (CB):** My Lords, I congratulate the noble Lord, Lord Filkin, on the way in which he has led the work of this committee, which has been quite exceptional. I also want to congratulate the noble Lord, Lord Livingston, on a quite outstanding maiden speech. I cannot share the noble Lord's passion for Glasgow Celtic but I agreed with every other word. The greatest compliment that I can pay is that the noble Lord would have made a quite exceptional member of this Select Committee. I look forward to hearing more from him in the future.

The Select Committee inquiry was not just about ageing but about our public services and how well equipped they are to cope with the major social challenges that we face. I am afraid that I came to the conclusion that they are not well equipped: not because they do not have the resources—although clearly there are problems at the moment—but because somehow we have still not been able to design, build and shape our public services around citizens and clients. Whatever the rhetoric and whatever the good intentions, our focus has continued to be on the providers and their convenience rather than on the needs of clients and citizens.

The evidence for that is very clear. For many years, we have encouraged different agencies to develop plans and objectives in isolation. We have set separate targets for each of them, which have sometimes been in conflict. We have developed different and sometimes contradictory regimes. We have failed to provide support for users seeking to find a way through this increasingly complex system. We have failed to encourage and incentivise collaboration between different agencies.

That has been the case especially in Whitehall, where departments have fought, mostly successfully, to maintain their independence, sometimes reinforcing their empires by building their own inspection and regulation regimes which have made it very difficult, sometimes impossible, for local agencies to work together for the benefit of clients. In addition, we have designed measures of success which have had more to do with bureaucracy and budgets than the needs of clients. We have responded to problems by reorganising structures, not redesigning services. Perhaps most of all, we have consistently failed to involve clients in the design of our public services.

The work of the Select Committee exposed four consequences of these fault lines. First, the failure of departments to work together means that there is still no coherent strategy for ageing in this country, because to have one would need housing through the DCLG and finance through the Treasury, and for health,

[LORD BICHARD]

social care, planning, education and DWP to get together meaningfully to produce a coherent strategy. They have not done it.

Secondly, the fragmentation of the system means that it copes particularly badly with people who have complex problems. Most older people now have what is known as comorbidity—they have complex problems. I am afraid to say that they often find themselves having to go to different providers or agencies to deal with each of their conditions.

The third consequence is that when those on the front line trying to provide joined-up care have succeeded it has been in spite of the system that we have designed and not because of it—they told us that very clearly. Fourthly and worst of all, vulnerable old people, often with long-standing and debilitating conditions, find their final days consumed with stress and bureaucracy. I was hearing yesterday of an old lady—let us call her Mrs Jones—who was in hospital when she was given the news that she was reaching the end of her life. Mrs Jones wanted to end her life, like most people do, at home. The hospital staff, to their credit, wanted to support her in that ambition. In order to realise that single, simple wish required the involvement of 23 different teams, the completion of 25 assessment forms and the convening of two separate funding panels. It took three agonising months and she finally got home two weeks before she died.

I have been speaking about the need for designing around clients and collaboration in our public services for many years. Many people think that you are talking about something dry: the reorganisation of Whitehall or whatever. But you are not. You are talking about the implications for Mrs Jones and the countless people like her for whom this system does not work.

The Minister, who I know shares many of these thoughts, will point to many very good initiatives which are under way. The integration pioneer programme is fantastic and, similarly, much in the care plan. I applaud that; I wish him well with it. But we need even more. We need a crusade to ensure that in future we never design public services for the benefit of providers; we design them for the benefit of clients.

6 pm

**The Lord Bishop of Derby:** My Lords, I, too, thank the noble Lord, Lord Filkin, and his colleagues on the Select Committee for introducing such a comprehensive and expert report. I shall pursue the theme mentioned of the contribution of civil society.

My first point is about the language that we use and the signals that we give out. The noble Baroness, Lady Tyler, talked about the importance of a public debate. It is easy to use language such as “retirement”, which indicates something negative, about stopping and ceasing to contribute. In the diocese where I work, we have 200 clergy who are retired; 80% of them make an enormous contribution, not just filling in but front-line, active contribution to the life of the church. Some cultures use the word senior rather than the word ageing. We must be very careful how we frame the debate. I invite the Minister to comment on the language that we use and the signals that we give out, so that it is

not about a problem of decline and desperation but celebrating life at different stages and in different ways.

My second point is about the breadth of health issues that need to be considered. In the city of Derby last year, I organised something that was called the Redfern Commission. A number of us as commissioners invited people to come into a space and talk about the challenges facing citizens in the present context: the lack of investment, declining local authority resources and such things.

People from Age Concern raised two things that had not occurred to any of us on the commission. One was the lack of sexual health advice for older people; it is all targeted at younger people; but with changing lifestyles and changing relationships, there is an urgent need for people to have access to information about sexually transmitted diseases and sexual health. The second area that was brought to our attention was the importance of recognising depression as people face loss at various stages and the need to set targets, as in other areas of health, for depression as people get older. Those were two things that came out from the commission that surprised me. I invite the Minister to comment on the breadth of how we look at health issues. Some big things, such as dementia, take all the space, but we may need to be more refined in talking about what health involves.

My third point is to talk about care with a small ‘c’ in the Government’s response, the civil society contribution. In the Church of England, more than 8,000 of our parishes are actively engaged with work with people who are growing older—seniors. The great thing is that you have more than 8,000 intergenerational resource centres, where people of all ages are engaged in home visiting, meeting loneliness and prolonging a quality of life and conversation that gives health and vitality to people. The committee proposes a commission about the care system. I endorse that proposal, because I think that there is an urgent need to look at how all that informal, civil society caring, which is intergenerational, with a lot of energy put into it and which is making an enormous difference. How can we more systematically embrace what is a highly organised effort in all those 8,000-plus parishes across the country into a system that is also trying to best target the use of financial resources and professional expertise?

I have two final points. I remind your Lordships of the fragility of values. When I am in London, I stay in Putney. As I was walking in Putney this morning, I passed a huge office block. Over the door a sign says, “Volunteers overcoming poverty”. I looked closely; the block is empty, virtually derelict. We have these aspirations but then they drift away. We must recognise something that the church is passionate about: in an age where people approach things from the point of view of, “I want to safeguard my rights”, we must be bold enough to talk about the discourse of duty to neighbour. That is vital to turn around the social atmosphere and sense of commitment in an age that, for understandable reasons, is obsessed with the rights of the individual as a person.

Finally, a great friend, colleague and scholar who was a professor at King’s College London, Christopher Evans, lived to be well over 100 and died fairly recently.

People kept asking him, as he went through the journey and had various health issues, what it was like getting older. He said that the key is perspective: “You have to understand that whatever happens to you as you get older, you’re simply waiting in the departure lounge”. There is a much richer and more exciting journey for all of us, whatever age we live to, and that needs to frame the debate too.

6.05 pm

**Lord Borwick (Con):** My Lords,

“Old age ain’t no place for sissies”,

as the late, great Bette Davis once said. This excellent report underscores the importance of that statement, and in markedly better English too. I am grateful for the opportunity to deliver my maiden speech on a subject so vitally important.

I took my oath on 29 July, after the whole House so generously elected me as a hereditary Peer to the Conservative Benches. I noticed that your Lordships considered my arrival and immediately went on Recess. This allowed me, though, to wander the temporarily lonely corridors of this fine building and to consume the time so unselfishly given by so many of the senior staff to bemused new Members such as me—and what an extraordinarily talented group of directors and senior staff I have met. My thanks are due to all of them, and particularly to my whip and mentor, my noble friend Lady Perry of Southwark.

My previous career has been in the automotive, housing and finance industries, but with a constant thread of disability. The reason may be that our two eldest sons had very bad heart defects when they were born. Our eldest son had to spend his entire first year of life in the intensive care ward at the great Royal Brompton Hospital, leaving him with some permanent disabilities. However, my wife Victoria and I are great believers in the American maxim, “When life gives you lemons, make lemonade”. Perhaps this is why I worked to make the London taxi wheelchair accessible. The secret was to make the accessibility ordinary rather than extraordinary; to make it normal and not mark it with wheelchair signs.

Disability will be ordinary in the future of our ageing society, as ordinary as hearing aids and glasses are today. The truth is that every one of us spends time in a wheelchair. That wheelchair is called a pram, or maybe I should say a baby buggy now, and we are very lucky if it is only at the beginning of our lives that we need such a wheelchair. If our physical environment must change to become even more accessible, our younger citizens had better start demanding it now so that it is ready when they need it for themselves. And yet our young people ignore their longevity—a point made in this remarkable report.

As the report says, arbitrary age triggers are out of date now, such as getting a free BBC TV licence at the age of 75 or being compelled to retire at any particular age whatever. Age-based benefits become increasingly absurd as the population grows older. Nobody knows better than the individual how well he or she is ageing. Many people will be able to start whole new careers when they are retired. In America, the Prudential advertises pension savings plans with the strap-line,

“If you could pay yourself to do what you love in retirement, what would you do? Would you be a teacher? Would you be a musician or a painter?”. That is the optimist’s point of view. For many people who have saved wisely, the freedom to take risks and learn new skills will be very attractive. Many of us here in the House certainly are lucky to have started whole new careers as parliamentarians. The point is that arbitrary regulation by age is flawed.

Two differences stand out about the current cohort of young people who will eventually become Britain’s ageing population. The first is that they are definitely more computer literate than today’s average pensioner. They will expect information to arrive via the internet, not through newspapers or TV. Monitoring their health, happiness and well-being will be so much easier and cheaper in the future. We also need new ways to reduce their loneliness.

The second difference is that the level of debt they will bear will become heavier than anyone imagines, both as their share of our national debt but also through their own personal debts. I do not know what brouhaha will erupt when it finally dawns on people how much their predecessors have spent, leaving the bills to be financed later. The cost of servicing debt will inevitably claw into the cash available to look after our older citizens.

Next month Britons will remember fondly the veterans who gave their lives to protect our nation from destruction in two world wars. I hope that in decades to come Britons as yet unborn will look back in gratitude at what today’s leaders did to bequeath them a financially sound economy with debts at lower and more manageable levels.

There is nobody more aware of the value of experience than a brand new Member of your Lordships’ House, surrounded by the experienced people who constitute his new colleagues. I look forward to learning from all of you.

6.11 pm

**Viscount Ridley (Con):** My Lords, it is a great privilege to speak after my noble friend Lord Borwick and to congratulate him on an eloquent and perceptive speech. I have known him for a little over a year but in that time we have become firm friends, despite the fact that we were briefly rivals on the hustings. He is, I venture to suggest, exactly the sort of successful and independent mind that the House of Lords most values. Indeed, I hope I do not cause offence if I say that there are probably not enough of us here who have such direct experience of manufacturing industry. He has developed batteries, reinvented electric vehicles, traded with China, run a foundry and metal powder group, employed thousands of people and, of course, was for over 20 years the man behind the famous London black cab.

I am sorry to trump my noble friend Lord Wei but, although my noble friend Lord Livingston became chief executive of a plc at the age of 32, my noble friend Lord Borwick did so at 31, albeit that the company was a slightly smaller one. It is curious that we should be trumping each other on youth in a debate about ageing. It was in that role, as he has said,

[VISCOUNT RIDLEY]

that my noble friend Lord Borwick championed the idea of making the London taxi the first wheelchair-accessible public transport in the UK. This precedent enabled him to make the door ramps that transformed the London buses to become wheelchair-accessible too.

Successful as my noble friend has been, though, he has had his share of worries and challenges. He has mentioned today his two sons who needed complex heart surgery, and I know that he and his wife Victoria have thrown themselves into various medical and disability charities to enable others to cope with what life throws at them. I congratulate him on a fine maiden speech, and we look forward to many more contributions from him.

Turning to the topic of the debate today, and not wishing to take up too much of your Lordships' time, I begin by saying that it is hard to remain an optimist after reading some of the things of the beginning of this report. We read phrases like "woefully underprepared", see references to an inappropriate health model for England and are told that the current system is in trouble now. So, before making a more serious point, I would like to offer a tiny crumb of demographic good news—at least, I think it is good.

Although the number of 85 year-olds is going to double by 2030, as the report says, and although the number of people over 100 is increasing at the rate of about 7% a year globally so that there are now 500,000 people in the world over the age of 100, none the less there are just 60 people in the world over 110 and that number, if anything, seems to be going down. When the party opposite came to power in 1997 there were four people in the world over 115; today there is one. I am not sure who that reflects badly on.

The last time the global longevity record was beaten was in 1997 when Jeanne Calment died at the age of 122, and it will be at least 23 years until it is beaten again. The last time Britain's longevity record was broken was in 1993—20 years ago—when Charlotte Hughes died at the age of 115. So something slightly odd is happening. Average lifespan is going up dramatically all the time, but maximum lifespan seems not to be changing much at all. As I said, it is a very small crumb of comfort as far as the issues discussed in this report are concerned.

I turn briefly to three of the report's conclusions that I found most interesting and vital. The emphasis on a new model of healthcare to cope with this problem is crucial. We had a debate in this House a few months ago, which was initiated by the noble Lord, Lord Patel, on models of healthcare. I was very stuck by how bipartisan the support was for fresh thinking on how we tackle healthcare. We have to be able to get beyond the sterile debate about whether it should be public or private and realise that it is bound to be a mixture of both.

The second, which the noble Lord, Lord Filkin, mentioned in his speech, is the importance of drawing on the assets of the elderly to support their care. This is not an easy subject, and it is one that many people have struggled with. I do not pretend to have the answer, but it is vital to have raised this matter and to be able to discuss it again, I hope in a bipartisan way.

The final thing is the vital importance of economic growth, because if we redoubled our efforts to increase the growth rate of this country, some of these problems would suddenly look a lot less insoluble. Nothing does more to make debts affordable than economic growth. If this country were suddenly to find a way of growing at 5% a year, it would double its economy in 14 years. On that note, I draw the attention of the House to the possibility that what we need to be doing is looking at the wider economy as a whole as a way to solve this problem.

6.17 pm

**Lord Warner (Lab):** My Lords, I, too, compliment the two maiden speakers on excellent, thoughtful and entertaining speeches. I say to the noble Viscount, Lord Ridley, that a Labour Cabinet Minister, Emanuel Shinwell, lived to 109, and I challenge him to find a Conservative better in that area.

I congratulate my noble friend Lord Filkin and his committee on securing this debate and on their excellent report. This document is theoretically a wake-up call, but like so many alarm clocks, it runs the risk that people may turn over and hide themselves under the duvet rather than respond to it, so I propose to talk in more apocalyptic terms today about a national icon: the NHS, the star of Danny Boyle's Olympic nostalgia-fest last year.

Let us forget the schmaltz for a moment and remember that the NHS is a £100 billion-plus a year business and its budget will account for nearly one-third of public service spending in 2015-16, up from just over one-quarter in 2010. By 2015, the NHS will still be spending every pound that it had in real terms in 2010, but most other public services, such as local government, will have only 70p of their 2010 pound. Those are not my figures; they are from the Institute for Fiscal Studies. The NHS is a 65 year-old pensioner that has adopted a lifestyle that is well beyond its current and future means. It now faces—and I do not think this is too apocalyptic—bankruptcy. If noble Lords do not believe me, they should read the chief executive—of whom the noble Lord, Lord Mawhinney, is so fond—of the NHS in this week's *Health Service Journal*. The NHS is in very difficult financial trouble. It faces not only the demographic time bomb well described in the committee's report, but rising public expectations and the costs of scientific advances, many of which may produce cost savings, but usually involve extra cost at the point of the introduction. However, it is doing this not at a time of economic growth but at a time of fiscal constraint, probably low economic growth and serious limits on the tax ability of the electorate or the capacity to transfer resources from other public services.

Forget 2030—a huge back hole in the NHS's finances is opening up by the end of this decade if it carries on as it is. The outgoing NHS chief executive thinks that it is £30 billion. The respected Nuffield Trust puts it at upwards of £40 billion and possibly more than £50 billion. These are serious financial problems to be tackled. As my noble friend Lord Filkin has indicated, the NHS's core business has changed to coping with and treating long-term conditions, and often multiple long-term conditions in a single individual. However, we have simply not changed the service delivery model accordingly.

It is increasingly apparent that we are spending our highly valued NHS pounds on the wrong business model. The customer base has changed and needs something radically different. The NHS is seriously on the way to becoming like British Leyland in the 1970s. I do not have time today to describe how we need to reshape these services but—and this is my final point—if we do not change them and increase the efficiency of staff on NHS plant, we face a real problem. Even if we make all those changes, that will remain a problem. If the NHS is to remain largely a tax-funded healthcare system universally available in this country, it has to find new sources of revenue streams and new ways of adding money to that provided by the taxpayer. We need to look at the possibility of changing the boundary of what the NHS covers. We need to look at co-payments. We need to look at the NHS undertaking more commercial activities. There are many more possibilities.

I recognise that I am trespassing on holy ground here, but we have to start facing up to these issues if we are going to make the kind of responses that my noble friend's committee's report suggests that we should be making.

6.22 pm

**Baroness Thomas of Winchester (LD):** My Lords, I cannot remember when I last enjoyed two maiden speeches so much as those which we have heard today.

I, too, congratulate the committee on what must be one of the most important reports ever produced by a Select Committee of this House. Why has this whole question of our ageing population not been at the top of the agenda for successive Governments in the recent past? After all, we have known about the figures for many years. I am glad that at last we are having a proper debate about the whole subject of our ageing society. This report gives us a most welcome route map, and must be seen in conjunction with some of the health reforms and, of course, the Care Bill which simply would not have happened without the former Minister, Paul Burstow, whom I salute today.

Paragraphs 37 and 54 of the report both state:

“Central and local government, housing associations and house builders need urgently to plan how to ensure that the housing needs of the older population are better addressed”,

because the housing market is delivering much less specialist housing for older people than is needed. The Government's response is encouraging. They acknowledge that more designated specialised housing for older people and disabled adults is needed, and highlight the capital grant of up to £300 million for the care and support specialised housing fund. Perhaps my noble friend could tell us more about how that money is being allocated.

However, many older people want to keep their independence by staying in their own home. Although I acknowledge that the Government have increased their funding of the disabled facilities grant over the past two years, I worry about the bureaucracy involved. In his oral evidence, the managing director of Care and Repair Cymru in Wales says that the first thing they try to do is to make sure that people do not have to use that system for smaller things such as handrails, grab rails or even a stairlift. That plea is echoed by

occupational therapists because, they say, the DFG process is long and bureaucratic. That sounds ridiculous. Is my noble friend convinced that the DFG process is working as well as it should? Surely it should be simplified because a long bureaucratic process must cost a lot of money to administer—if for no other reason.

This brings me to the role of the social services departments of local authorities. The spotlight is often thrown on to social workers when tragedies occur involving the death of young children, but the other vital professional group we hardly ever hear about are the occupational therapists, who are the first port of call when an elderly person rings their local authority to say that they can no longer get out of their bath safely or climb the stairs. What may not be so well known is that local authority OTs advise people in all forms of housing on how to stay independent as they age. They manage the long waiting lists of assessments and are the key workers in providing early interventions, preventive approaches and reablement. That assesses what people can do for themselves with their existing support, helping them to set weekly goals, and reablement workers support the person in meeting those goals.

However, the occupational therapists' workload grows ever heavier, while local authority budgets are shrinking. OTs deal with between 35% and 45% of local authority referrals yet make up only 2% of the workforce. The importance of their intervention is illustrated if one looks at what happens when an elderly person has a fall which leads to a hip fracture. That costs the public purse around £28,665, which is more than four and a half times the average cost of a major housing adaptation and more than 100 times the cost of fitting hand and grab rails to prevent falls. There are many other savings to be made when OTs become involved at an early stage, and I urge the Government to do all they can to make sure that guidance is given to the relevant authorities to involve occupational therapists in designing and commissioning services.

The two other functions these invaluable people undertake are also getting busier. These are advice for people with dementia on strategies and techniques for managing problems, and in the public health field, advising people with long-term conditions on how to manage their health and well-being. The more OTs are employed in the public service, the more money will be saved.

6.27 pm

**Lord Crisp (CB):** My Lords, this is an excellent report. I very much agree with the recommendations and with the disappointment of the noble Lord, Lord Filkin, at the Government's response. I add that I am not a member of the committee that produced the report. I also agree with many noble Lords who said that this issue cannot be avoided or just left to muddle through. I congratulate the committee on not letting it go, and on continuing life after its committee proceedings.

I speak as a former permanent secretary of the Department of Health and chief executive of the NHS, and declare that I work in health, although globally, not in the UK. This is, of course, a global issue, as the noble Lord, Lord Livingston, said in his

[LORD CRISP]

excellent maiden speech. I agree with the analysis that the committee has made of the problem. Very simply, we are using a 20th century model of health and social care to deal with 21st century problems of health and social care. It does not work, and we see that every day in the newspapers and will continue to see it in the newspapers, in our A&E departments, in the number of elderly people who are stuck in hospital—and in everything that we all know.

As noble Lords have said, and as the report says, we still do not have a clear strategic vision for the future of health and social care, and that is fundamental. I will mention two areas where the report could go even further—and I hope that the Government will. There is a lot of agreement, as has been said already in the House, about the nature of the problem. People are all aware that we need a much more community-based system that is much more focused on prevention. We also seem to accept a lot of the implications of that, which will involve bringing together health and social care much more closely, closing some acute hospitals, and investing in technology and in the community. However, agreement falls apart when we get to some of the detail, and the issues of winners and losers. Because we do not have a strategic vision that spells out all the implications, we have too many initiatives that are piecemeal and that often tackle symptoms rather than causes. Camilla Cavendish's review of healthcare assistants, which was mentioned in the government response, is a good case in point. It was a good review, but it would have been even better if it had been in the context of a genuine, strategic vision for the workforce. Healthcare assistants do not operate in a vacuum.

This is the biggest failure at the moment. The biggest factor to take into account is the workforce. I do not think that it is mentioned in the report or in the Government's response. I may have got that wrong, but clearly it is not in any of the headlines. Of course, the workforce never is. If you are going to have radical change in the service that is provided, you will have to have radical change in the workforce, as well. I will give some radical examples, although I am not necessarily advocating them. Are we going to be talking about having far fewer specialist doctors and more generalists? Are we talking about nurses doing many more of the things that doctors do now, and other people doing things that nurses have done in the past? We need graduate nurses, but do all nurses need to be graduates? What about the links between health and social care and the workforce? How radical are we going to be in taking this on? I am a member of the Lancet commission on the future of professional education. That has produced some radical notions about the role of senior professionals and team leaders as agents of change who are constantly searching for quality and cost improvements. Are we going to be that radical?

Of course, this is the biggest cost in the NHS; around two-thirds of the cost is in the workforce. In Africa, where I work, we have long recognised that the scarcest commodity is not money but skilled health-worker time. Do we in the UK use skilled health-worker time to best effect? Do we always make sure that people are working, as the Americans say, at the top of their

licence, as opposed to doing things that other people in the system can do? This is not just about getting rid of paperwork for professionals; it is about making much more radical changes.

While Africa leads the way in changing health roles globally, the UK leads the way in developed countries—for example, with the expanded role of nurse prescribers and of nurses more generally. As I said, this is the highest cost, which is one reason why it is the most difficult area to tackle, and why people never tackle it. I understand the political traps of taking on the doctors or nurses to make some of these changes, and I understand that it would create winners and losers. However, it is not good enough to leave this to the local level. First, they cannot do it; you cannot make the changes necessary at local level. The headquarters has the responsibility of ensuring the capacity and capability of an organisation, and it is not doing so at all at the moment. Of course, this need not be top-down; it should be developed with practitioners and people at local level. However, as many people have said, the Government have a responsibility to ensure that there is an appropriate framework here for the future. Of course, if it is not sorted out, we will not see change.

My point is that this is not just about economic costs. The other question that needs to be looked at alongside it is: who will give the care? I will take 30 seconds more to refer to the fact that this is not just about professionals. We must not slip into the lazy assumption that the NHS is like a commercial insurance system, and that patients are simply customers. Care is not given just by professionals but by many carers. It is given by neighbours and voluntary organisations; it is given in a wide range of different ways. The NHS and social care form a social system rather than an insurance system. There are roles for carers, patients and families, and we need to redefine those as well. People can do more for themselves. We see examples in other countries of people doing much more in the way of monitoring. We see them delivering dialysis for themselves. Of course, these examples also produce improvements in quality and in cost.

In conclusion, I would be very interested to hear what both the Government and the Opposition say about the challenges that the report sets them in setting out the position for the future and a long-term vision. I will also ask the Minister a specific point, as a first step towards that. Does he accept that a changed, new NHS of the type described here will require a new, radically different workforce strategy, with changed roles for doctors and nurses, and changes in professional education? If he says that that is the responsibility of NHS England, as I suspect he will, will he then ensure from the Government that NHS England, in developing its strategy, will take proper account of the 60% of the NHS budget and of the changes that need to be made there as well as elsewhere?

6.35 pm

**Lord Griffiths of Fforestfach (Con):** My Lords, it was a great pleasure to be a member of the committee. I congratulate the noble Lord, Lord Filkin, on his chairmanship of it as this subject is potentially politically divisive. He chaired the committee brilliantly. He listened

carefully to everyone's arguments and was very balanced in his judgment. We have heard two outstanding maiden speeches this afternoon. I am delighted to see two more noble Lords with a business background on the Benches of our House and look forward to hearing many more outstanding contributions from them.

I wish to make four points. First, I draw noble Lords' attention to the strong language in the report and to the strong language of the chairman. The noble Viscount, Lord Ridley, pointed out that the report says that the Government are woefully underprepared to tackle this problem. It also refers to "a collective failure" to address the problem. Indeed, the noble Lord, Lord Filkin, has said that the Government's response to the committee's report was weak and failed to give leadership. He also said:

"Government and all political parties prefer to keep the public in the dark".

In opening this debate, he said that there was no rebuttal by the Government of the committee's evidence and that the Government lacked vision, which was a great shame. As I say, the noble Lord is a man of balanced judgment and moderate temperament. However, I suggest that the strength of his language and the stringency of his argument fairly reflect the views of the committee regarding the sheer scale of this problem—it is enormous—and the fact that we are simply not grappling with it.

Secondly, one thing which came out very clearly is that many people in our society are not financially prepared for retirement. People are living longer. Many surveys have been done—for example, by HSBC, Scottish Widows and the department itself—which have tried to figure out what people's position really is. I shall not bore noble Lords with the details, but, frankly, they are horrendous. A section of our society, the members of which unfortunately fall in the lower income groups, is not at all prepared for retirement. If we as a society do nothing, we face the spectre of a much more unequal and less inclusive society. In the future, no Government will be able to stand by and be indifferent to pensioner poverty, which will create a serious problem for the public finances. We need to grasp this problem now; it cannot be deferred.

Thirdly, something in our report that struck me forcefully was that many people will have no option but to work longer if they want to have a decent standard of living in retirement. We made it very clear that no one will be forced to work against their will. The decision of when to retire must be made freely by the individuals concerned and not be imposed by society as a whole, least of all by government. On the other hand, if people have to work longer through necessity, the committee's view was that we should make a virtue of this.

In any case, as I know myself, work brings positive benefits. Apart from providing some extra income, it keeps your mind active and means that you are involved in a community of much younger people. I find it extremely stimulating. The good news from surveys that have been carried out is that many people would like to work into retirement, whether part-time, part-year, job-sharing, working reduced hours, doing term-only work or home working, and perhaps taking unpaid

leave. Business is already rising to the challenge of this extra work. The department has published a list of companies and local authorities which have been very innovative. We also know from maternity leave and from the arrangements made for pregnant women while at work that business can be very flexible. Therefore, there is evidence of this.

Finally, I very much chimed with the closing remarks of the noble Lord, Lord Filkin, when he said that the Government need to set a framework encompassing retirement age, state pension, housing equity release and developing a savings culture and so on. On the other hand, could not the political parties make a commitment in the manifestos that they will be preparing for the next election regarding the immediate challenge that we face? I should like to ask the Minister what he would suggest in this regard. Could they not make a commitment saying, "We will address this problem in our manifesto."? Such is the scale and seriousness of the problem, as I think our report shows.

6.41 pm

**Baroness Wilkins (Lab):** My Lords, I, too, congratulate my noble friend Lord Filkin on securing this debate and on his committee's excellent report warning us that the Government and society are woefully unprepared for the ageing of the UK population.

Like many fellow noble Lords, I am one of that cohort known as the baby boomers. However, we have not just arrived; we have been around a long time—long enough for successive Governments to prepare for. By 2031, I shall be 85, when there will be twice the number of people of that age than in 2010. Yet, as the report says,

"no government so far has had a vision and coherent strategy", to ensure that our society is ready for ageing. Government, central and local, can no longer keep their heads buried in the sand.

It is the report's reflections on loneliness and isolation on which I want to concentrate today. Citing the deleterious impact of loneliness on the quality of life and the health and well-being of the old, the report sees this as,

"one of the biggest risk factors for people needing care and support",

and the group most affected is older women who mostly live alone.

In their response to *Ready for Ageing?*, the Government acknowledge the huge impact of social isolation and persistent loneliness on people's health and well-being in later life. However, they then go on to suggest technology, touch-screen tablets, e-mails and video conferencing as a remedy. This surely was dreamed up by a 25 year-old, totally unaware of the realities of being an 85 year-old woman living on her own in frail health in 2030. Loneliness requires human contact, touch and empathy, and the everyday stimulus of news and gossip. It requires people whose presence does not depend on the state of a local authority's budget.

I have spoken a number of times in this Chamber about cohousing—a way of living that combines today's aspiration for the autonomy of our own home with being within a supportive community. It is a model

[BARONESS WILKINS]

well established in continental Europe, where senior cohousing communities are encouraged by various Governments also faced with rapidly ageing societies. They are based on a range of ages over 50 and are a self-help model—fundamentally a means of prevention, harnessing the energies of younger cohorts of older people to address their own futures and help others.

I declare an interest in that I am a member of Cohousing Woodside, a group working with Hanover Housing Association to develop a senior cohousing community in Muswell Hill. I am also partner to one of senior cohousing's main advocates in the UK.

I first spoke of the struggle to establish senior cohousing in the UK in the debate on the Queen's Speech in 2003, mentioning OWCH, the Older Women's Cohousing project, a low-income group of women Londoners aged between 50 and 80, all living alone. For five years they had been meeting regularly, building the social capital which is the essence of cohousing. They aimed to be, and are, a living demonstration of how older people can band together to address the challenges of ageing. My noble friend Lord Warner, then the Minister, was very encouraging in his reply to the debate. But that was 10 years ago, and those people are still waiting for their homes to be built. One of the founder members is now 84, and living up a flight of 27 steps. Thankfully, Hanover Housing Association has seen the benefits of cohousing and taken action. It is now about to build the OWCH community in Barnet, the first senior cohousing community in the country, due for completion in 2015. In what will be an age-proofed, low-energy, lifetime homes standard environment, which they will manage themselves, they will operate as friendly, supportive neighbours. This insightful initiative by Hanover sets an example that others should follow.

This model of cohousing deserves much greater official support and encouragement in a housing and planning system where the cards are totally stacked against it. Hanover's enterprise in promoting it is to be applauded and lessons need to be learnt from the 14 groups around the country struggling to develop senior cohousing. The authorities must be shaken out of their torpor by the report of the noble Lord, Lord Filkin, and start to take radical action. So much could and should be done. The Government could do much to offer incentives to developers and local authorities. For instance, they could provide public land from public housing sites.

Cohousing is obviously not the answer to societal ageing, but it is one answer, and one that makes full use of the assets of our older population.

6.47 pm

**Baroness Finlay of Llandaff (CB):** My Lords, it was an enormous privilege to serve on this Select Committee, which was led so elegantly and chaired so well by the noble Lord, Lord Filkin. The report should be a wake-up call to everyone, but we must be careful that the language does not disguise what we are facing. Talk of a demographic time bomb makes it sound as if everybody growing old is a problem, when actually we must harness this fantastic cohort in our population,

who are well and living well, but who are not encouraged to contribute adequately back into society, as many want to. We know that 30% of those over 60 volunteer through formal organisations but, sadly, their real skills are often not adequately harnessed. I have just met a group of people, many of whom are retired, who provide accompanying people—doulas—for people at the end of their life, to sit with them and stay with them. They are provided with training and many of them work as volunteers, giving of their own experience, their ability to be calm and the wisdom that comes with age to those who are frightened and to support families. That is just one example.

At a personal level, I also experienced over the summer how well some of the services can work to enable and re-enable the elderly. My 95 year-old uncle, adamant that he was not going into hospital, looked as if he was dying. The sensitivity and compassion with which Westminster social services dealt with him when he was in need has re-enabled him. He is now back using his iPad, working, in a voluntary capacity of course, and lending a listening ear to other people who are lonely and want someone to talk to. He has a great network that he is supporting, and he is contributing back into that society. Sometimes it can be done, but the elderly population themselves need to be encouraged and harnessed, and our policies need to recognise that.

In healthcare we view the elderly potentially as a problem. I had the privilege of being asked by Mark Drakeford, the Minister for Health and Social Services, following my time on this committee, to lead a national conversation in Wales about the unscheduled care of the elderly. There the problems are exactly the same, with emergency departments that seem to be full of elderly people. Indeed, there has been a 26% rise in the past four years of elderly people attending emergency departments but they do that by default. They go to hospital because it is the only part of the system that is open 24/7. Like other noble Lords, I fully support the need for a seven-day service. We cannot have a service that admits on seven days and discharges people on four and a half days. That does not add up.

We need to change attitudes, too, across the whole piece to stop being risk-averse, so that the kind of delays we heard about of people getting home will go, and that people will be respected for their own ideas and for what they want to do. Care homes are a place that many people fear going into. In our inquiry, we found that things are not always as good as they should be. It is a tragedy that one in 20 people report that they do not always get adequate or timely food and drink. Even though 71% are very or extremely satisfied with their care, that drops to only 55% for home care. So the attitude within all aspects of the services has to change to say that the older person is of worth. Cicely Saunders said that dignity was having a sense of personal worth. We need to value that wisdom and that cohort and harness them.

I hope that the Government and all future Governments will proofread every policy that they produce against the needs of the elderly to make sure that they are maximising the ability of the elderly—the older population—to live well and to contribute their resources back into the society in which they have lived and to which they have contributed previously.



6.52 pm

**Baroness Greengross (CB):** My Lords, I begin by thanking and congratulating the noble Lord, Lord Filkin, and the Committee for their excellent report.

I want to point out a few things that I have been thinking while listening to the excellent contributions today. First, we are living in an unprecedented situation—unprecedented in the history of mankind's existence on this planet, which in the history of the planet is perhaps not very long, but which in our minds is a long time. It is a long time since people died before the age of 25 because they were starving, were attacked by wild animals or caught an infection that they had no possible means of correcting.

We know now that most of us are not as certain as we used to be about what happens when we depart this world, so we want to hang around for as long as possible. For that to happen, we want to be in good enough health to enjoy living and be recognised by other people as part of society—not an add-on to be cared for or looked after, but a real part of the total society in which we live. We have to plan, which is what the committee's report emphasised, across the board to cope positively and to enable us to celebrate in the appropriate way this incredible change in the longevity that each of us can expect to enjoy—real planning for today's society, and not, as the noble Lord, Lord Crisp, pointed out, planning the future on the basis of what we did in the past. That would be a bit like planning for a war on the basis of yesterday's war technology and weapons. If we do not, as the report points out, needs will remain unmet, cost pressures will rise inexorably and the balance of responsibilities between individuals and the Government will not change in the way that is absolutely essential. Again, the report points this out.

We need radical reforms across the board but this will be very difficult to achieve because there are many pressures not to change. The report points to the essential fact that, as the noble Lord, Lord Warner, said, we have to look at everything in the light of what we need to keep as it is and what we must change.

In the world of work, we need employers and government to work together because people cannot save in the way that they need to unless they work for longer. We know people have to save more, so they have to work more. In order to do that, employers need help in creating the kind of workplace in which older people can work. There are some brilliant examples in other countries and there are a few in this country. We have to change.

We have to look at how we pay for the kind of care and pensions that we will need in the future if we are to live decently. The move to support old age must take place. If not, age-related spending is projected to rise from an annual cost of 21.3% of GDP in 2016 to 26.3% of GDP in 2061, which is a rise of £79 billion in today's money. We must therefore consider at all options. We must look at pensions and benefits, and look again at property values, and consider how we will pay for our needs in old age with an open mind.

The support ratio is projected to fall. The Pensions Bill was a laudable attempt by the Government to begin to get this right, on which I congratulate them,

but the support ratio—which, by 2051, will be only 2.9 workers to every person of pensionable age—means that this is even more necessary than we thought previously. To make employment realistically possible for our ageing population, flexible work must improve. However, many other changes are needed in work patterns and employers need to be supported in that.

Our built environment must be designed for the real society of tomorrow—not only in terms of housing, critical as that is, but our parks, our open spaces, our roads, our pavements, our transport. The design for the ageing of our population will benefit all of us but it must be taken into consideration. On education, we must look more closely at mixed-age learning centres and open up to the new technology and what it can do.

This is not a party issue or an issue only for the Government, employers, unions and the voluntary sector; this is a whole-society challenge. Major works are going on, in which I am grateful I can play a part, and I wish to mention two or three. The King's Fund has set up a commission looking at the future of health and social care, of which I am delighted to be a part; the Institute of Chartered Accountants in England and Wales is looking at a strategy for the ageing society; Business in the Community is looking at responsible business practice going forward; and the current and future work of the ILC is part of the Commission on Ageing and the Voluntary Sector. These organisations are trying to address these issues so that we can truly celebrate the ageing of our society in the future. It is a triumph. We must therefore ensure that both our older and our younger future populations together create a society where age does not mean stigmatising labels, but rather that we are all valued for what we are, what we do and what we contribute, so that we can forget about the number of birthdays we have celebrated.

7 pm

**Lord Hunt of Kings Heath (Lab):** My Lords, it is a great pleasure to wind up for the Opposition and to congratulate the noble Lords, Lord Livingston and Lord Borwick, on their excellent maiden speeches. I also congratulate my noble friend Lord Filkin and the members of his committee on producing such a good report. We have had a good debate and many issues have been raised, but for me one of the most important was mentioned by my noble friend Lord Hutton. He was surely right to point to the impact of defined contribution schemes on pensions and whether the well known shortcomings of those schemes really are going to be dealt with. The noble Lord, Lord Griffiths, talked about literacy in terms of the financial issues facing pensioners. We have been discussing in the Care Bill the whole issue of whether vulnerable older people are able to make the big decisions that often have to be taken on their finances without access to proper information and advice. The recent ABI report on annuities makes for sobering reading in relation to the differences between the best and the worst annuity schemes, and the seeming inability of very many people to understand that they can shop around when the time comes to make a decision.

We also heard about the cliff edge of retirement and the need for businesses to be flexible. The positive

[LORD HUNT OF KINGS HEATH]

point which has come through that I would stress to the Minister is that it can be a key advantage to businesses if they are flexible with their workforce in terms of the contribution that older people can make to the working environment. My noble friend Lady Wilkins talked about housing and the need for a much more cohesive approach to meeting the housing needs of older people. I refer also, of course, to the pressures on our health and social care system.

Above all, the message has come through to the Government and indeed to the Opposition that there is the need for a vision. We are facing a tremendous challenge, and at this point none of us is confident that we know how to meet it. I hope to hear from the noble Earl, Lord Howe, that there will be a greater recognition on the part of the Government of the kind of challenge we face and the vision that is needed. Certainly the initial Government response to the report is what I would call a worthy one, where each department has put forward a number of points, but at the moment it does not read like a cohesive whole. That, I think, is what the clear message of this debate is all about. Certainly from the point of view of the Opposition, the Leader of my party is very well aware of these issues and we will be assessing how we can take the lessons of this report forward into the next election.

The noble Lord, Lord Bichard, raised a very important point when he talked about the failure of different government departments to work together. That leads to different performance and management processes at the local level and different regulatory systems. The result is that when people at the local level are planning and delivering services, there are often perverse incentives in the way of them working together. I would be grateful if the noble Earl could say a little about how the Government can encourage local organisations to work more together effectively by blowing away some of the bureaucracy that often gets in the way.

We have to talk about health and social care, as did my noble friend Lord Filkin. There are huge pressures in these areas. Now, in mid October, many hospitals are facing an A&E crisis. If we are facing a crisis in October, the winter is going to be bloody. It is very simple: primary care is inaccessible and therefore 24/7 A&E is often the only place where people can go. Discharge has become much more difficult, and so hospitals are getting fuller and fuller. At the same time, the pressures that have come, quite rightly, from the Francis report, the Berwick report and the Keogh report, have been particularly around the need for hospitals to increase their staff. But money has got much tighter and something is going to have to give. That is a serious issue which underpins what my noble friend Lord Warner said. We are marching towards a real crisis in health and social care, and at the moment, I do not think that any of us are confident that we really know the way through. Clearly, we have to integrate services and find answers to the funding issues. We must not only meet the demographic challenge but engage the huge technological advances, which can do much for older people but will cost more money, particularly in the short term.

The noble Lord, Lord Crisp, talked about the workforce in health and social care. How right he was. I would

just say to him that the recent Royal College of Physicians' report on the future hospital did not just look at new ways of running hospitals, reflecting that most people in hospital will be older, but said that we should move away from specialisation and that the way forward was for general physicians to treat the patient as a whole, with many comorbidities. It is really exciting that a royal college is leading that kind of movement. We need to work on that.

My noble friend Lord Filkin said that the committee was continuing, albeit unofficially. That is very welcome. The report has given us a huge wake-up call and the responsibility falls on all of us to respond as effectively as we can.

7.06 pm

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** My Lords, I begin by congratulating the noble Lord, Lord Filkin, not only on raising this important debate but on chairing the committee that produced *Ready for Ageing?*. I thank the other members of the committee for their work on this valuable report. I am sorry that we were unable to discuss the report earlier in the year. However, had we done so, we would not have had the advantage or the pleasure of listening to my noble friends Lord Livingston and Lord Borwick deliver their superb and wise maiden speeches.

The committee's report covers a number of very important and fundamental issues. As a result, it has provoked discussion and debate across government about how we can continue to work together most effectively to meet the needs of an older population. This country faces major demographic and economic challenges as a result of an increasingly ageing population. We welcome the committee's report, which shares the Government's ambition of making this country a great place in which to grow old. If we think about what such a country should look like, it is a place where older people get excellent care and support when they need it, where people are supported to live independently, where people plan and save to ensure a good retirement income in later life and where we make the most of the skills and talents everyone has to offer.

We know the challenge is significant. The quality of our later life is an issue which affects us all. The noble Lord, Lord Bichard, was right that cross-government co-ordination and focus are crucial to achieving success. We all have responsibility for ensuring we make the most of the extraordinary opportunity of increasing life expectancy, as the noble Baroness, Lady Finlay, rightly pointed out. These challenges are for individuals and communities, for local and national government and for the private and third sectors.

The Government's response to *Ready for Ageing?*, published in July, describes the far-reaching programme of reforms we have put in place, as well as the plans we have for further work, which we believe will begin to address the challenges that the noble Lord and his committee have set out. The noble Lord, Lord Warner, was correct to highlight the pressures on the NHS. For example, the NHS handles more than 2 million unplanned admissions to hospital a year for people aged over 65. These account for 68% of hospital emergency beds and the use of more than 51,000 acute beds at any one

time. It would simply not be sustainable for those admissions to go on increasing in line with demographic changes. We know that, to adapt and respond to future need, the health and care system needs to change. The challenges set out in the report create an opportunity for the NHS and local authorities to innovate and explore new ways of working, better to meet the needs of the local populations and optimise the use of available resources.

I listened with a very considerable measure of agreement to the noble Lord, Lord Bichard. Our vulnerable older people plan will strengthen primary care to make sure vulnerable and elderly people, including those with long-term conditions, have the support they need to keep them in better health and out of hospital. These are urgent and absolutely necessary changes to help ensure that our health service is person-centred, efficient and sustainable for the future. It is our ambition that people should receive high-quality, integrated and person-centred services that deliver the best outcome to the service user and make the system as a whole more efficient.

The noble Lord, Lord Filkin, questioned whether bottom-up change would be sufficient to transform health services. On 26 June, we announced the establishment of a £3.8 billion integration transformation fund, a pooled fund between local government and health to drive forward better integration between health and care services. It is perhaps more of a top-down initiative than the Government have been used to, but we felt that it was necessary.

The noble Baroness, Lady Finlay, and my noble friend Lord Mawhinney referred to the need for a 24/7 NHS, and my noble friend questioned how we would create that. Professor Sir Bruce Keogh, medical director of NHS England, is undertaking a review, consulting patients, the public and NHS staff to help shape the future of urgent and emergency care services. The review is investigating the provision of urgent and emergency care as part of a drive to promote more extensive seven-day services in the NHS and developing a national framework to build a safe, more efficient system. I can tell my noble friend that we are holding Sir Bruce to account for delivery of that framework. We urgently need to improve the way we offer care between our hospitals, primary and community care, and social services. Better integration and communication between these services is the key to success.

I can tell the noble Lord, Lord Crisp, that the NHS is planning for the longer term. In July, NHS England published *NHS: A Call to Action*. This is a first step in a sustained programme of engagement between NHS users, staff and the public around how the NHS will meet future challenges, including an ageing population and a significant increase in the number of people with long-term conditions. We are also consulting on major changes to the way in which people plan and pay for their care. The reforms will give everyone the peace of mind that they will get the care they need, and that they and their home will be protected from huge costs if they develop very complex care needs.

My noble friends Lord Borwick and Lord Griffiths and the noble Baroness, Lady Greengross, were absolutely right: enabling older people who can work to stay in

work is critical to the economy and pension sustainability, and to the financial health and social well-being of individuals. The noble Lord, Lord Hunt, made that point as well. We have abolished the default retirement age, meaning that most people can now retire when the time is right for them. However, employment rates for older people remain lower than for some of their younger counterparts, and we must ensure that older people who wish to contribute in the workforce have the opportunity to do so. To that end, we have announced our commitment to publish an extending working life framework for action early next year.

The state pension reforms, which are currently in the House of Commons, will replace the two-tier pension system with a simpler, single-tier state pension for future pensioners. The full rate of the new state pension will be set above the basic means test, helping to provide a clear foundation for retirement saving. The reforms will underpin the rollout of automatic enrolment, which will see 6 million to 9 million people saving more, or saving for the first time, into a workplace pension. I can tell my noble friend Lord Griffiths that increasing the basic state pension by the triple lock is part of the secret here—a minimum of inflation, earnings or 2.5%. From April this year, the basic state pension has represented a higher share of average earnings than at any time since 1992.

The noble Lord, Lord Hutton, with his insight into these areas, spoke with great authority about defined contribution pension schemes. Automatic enrolment and the single-tier pension will provide a firm foundation for saving for retirement, but if the current forms of defined contribution pension saving become the default alternative to defined benefit schemes, the pension income of future generations from workplace pensions will be more uncertain than for past generations. Over the past 12 months, the defined ambition project, a joint project between DWP and the pensions industry, has been exploring options in a middle ground that do not leave either individuals or employers shouldering the entire risk of pension saving. The Government will shortly publish a consultation paper outlining the conclusions from this work and proposals for defined ambition pensions. Following the response, the Government will consult on draft legislation.

The noble Lord, Lord Filkin, and my noble friend Lady Thomas referred to the imperative of housing, as did the noble Baroness, Lady Wilkins. The Government are providing £315 million to help to develop specialist housing for older people and adults with a disability. That tailored accommodation will help people to retain their independence for as long as possible and provide a better quality of life at the same time as maintaining links to family and friends and retaining ties to their local communities.

I can tell my noble friend Lady Thomas that the care and support specialist housing fund will be paid out in two tranches. The first tranche will provide 3,000 extra specialist houses for older and adult disabled people; the second will support development of private sector housing for that group. All that is in addition to £4.5 billion being invested over the spending review period to deliver 170,000 affordable homes by 2015 for rent and affordable home ownership. That investment

[EARL HOWE]

will lever in £15 billion of private sector investment, a total of £19.5 billion invested in new affordable housing. The *National Planning Policy Framework*, published last year, should deliver a wide choice of homes and plans for a mix of housing based on demographic trends and the needs of different groups in the community, such as older people.

Those are just a few examples of the wide-ranging reforms that are detailed in the Government's response to *Ready for Ageing?*. To follow up a point made by my noble friend Lord Livingston, work that we are doing today will mean that future generations will not be burdened with huge debts. As Albert Camus said:

“Real generosity towards the future lies in giving all to the present”.

Public provision must continue to adapt and respond as the needs and expectations of the population change. At the same time, individuals must take personal responsibility for planning for their later life, making choices and exercising control.

However, we are conscious that that is not the whole answer. I can reassure the noble Lord, Lord Filkin, and my noble friend Lord Ridley that work is ongoing across government to identify the scale of the challenges ahead. At a ministerial level, we will then consider how we should meet those challenges. I say to my noble friend Lord Mawhinney that this is definitely a matter for government. We will use this work to look for opportunities to innovate and explore new ways better to meet the needs of our local communities and optimise the use of available resources.

The Department of Health does not make its own projections of demographic changes, but is informed by work undertaken by academic experts in the field. Their models were developed under a programme of research funded by the Department of Health and other funding agencies. Inevitably, although they are plausible assumptions, there is significant uncertainty about the direction of future trends, and there is no consensus among academics. However, the department is confident that it is informed by the best modelling and evidence available.

My noble friend Lady Thomas rightly observed that social care funding is dropping. She made the point that it was not keeping pace with demand. I would not want to belittle the pressures on local government budgets. However, interestingly, the Health and Social Care Information Centre has recorded a drop in demand for social care. Local authorities report that preventive services, such as reablement of people leaving hospital, are successfully reducing demand on social care. We need to build on that.

The noble Lord, Lord Hunt, called for greater literacy in decisions about paying for care, and I completely agree. I am sure that he will therefore welcome the new advocacy powers that we have inserted into the Care Bill, which local authorities will be able to exercise.

My noble friend Lord Wei asked about the use of crowdsourcing as part of the chief scientist's analysis. I can tell him that the chief scientist's work is still being scoped, but I shall pass on my noble friend's suggestion.

My noble friend Lady Tyler spoke powerfully about loneliness among the elderly, which is a serious issue blighting the lives of many people. We know that the quality of people's relationships has a massive impact on their physical and mental well-being. If we improve social and local connections, we can keep people healthier, active and more resilient for longer. If we do not, as she rightly said, people will continue to have their lives cut short. We are raising awareness of the issue and helping local health and well-being boards and commissioners to get better at measuring the issue in their local communities. This will help them to come up with the right targeted solutions and to drive local improvements that really make a difference. Loneliness and social isolation are problems that government alone cannot solve. For older people, as the right reverend Prelate was right to say, extending working life may be part of the answer, along with encouraging neighbourhood action, volunteering and participation.

The noble Lord, Lord Filkin, raised volunteering, as did the noble Lord, Lord Hunt of Kings Heath. It is vital that the voluntary sector, business and individuals work together to find the right solutions. The Government, alongside Age UK and the Age Action Alliance, are supporting a whole strand of work: a growing network of more than 465 organisations from all sectors of society, including businesses and the voluntary sector, working alongside older people to find practical solutions to the issues that the noble Lord, Lord Filkin, highlighted in his report. ILC-UK, the organisation with which the noble Baroness, Lady Greengross, is involved, is a member of the alliance along with several government departments and businesses such as Microsoft and all the major energy companies.

My noble friend Lord Livingston spoke about carers, and rightly said that they needed support. A summit last year, co-hosted by the Government and Employers for Carers, agreed that a task and finish group would be set up to consider national and international evidence on good practice to support carers who wish to remain in the labour market and to support employers to grow their businesses. He spoke, too, about the use of technology; it is a key priority for government to bring the technology revolution to health and care. We believe that at least 3 million people with long-term conditions could benefit from the use of telehealth and telecare services. Their use can also, incidentally, help social inclusion.

My noble friend Lady Tyler called for the Government to report back on progress. The Government's response to this report is a first step in an important dialogue between the Government and the public, which must and will continue into the next Parliament. As part of this dialogue, the Government have committed to writing to the House of Lords Liaison Committee in a year's time to update on the progress of their reforms, as well as providing any new evidence on challenges that might have arisen since the original report was published. This debate has contributed further to that dialogue and I thank the noble Lord, Lord Filkin, for bringing us together today and for his tireless work in raising the profile of these important issues.

7.22 pm

**Lord Filkin:** My Lords, I thank the Minister for his thoughtful response, as ever. I thank all who have spoken so powerfully, whether from humanity, policy or politics in different dimensions. I particularly enjoyed, as did we all in the Chamber, the superb maiden speeches of the noble Lords, Lord Livingston and Lord Borwick. We could not have been better served. Above all, I was pleased as one of the committee's goals was to get all political parties to commit to working on these issues in their manifestos. That was explicit in our report and we heard, I think for the first time in public, two political parties saying that they would do so. That is good news and I am sure that we will get the third before long.

I should have mentioned one member of staff who I forgot: Owen Williams. He was our press officer and was genuinely superb. He got almost everything right, except for the final day. At about 10 pm on the night before our launch, we know that we had the lead spot

on the "Today" programme the following day. Then the College of Cardinals elected the Pope. Owen had failed to control the College of Cardinals and we were bumped off the top slot. You cannot get the perfect staff, can you?

In conclusion, the noble Lord, Lord Mawhinney, was good at giving me strong advice—the committee will recollect this. He did not mince his words and at the end of the process I asked him, "What do you think I should do now?". He said, basically, "Keep going", and he made me think that that was the right thing to do. I thank him for that because we have kept going, which is sensible even if we are not really a Select Committee anymore. We will keep going and I will wish to discuss some of the excellent ideas that I have heard in this debate to see how we can pick up on them. I thank all who have spoken.

*Motion agreed.*

*House adjourned at 7.24 pm.*



# Written Statements

Thursday 17 October 2013

## Arctic Statement

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** My Honourable Friend, the Parliamentary Under-Secretary of State, Mr Mark Simmonds, has made the following written Ministerial statement:

I would like to inform the House that the Foreign and Commonwealth Office is today publishing the Government's Arctic Policy Framework, *Adapting To Change: UK policy towards the Arctic*.

The Framework sets out the detail of the UK's interests in the Arctic, how we will work with Arctic States and the wider international community, and what expertise the UK can offer to help meet some of the long-term challenges facing the region.

In doing so, we will respect the sovereign rights of the Arctic States to exercise jurisdiction over their territory; the views and interests of people who live and work in the Arctic; and the Arctic environment, its fragility and its central importance to the global climate.

We will work towards an Arctic that is safe and secure; well-governed in conjunction with indigenous peoples and international law. We will promote Arctic policies that are developed on the basis of sound science and have full regard to the environment. We will promote an Arctic where only responsible development takes place.

We will support the Arctic Council as the pre-eminent regional forum for discussing Arctic issues and actively encourage wider dialogue on Arctic matters of global importance. We will promote UK Arctic science, encourage more international collaboration and continue to fund top class research to increase understanding of the changes in the Arctic. We will play a leading role in diplomatic efforts to avoid dangerous climate change and support the principle of designating Marine Protected Areas in international waters where science supports it. We will facilitate responsible business activity in the region by UK companies and advocate for the highest environmental and drilling standards.

Fundamentally, leadership for Arctic stewardship rests with the eight Arctic States and the peoples within those States. However, where appropriate we will show leadership on Arctic matters of global importance, such as understanding the effects of Arctic climate change on global processes. And we will work co-operatively with Arctic States and other international partners on issues that affect UK interests in the fields of governance, environment and commerce.

I have placed copies of the Arctic Policy Framework in the Libraries of both Houses. It is also available on [www.gov.co.uk/government/publications/adapting-to-change-uk-policy-towards-the-arctic](http://www.gov.co.uk/government/publications/adapting-to-change-uk-policy-towards-the-arctic).

## Bovine Tuberculosis Statement

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** My Right Honourable Friend Owen Paterson, Secretary of State for the Environment, Food and Rural Affairs, has today made the following statement.

This Government is committed to ensuring we have a comprehensive package of measures to tackle bovine TB (bTB), including a carefully managed and science led policy of badger control in areas with high incidence of TB in cattle.

I am updating the House following the completion of the six-week control pilot in Gloucestershire on 15 October. This is further to my statement of 9 October, in which I informed the House that Natural England was considering, and has since granted, a short extension to the pilot in Somerset to improve the disease benefits already achieved.

As previously announced, the badger population in Gloucestershire immediately before the pilot began was estimated to have fallen to 2,350 compared with an estimated population of 3,400 last summer. In the six weeks of the pilot 708 badgers have been removed from this population. This represents just over 30% of the local badger population.

In view of this, the Chief Veterinary Officer (CVO) has advised that the period of culling this year should be extended to achieve the earliest and greatest possible impact on bTB in Gloucestershire. Natural England is therefore considering an application for an extension from the cull company in Gloucestershire.

The pilots held this year are the first stage in a planned four-year cull. Three of the areas of the Randomised Badger Culling Trial also had a slow start. These areas saw an increase in the numbers of badgers removed in subsequent years and went on to contribute to overall disease benefits.

I have always been clear that both the Somerset and Gloucestershire culls are pilots. This has enabled us to test the safety, humaneness and effectiveness of controlled shooting as a means of reducing badger numbers and so reduce significantly disease in cattle. Having the two separate pilot areas has similarly enabled us to see how different environmental factors, field and other conditions affect the practical delivery of our objectives. Experience gained on the ground has been invaluable. I would like to pay tribute to the local farmers and landowners who are undertaking the cull, often in difficult terrain and weather, and often in the face of intimidation by a small minority who are determined to stop this disease control policy.

After the Independent Panel of Experts has reported, we will consider all the information these pilots have generated and decide on next steps. The early indications are that, as in Somerset, the pilot in Gloucestershire has been safe and humane. Nevertheless, the Gloucestershire pilot has again demonstrated that the cull period may need to be longer than six weeks in future, enabling teams to adapt their approaches to suit local circumstances.

These pilots are another step towards halting the spread of bTB. We continue to make good progress on all aspects of our draft strategy to eradicate the disease in England within 25 years, including the development of workable badger and cattle vaccines and better biosecurity on farms. Collectively, we are putting in place the necessary measures for the successful long-term eradication of bTB in the UK.

## **EU: Agriculture and Fisheries Council** *Statement*

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord De Mauley) (Con):** My Right Honourable Friend Owen Paterson, Secretary of State for the Environment, Food and Rural Affairs, has today made the following statement.

The next Agriculture and Fisheries Council is on Thursday 17 October in Luxembourg. George Eustice, Parliamentary Under Secretary of State, will be representing the UK. Richard Lochhead MSP may also attend.

The Council will concentrate on Fisheries items. There are no agricultural items scheduled for this Council.

The agenda items are as follows;

- Council Regulation fixing the 2014 fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea
- EU /Norway: annual consultation for 2014
- International Commission for the Conservation of Atlantic Tunas (ICCAT) annual meeting – exchange of views
- AOB item: North East Atlantic Mackerel management and coastal state negotiations

## **EU: Association Agreements** *Statement*

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** My Honourable Friend the Minister of State for Europe (David Lidington) has made the following Written Ministerial Statement:

I wish to inform the House that the Government has opted in to the following measures:

- (i) the Council Decision on the signing, on behalf of the EU, and provisional application of an Association Agreement between the EU and its Member States, and Ukraine.
- (ii) the Council Decision on the conclusion of the Association Agreement between the EU and its Member States, and Ukraine.

The EU-Ukraine Association Agreement, including a Deep and Comprehensive Free Trade Area, will deepen and broaden the political and economic relationship between the EU, its Member States, and Ukraine. The Agreement process supports and encourages reform in Ukraine to bring it closer to EU norms, as well giving Ukraine gradual access to parts of the EU Internal Market.

UK government policy is to support a closer relationship between the EU and Ukraine, while continuing to make clear to Ukraine that they need to deliver demonstrable improvements. We have not yet taken a decision on whether to recommend signature of the Agreement which is dependent on sufficient progress on reform by Ukraine. I underlined all of these points during my September visit to Ukraine.

The Council Decisions relate to an Agreement which contains provisions relating to the temporary movement of natural persons for business purposes (known as “Mode 4” trade in services) and the readmission of third country nationals, thus triggering the UK Justice and Home Affairs opt-in. I believe it is in the UK’s interest to opt in to these measures, which are an integral part of our wider approach on trade and support our other commitments in services and investment liberalisation.

## **EU: Transport Council** *Statement*

**The Minister of State, Department for Transport (Baroness Kramer) (LD):** My Honourable Friend, the Parliamentary Under Secretary of State for Transport (Robert Goodwill) has made the following Ministerial Statement:

I attended the first Transport Council of the Lithuanian Presidency (the Presidency) in Luxembourg on Thursday 10 October.

The Council held an orientation debate on the Proposal amending Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage. The Presidency invited responses to questions posed on compensation for missed connections and whether compensation should be time/distance based or linked to the price of the ticket. I expressed concern that the inclusion of connecting flights in the text would impact negatively upon interlining agreements, reduce regional connectivity, increase capacity problems at airports and place the EU sector at a competitive disadvantage. I stated that the priority should be to agree the 5, 9 & 12 hour trigger points for when compensation is due. The time/distance based approach to compensation should be maintained. I also took the opportunity to make some other points on the proposal—I stressed that extraordinary circumstances should not be limited to two flights, and that the provisions should not cover other transport modes.

The Council agreed to the proposed extension until 2024 on the Regulation establishing a joint undertaking to develop the new generation European air traffic management system (SESAR).

The Council agreed three General Approaches on: railway safety; multi annual funding in respect of the European Maritime Safety Agency; and the Galileo GNSS Agency.

On the Proposal for a recast Directive on railway safety (part of the 4th Railway package), the Commission had originally proposed that the European Railway



Agency should undertake all approvals, but the Presidency's compromise proposal included a similar model to the General Approach on the recast Directive on railway interoperability agreed at the June Transport Council for the issue of the single safety certificate. This included the UK's proposal to give applicants a choice to use national safety authorities where operations would be restricted to one Member State.

The Proposal for a Directive on multi-annual funding for the action of the European Maritime Safety Agency was agreed following the withdrawal of the remaining reservations.

The Proposal for a Regulation setting up the European GNSS Agency which will play a central role in improving the governance and management of the EU's satellite navigations systems, Galileo and EGNOS, was also agreed.

Under Any Other Business, the Commission reported on the outcome of the International Civil Aviation Organisation Assembly in relation to the Aviation Emissions Trading Scheme. The Commission noted that the commitment to the development of a global market based measure for agreement by 2016, to be implemented by 2020, was a major success for the EU. I strongly welcomed the commitment to a global market based measure. However, I pointed out that the EU needed to consider next steps in light of the outcome of the ICAO Assembly, and in particular the need to avoid hostile reactions from third countries.

The Commission updated Ministers on a developing situation where Russia is likely to commence requesting passenger data from EU airlines from 1 December 2013, and reported on the system for monitoring, reporting and verification (MRV) of greenhouse gas emissions from international maritime transport.

Spain reported on the recent train accident at Santiago de Compostela and will be focusing on the overhaul of standards and technical improvements, as well as assistance to those affected by the accident. Investigation into the accident is currently ongoing.

## Government Departments: Contingent Liabilities

### Statement

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** My honourable Friend Secretary of State for Education (Rt Hon Michael Gove MP) made the following announcement:

In line with normal practice I would like to inform the House that whilst in the summer recess, my Department provided an indemnity to the Church Commissioners for England, in order to secure a lease arrangement on its site for CET primary school, Westminster, from September 2013 until 31st March 2017.

Such an indemnity would normally be notified in advance to Parliament but since the need was identified during recess, officials wrote to Rt. Hon. Margaret Hodge MP as Chair of the Committee of Public Accounts, copied to Graham Stuart MP as Chair of the Education Select Committee on 21st August 2013, informing them of the proposed indemnity.

I inform the House today of the indemnity provided and a Departmental Minute, which sets out the detail of the indemnity, has been laid in both Houses.

## National Minimum Wage

### Statement

**The Parliamentary Under-Secretary of State, Department for Business, Innovation and Skills (Viscount Younger of Leckie) (Con):** My Hon Friend the Minister for Employment Relations and Consumer Affairs (Jo Swinson) has made the following statement

I am pleased to announce that the Government has written to the Low Pay Commission setting out what we would like the Commission to consider on the National Minimum Wage. The document contains the Government's interim evidence on economic and non-economic issues, including the minimum wage rates and the youth labour market. An updated version of the evidence will be published later when the latest information on earnings and economic forecasts will be included.

A copy of the evidence will be placed in the Libraries of both Houses and will be available at [www.gov.uk](http://www.gov.uk).

## Social Mobility and Child Poverty Commission: Annual Report

### Statement

**The Parliamentary Under-Secretary of State for Schools (Lord Nash) (Con):** My honourable Friend the Minister of State for Schools (Rt Hon David Laws MP) made the following announcement:

I, in collaboration with the Deputy Prime Minister and the Secretary of State for Work and Pensions, wish to inform the House of the publication of the annual report by the Social Mobility and Child Poverty Commission *State of the Nation: Social Mobility and Child Poverty in Great Britain*.

The report sets out the views of the Commission on the progress made toward the goals of improving social mobility and reducing child poverty in the United Kingdom. It also includes a description of the measures that have been taken by the Devolved Administrations in Scotland and Wales.

The Government welcomes the report and the Commission's contribution to these important issues. We will consider their recommendations and our response in due course.

The report will be laid in Parliament and published later today. The report will be available at [www.Gov.uk/SMCPC](http://www.Gov.uk/SMCPC)

## Taxation: Tax Policy

### Statement

**The Commercial Secretary to the Treasury (Lord Deighton) (Con):** My honourable friend the Exchequer Secretary to the Treasury (David Gauke) has today made the following Written Ministerial Statement.

The Government's approach to developing tax policy emphasises the benefits of policy consultation and legislative scrutiny.

Following Budget 2013, the Government has engaged with interested parties, seeking their views on more than 30 areas of tax policy. The next stage of consultation aims to ensure that the legislation works as intended.

Draft clauses to be included in Finance Bill 2014 will be published on 10 December 2014, together with responses to policy consultation, explanatory notes and tax information and impact notes. The consultation on the draft legislation will be open until 4 February 2014.

## Written Answers

Thursday 17 October 2013

### Afghanistan: Women

#### Questions

Asked by **Lord Hylton**

To ask Her Majesty's Government what plans they have to prevent the abduction, rape and torture of women in Afghanistan, when external forces withdraw. [HL2421]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** In June, the Afghan National Security Forces, supported by the international community, took the lead responsibility for security in all areas of Afghanistan, this includes policing.

The UK's commitment to Afghanistan and the Afghan people will not end when international combat forces leave Afghanistan after the end of 2014. Tackling violence and discrimination against women is an important part of our work in Afghanistan and is fundamental to upholding basic human rights and to supporting the role of women in securing a stable and prosperous future Afghanistan. We regularly raise respect for women's rights and the protection of women's security with the Afghan government and wider Afghan Authorities and will continue to do so.

Implementation of the Afghan Elimination of Violence Against Women Law was specifically included in the Tokyo Mutual Accountability Framework, the partnership between the Afghan government and the international community. We, along with our international partners, will hold the Afghan government to account for the commitments they have made. Our assistance to the Ministry of Interior goes in part towards helping to improve the Afghan National Police's role in protecting and upholding women's rights. It also supports the development of Afghan policy on promoting human rights and protecting women from violence.

Asked by **Lord Hylton**

To ask Her Majesty's Government what action they are taking to ensure that women's refugees remain open in Afghanistan when the government of Afghanistan assumes full responsibility. [HL2424]

**Baroness Northover (LD):** DFID recognises the important role of refugees as part of the response to violence against women in Afghanistan. The UK provides funding to NGOs who work to protect women from violence in Afghanistan. Although this funding is not earmarked for any particular activity, their work includes the running of women's refuges.

### Airports: Aircraft Noise

#### Question

Asked by **Lord Taylor of Warwick**

To ask Her Majesty's Government what assessment they have made of the risks to vulnerable people living near the busiest airports in the United Kingdom of stroke and heart disease related to aircraft noise. [HL2538]

**The Minister of State, Department for Transport (Baroness Kramer) (LD):** Public Health England funded a recently published study by the Small Area Health Statistics Unit, based at Imperial College London, on the risk of hospital admissions and deaths from stroke, heart disease and circulatory disease in neighbourhoods exposed to aircraft noise related to Heathrow airport. The Government will evaluate the study alongside other existing evidence to consider future policy implications in this area.

### Armenia and Azerbaijan

#### Questions

Asked by **Lord Hylton**

To ask Her Majesty's Government whether the European Union has a budget for confidence-building measures and normalisation of relations between Armenia and Azerbaijan; and, if so, whether the budget includes support for non-governmental organisations and civil society in preparing public opinion in those countries for peace. [HL2513]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** The EU is providing €6 million over three years ending in financial year 2014-15 for confidence building measures. This primarily funds a coalition of non-governmental organisations 'The European Partnership for the Peaceful Settlement of the Conflict over Nagorno-Karabakh (EPNK).' The work of EPNK is organised around three themes: media, public policy and conflict-affected groups. EPNK projects have involved bringing together activists and residents from conflict affected communities across the Line of Contact with the aim of building mutual understanding and confidence between the communities.

The UK government has allocated funding of £700,000 for financial year 2013-14 for projects focusing on the Nagorno-Karabakh conflict. Successful bids for funding for financial year 2013-14 include projects aiming to increase informal contact between governmental representatives acting in their personal capacity, representatives of governmental think-tanks and others to develop an approach to confidence building measures which will complement and strengthen the official process.

Asked by **Lord Hylton**

To ask Her Majesty's Government whether the European Union is engaging with the governments of Armenia and Azerbaijan in developing plans for the sharing of water resources between those countries, and for future economic co-operation between Armenia and Azerbaijan. [HL2514]

**Baroness Warsi:** Engagement in economic co-operation has proved a valuable tool in conflict settlement disputes. The UK envisages economic co-operation between Armenia and Azerbaijan being part of a settlement to the Nagorno-Karabakh conflict. The EU Special Representative (EUSR) for the South Caucasus and the Crisis in Georgia, drawing on experiences in other conflict settlement processes, has offered support to

the Organisation for Security and Co-operation in Europe (OSCE) in considering a water sharing programme in the conflict affected region. The European Union supports the efforts of the OSCE Minsk Group in working for a peaceful settlement of the Nagorno-Karabakh conflict, and EUSR Lefort remains in close consultation with the Personal Representative of the OSCE Chairman-in-Office, Andrzej Kasprzyk.

## Asylum Seekers

### Questions

*Asked by Lord Roberts of Llandudno*

To ask Her Majesty's Government what assistance they have offered and provided to (1) Italy, and (2) Syria's neighbouring countries, to guarantee north African asylum seekers (a) safe entry to the European Union (temporary or otherwise), and (b) access to fair and efficient asylum procedures. [HL2375]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** The Government is keen to ensure that, where European Union (EU) Member States' migration systems come under pressure, support is provided in the form of practical cooperation. The European Asylum Support Office (EASO) is the primary mechanism for the provision of such support within the EU. The UK actively contributes to EASO, including providing staff for EASO's Asylum Support Teams.

EASO is currently providing support to Italy in the form of a Special Support plan that was signed on 4 June 2013.

With regard to Syria, I share the deep concern of others regarding the worsening humanitarian crisis. The Government has provided £500 million already to the regional Syrian relief effort. Beyond the provision of humanitarian aid, the Government's objective is to ensure that effective protection is provided in the region and that support is given to the neighbouring countries that are bearing the brunt of the displacement. With over two million people now having been displaced from Syria, regional protection is the only realistic means by which the rights of the vast majority of displaced persons can be safeguarded.

Accordingly, the Government supports the EU's plans to establish a Regional Protection Programme (RPP) for those displaced by the Syrian crisis. In July we confirmed that the UK is prepared to contribute up to Euro 500,000 to the programme and we look forward to playing an active and constructive role on the programme's Steering Committee.

Our participation in this project in line with our strong view is that it is best for displaced people to be provided protection as close to their region of origin as possible, rather than being brought to the EU.

*Asked by Lord Laird*

To ask Her Majesty's Government, further to the Written Answer by Lord Taylor of Holbeach on 25 February (WA 188), how many asylum seekers who have arrived in the United Kingdom in the last five years were first registered in Greece; how many of those have been returned to Greece; how many have

arrived since the decision not to return asylum seekers to Greece following the judgment by the European Court of Human Rights in the case of *MSS v Belgium and Greece* (Application no. 30696/09); and when they expect that sufficient progress will be made by Greece towards meeting the Court's requirements on improved detention facilities to allow the return of asylum seekers to resume. [HL2390]

**Lord Taylor of Holbeach:** Since 2008, the Home Office is aware of 4,708 cases where evidence suggests that there were previous links to Greece. A total of 564 cases were returned to Greece under the Dublin Regulation between 2008 and September 2010.

In September 2010, a decision to suspend transfer from the UK to Greece under the Dublin Regulation was made. The decision was taken pending the outcome of the case of NS referred by the Court of Appeal to the European Court of Justice. As a result, asylum applications that would have otherwise been the responsibility of Greece fell to be considered substantively in the UK by the Home Office. Since this decision was taken, approximately 1,164 cases have been identified by the Home Office that would have otherwise been the responsibility of Greece.

Greece is continuing to implement its Action Plan on Managed Migration and Asylum Reform. There have been some notable improvements in Greece's asylum system, including the opening of the new Asylum Service in June 2013. The UK and other Member States continue to offer support to Greece via the European Asylum Support Office, however we judge that more progress is still needed in all aspects of the Greek asylum system before the EU can be confident that a resumption of Dublin returns to Greece would stand up to judicial scrutiny.

Note: The above statistics are based on management information data that is not quality assured under National Statistics protocols. The figures do not constitute part of National Statistics and should be treated as provisional.

*Asked by Lord Laird*

To ask Her Majesty's Government what assessment they have made about the treatment of asylum seekers, and in particular children, in the Republic of Ireland; and whether they have made any representations to the government of that country about the matter. [HL2392]

**Lord Taylor of Holbeach:** Officials are in regular contact with their counterparts in the Irish administration. We are satisfied that Ireland is a safe country for the removal of asylum seekers, including children, from the UK in accordance with its position in the list of safe countries at Part two of Schedule three to the Immigration and Asylum (Treatment of Claimants, etc.) Act 2004. The Government has therefore not made any representations to the Irish Government regarding its treatment of asylum seekers.

The Government is aware that the High Court of Justice in Northern Ireland recently found in favour of the applicants in the case of ALJ and others regarding the Secretary of State for the Home Department's

failure to have regard to the need to safeguard and promote the welfare of the children in the family as required by section 55 of the Borders, Immigration and Citizenship Act 2009 when proposing to transfer the family from the UK to Ireland under the Dublin Regulation (EC) No. 343/2003. At the same time, however, we also note that the High Court fully rejected the contention that there is a systemic deficiency in Ireland's asylum or reception procedures amounting to a real risk of asylum applicants, including children, being subjected to inhuman or degrading treatment on return to Ireland.

*Asked by Lord Avebury*

To ask Her Majesty's Government how many asylum cases were awaiting first decisions at (1) the latest convenient date, and (2) twelve months earlier.

[HL2446]

**Lord Taylor of Holbeach:** The latest date for which published National Statistics on asylum pending cases are available is the second quarter of 2013.

The number of asylum applications pending an initial decision for main applicants was 7,201 at the end of 2012 Q2 and 9,866 at the end of 2013 Q2.

The number of asylum applications pending an initial decision for main applicants and dependants was 9,188 at the end of 2012 Q2 and 13,124 at the end of 2013 Q2.

These increases coincide with an increase in asylum applications in the preceding years, from 26,148 in the year ending 2012 Q2 to 29,528 in the year ending 2013 Q2 for main applicants and dependants.

The figures for the number of asylum applications pending an initial decision on a quarterly basis are published as National Statistics in Tables as\_01\_q (main applicants) and as02\_q (main applicants and dependants) in Asylum data tables Volume one of Immigration Statistics. The latest release Immigration Statistics April — June 2013 is available in the Library of the House and from:

<https://www.gov.uk/government/publications/immigration-statistics-april-to-june-2013>.

## Central African Republic

### Questions

*Asked by Baroness Berridge*

To ask Her Majesty's Government what is their assessment of the findings of the report by Human Rights Watch I can still smell the dead concerning the situation in the Central African Republic. [HL2384]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** We remain extremely concerned about human rights abuses in the Central African Republic (CAR). CAR's National Transitional Council needs to do more to address this, and those responsible for abuses must be held accountable for their actions.

We welcome the appointment at the September 2013 UN Human Rights Council Summit of an Independent Expert to monitor human rights abuses, and of UN Resolution 2121 which reinforced the mandate of United Nations Integrated Peacebuilding Office in CAR (BINUCA) to promote and protect human rights.

The Minister for Africa, my hon. Friend the Member for Boston and Skegness (Mr Simmonds), discussed the humanitarian situation in CAR with key African and International interlocutors at a High Level event during the United Nations General Assembly on 25 September 2013.

*Asked by Baroness Berridge*

To ask Her Majesty's Government what is their assessment of the security implications for the neighbouring region of the level of effectiveness of government in the Central African Republic.

[HL2385]

**Baroness Warsi:** The situation in the Central African Republic (CAR) is largely confined within its borders, but the lack of security and effective governance has the potential to cause problems for its neighbours. We believe that security needs to be improved as a first step to allow the N'Djamena political process to progress. The return of a constitutional and effective government is vital for the long-term stability of CAR and is in the best interests of the region as a whole.

*Asked by Baroness Berridge*

To ask Her Majesty's Government whether they agree with the assessment of the French Foreign Secretary Laurent Fabius that the Central African Republic is a stateless area. [HL2386]

**Baroness Warsi:** We are very concerned by the political and security situation in the Central African Republic. The N'Djamena Accords of April 2013 established a National Transitional Council (NTC) to act as the national legislature under the Head of Government, Prime Minister Tiangaye. They also established a clear roadmap for a return to constitutional government. However, the NTC needs to do more to address the levels of lawlessness and continuing violence and human rights abuses across the Central African Republic.

*Asked by Baroness Berridge*

To ask Her Majesty's Government what representations they have made to the President of France prior to his visit to South Africa on 14 October concerning the security situation in the Central African Republic. [HL2387]

**Baroness Warsi:** We have held regular discussions with France and other key international partners on the security situation in the Central African Republic (CAR). We are working particularly closely with France in the EU and the UN Security Council to agree how the international community should respond. This has included working together on UN Security Council Resolution 2121 which was adopted on 10 October. The Minister for Africa, my hon. Friend the Member

for Boston and Skegness (Mr Simmonds), also attended a meeting at the UN General Assembly on Wednesday 25 September 2013 at which he and French Foreign Minister Fabius both spoke at a High Level event with key African and International interlocutors to discuss the humanitarian situation in CAR.

*Asked by Baroness Berridge*

To ask Her Majesty's Government what representations they have made to the government of South Africa and to the African Union about the case for establishing a peacekeeping force in the Central African Republic. [HL2388]

**Baroness Warsi:** The UK and South Africa enjoy a close dialogue on regional security and peacekeeping issues, including regular discussion at both Ministerial and official level. This was re-affirmed at the UK-South Africa Ministerial Bilateral Forum in Cape Town on 10 September 2013 where the Foreign Secretary led the UK delegation. The communiqué noted that Ministers discussed recent developments in Central African Republic (CAR) and welcomed South Africa's growing peacekeeping role on the continent.

The UK regularly discusses CAR with the African Union (AU). At the CAR International Contact Group meeting in July we welcomed an AU report recommending the reinforcement of the regional security force in CAR, MICOPAX, and made a further statement on 19 August in the AU Peace and Security Council which called for an end to violence against CAR's civilians. The Parliamentary Under-Secretary of State, my hon. Friend the Member for Boston and Skegness (Mr Simmonds) has also discussed CAR with African foreign Ministers, such as Cameroon Minister for External Relations, and Chairperson of the AU, ND Zuma, in September 2013.

### Civil Service: Corporate Credit Cards *Questions*

*Asked by The Lord Bishop of Derby*

To ask Her Majesty's Government what are the rules and criteria for the issuing of corporate credit cards to civil servants; and how the use of such cards is monitored and audited. [HL1587]

**Lord Gardiner of Kimble (Con):** The Government Procurement Card (GPC) is a payment charge card used for making low value purchases. Its proper use contributes to making efficiencies.

All Departments have a clear policy for card allocation. The GPC Steering Group, established after the last General Election, has developed minimum policy standards for central Government departments and their Arm's Length Bodies (ALBs). GPC Central Policy describes the roles and responsibilities for personnel that are required to govern and control local GPC programmes. These policies have been shared with the National Audit Office (NAO) and must be followed by all departments using GPCs. Before the last General Election there was no central oversight of Government GPC card use.

All Departments now operate compliance checking processes which include transaction logs that must be reconciled with bank statements and receipts each month; and the requirement for budget managers to reconcile GPC payment to ensure compliance with approved spend. The departmental controls, in accordance with GPC policy, include monthly compliance checking, including identifying off-contract spend and clear guidance for users on the correct route-to-buy.

All spend on GPCs over £500 is now published.

*Asked by Lord Marlesford*

To ask Her Majesty's Government how many corporate cards are currently on issue to civil servants employed by (1) the Cabinet Office, (2) HM Treasury, (3) the Home Office, (4) the Department for Culture Media and Sport, (5) the Department for Culture, Media and Sport, and (5) the Department of Energy and Climate Change. [HL1588]

**Lord Gardiner of Kimble:** As at 7 May 2013 the core departments have the following number of cards supplied via the Government Procurement Service (GPS) Government Procurement Card (GPC) framework:

- (1) Cabinet Office – 242
- (2) HM Treasury – 163
- (3) Home Office – 241
- (4) Department for Culture Media and Sport – 52
- (5) Department of Energy and Climate Change – 0

These figures are for core Whitehall departments only and exclude agencies, NDPBs and ALBs.

### Energy: Smart Meters *Question*

*Asked by Lord Stoddart of Swindon*

To ask Her Majesty's Government, further to the Written Statement by Baroness Verma on 8 October concerning smart meters (WS 12–14), what action they are taking to ensure that households are given specific advice that the installation of smart meters in their premises is voluntary. [HL2598]

**The Parliamentary Under-Secretary of State, Department of Energy and Climate Change (Baroness Verma) (Con):** Energy suppliers will be required to take all reasonable steps to roll out smart meters to all their domestic and non-domestic customers by 31 December 2020, and to offer their domestic customers an in-home display. The roll-out of smart meters will bring significant benefits to consumers and the nation. We expect consumers to welcome the benefits smart meters will bring. However there will not be a legal obligation on individuals to have one.

The Government has produced an information leaflet giving an overview of the smart metering implementation programme for the domestic sector. The leaflet is available on the Gov.uk website:

<https://www.gov.uk/government/publications/smart-metering-implementation-programme-information-leaflet>.

Energy suppliers will have the primary consumer engagement role on smart metering as the main interface with their customers before, during and after installation. Supplier engagement will be supported by a programme of centralised engagement undertaken by a Central Delivery Body (CDB), which was set up in June 2013.

### Equal Pay Question

Asked by **Baroness Scotland of Asthal**

To ask Her Majesty's Government whether they have conducted an assessment as to how equal pay audits under the Equality Act 2010 will alleviate the 2012 median full-time gender pay gap for hourly earnings. [HL2228]

**Baroness Northover (LD):** New section 139A of the Equality Act 2010 (as inserted by the Enterprise and Regulatory Reform Act 2013), gives Ministers the power to make regulations requiring employment tribunals to order an employer to carry out an equal pay audit where the employer has been found by the tribunal to have discriminated against an employee because of sex in relation to pay. It is intended that regulations will be made under this provision to come into force in October 2014. The measure will not, by itself, provide a solution to the gender pay gap, but we do think it will be a useful tool in tackling it. The Government is using a voluntary, business-led approach to help drive the culture change necessary to address the pay gap. It has introduced Think, Act, Report to promote greater transparency on gender employment issues, including pay. Over 125 companies are now supporting this initiative, representing nearly two million people.

### European Court of Human Rights Question

Asked by **Lord Laird**

To ask Her Majesty's Government whether they intend to change the policy of the Foreign and Commonwealth Office whereby they refuse to provide electronic copies of submissions made by the United Kingdom to the European Court of Human Rights in recently heard cases where those submissions may be read by members of the public at the Court's offices in Strasbourg. [HL2391]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** Requests for copies of observations submitted to the European Court of Human Rights by the Government of the United Kingdom are considered within the framework of the Freedom of Information Act 2000. In accordance with section 32 of the Act, information held by a public authority is exempt from disclosure if it is held only by virtue of being contained in any document filed with, or otherwise placed in the custody of, a court for the purposes of proceedings in a particular cause or matter. This exemption generally applies to the written observations submitted by the Government to the European Court of Human Rights.

The Court has a system to allow access to case files, including observations submitted by the Government, in certain circumstances. Details are provided by the Court on its website at: [www.echr.coe.int/Pages/home.aspx?p=court/howitworks&c=#n1368167237303\\_pointer](http://www.echr.coe.int/Pages/home.aspx?p=court/howitworks&c=#n1368167237303_pointer). Unless one of the exceptions applies, case files can be consulted in person at the Court building by appointment.

There are no plans to change our practice.

### Export Licences Question

Asked by **Lord Roberts of Llandudno**

To ask Her Majesty's Government how many export licences for the shipment of (1) potassium fluoride, (2) sodium fluoride, and (3) any other precursor chemicals used in the manufacture of chemical weapons, have been granted to United Kingdom companies; and, of those licences, what quantities of the above chemicals have been shipped to (a) the Assad regime in Syria, and (b) Syrian recipient companies, in each of the last ten years and to date in 2013. [HL2371]

**The Parliamentary Under-Secretary of State, Department for Business, Innovation and Skills (Viscount Younger of Leckie) (Con):** In the last 10 years one licence was granted for the export to Syria of potassium fluoride, in 2012, and six licences were granted for the export to Syria of sodium fluoride – one each in years 2004, 2005, 2007, 2009, 2010 & 2012. No other licences have been granted for export to Syria of chemicals capable of use in the manufacture of chemical weapons.

A minimum of 4050kg and a maximum of 4150kg of sodium fluoride was exported under licence between 2004 and 2012. It is not possible to give precise figures because HMRC is only required to keep export records for a maximum of 3 calendar years from the year in which the export was submitted to them and some exports were made before this period. No potassium fluoride was shipped because the licence concerned was revoked and no shipments had been made.

The two licences granted in 2012, which were revoked before any shipments were made, were for use in a metal finishing process for making aluminium showers and window frames; all other licences were for the manufacture of toothpaste. All the end-users were commercial companies.

### Freedom of Religion Question

Asked by **The Lord Bishop of Derby**

To ask Her Majesty's Government, further to the Written Answer by Baroness Warsi on 22 July (WA 167), what steps they are taking with their European partners to ensure that the European Union guidelines on the promotion and protection of freedom of religion or belief, as agreed by the Council of Ministers on 24 June, are put into operation. [HL2339]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** Following their agreement by the Council of Ministers, the European Union guidelines have been used to inform lobbying on freedom of religion or belief issues by EU country offices and the embassies of individual Member States. They have also guided EU activity in multilateral fora, for example in developing resolutions on freedom of religion or belief at the UN General Assembly. Implementation of the guidelines, and their effectiveness to date, is due to be discussed by the EU's human rights' working group in the near future.

## Government Departments: Data

### Question

*Asked by Lord Kennedy of Southwark*

To ask Her Majesty's Government what changes they have made to the reporting of data at the Cabinet Office since May 2010. [HL2198]

**Lord Gardiner of Kimble (Con):** We are committed to being the most transparent Government in history and the Cabinet Office has been at the forefront of this transformation. After the last General Election, ministers and non-executives were shocked at the poor quality and paucity of management information.

The Cabinet Office commissioned Dr Martin Read CBE, former CEO of Logica and a member of the government's Efficiency and Reform Board, to recommend steps to improve the quality and consistency of management information across government. Dr Read's report confirmed that raising the quality of information available to ministers and civil service leaders will improve decision-making, increase Whitehall efficiency and help deliver savings for the taxpayer.

Since 2010, all departments are required to produce Quarterly Data Summaries which includes data on DEL and AME spend, cost of running the estate, IT and corporate services costs and details on policy and policy implementation. These are available online.

The QDS has since been revised and improved in line with action 9 of the Civil Service Reform Plan to establish a consistent and comparable quarterly reporting framework. The revised QDS has a greater focus on common areas of spend and is supported by a set of commonly agreed data definitions,

In June 2012, the Cabinet Office published its first Open Data strategy, setting out the context and background to our approach; outlining the types of data we hold as a department and how we intend to treat it in line with our drive to greater transparency. More detail on this can be found in the Cabinet Office Annual Report and Accounts 2012-13:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/225980/HC\\_15.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225980/HC_15.pdf)

## Government Departments: Expenditure

### Question

*Asked by Baroness Tonge*

To ask Her Majesty's Government what was or will be the Department for International Development's total expenditure, including funding streams, on (1) the United Nations Population Fund, (2) Marie

Stopes International, (3) the International Planned Parenthood Federation and (4) Women and Children First (UK), in (a) 2010–11, (b) 2011–12, (c) 2012–13, (d) 2013–14 and (e) 2014–15. [HL2359]

**Baroness Northover (LD):** The information required is contained in DFID Statistics on International Development (SID) 2012 tables for the period 2007/8 – 2011/12 - tables 18 and 19. The link is as follows:

<https://www.gov.uk/government/publications/statistics-on-international-development>

Future forecast funding figures for UNFPA and the NGOs in question are not available at this time.

Relevant additional information can be found in the DFID Annual Report and Accounts 2012 -13, Chapter 4 (page 101) which has an in-depth section on the United Nations Population Fund (UNFPA). This is available at:

<https://www.gov.uk/government/publications/dfid-annual-report-and-accounts-2012-13>

## Harbours

### Question

*Asked by Lord Berkeley*

To ask Her Majesty's Government what are the remaining outstanding issues before they can give final approval to allow the works at Penzance and St Mary's harbours agreed in principle by Ministers two months ago to go ahead. [HL2581]

**The Minister of State, Department for Transport (Baroness Kramer) (LD):** Final approval of the funding that Ministers are minded to provide for this scheme can be considered once there is an assurance of compatibility with the European state aid rules and once the promoters have secured the necessary funding contribution from the EU Convergence Programme.

## Health: Incontinence

### Question

*Asked by Baroness Masham of Ilton*

To ask Her Majesty's Government what steps they are taking to ensure that patients who are suffering from bleeding will be able to receive the same prescription incontinence pads as patients with urinary and faecal incontinence. [HL2405]

**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** Appliances listed in Part IX of the Drug Tariff can be prescribed and dispensed for patients on the National Health Service. Incontinence pads (including products not necessarily described as such but using the absorption principle) are not prescribable on the NHS under the Drug Tariff provisions, whether for urinary and faecal incontinence or for patients suffering from bleeding.

## Health: Molecular Diagnostic Services

### Question

*Asked by Baroness Scotland of Asthal*

To ask Her Majesty's Government in what instances they consider the criminalisation of same sex conduct to be persecutory harm. [HL2554]



**The Parliamentary Under-Secretary of State, Department of Health (Earl Howe) (Con):** NHS England's Molecular Diagnostic Testing Group will be developing national commissioning policy in this area in response to the Department's proposals regarding access to molecular diagnostic testing. It is hoped that an interim policy position to inform national commissioning can be developed by spring 2014.

## Homosexuality

### Question

Asked by **Baroness Scotland of Asthal**

To ask Her Majesty's Government what assessment they have made of the impact of the Commonwealth Charter on the decriminalisation of homosexuality in Commonwealth countries. [HL2499]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** We have made no formal assessment of the impact of the Commonwealth Charter on the decriminalisation of homosexuality in Commonwealth countries.

The Charter reflects the overarching values of the Commonwealth and the aspirations of its citizens. It states that "we are implacably opposed to all forms of discrimination, whether rooted in gender, race, colour, creed, political belief or other grounds." The UK Government interprets 'other grounds' as including lesbian, gay, bisexual and transgender people.

However, we recognise that over 40 Commonwealth members still criminalise homosexuality. We want to ensure the Charter becomes a key document for holding Commonwealth members accountable to Commonwealth values.

We are committed to working with the Commonwealth and its partners to help them uphold values of human rights, rule of law, democracy and development. We raise human rights issues with the Commonwealth Secretariat and with member states. We seek to increase debate on these issues, including on sexual orientation or gender identity, within and among Commonwealth countries.

## Iraq

### Question

Asked by **Lord Hylton**

To ask Her Majesty's Government whether they are assisting the search for political solutions in Iraq; and, if so, how. [HL2422]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** The Government continues to support Iraq in improving the security situation and building prosperity. Our work supports the cross-Government Iraq Strategy published in October 2012 and includes initiatives such as a £1.5 million project delivered by Global Partners to help to improve Iraq's parliamentary process and build capacity. Further information about our work in Iraq can be found on our The UK in Iraq website at: [www.gov.uk/government/world/iraq](http://www.gov.uk/government/world/iraq).

## Israel

### Questions

Asked by **Lord Dykes**

To ask Her Majesty's Government what proposals they will put to the government of Israel to publish details of its nuclear arsenal and join the Non-Proliferation Treaty. [HL2350]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** We encourage Israel to sign up to the Non-Proliferation Treaty and call on Israel to agree a Comprehensive Safeguards Agreement with the International Atomic Energy Agency. The Government of Israel is in no doubt as to our views. We do not intend to table any new proposals in the near future.

Asked by **Baroness Tonge**

To ask Her Majesty's Government what representations they have made to the government of Israel concerning the bulldozing of the Bedouin village Az Za'ayem in land earmarked for settlement construction in E1. [HL2466]

**Baroness Warsi:** Officials from our Embassy in Tel Aviv have repeatedly made representations on the issue of demolitions, including with the Israeli National Security Council. Our Ambassador in Tel Aviv raised the broader planning process and demolitions in Area C with the Israeli Coordinator of Government Activities in the Territories (COGAT) on 8 October.

Asked by **Baroness Tonge**

To ask Her Majesty's Government what representations they have made to the government of Israel concerning the Israeli army's barring of European Union and Red Cross relief tents following the demolition of the West Bank village of Makhul. [HL2467]

**Baroness Warsi:** Our Ambassador in Tel Aviv has raised this issue with Israeli National Security Advisor Amidror. Officials from our Embassy in Tel Aviv have also raised this issue with the Israeli Ministry of Foreign Affairs.

## Japan

### Questions

Asked by **Lord Campbell-Savours**

To ask Her Majesty's Government what representations they have made to the government of Japan over Japanese governmental ministerial visits to the Yasukuni shrine to commemorate Japan's war dead including class A convicted World War II war criminals. [HL2429]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** We have made no recent representations to the Government of Japan regarding visits by Japanese ministers to the Yasukuni shrine. We are aware of reports that a number of Japanese Ministers

visited the shrine in August. However, the Japanese government has stated that these visits took place in a personal capacity.

*Asked by Lord Campbell-Savours*

To ask Her Majesty's Government whether they will set out a list of bilateral agreements that exist between Japan and the United Kingdom on trade and military matters. [HL2431]

**Baroness Warsi:** The following bilateral treaties exist between the UK and Japan on trade and military subjects:

Title: Convention between Great Britain and Japan, for regulating the Admission of British Ships into the Ports of Japan. Signed: Nagasaki, 14 October, 1854.

Title: Treaty of Peace, Friendship and Commerce, between Great Britain and Japan. Signed: Yedo, 26 August, 1858.

Title: Treaty of Commerce and navigation between Great Britain and Japan. Signed: Tokyo, 16 July, 1894.

Title: Supplementary Convention between Great Britain and Japan respecting the Duties to be Charged on British Goods Imported into Japan. Signed: Tokyo, 16 July, 1895.

Title: Agreement between the United Kingdom and Japan. Signed: London, 12 August, 1905.

Title: Treaty of Commerce and Navigation. Signed: London, 3 April, 1911. (Article 8 abrogated by Notes Exchanged on 14 July, 1924.)

Title: Agreement between the United Kingdom and Japan. Signed: London, 3 July, 1911. (Similar provisions to 1905 Agreement.)

Title: Agreement between the British and Japanese Governments respecting the Tonnage Measurement of Ships. Signed: London, 30 November, 1922. (Revived by Exchange of Notes dated 15 September 1952.)

Title: Supplementary Convention to the Treaty of Commerce and Navigation between the United Kingdom and Japan together with Minutes of a meeting between the British and Japanese Representatives at the Foreign Office on July 30, 1925. Signed: London, 30 July, 1925.

Title: Agreement between the Governments of the United Kingdom of Great Britain and Northern Ireland, Canada, Australia, New Zealand, the Union of South Africa, India and Pakistan on the one part and the Government of Japan on the other part regarding British Commonwealth War Graves in Japanese Territory. Signed: Tokyo, 21 September, 1955.

Title: Agreed Minute and Letters concerning Trade. Signed: London, 26 February, 1957.

Title: Treaty of Commerce, Establishment and Navigation between the United Kingdom of Great Britain and Northern Ireland and Japan (with Protocols and Exchanges of Notes). Signed: London, 14 November, 1962. (With further Exchange of Notes done at Tokyo on 20 December, 1966.)

Title: Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan concerning the supply of Logistic Support to the United Kingdom Armed Forces. Signed: Tokyo, 18 January, 2002.

Title: Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan concerning the supply of Logistic Support to the United Kingdom Armed Forces. Signed: Tokyo, 5 February, 2008.

Title: Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan concerning the Transfer of Arms and Military Technologies Necessary to Implement Joint Research, Development and Production of Defence Equipment and other Related Items. Signed: London, 4 July, 2013.

Title: Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Japan on the Security of Information. Signed: London, 4 July, 2013.

*Asked by Lord Campbell-Savours*

To ask Her Majesty's Government whether they will set out a list of multilateral agreements of which the United Kingdom and Japan are participants on trade and military matters. [HL2432]

**Baroness Warsi:** A list of all agreements on multilateral trade and military issues applicable to both the UK and Japan would require detailed examination of a large number of individual instruments and could not be produced without disproportionate cost. The Foreign and Commonwealth Office keeps records of the UK's treaty commitments but these are not structured in a way that would easily allow a comprehensive list to be produced.

It is possible to view records and texts of treaties applicable to the UK at <http://treaties.fco.gov.uk/treaties/treaty.htm>. As an EU Member State, the UK is bound by agreements concluded on behalf of the European Union by the Council of the European Union. A list of such agreements can be found on the Council of the EU website at <http://www.consilium.europa.eu/policies/agreements/search-the-agreements-database?lang=en>. Both the UK and Japan are also members of the World Trade Organisation.

## Lithuania

### Question

*Asked by Lord Laird*

To ask Her Majesty's Government whether they have made any policy changes in the light of the Supreme Court's decision not to allow the government of Lithuania to appeal against the decision not to allow the extradition of Liam Campbell to that country; and whether they are aware of any planned challenge to that decision in the European Court of Human Rights. [HL2389]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** The Government has not made any policy changes in light of the Supreme Court's decision not to allow the government of Lithuania to appeal against the decision not to allow the extradition of Liam Campbell.

Any challenge to the decision of the Supreme Court would be a matter for an interested party.

## Migrant Workers

### Question

Asked by **Lord Dykes**

To ask Her Majesty's Government whether they will reconsider their proposed ban on East European and other migrant workers coming to the United Kingdom to pick fresh fruit and vegetables in 2014. [HL2351]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** There is no ban on migrant workers coming to pick fruit and vegetables in 2014.

From 1 January 2014, nationals of Bulgaria and Romania will cease to be subject to restrictions on taking employment in the United Kingdom. This means that fruit and vegetable growers will have unrestricted access to workers from the European Union, except Croatia whose nationals continue to be subject to transitional employment restrictions. In his Written Ministerial Statement of 12 September 2013, Official Report, columns 60-61 WS, the Minister for Immigration announced that the Government will not introduce a new scheme for seasonal agricultural workers from outside the European Union. The Government believes that there should be sufficient workers from UK and EU labour markets to meet the needs of the horticultural sector, but will keep the labour supply situation under review.

## NHS: Migrant Access

### Questions

Asked by **Lord Touhig**

To ask Her Majesty's Government what provision they intend to make under proposals to regulate migrant access to health services for non-European Economic Area migrants who are victims of (1) violent crime, (2) sexual assault, or (3) female genital mutilation. [HL2489]

To ask Her Majesty's Government what provisions they intend to make under proposals to regulate migrant access to health services for non-European Economic Area migrants experiencing complications in pregnancy. [HL2493]

To ask Her Majesty's Government what assessment they have made of the compatibility between their proposals to regulate migrant access to health services and their strategy to end violence against women and girls, in particular with regard to victim support. [HL2494]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** The Government has proposed in the current Immigration Bill that a person subject to immigration control who applies for time-limited entry clearance or time-limited leave to remain in the UK for more than six months will be required to pay a health surcharge as a precondition of entry to the UK. Those who have paid the surcharge will generally be able to access free NHS care to the same extent as a permanent resident.

Victims of violent crime, sexual assault, female genital mutilation and those experiencing complications in pregnancy will all receive free NHS treatment, where they have paid the Migrant Health Surcharge, where they have permanent residence status or where they fall in an exempt category under enabling powers created by the Immigration Bill.

Short term visitors and illegal migrants will, as now, be generally liable for NHS treatment charges and will not have the option of paying a surcharge in order to access the NHS without further charge. But no chargeable patient in urgent need will ever be denied NHS treatment.

The Government considered the impact of its proposed policy on victims of domestic violence during the policy development process. This consideration has been included in the Policy Equality Statement for the proposals which will be published prior to Second Reading of the Immigration Bill in the House of Commons.

## Nigeria

### Question

Asked by **Baroness Scotland of Asthal**

To ask Her Majesty's Government what representations they have made to the government of Nigeria about the passing of the Nigerian Same Sex Marriage (Prohibition) Bill. [HL2497]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** We have lobbied regularly against the Bill during its passage through the House of Representatives and the Senate. Since the National Assembly approved the bill on 30 May 2013 we have raised our concerns with the President's office. We are also working through the EU, and the EU Delegation has also raised EU concerns with the Nigerian government.

## Northern Lighthouse Board

### Question

Asked by **Lord Berkeley**

To ask Her Majesty's Government what consideration they have given to the status of the Northern Lighthouse Board if the vote in the September 2014 Scottish referendum establishes independence for Scotland; and whether they will place in the Library of the House a copy of any impact assessment. [HL2510]

**The Minister of State, Department for Transport (Baroness Kramer) (LD):** Her Majesty's Government is not making plans for Scottish independence and is confident that people in Scotland will continue to support Scotland remaining within the UK.

## Overseas Aid

### Question

Asked by **Baroness Tonge**

To ask Her Majesty's Government whether their international aid budget supports the commercial interests of major agribusiness companies, including those involved in genetically modified crops. [HL2364]

**Baroness Northover (LD):** The UK Government believes global food and agribusiness companies can make an important contribution to economic development in agriculture by creating jobs and sourcing products from small-scale farms.

The UK Government supports the New Alliance for Food Security and Nutrition, a joint initiative involving African governments, local and global companies and donors aimed at accelerating agriculture sector growth in Africa in order to lift 50 million people out of poverty by 2022. The UK does not directly fund the companies involved but supports a wide range of programmes in African partner countries to improve food security and raise small-scale farmers' incomes.

### **Palestine** *Question*

*Asked by Lord Hylton*

To ask Her Majesty's Government what representations they have made to United Nations Relief and Works Agency regarding the widening of its mandate to include Palestinian refugees in Kuwait and Iraq, and those who fled from there to third countries. [HL2423]

**Baroness Northover (LD):** UNRWA's mandate is determined by UN General Assembly resolution. The General Assembly repeatedly extends and expands the UNRWA mandate in response to developments in the region, most recently extending it to June 2014.

It is not for states to determine the UNRWA mandate. Nevertheless, as a member of the UNRWA Advisory Commission, the UK can legitimately provide advice and assistance to the Commissioner General of UNRWA. In the absence of a lasting solution to the Palestinian refugee problem, we will continue to act in this capacity and to assist UNRWA to support the poorest and most vulnerable Palestinian refugees in the region.

### **Pensions** *Question*

*Asked by Lord Berkeley*

To ask Her Majesty's Government whether they will place in the Library of the House the proposal to transfer the General Lighthouse Authorities' pension scheme into the Principal Civil Service Pension Scheme; what independent analysis and scrutiny of the proposal has taken place; and what consultation is planned with stakeholders about the proposals and available funding. [HL2509]

**The Minister of State, Department for Transport (Baroness Kramer) (LD):** The Public Service Pensions Act 2013 entitles the General Lighthouse Authorities (GLAs) to join the Principal Civil Service Pension Scheme. It is for the GLAs to decide if and when they do so within the requirements of that Act.

### **Post-2015 Development Framework** *Questions*

*Asked by Baroness Tonge*

To ask Her Majesty's Government what plans they have to engage parliamentarians in the Post-2015 Development Framework following the United Nations' Review Summit in August. [HL2360]

To ask Her Majesty's Government whether the Prime Minister will meet parliamentarians to discuss their role in the Post-2015 Development Framework following the United Nations' Review Summit in August. [HL2361]

**Baroness Northover (LD):** The Government welcomes the interest and engagement shown by parliamentarians on the post 2015 agenda. Ministers and officials will continue to engage with parliamentarians on this issue.

### **Rape** *Question*

*Asked by Baroness Scotland of Asthal*

To ask Her Majesty's Government what assessment they have made of the proliferation of incidences of corrective rape against gay women throughout the Commonwealth. [HL2496]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** No systematic assessment has been made on the proliferation of incidences of corrective rape against gay women throughout the Commonwealth. However, the Government deplores any and all incidences of corrective rape.

We welcome the recognition made by Commonwealth Women's Affairs Ministers at their meeting in June that violence against women remains a critical issue affecting women's empowerment and should receive priority attention in the post-2015 development framework.

### **Republic of Ireland: Aids to Navigation** *Questions*

*Asked by Lord Berkeley*

To ask Her Majesty's Government how many meetings Department for Transport Ministers have had with (1) Republic of Ireland officials, or (2) Republic of Ireland ministers, in (a) 2012, and (b) 2013, on the subject of ceasing payment for the provision of the Republic of Ireland's aids to navigation. [HL2507]

To ask Her Majesty's Government on what date the Republic of Ireland will assume responsibility for the service provision and costs of the aids to navigation in Irish territorial waters; when a figure for the historical liabilities associated with the severance will be reached; what figure the Department of Transport envisages being acceptable to ship-owners who pay light dues when entering United Kingdom ports; and when the rate of such light dues will start being reduced as a result of the change. [HL2508]

**The Minister of State, Department for Transport (Baroness Kramer) (LD):** The process for achieving full domestic funding for the Commissioners of Irish Lights' (CIL) operations in the Republic of Ireland remains on course for completion in 2015-16. Irish and UK transport ministers discussed this subject at one meeting in 2012. There have been no such meetings to date this year.

The historic pension liability of CIL is €184m. Her Majesty's Government is assessing how all the General Lighthouse Authorities' (GLAs) historic pension liabilities should be treated and will consult with the Lights Advisory Committee (LAC) on its proposed approach. The level of light dues is decided by ministers annually, after consultation with the LAC and GLAs.

### Roma Genocide

#### Question

Asked by **Baroness Whitaker**

To ask Her Majesty's Government whether they intend to support in the Council of Europe the proposal by the European Roma and Travellers Forum that all member states commemorate, and recognise as genocide, the killing of Roma during the Second World War. [HL2453]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** The Government agrees that the Roma genocide in the Second World War should be recognised and commemorated. We believe that member states should decide how and when to do this, according to their national circumstances. In the UK, we commemorate the Roma genocide as part of our annual Holocaust Memorial Day on 27 January. A number of our embassies also participate in local commemorations of the Roma genocide.

### Sellafield

#### Question

Asked by **Lord Alton of Liverpool**

To ask Her Majesty's Government, with reference to the announcement on 4 October of the Sellafield contract extension by the Nuclear Decommissioning Authority (NDA), whether the NDA and the existing consortium will seek wider, external commercial and other technical and management expertise where that may enhance safety, the delivery of stated decommissioning objectives and value for money for taxpayers; and whether they will keep the case for such external input under regular public review. [HL2377]

**The Parliamentary Under-Secretary of State, Department of Energy and Climate Change (Baroness Verma) (Con):** The Nuclear Decommissioning Authority continues to monitor performance closely and remains focused on achieving its goal of safe, effective, value for money decommissioning at Sellafield.

If expertise is not available within Sellafield Ltd (the Site Licence holder) or one of the Parent Body Organisations (via reach back arrangements), external expertise is sourced from the supply chain.

### Senkaku/Diaoyu Islands

#### Questions

Asked by **Lord Campbell-Savours**

To ask Her Majesty's Government what representations they have made in the territorial dispute between Japan and China over the sovereignty of the Senkaku (or Diaoyu) Islands. [HL2430]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** The UK does not take a position on these issues, other than to urge for a peaceful resolution in line with international maritime law. The respective governments of the parties involved understand this position.

Asked by **Lord Campbell-Savours**

To ask Her Majesty's Government whether the British Embassy in Osaka is monitoring daily reports on the dispute over the Senkaku (or Diaoyu) Islands; and what assessment they have made of such reports. [HL2433]

**Baroness Warsi:** The British Consulate-General in Osaka deals with trade and investment, science and innovation, and consular issues. The British Embassy in Tokyo does monitor such reports. It seems clear that tensions around the islands, which flared in October last year, have yet to be resolved to any of the claimant parties' satisfaction. We continue to urge a peaceful resolution, in line with international maritime law.

### Sudan

#### Questions

Asked by **Lord Avebury**

To ask Her Majesty's Government what steps, if any, they will propose should be taken by the United Nations Security Council to monitor effectively the prohibition of all offensive military flights over Darfur as provided by United Nations Security Council Resolution 1591. [HL2340]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** Monitoring and enforcement of United Nations Security Council resolution 1591 is the responsibility of the Council's Sanctions Committee on Sudan, assisted by its Panel of Experts. We are active members of the committee, and meet regularly with the Panel of Experts and support their work to ensure that they are able to monitor implementation of the resolution as far as possible. The Panel undertakes investigations in Darfur, and gathers information from UN and other sources to determine whether violations of the sanctions have taken place. While it is unable to document every instance of an offensive overflight, the Panel's reports present their best assessment of the overall level of such activity in Darfur.

Asked by **Lord Avebury**

To ask Her Majesty's Government what information they have concerning the acquisition of Sukhoi Su-25 ground attack aircraft and MI-24 ground

attack helicopters by the government of Sudan; and what information they have about the use of those aircraft against civilian targets. [HL2341]

**Baroness Warsi:** We have seen media reports suggesting the acquisition of these aircraft. The UN Panel of Experts mandate includes investigating and reporting on the supply of weapon systems and related material to Darfur. We would expect the Panel's final report due in January 2014 to assess any acquisition of military hardware in breach of UN sanctions, and we will encourage them to follow up these reports.

*Asked by Lord Avebury*

To ask Her Majesty's Government whether they have examined the images published by the Satellite Sentinel Project concerning alleged military operations by the government of Sudan; and whether they will raise the content of those images in the United Nations Security Council. [HL2342]

**Baroness Warsi:** We are aware of the reports and imagery published by the Satellite Sentinel Project, including their most recent report of 30 September 2013 suggesting continued violations of the border agreements between Sudan and South Sudan by the militaries of both countries. The UN Security Council regularly discusses compliance by Sudan and South Sudan with agreements on the demilitarisation of the border and other issues, in accordance with UN Security Council resolution 2046. We draw on a wide range of sources to inform UK interventions in the Council's consultations.

*Asked by Lord Avebury*

To ask Her Majesty's Government whether they will make enquiries about reports that relatives of victims shot dead by security forces at recent demonstrations in Sudan were forced to sign death certificates falsely stating that the death was due to natural causes. [HL2448]

**Baroness Warsi:** We are aware of these reports from online media but have no direct evidence to substantiate these claims. We have made clear our concerns to the Government of Sudan, and stressed that there should be a full independent investigation into the demonstrations that occurred in Sudan at the end of September. As the Minister for Africa, my hon. Friend the Member for Boston and Skegness (Mr Simmonds), made clear in his statement of 30 September, we are shocked and saddened by the reports of the Sudanese authorities' use of excessive force.

*Asked by Lord Avebury*

To ask Her Majesty's Government what information they have received about recent closures of newspapers, interruptions of internet services and arrests of journalists in Sudan. [HL2449]

**Baroness Warsi:** As the Minister for Africa, my hon. Friend the Member for Boston and Skegness (Mr Simmonds), made clear in his statement of 30 September, we are deeply concerned at the detention of journalists, the censoring of media content and

the suspension of internet services following the demonstrations in Sudan at the end of September. We continue at every appropriate opportunity to encourage the Government of Sudan to respect the right to freedom of expression.

*Asked by Lord Avebury*

To ask Her Majesty's Government what is their assessment of reports that senior members of the Sudan regime have been moving their families and money out of the country. [HL2450]

**Baroness Warsi:** We are aware of reports to this effect in the media, but have seen no independent evidence to substantiate these.

*Asked by Lord Avebury*

To ask Her Majesty's Government what assessment they have made of the effect of the change in the dollar value of the Sudanese pound on the open market since the start of 2013 on the Sudan regime's ability to continue military operations against their own civilian populations and those in the border areas of South Sudan. [HL2451]

**Baroness Warsi:** The fall in the value of the Sudanese Pound is one of a number of factors that is contributing to Sudan's economic difficulties, which have seen a decline in government revenues and increased prices for ordinary Sudanese people. It is deeply regrettable that in these circumstances the Sudanese government has chosen to maintain or increase its spending on security forces, pursuing military campaigns in Darfur, Southern Kordofan and Blue Nile, rather than making a serious commitment to a negotiated, peaceful solution of these conflicts.

## Syria Question

*Asked by Lord Empey*

To ask Her Majesty's Government what items of non-lethal equipment they are currently supplying to rebel groups in Syria. [HL2457]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** We are currently supplying various items of non-lethal equipment to the political, military and humanitarian wings of the National Coalition of Syrian Revolution and Opposition Forces - the organisation that the UK and over 100 other countries recognise as the sole legitimate representatives of the Syrian people. This equipment comprises: a range of civilian vehicles, including trucks, pick-ups and forklifts; forensic evidence collection kits; generators; solar powered batteries; radios; cameras; water purification kits; civil resilience kits; office equipment, including laptops and printers; and chemical weapons protective equipment, namely 5,000 escape hoods, chemical detector paper and nerve agent pre-treatment tablets sufficient to treat up to 5,000 people for 6 months.

## Torture Survivors

### Question

Asked by **Baroness Lister of Burtersett**

To ask Her Majesty's Government what assessment they have made of the report *The Poverty Barrier: The Right to Rehabilitation for Survivors of Torture in the UK* published in July by Freedom from Torture. [HL2404]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** The Government notes the recommendations in this report and in particular will take them into account when considering any future changes to asylum support arrangements, including the provisions for vulnerable groups such as torture survivors. The Government published the findings of its review of asylum support rates in a Written Ministerial Statement on six June 2013, Official Report, column 119VVS and has no immediate plans to review them again or to respond formally to this report.

## Turkey and Armenia

### Question

Asked by **Lord Hylton**

To ask Her Majesty's Government whether they will make representations to the governments of Turkey and Armenia about reopening their common frontier. [HL2515]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** The UK supported the 2009 Turkey/Armenia Protocols on the Development of Relations and Establishment of Diplomatic Relations, and continues to encourage their ratification without preconditions. We have called on the Governments of both Turkey and Armenia to work together to take forward the normalisation process including the re-opening of their common border, for the benefit of both countries and the wider region, and will continue to do so. The UK has also engaged with both Turkey and Armenia about the need to promote reconciliation between the peoples and Governments of both countries.

The EU's Instrument for Stability programme is supporting efforts to normalise relations between Armenia and Turkey.

## United Nations

### Question

Asked by **The Lord Bishop of Derby**

To ask Her Majesty's Government what representations they have made to the United Nations

to ensure sufficient funding to support a paid, full-time Special Rapporteur on Freedom of Religion or Belief, with a fully functioning office. [HL2338]

**The Senior Minister of State, Department for Communities and Local Government & Foreign and Commonwealth Office (Baroness Warsi) (Con):** I refer the noble and right reverend Lord to the answer given by the Minister for Europe, my right hon. Friend the Member for Aylesbury (Mr Lidington), on 3 July 2013, Official Report, column 662W.

## Visas

### Question

Asked by **Lord Ouseley**

To ask Her Majesty's Government how many complaints they have received about the complexity of the United Kingdom's visa application procedures; and whether there are any plans to simplify the visa system. [HL2413]

**The Parliamentary Under-Secretary of State, Home Office (Lord Taylor of Holbeach) (Con):** We are not able to provide a figure for complaints received about the complexity of the visa system as we do not categorise complaint data in this way.

We operate a highly effective visa system for all categories and continue to review and develop our services to improve customer choice and convenience.

To ensure that the visa system is accessible we have expanded and improved the network of visa application centres—there are now over 170 around the world and 12 in each of India and China alone (compared to three or four on offer from most other countries).

During the first half of 2013 we received nearly 1.5 million overseas visa applications, 10% more than in the same period last year. Visitor numbers were up 17% on the same period in 2012.

We have simplified the process by introducing online applications and booking systems, with 95% of applications now submitted online. We continue to improve the online process to make it more intuitive and user friendly and have provided translated 'how to apply' website information on the web pages for 12 countries.

For customers who would like a faster service we offer 3-5 day priority visa services in over 60 countries (including Bahrain, Brazil, China, India, Kuwait, Oman, UAE) and we are expanding this further. In India, we have introduced the super priority visa service which allows regular visitors and business visitors to get their visa processed in just 24 hours.





Thursday 17 October 2013

## ALPHABETICAL INDEX TO WRITTEN STATEMENTS

	<i>Col. No.</i>		<i>Col. No.</i>
Arctic.....	77	Government Departments: Contingent Liabilities .....	81
Bovine Tuberculosis.....	78	National Minimum Wage .....	82
EU: Agriculture and Fisheries Council.....	79	Social Mobility and Child Poverty Commission: Annual Report .....	82
EU: Association Agreements .....	79	Taxation: Tax Policy .....	82
EU: Transport Council .....	80		

Thursday 17 October 2013

## ALPHABETICAL INDEX TO WRITTEN ANSWERS

	<i>Col. No.</i>		<i>Col. No.</i>
Afghanistan: Women.....	87	Lithuania .....	102
Airports: Aircraft Noise .....	87	Migrant Workers.....	103
Armenia and Azerbaijan .....	88	NHS: Migrant Access .....	103
Asylum Seekers.....	89	Nigeria .....	104
Central African Republic.....	91	Northern Lighthouse Board .....	104
Civil Service: Corporate Credit Cards.....	93	Overseas Aid.....	104
Energy: Smart Meters.....	94	Palestine.....	105
Equal Pay .....	95	Pensions.....	105
European Court of Human Rights.....	95	Post-2015 Development Framework .....	106
Export Licences .....	96	Rape .....	106
Freedom of Religion.....	96	Republic of Ireland: Aids to Navigation .....	106
Government Departments: Data .....	97	Roma Genocide .....	107
Government Departments: Expenditure.....	97	Sellafield .....	107
Harbours .....	98	Senkaku/Diaoyu Islands .....	108
Health: Incontinence .....	98	Sudan.....	108
Health: Molecular Diagnostic Services .....	98	Syria .....	110
Homosexuality .....	99	Torture Survivors.....	111
Iraq.....	99	Turkey and Armenia .....	111
Israel.....	100	United Nations .....	111
Japan .....	100	Visas .....	112

## NUMERICAL INDEX TO WRITTEN ANSWERS

	<i>Col. No.</i>		<i>Col. No.</i>
[HL1587] .....	93	[HL1588] .....	94

	<i>Col. No.</i>		<i>Col. No.</i>
[HL2198] .....	97	[HL2424] .....	87
[HL2228] .....	95	[HL2429] .....	100
[HL2338] .....	112	[HL2430] .....	108
[HL2339] .....	96	[HL2431] .....	101
[HL2340] .....	108	[HL2432] .....	102
[HL2341] .....	109	[HL2433] .....	108
[HL2342] .....	109	[HL2446] .....	91
[HL2350] .....	100	[HL2448] .....	109
[HL2351] .....	103	[HL2449] .....	109
[HL2359] .....	98	[HL2450] .....	110
[HL2360] .....	106	[HL2451] .....	110
[HL2361] .....	106	[HL2453] .....	107
[HL2364] .....	104	[HL2457] .....	110
[HL2371] .....	96	[HL2466] .....	100
[HL2375] .....	89	[HL2467] .....	100
[HL2377] .....	107	[HL2489] .....	103
[HL2384] .....	91	[HL2493] .....	103
[HL2385] .....	92	[HL2494] .....	103
[HL2386] .....	92	[HL2496] .....	106
[HL2387] .....	92	[HL2497] .....	104
[HL2388] .....	93	[HL2499] .....	99
[HL2389] .....	102	[HL2507] .....	106
[HL2390] .....	90	[HL2508] .....	106
[HL2391] .....	95	[HL2509] .....	105
[HL2392] .....	90	[HL2510] .....	104
[HL2404] .....	111	[HL2513] .....	88
[HL2405] .....	98	[HL2514] .....	88
[HL2413] .....	112	[HL2515] .....	111
[HL2421] .....	87	[HL2538] .....	87
[HL2422] .....	99	[HL2554] .....	98
[HL2423] .....	105	[HL2581] .....	98
		[HL2598] .....	94

---

## CONTENTS

Thursday 17 October 2013

Introductions: Lord Carrington of Fulham and Lord Leigh of Hurley.....	641
Questions	
Energy: Winter Supply .....	641
Elections: 16 and 17 Year-olds.....	643
Energy: Long-term Supply.....	646
Golden Rice .....	648
Al-Madinah Free School	
<i>Statement</i> .....	650
Business of the House	
<i>Timing of Debates</i> .....	653
European Union Committee	
<i>Membership Motion</i> .....	654
Select Committees	
<i>Membership Motion</i> .....	654
Drugs	
<i>Motion to Take Note</i> .....	654
Commonwealth	
<i>Motion to Take Note</i> .....	693
Public Service and Demographic Change	
<i>Motion to Take Note</i> .....	735
Written Statements.....	WS 77
Written Answers.....	WA 87

---