



HOUSE OF LORDS

Liaison Committee

3rd Report of Session 2015–16

New investigative committee activity

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The Liaison Committee

The Liaison Committee advises the House on the resources required for select committee work and allocates resources between select committees; reviews the select committee work of the House; considers requests for ad hoc committees and reports to the House with recommendations; ensures effective co-ordination between the two Houses; and considers the availability of Lords to serve on committees.

Membership

The Members of the Liaison Committee at the time this report was agreed were:

<u>Lord Craig of Radley</u>	<u>Baroness Perry of Southwark</u>
<u>Lord Foulkes of Cumnock</u>	<u>Baroness Seccombe</u>
<u>Baroness Garden of Frognal</u>	<u>Baroness Stowell of Beeston</u>
<u>Lord Hope of Craighead</u>	<u>Lord Touhig</u>
<u>Lord Hunt of Kings Heath</u>	<u>Lord Wallace of Tankerness</u>
<u>Lord Laming (Chairman)</u>	

Declaration of interests

See Appendix 1.

A full list of Members' interests can be found in the Register of Lords' Interests:

<http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests>

Publications

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<http://www.parliament.uk/business/lords>

Committee staff

The current staff of the Committee are Philippa Tudor (Clerk) and Susan Ryan (Committee Assistant).

Contact details

All correspondence should be addressed to the Clerk of the Liaison Committee, Committee Office, House of Lords, London SW1A 0PW. Telephone 020 7219 3130. Email hlliaisoncmttee@parliament.uk.

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New investigative committee activity

INTRODUCTION

1. The 2010–15 Parliament saw a significant increase in Select Committee activity, particularly in the number of *ad hoc* committees appointed each session. It also saw the introduction of post-legislative scrutiny committees. We carried out regular reviews of Committee activity, and recommended the appointment of the Communications Committee as a sessional committee at the start of the 2013–14 Session. In our 1st Report of this Session we published our review of investigative select committee activity during the 2010–15 Parliament.¹ We plan to publish our next review of Committee activity at the start of the 2016–17 Session and to undertake a substantial review in the 2017–18 Session.
2. In our 2nd Report of this Session, which was agreed by the House on 10 November 2015, we recommended the establishment of an International Relations Committee at the start of the 2016–17 Session. This would be subject to the same review of all committees which will be undertaken in the 2017–18 Session. We also announced that we envisaged a total of four *ad hoc* Committees being appointed in the 2016–17 and 2017–18 Sessions, the same number as in the present Session.²
3. The Chairman accordingly invited proposals from members of the House for *ad hoc* Committees in the 2016–17 Session.
4. Once again, we received a large number of proposals, which are included in Appendix 2.
5. We considered all the proposals received in accordance with our published criteria for selection, as follows:
 - Makes best use of the knowledge and experience of Members of the House;
 - Complements the work of House of Commons departmental select committees;
 - Addresses areas of policy that cross departmental boundaries; and
 - The activity proposed should be capable of being confined to one session.

This report sets out our recommendations to the House as to the subject of the *ad hoc* Committees, and also clarifies the basis on which we sought the endorsement of the House for the establishment of an International Relations Committee.

1 Liaison Committee, *Investigative select committees in the 2010–15 Parliament* (1st Report, Session 2015–16, HL Paper 5)

2 Liaison Committee, *An International Relations Committee* (2nd Report, Session 2015–16, HL Paper 47)

AN *AD HOC* SELECT COMMITTEE ON THE LONG-TERM SUSTAINABILITY OF THE NHS

6. We received several proposals relating to the health service, as set out in Appendix 2. This Committee was keen that any *ad hoc* Committee on a health-related subject should look beyond current issues and focus on the long-term sustainability of the NHS. The inquiry would need to be carefully focused in order to be manageable within the time available. We considered that there is scope to design an inquiry that focused on ensuring the sustainability of healthcare systems for future generations. There has been much discussion both inside and outside Parliament about the future of the NHS; an inquiry into those areas could add significant value to policy consideration. An *ad hoc* committee could examine:
 - Demographic trends, the prevalence of long-term illnesses and the associated changing health and care needs of the population;
 - Innovative models of health and care delivery, including greater integration;
 - What principles of management, accountability and policy formation would best serve the NHS of the future; supporting the development and adoption of innovative technologies and treatments;
 - Learning from international examples of best practice, particularly in areas in which the NHS performs less well; and
 - Preventive care and long-term funding.
7. **We recommend the appointment of an *ad hoc* committee to consider the long-term sustainability of the NHS.**

AN AD HOC SELECT COMMITTEE ON SUSTAINING THE CHARITY SECTOR AND THE CHALLENGES OF GOVERNANCE

8. Lord Shinkwin proposed the creation of an *ad hoc* committee on strengthening the charity sector. He suggested that such a committee could “explore how the charity sector could be strengthened through the development, dissemination and application of best practice, of mechanisms and of procedures for improving transparency and accountability”. The committee might consider issues around “improving governance, transparency and accountability” within the charitable sector.
9. We thought an inquiry into the charity sector would be timely and would make good use of the expertise of members of the House. An *ad hoc* committee might include the following within its remit:
 - What examples are there of best practice in the sector in terms of transparency and accountability and how might these be expanded across the sector?
 - What should be the role of the Charity Commission in promoting trust in the sector? Has its regulatory role detracted from the more supportive elements of its work with charities?
 - Fiduciary duties of trustees;
 - What has been the impact of recent legislation such as the implementation of the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014?
 - What lessons can be learnt from the recent controversies, and how might such problems be avoided in the future?
 - What lessons can be learnt from the experiences of the devolved administrations?
 - How can charities address the decline in public trust?
10. **We recommend the appointment of an *ad hoc* committee on sustaining the charity sector and the challenges of governance.**

AN AD HOC SELECT COMMITTEE ON FINANCIAL EXCLUSION AND ACCESS TO MAINSTREAM FINANCIAL SERVICES

11. Lord Kirkwood of Kirkhope proposed the creation of an *ad hoc* committee on financial inclusion.
12. Financial exclusion is the inability, difficulty or reluctance to access mainstream financial services. Those at risk of financial exclusion include many vulnerable groups such as care-leavers, those with mental health problems, homeless people, disabled people and young people not in employment, education or training. According to the report of the UK Financial Inclusion Commission entitled *Financial Inclusion: Improving the Financial Health of the Nation*,³ nearly two million adults in Britain do not use bank accounts, and around half of those with access to a basic bank account prefer to manage their money in cash.⁴ A report by the Joseph Rowntree Foundation in 2008 concluded that “in an increasingly cashless future economy the consequences of not holding a bank account are ever more exclusionary”.⁵
13. An *ad hoc* committee might consider the current scale of financial exclusion in the UK and the effectiveness of Government policies to expand financial inclusion. It might also consider whether access to finance and consumer advice might be better coordinated with other government services, as well as identify the main drivers of financial exclusion and how to address them. It could also consider the resilience of the support that is currently offered, should there be a sudden increase in demand. Other issues might include:
 - What impact have the Government’s policies on financial education and access to impartial advice had on financial capability?
 - What has been the impact of recent changes to the consumer credit market on those facing financial exclusion? How well coordinated is the regulation of the consumer credit market and other financial services?
 - What should be the role of credit unions in addressing financial capability and exclusion? Is there sufficient capacity among credit unions to provide support to vulnerable consumers?
 - What is the current role of the Post Office in providing access to financial services to vulnerable consumers? Is there a need for that role to be expanded?
 - Are there adequate education and advisory services for both young people and adults; if not, how might they be improved?
14. **We recommend the appointment of an *ad hoc* committee on financial exclusion and access to mainstream financial services.**

3 Financial Inclusion Commission, *Financial Inclusion: Improving the Financial Health of the Nation* (March 2015): http://www.financialinclusioncommission.org.uk/pdfs/fic_report_2015.pdf [accessed 11 March 2016]

4 Financial Inclusion Commission, ‘Facts’: <http://www.financialinclusioncommission.org.uk/facts> [accessed 11 March 2016]

5 Joseph Rowntree Foundation, *Financial Inclusion in the UK: review of policy and practice* (July 2008): available from <https://www.jrf.org.uk/report/financial-inclusion-uk-review-policy-and-practice> [accessed 11 March 2016]

POST-LEGISLATIVE SCRUTINY

15. The Committee decided to recommend to the House a proposal for post-legislative scrutiny of the Licensing Act 2003 scoped by the Committee Office.
16. The aim of the Licensing Act 2003 was to provide a single framework for the licensing by public authorities of public entertainments and the sale of alcohol, which had previously operated under different regimes and separate authorities. The Licensing Act is underpinned by four licensing objectives: (a) the prevention of crime and disorder; (b) public safety; (c) the prevention of public nuisance; and (d) the protection of children from harm. The Licensing Act liberalised the operating hours of venues selling alcohol on and off-trade, making it possible to license a premises for 24 hours, 7 days a week.
17. The 2003 Act has been in force since 2005. Additional legislation has been introduced to deal with concerns in relation to crime and disorder, licensing of lap dancing clubs, and small music venues. There are significant policy areas touched on by the Act which cut across a number of Government departments (Home Office, Department for Culture, Media and Sport, Department of Health, Business, Innovation and Skills). Policy aspects which a House of Lords Committee on this topic could consider include:
 - To what extent has the Licensing Act met its objective of balancing rights and responsibilities?
 - Are the four licensing objectives underpinning the Act the right ones?
 - Has the Act proved sufficiently flexible to address changing circumstances?
 - What lessons can policy makers draw from the changes made to the licensing regime since its implementation in 2005?
18. **We recommend the appointment of an *ad hoc* post-legislative scrutiny committee to consider the Licensing Act 2003.**

INTERNATIONAL RELATIONS COMMITTEE SAFEGUARDS

19. We have referred to our 2nd Report of this Session, in which we recommended the establishment of an International Relations Committee at the start of the 2016–17. In our discussions leading up to that recommendation the Committee considered a number of issues. We recommended that the appointment of the Committee should be subject to a review of all Committee activity in the 2017–18 Session, and that:
 - There should be an agreement with the EU Committee on the boundaries between the two Committees; and
 - The Committee of Selection should appoint members with a range of experience.
20. We have given further consideration to these issues and we now make explicit a further consideration, that in the light of concern about the high cost of foreign travel at a time of budgetary constraint the basis on which we agreed to the appointment of an International Relations Committee is that it should be accommodated within the Committee Office’s existing travel budget for the 2016–17 Session.

SUMMARY OF RECOMMENDATIONS

1. We recommend the appointment of an *ad hoc* committee to consider the long-term sustainability of the NHS. (Paragraph 7)
2. We recommend the appointment of an *ad hoc* committee on sustaining the charity sector and the challenges of governance. (Paragraph 10)
3. We recommend the appointment of an *ad hoc* committee on financial exclusion and access to mainstream financial services. (Paragraph 14)
4. We recommend the appointment of an *ad hoc* post-legislative scrutiny committee to consider the Licensing Act 2003. (Paragraph 18)

APPENDIX 1: LIST OF MEMBERS AND DECLARATIONS OF INTEREST

Members

Lord Craig of Radley
Lord Foulkes of Cumnock
Baroness Garden of Frognal
Lord Hope of Craighead
Lord Hunt of Kings Heath
Lord Laming (Chairman)
Baroness Perry of Southwark
Baroness Seccombe
Baroness Stowell of Beeston
Lord Touhig
Lord Wallace of Tankerness

Declarations of interest

Lord Craig of Radley
No relevant interests declared

Lord Foulkes of Cumnock
Trustee, Age Scotland

Baroness Garden of Frognal
No relevant interests declared

Lord Hope of Craighead
Trustee, Bute House Trust, Edinburgh

Lord Hunt of Kings Heath
No relevant interests declared

Lord Laming
No relevant interests declared

Baroness Perry of Southwark
President, DLD College London (which has charitable status)

Baroness Seccombe
No relevant interests declared

Baroness Stowell of Beeston
No relevant interests declared

Lord Touhig
No relevant interests declared

Lord Wallace of Tankerness
No relevant interests declared

A full list of Members' interests can be found in the Register of Lords Interests:
<http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

APPENDIX 2: COMMITTEE PROPOSALS FROM MEMBERS OF THE HOUSE

Letter from Lord Blunkett

Accountability and development of City Regions etc

I would like to suggest an inquiry into accountability and the development of public engagement and participation within the developing City Regions, the Combined Authorities, and the Infrastructure for Democracy involvement underneath elected mayors.

This would be seen as part of the changing Constitution and the government proposals for devolution within England.

Lord Campbell-Savours supports this proposal.

BLUNKETT

Letter from Baroness Young of Hornsey

Alternatives to Custodial Sentences for Young People

Proposal for an ad hoc committee on Alternatives to Custodial Sentences for Young People (up to 24 years old).

“In recent years we have seen a significant and welcome reduction in the number of young people entering the youth justice system. However, little progress has been made in reducing reoffending, with 67 per cent of people leaving custody reoffending within a year.

It is vital that we seize the opportunity to rehabilitate young people who have offended, to steer them away from a life of crime, and to set them on a more positive course which will benefit both them and society.”

(Michael Gove, announcing a review of the Youth Justice System, September 2015.)

Recent policy shifts suggest a desire to avoid incarcerating young people. How might this be achieved?

Policy discussions focus on strategies of desistance and diversion for young people that may complement or replace custodial sentences. What do we understand by these terms and what actually works? Does restorative justice have a positive impact on re-offending in young people? What have we learnt about community sentencing? How can a dance group succeed in reducing re-offending, where others have failed? These are some of the questions this proposed committee will ask as it seeks to examine the most effective ways of steering more young people away from prison.

From restorative justice cities to learning classical dance, experts from within the UK and internationally will map what we have learnt so far and help inform current policy reviews, as well future thinking on this critical subject.

Best use of knowledge and experience of Members of the House

Over the past decade, Members of the House have produced a number of telling reports and reviews on various aspects of the Criminal Justice System (CJS)–

for example, The Corston Review on women in prison (Baroness Corston); the Bradley Review of mental health and the CJS (Lord Bradley); the Harris Review of young peoples' self-inflicted deaths in custody (Lord Harris of Haringey); the Young Review on improving outcomes for young black and/or Muslim men (Baroness Young of Hornsey). In addition, the House of Lords boasts several former senior police officers (Lord Condon, Lord Stevens, Lord Blair), a former Director of Public Prosecutions (Lord Macdonald); Lord Ramsbotham, a former Chief Inspector of Prisons with knowledge and understanding of the role of the arts in rehabilitation and desistance; the current Chair of the Youth Justice Board, Lord McNally.

There are several peers with an interest in looked after children, which is pertinent as disproportionate numbers are to be found in trouble with the law (Lord Laming is currently chairing a review on this subject), and put together with former and serving magistrates, and experts in education, children and young people's development, and their mental and physical well-being, and the role of arts and sports in addressing such issues, we have a remarkable body of experts with the necessary experience and knowledge.

Compliments the work of Commons departmental select committees

The House of Commons Justice Committee is currently taking evidence on Young Adult Offenders and its findings will constitute a valuable resource for this proposed committee. The Justice Committee has also announced a future inquiry into Restorative Justice, which this proposed committee would aim to complement.

Addresses areas of policy that cross departmental boundaries

As indicated in paragraph 1 above, this subject cuts across several different policy areas.

- Given there is a major re-think going on regarding how we use prisons, and that young re-offenders are an area of continuing concern, the Ministry of Justice (MoJ) is a key department;
- The approach of the police (Home Office) is particularly important with regard to looked after children and Black, Asian and Minority Ethnic young people as both groups are over-represented in the CJS compared to their numbers in the general population;
- Education (Department for Education—also responsible for looked after children) is a critical factor for young offenders;
- The poor mental and physical well-being (Department of Health) of young offenders is often cause for concern;
- Projects that engage young people in meaningful arts and sports activities (Department of Communities and Local Government, Department of Culture Media and Sport) have had notable success in diverting them from criminal activity;
- Private sector companies and social enterprises (Department for Business, Innovation and Skills) such as Timpsons, National Grid and Mosaic have established employment schemes that achieve good results with former offenders—more could be done.

The activity proposed should be capable of being confined to one session

The subject is very focused as is the age range addressed.

Many of us are aware that we're not doing the best that we can for all the young people that become involved in the CJS: this committee can play a constructive role in making more progress on this issue. Lord McNally supports this proposal.

Note: I would like to declare the following interests: Chairmanship of the Young Review on improving outcomes for young black and or muslim men and Chairmanship of a task group established by Barrow Cadbury Trust on girls, women and offending (both remunerated) and also that I am a member of Lord Laming's review of children in care and the criminal justice system (unremunerated), which is due to finish its work and report in March this year.

YOUNG OF HORNSEY

Letter from Lord Lansley

Antimicrobial resistance

The threat arising from Antimicrobial Resistance (AMR) is prominent on the Risk Register of several Government Departments. The potential severity of the risk is great, as was set out in the first report (December 2014) of the AMR Review led by Lord O'Neill of Gateley.

The Review above continues and is due to report by August 2016. This is international in scope and in respect of its Advisory Group. As a consequence, it may not make recommendations specific to the responsibilities of the UK Government. Nor would this, as a Government review, supported by the Wellcome Trust, afford the opportunity for Parliamentary scrutiny, input and debate which an ad-hoc inquiry would enable.

The issues extend across several Government Departments: Her Majesty's Treasury (HMT) established Jim O'Neill's Review, because of the large-scale economic impacts; the Department of Health (DoH) leads on the human health aspects, international public health and work on faster point-of-care diagnostic testing, reduction of infections and control of antibiotic use; The Department for Environment Food and Rural Affairs (DEFRA) leads on animal health and antibiotic resistance in the environment; the Department for Business Innovation and Skills (BIS) leads on Research Council priorities and the use of World Trade Organisation (WTO) and related agreements to control the prophylactic use of antibiotics; and the Department for International Development (DFID) have a part to play in the use of aid budgets to incentivise community health systems which promote responsible antibiotic use.

Such an inquiry would follow on particularly well from the House of Commons Science and Technology Committee's 2014 inquiry into antimicrobial resistance (Ensuring access to working antimicrobials).

The urgency of this issue, as today's report of extreme drug/resistant infections in this country highlights, is such that I would submit that a Parliamentary Inquiry is necessary, in order to enable Parliament's voice to be heard, to be an open forum for evidence to hear expert and unconventional views on the response, to enable Parliament later in the year to respond to and develop recommendations arising from the O'Neill Review and, in particular, to be able to direct recommendations to the UK Government as to the domestic response and how we might use our

international influence to shape a global response to a potential ‘rising tide’ global crisis.

LANSLEY

Letter from Baroness Deech

Better Regulation

An inquiry into recent new regulatory systems, and into some that are well established, but have recently been shown to need attention. In the former category I would place financial services regulation, as recently reformed. <https://www.gov.uk/government/publications/2010-to-2015-government-policy-financial-services-regulation/2010-to-2015-government-policy-financial-services-regulation>.

Is it working well so far?

In this category I would also place the regulation of legal services under the Legal Services Act 2007, which is widely regarded as unsatisfactory, cumbersome and in need of overhaul, though so far there has been no agreement as to what should be changed. The various front line legal regulators, and their overseer, the Legal Services Board, have been holding meetings for a year to plan changes to the Act.

In the second category I would place advertising and the press. The Select Committee on Communications published an inquiry into the press <http://www.publications.parliament.uk/pa/ld201415/ldselect/ldcomuni/135/135.pdf>.

This was intended to be a guide, rather than an evaluation of efficacy. There is a great deal of confusion following the attempted implementation of the Leveson Inquiry and the systems now in place need to be examined to see if they are working as intended.

My own view is that the regulation of any important service or industry that is still self-regulating should be looked at, namely, press, advertising and to some extent the BBC, but the BBC is of course being examined elsewhere.

This proposal is strengthened, I believe, by the publication yesterday of a Treasury paper “A Better Deal: boosting competition to bring down bills for families and firms”, calling inter alia for better regulation.

Note: I declare interests as a former Governor of the BBC and chair of the Bar Standards Board.

DEECH

Letter from Baroness Kidron

Children and Young People (Minors) Data inquiry

The inquiry would focus on children and young people’s data—how it is being collected and what it is being used for. In addition the Committee would consider ‘Terms and Conditions’ the mechanism by which the vast majority of data is collected.

Data gathering is ubiquitous on the web and has been largely ignored by policy makers and children’s organisations. This inquiry would provide a valuable building block in our understanding of the issues that young people face in the

interactions with the online world. It would also address a ‘sensitive’ issue for parents.

The report would be a welcome contribution to a wider debate about data, which has yet to consider the specific needs and status of children and young people.

The Use of Data

The Committee would investigate what use is made of children and young people’s data collected as they use online and digital services. Specifically; Look at the legislative framework and industry ‘codes of conduct’ for collecting the data of minors; Seek to establish if young people are aware of the mechanics of data collection; Look at potential harms or unintended consequences for young people in having their data collected; Question if data collection could be used for benefits that are not currently routine. Look at examples of ‘best practice’ of data gathering in areas heavily used by under 18’s.

Whilst current practice would be at the heart of the inquiry - the Committee would also include emerging technologies—The Internet of Things and Artificial Intelligence (AI)—and consider the proposed developments in data gathering in these areas specifically from the point of view of children and young people.

T&Cs

In calling for evidence the committee would map the current legislative context. Gather evidence of T&Cs that are intended for children and young people and report back on ‘best practice’ of age appropriate T&Cs.

It would consider T&Cs intended for adults that children are agreeing to without the legal capacity to do so. And call for evidence from parents (and other supervising adults) on the circumstances in which adults knowingly facilitate access, on behalf of minors, to sites that are designated for adults or older children.

It would also consider their access to age inappropriate material, but only as one component of the broader question of entering into agreements that they do not have the maturity or circumstances to understand.

The committee would seek to bring together commercial providers outside of the tech sector, the tech sector, legal opinion, expert academics and children organizations. As a central component of this inquiry, the Committee would proactively seek to capture children and young people’s voices and reflect their experience.

KIDRON

Letter from Lord James of Blackheath

Child Migration

It is suggested that the Committee should have the title Select Committee for Residual and Unresolved Former Child Migration Issues. This title recognises that there have been at least two Select Committees previously as well as separate and ongoing investigations by the British Child Migrant Trust but acknowledges that each of these has been unable to progress to finality but has identified serious matters of concern relating to a large number of former migrants who are now averaging 65/75 in age and whose welfare and social conditions are inadequately understood. This Committee will seek to identify the remaining key issues and initiate dialogue with the most relevant parties including the Government of

Australia; the Home Office; Local Government Authorities; Orphanages which provided children for migration; the Child Migrant Trust in its ongoing attempts to establish the identity of all former migrants as far as possible.

Background

Child Migration to British colonies has recurred intermittently from about 1680 until circa 1974. Various these migrations have been the subject of significant Government approval at the time with the deliberate intention of supporting and expanding the population base of British overseas settlements to create population mass in comparison with the comparable growth of German, French, Spanish and other nationalities with colonial outspread.

After an intensive period of child migration, particularly to Africa, as a counter to the German presence, during the second half of the nineteenth century, child migration fell into misuse until being reactivated initially specifically to Canada for which dedicated boat loads of children were shipped out in batches of around 2000 during the 1920s. This policy was stopped around 1928 when it became apparent that the children who were sold from the dockside as slave labour for around 50 dollars each were subject to the highest mortality rate of all migration resulting from their hardy usage, physical abuse and in numerous cases downright murder. A systematic process for the migration of allegedly orphan children was initiated by the Roman Catholic Church in 1936 directed towards Australia in conjunction with Roman Catholic institutions there (notably the Order of the Sisters of Mercy). This process was curtailed by the outbreak of war and child migration did not become a political concern again until 1944 when the then war-time Coalition Government responded to a direct approach from the Australian Government to send as many children as possible to assist their population growth. Given the proliferation of single parent families and homeless children resulting from war and imminent post war social conditions the British Government responded favourably to this approach and gave it their active support. Indeed it is now reported that a bounty of £5 was paid from British Government resources to any Local Council or orphanage for every child that they could supply for migration although this has been reported in earlier Committee assessments (seemingly wrongly) as being a bounty offered by the Australian government. With this official UK government backing, child migration proliferated with the first dedicated ship sailing in mid-September 1945 two weeks after Labour took office. It is important to distinguish between the assisted passage scheme under which families would pay £10 per head to sail to Australia and the parallel but completely separate arrangements whereby batches of 50-80 unattached children would be sent out separately with no parental participation. The former were generally shipped out in the Australian shipping line SITMAR created specifically by the Australian government whereas the latter utilised any spare berths which could be made available for the unattached children utilising the P&O shipping line. The continuing concern is with the estimated unattached 190,000 children who were sent out between 1945 and 1974 when the strategy was abandoned and who give rise to great concern as to the legitimacy of their migration (ie there is very dubious evidence of legal parental consent), serious doubts as to their understanding or willingness to participate and grave concern as to their subsequent welfare and social treatment in Australia on arrival and up to modern times.

The Child Migrant Trust and I differ as to our estimate of the total number of survivors amongst the whole 190,000 estimated number of child migrants who would have been in the age range of 8-14 at the time of shipping. The Child Migrant Trust believes there may be about 6,000 surviving whereas I, utilising

the Lloyds of London Actuarial computer programme, have an expected figure of around 32,000 for this length of time but it may be that this formula fails to recognise adequately the extreme hardship and poor conditions these migrant children have suffered. Whatever the correct figure is, it is these children who are the primary concern of this proposed Committee.

The Mission Statement I propose for this Committee is as follows:

- Although late in the day there may still be time, before all final trace and record is lost both in the UK and Australia to establish precisely the location, identity and quantity of all survivors.
- By direct liaison with the Australian Government to ascertain what social services, including medical services, income support and subsistence and accommodation is available to these migrant survivors.
- To identify as far as possible the historical record of the Home Office in discharging the protocols imposed upon them by the UK Government in 1945 with the apparent consent of the Australian Government to monitor and oversee the welfare of migrant children once in Australia.
- To reactivate as far as possible and perhaps as necessary these same protocols to ensure the active participation of the Home Office in supporting surviving child migrants in their old age as originally intended.
- To liaise closely with the Child Migrant Trust to establish the extent of their present knowledge of former child migrants and to identify any areas of specific support or direct action which could assist the objectives of the Child Migrant Trust.
- To harness the resources of the Church of England by seeking their liaison directly with the Protestant Church throughout Australia to establish their knowledge and participation in the current situation of former child migrants.

A very specific purpose of the Committee must be to utilise all the resources noted above to obtain direct affirmation and evidence direct from the Australian government that they are implementing the decision of the Class Action brought against the Australian and New South Wales governments and the Fairbridge Foundation requiring a settlement of Australian \$24 million compensation for physical abuse of former inmates of Fairbridge homes but the problem with this is that the Australian government had previously sanctioned that the countrywide network of Fairbridge homes could all be consolidated within a single holding company based in Perth in Australia while subsequently allowing the Western Australia Government to pass a separate law granting a statute of liability for all cases of sexual or physical abuse for children beyond the interval of seven years from offence which would effectively preclude any payment being made under this class action in any state. The Committee will have no greater objective than to ensure the full payment of all such awards which, reflect, the hideous practice of Fairbridge homes in applying corporal punishment to its inmates by whipping with a replacement metal hacksaw blade. It is very unclear from information so far available whether the Australian Government is now overriding the Western Australia Statute of Liabilities and the Committee's primary concern, hopefully supported by the Home Office, will be that they will make all payments in full.

A critical complication in all matters relating to Child Migrants is the well-founded suspicion that many of them were simply taken from the streets as waifs and strays in the aftermath of World War II and that this was just a convenient way for Local Councils to be rid of their responsibility. Council records in this respect are said

to be exhausted but I can vouch from my own time working for the Australian Civil Service in London between 1956 and 1958 that no identity was ever known reliably for any of the children sent to us who were most frequently drawn from the Bow, Hackney, Stratford and Latenstone Council areas. Having handled those embarkations to the P&O vessels (for none of which I had a name) I remember very clearly, however, that neither the shipping line at embarkation nor the Australian Government at disembarkation would accept any child for which there was no evidence of a full set of vaccinations including particularly diphtheria, yellow fever and smallpox. All children were vetted on boarding for these certificates and I cannot believe that any effective medical certificates were provided for which the relevant doctor performing the inoculations did not make a correct identification of name. Equally the Australian Government in London would never have sanctioned the migration of a child without such a certificate so I believe that there might be three places where a critical document may survive: the Archives in the Australia House in The Strand, the archives of Local Councils, providing migration children, the P&O shipping records. As all migration children were issued with a new identity card in Australia on arrival giving a fictitious name and birth date to destroy every possible link back to their family of origin I believe that this is one possibly viable, but equally possibly futile key piece of information to reconnect children to a family of origin and which this Committee should seek to activate in one last desperate attempt to overcome the mists of time.

Essentially, the Committee will need to take a view as to whether the incidence of child sexual abuse arising from former child migration activity to Australia needs to be referred to the Independent Inquiry into Child Sexual Abuse under Lowell Goddard given that a former Committee investigation informed the Australian government that it believed that all 190,000 child migrants had been sexually abused whereas the Australian government responded that it believed it was only 50%. These abuses would certainly overlap the timetable for the beginning of the Lowell Goddard enquiry.

Consideration of this point might also need to include reference to allegations I have received suggesting that in early post war years, local British councils regularly made available groups of children for the specific purpose of sexual activity whilst waiting migration.

The constitution of the Committee I would wish to see assembled for this work would include the following:

- Lord Freeman: principally because he is the best Select Committee Chairman I have seen in action and as he has given me a great deal of personal support and encouragement during my time in the House of Lords, I am sure he could be my ally advising on protocol and procedure
- The Bishop of Derby: because he has liaised with me closely through the development of this discussion and would be an excellent conduit to liaise with the Protestant Church in Australia
- A Baroness with very special insight and understanding of Local Council or Child Welfare Authorities particularly the areas from which child migrants appear to have been mostly drawn. I have noticed that Baroness King of Bow has been very attentive in all discussions on this subject and certainly has knowledge of a key area which should be investigated so either Baroness King or someone similar with relevant qualifications would be very welcome

- Ideally there would be someone with Home Office knowledge and awareness of their practices
- Someone with knowledge of the workings of orphanages in the UK
- Because of the paramount importance of the above someone with the knowledge of Australian legal practices would be extremely valuable.

Initially I would propose that the Committee should call as witnesses the following:

- Mrs Margaret Humphreys CBE Chair of the Child Migrant Trust to establish the extent of the principal concerns and unresolved issues for which the Committee might be able to provide some form of assistance.
- The permanent secretary of the Home Office or any more specific Officer responsible for the oversight of Child Migration to establish the Home Office's understanding of their responsibilities in this respect and the way in which these were discharged
- The High Commissioner for Australia (or his senior Migration Officer) from Australia House in The Strand first to obtain his understanding of all the objectives of the Committee; secondly to establish appropriate liaison with the Australian Government and to obtain his assistance with access to the archives at Australia House particularly relating to medical evidence

The work of the Committee would be resolved and concluded if or when it had performed the following minimal functions:

- Discharge by the Australian Government of all liabilities resulting from the Class Action for compensation to former Child migrants
- Identification by and with the Australian Government of the actual number of surviving child migrants and some indication of the level of financial and social support which is provided to all of these
- The overview of the Protestant Church in Australia as to their local knowledge of cases of former child migrant welfare and subsistence
- Before all final records are lost forever to have ensured that any data relating to former child migrant identity remaining within British Local Councils, orphanages, or other authorities has been fully explored as a counter check on Australian Government responses
- Formulation of any appropriate recommendations to HMG as to any additional lines of further action or support which might be appropriate for former child migrants

The total time estimated for this programme is one year for the Committee.

NB: Due to the preponderance of migration numbers to Australia the proposed terms of this Committee inevitably apply to that territory. Although not specifically addressed there are other serious concerns relating to Canada and New Zealand (both of high levels of manslaughter and murder of individuals) and other territories which might arise in investigations but which are not targeted at the outset and on which a view might be taken as to further review.

JAMES OF BLACKHEATH

Letter from Lord Foulkes of Cumnock

Constitutional arrangements of the home and overseas territories in relation to the United Kingdom

Constitutional arrangements with the home and overseas territories have been largely ignored this parliament. An ad-hoc select committee could therefore seize the opportunity to hear from representatives of these territories the problems they currently face, the issues they wish to see resolved, and allow the government to articulate, and start to consider, whether or not our current constitutional arrangements are fit for purpose.

FOULKES OF CUMNOCK

Letter from Lord Hunt of Chesterton

Development of UK-owned businesses

I suggest that a topical and broad ranging topic would be Development of UK owned businesses—public and private.

There is a general recognition on all sides of the House that the UK is not growing sizeable companies. One of the related questions is whether UK government should invest more substantially in such companies, as other countries (like France) are doing quite successfully. Especially if they are of strategic importance.

HUNT OF CHESTERTON

Letter from the Earl of Dundee

Devolution best practice in the UK and other European Member States

I am writing to propose an *ad hoc* inquiry on the potential national contributions to be encouraged from devolution or localism within UK and other European states.

Whilst the subject of devolution has been explored at length, this is not the case in relation to lessons which could be learnt from studying best practice. The purpose of the inquiry would be to consider how devolution can build up good practice in order to benefit not just the region or locality itself but also, as a result, its nation state.

The measuring of national accomplishment may be more accurate when carried out locally in the first place. In other words such measures should not only be based on GDP but rather on a combination of GDP and other indicators, such as those of the satisfaction or wellbeing of people where they live and in their communities.

A similar pattern may be observed within the UK and European states: not least within the consensus on human rights shared by the 47 Council of Europe states. This consensus may connect to a common aspiration that improved measures, as indicated, for the quality and success of life ought to be made much more locally within UK and elsewhere to both national and local advantage. This issue, amongst others, was explored in the House recently during the Committee stage debates on the Scotland Bill (see Hansard column 1541: starting at line 7, reads: “Where it promotes localism”, ending at line 18 “What Works Network in Scotland?”).

Although there has been little serious analysis of the subject, relevant data produced by the OECD and the National Statistics Office, including wellbeing measures,

are widely available. The inquiry would therefore involve analysis and seeking to pull together the relevant information rather than reinventing the wheel. It could hardly be more timely as the Government is exploring further devolution and localism, and could help to inform further parliamentary debate and indeed to save time on the floor of the House. As so much information is available already I would envisage that the inquiry and report could be completed well within the normal nine months or so available for *ad hoc* Committee inquiries.

The debates on the Scotland Bill have demonstrated the interest in the House of Lords as a whole on devolution matters, and the inquiry would make good use of the expertise of members of the House on a wide range of issues, including constitutional and EU-related matters. I would also envisage the All-Party Parliamentary Group on Reform, Decentralisation and Devolution in the UK wishing to be involved in the inquiry.

In common with most *ad hoc* Committee inquiries, this proposal would be cross-cutting, and necessitate evidence from the Foreign and Commonwealth Office as well as the Cabinet Office, Northern Ireland Office, Scotland Office and Wales Office. Other organisations giving evidence might include:

- Committee of the Regions
- Council of Europe
- European Commission
- European University Institute
- Local Government Association
- Organisation for Economic Co-operation and Development (OECD)

I would of course be very happy to elaborate this proposal further should the Liaison Committee require any further detail.

DUNDEE

Letter from Lord Wallace of Saltair

Digital Transformation in Government

Developments in digital technology have already had a substantial impact on the business of government and on the government's interaction with citizens. The continuing pace of digital development, the move to storage of government data online, and growing public acceptance of digital communication in daily lives all indicate that this transformation will continue to reshape both the business of government and the relationship between government and citizens over the next 5-10 years and beyond.

A rising proportion of transactions between citizens and government now take place on line, from driving licence renewals to electoral registration to tax enquiries. There are very considerable cost-savings in moving from transactions in person, on paper or over the phone to on-line, as well as convenience for the digitally-aware citizen. But there are also concerns about privacy and security of information provided, and about government checks on the identities of those with whom it interacts online. The Government Digital Service is currently developing a 'Verify' system, in cooperation with a number of private companies, to enable citizens to confirm their identity when interacting with government securely. Some commentators—including some peers—consider that the only effective verification

system for interaction between citizens and government is some form of Identity Card; others argue for a 'unique identifying number' without a full ID system.

The speed of the transformation over the past ten years has already been remarkable; most adults now have some form of computer and/or smart phone. Over the next 5-10 years the proportion of UK citizens who expect to conduct much of their private, commercial, business and official communications online is likely to continue to rise, to become the predominant form of interaction for a very wide range of purposes.

Government collects a great deal of data relating to citizens, through national insurance, employment and tax records, health documentation, police records (for some), driving licences and car insurance. The management of government data is governed by different legal frameworks in different Departments, dating in most cases back to legislation passed before data had moved very far from paper to online. The most important government exercise in the collection, comparison and analysis of data has, for the past 150 years, been the 10-year Census, which has covered questions from sanitation and housing to ethnic identity, religion and education, family size and employment status. The Census costs around £500m at current prices, to provide a snapshot of the 'state of the nation' at ten-year intervals. Much of the data it collects is separately available to different agencies of government on a far more frequent basis, allowing for a more accurate assessment of trends; but current controls on the use of official data inhibit such interim analysis. Should government continue therefore to commission an Official Census at 10-year intervals, or should government and Parliament now explore ways in which data could be analysed across sectors within agreed safeguards? Government policy, at national, regional and local levels, would be better informed through more readily-available indicators on economic and social trends.

Much public debate about the use and protection of official data assumes that a relatively clear line can be drawn between official data and privately-held data. The emergence of internet companies which make their money by gathering and analysing data provided by their customers is a matter of some concern to privacy campaigners. What appears not to be as well understood is that there is an unavoidable overlap between private and official databases. When a British citizen renews her car licence online, the programme automatically checks the status of the car's insurance with the relevant private insurance company; when a private credit company is asked to check someone's credit rating it refers, amongst other databases, to the electoral register. Questions of access to private data bases, and of restrictions on their use and transfer by the companies that collect and analyse them, are already in the public debate at national and international level. Public debate on the usefulness to effective government of more effective data collection and analysis, and the safeguards that are needed to limit the use of such analysis—particularly as the affect individuals—is less well advanced. There is an evident trade-off between effective and timely analysis of data and the potential threat this may involve to individual privacy. The costs and benefits of that trade-off merit careful examination. The value to medical and environmental health research of cross-sectoral analysis of the incidence of specific diseases, for example, has already attracted public debate—and aroused fears among some citizens that such research might breach the privacy of their medical records.

The coalition government of 2010–15 recognised that legislative changes would be needed to adapt Whitehall management of data to the digital transformation, and to allow government to make effective, but careful, use of the opportunities provided. A Green Paper was considered, but postponed until after the election

as likely to arouse controversy from the ‘privacy lobby’ and from other affected interests. It is not yet clear whether or when the current government will move to address the issue in proposing draft legislation. A Lords study during the next session would help to inform the public debate, to narrow the range of controversy, and to highlight where the sharpest controversies are likely to emerge.

The current House of Lords contains among its members, on all benches, a number of peers with significant expertise in different aspects of this field. An *Ad hoc* Committee would therefore be likely to command respect among the different interested groups. The House is already engaged in some aspects of the issues at stake: the debate scheduled for 14 January on identity assurance and the case for Identity cards provides a current example. Here, therefore, is an issue on which a Lords committee could draw on a pool of expertise, could expect to attract wider interests from across the House, and hope to inform and move forward a much-needed public debate.

WALLACE OF SALTAIRE

Letter from Lord Inglewood

Economic Value of Culture and its contribution to the UK Economy

In the modern world the importance to wealth creation in the UK of Culture, using that word in its wide contemporary sense, rather than in its older, narrower meaning of ‘Kultur’ is increasing all the time.

It is not simply a matter of intellectual property, which comes in all kinds of forms across a whole range of sectors from Premier League Football to Fashion and Music and Film, or of Tourism which is one of the Globe’s growth industries. It has a number of similarities with Natural Capital and with Soft Power.

The traditional market model of willing buyer- willing seller does not necessarily provide an efficient or in some cases any financial nexus between producer, consumer, and financial beneficiary. This throws up a series of important questions about how the market is working in this sector and how it might be improved. It also raises questions about how, if at all the State should be involved.

Note: I would like to declare the following interests: Category 1: Directorships, Chairman, CN Group plc (media); Category 2: Remunerated employment, office, profession etc., President, British Art Market Federation; Category 5: Land and property, Hutton-in-the-Forest (historic house open to the public); Category 10: Non-financial interests (b), President, Cumbria Tourism, Chairman, Cumbria Local Nature Partnership; Category 10: Non-financial interests (d), Member, Board of Directors, Historic Houses Association, Vice President, Campaign for National Parks; Category 10: Non-financial interests (e), Trustee, Settle-Carlisle Railway Trust, President of the Ancient Monuments Society (registered charity)

INGLEWOOD

Letter from Lord Crisp

Establishment of a health-creating society

The establishment of a health-creating society in the UK where all sectors contribute to building a healthy and resilient population.

I am writing to propose that a Committee be appointed for the 2016–17 session to consider the above topic.

Background

Today's health issues are very complex and go far beyond the reach of the NHS, government and, very often, individuals themselves. These issues affect all ages. Barely half of all children achieve a good level of development by the time they start school. This affects their future physical and mental health and their ability to learn. Social isolation and loneliness in old age have the equivalent health impact of smoking 15 cigarettes a day and slow recovery from illness. Different groups in the population are affected differently: there are lower levels of subjective well-being and a higher burden of ill health in Black and Minority Ethnic populations; whilst men and women with severe mental health problems die up to 20 and 15 years earlier respectively than people without these problems.

Moreover, as the World Health Organisation has memorably written "*Modern societies actively market unhealthy lifestyles*". The time is right to reverse this and begin to create a health-creating society where all its parts market healthy lifestyles. Health can longer simply be left to the professionals and government. Everyone has a role to play—from education to business and from architects to employers, and of course, citizens themselves. The NHS can't do everything by itself or—as sometimes seems to be the case—be held responsible for all the ill health of society.

Schools could do much more and so could employers. Some like the firms involved in the City Mental Health Alliance are addressing particular concerns but much more could be done—time off work for ill health is both bad for individuals and reduces productivity. Designers, architects and planners are able and willing to do much more: creating buildings which encourage walking and the use of stairs, communities where people meet each other, and public buildings which bring together different services.

Whilst NHS England, Public Health England and others are emphasising health living and disease prevention and setting up health promotion campaigns, there is as yet no attempt to identify the contribution that all parts of society could play or to mobilise them to create a healthy and resilient population.

Reason for proposing the Committee

This is a highly topical issue which does not relate only to one Department but concerns the whole of Government and wider society. No other body is undertaking such a review at present—although there is wide interest both nationally and globally in many of the elements that would be discussed.

The House of Lords is uniquely placed to lead the way in framing the national debate by virtue of the experience and diversity of its membership and their ability to take a view across the whole of society. Moreover, 19 Lords from across the House spoke in my recent debate—on precisely this topic on 26 November—with others unable to speak or withdrawing at the last moment due to its being delayed last business on a Thursday.

Scope of the Inquiry

I would envisage the Committee calling on experts from throughout the UK and beyond. It would proceed through calling for evidence, reviewing the literature, interviewing experts and its own discussions to:

- seek to understand the way the health of the population is affected by wider forces—the so-called social and environmental determinants of health

- review current activity in this field led by NHS England, Public Health England and others—identifying gaps and activities which could be extended
- examine international experience for lessons about what has and hasn't worked elsewhere
- understand the financial implications—noting at the outset that diabetes and the complications of diabetes cost almost 1% of GDP so there is a major financial as well as human incentive to reduce the numbers of people affected
- consider the longer term implications of this approach on the education and training of professionals and the culture of the NHS, local authorities and other health and care providers

I would envisage the Committee providing a report which explained very clearly the importance of this approach and set out the practical steps needed to align the necessary coalition of interests and begin to make progress at scale.

The Earl of Listowel, Lord Rea and Baroness Walmsley support this proposal.

Note: I would like to declare a Category 1 (directorship) interest in “Global HDE Ltd (publishing, research and consultancy in Health, Design and Education). This company’s activities include dealing with those aspects of the Member’s business and voluntary activities not covered in other categories below. Paid contracts mainly or wholly delivered by Member are with Calouste Gulbenkian Foundation (chairing a review of the Portuguese NHS);” and a Category 4 interest (shareholdings) in Global HDE.

CRISP

Letter from Lord Foulkes of Cumnock

Examining the operation of tuition fees for University students in England

Such a committee would explore the impact of the new regime on students in England, the health of its financial affairs, and the progress it has made in achieving its stated aims with regards to access, quality of teaching, and the competitiveness and strength of our universities. It would also explore the equity of the current arrangements, especially in relation to the regimes under which students from other parts of the UK study.

FOULKES OF CUMNOCK

Letter from Lord Kirkwood of Kirkhope

Financial Inclusion

Background

In March 2015, the UK Financial Inclusion Commission (FIC) published its report; *Financial Inclusion: improving the financial health of the nation*. The FIC was chaired by Sir Sherard Cowper-Coles KCMG LVO and, although totally independent, is funded by MasterCard.

This report included a range of recommendations to address the many people excluded from our financial system. For example, an estimated 9 million people still do not have access to mainstream credit and over 13 million say that they don't have enough savings to manage for a month if their income declined by 25 per cent.

Inquiry Rationale

There are clear social and economic benefits to tackling financial exclusion. However, the cross cutting nature of this policy area appears to have impeded progress in tackling this acute social and economic problem which spans numerous government departments and select committees.

An *ad hoc* select committee on this subject presents an opportunity to overcome this impediment by bringing together the breadth of knowledge and experience present in the House of Lords to move this issue forward. Relevant policy areas include: banking and payments; credit and debt; savings and pensions; insurance; welfare, education, skills and capability.

Focus on the issue of financial inclusion at this time would also be a timely and meaningful intervention by the House of Lords, as anticipated interest rate rises and the impact of welfare changes are set to exacerbate the problems associated with and the numbers of people excluded from mainstream finance.

Proposed Scope

The activity proposed could be confined to one session with witnesses drawn from the following:

- (a) Financial Inclusion Commission representatives
- (b) Key expert third parties stakeholders, for example:
 - (i) Money Saving Expert
 - (ii) Money Advice Trust
 - (iii) Centre for Responsible Credit
 - (iv) Association of British Credit Unions
 - (v) Citizens Advice
 - (vi) Money Advice Service
- (c) Regulators: namely FCA, CMA and newly established PSR
- (d) UK Government: HMT, DWP and DoE (ministerial level)

Possible Inquiry Outcomes

It is anticipated that an *ad hoc* inquiry would demonstrate the importance of financial inclusion both to individuals and to the UK economy. Further to that, the Select Committee may be able to support and/or develop some of the key recommendations in the FIC report, for example; that the Government should have a minister specifically responsible for Financial Inclusion or that the UK could adopt its own version of Scotland's Debt Arrangement Scheme.

Next Steps

Representatives of the FIC would be delighted to meet with the Liaison Committee Members and/ or its staff to help develop a more detailed proposal for an *ad hoc* select committee on the issue of financial inclusion.

Note: I would like to declare an interest as Commissioner (unpaid) of the former Financial Inclusion Commission.

KIRKWOOD OF KIRKHOPE

Letter from Lord Foulkes of Cumnock

Global Jihadist Movements, and the international fight against terrorism

Such a committee would explore the nature, outlook, strength and motives of global jihadi movements, discerning factors in their rise and trends in their development. It would also focus on the relationship between these movements and the states that fund either related ideologies, or the organisations themselves, in order to recommend what sort of approach the UK should take, as a member of both the EU and NATO, to combat the rise of such groups globally.

FOULKES OF CUMNOCK

Letter from Lord Warner

Health and care systems

I would like to suggest that the House should address one of the most intractable problems of the moment and the next decade—how we fund our health and care systems at a time when the demographics of an ageing population with many comorbidities strongly suggest that our present arrangements are not fit for purpose.

The House has already conducted a very good analysis of the challenges for public policy of an ageing population. This was the *Ready for Ageing?* report in the 2012–13 Session. Paragraph 46 of that report proposed that “the Government elected in 2015 should, within six months, establish two commissions based on cross-party consultations: one to work with employers and financial services providers to examine how to improve pensions, savings and equity release, and one to analyse how the health and care system and its funding should be changed to serve the needs of our ageing population”. The Government has taken no action on this recommendation.

I would like to focus on the second of those proposals because the funding of health and care is fundamentally unstable and is likely to deteriorate further before the next election in 2020 on present—post 2015 Spending Review—plans. That is the view of informed opinion and not just mine! My proposal is that the House sets up its own inquiry into the funding of health and social care as the Government is clearly reluctant to do this.

The focus should be on reviewing the evidence and producing an analysis of the various options in play, looking for new options and producing an options analysis on the best judgement of the evidence available. This would require it to establish some criteria for assessing options. It should however not be the purpose of the Committee to recommend any particular option. Rather I see the role of this Committee as to follow up the earlier House report’s demographic analysis and focus on offering health and care funding systems that better meet the population’s health and care needs in the 2020s than the present arrangements. Its aim should be to explore what is a very contentious and difficult public policy area away from the day-to-day turmoil of government and produce an independent analysis that is helpful to whoever has to ultimately take decisions.

Note: I would like to declare an interest as Consultant on Health and Care, Capsticks Solicitors LLP.

WARNER

Letter from Lord Borwick

Health Aspects of Air Pollution

Air pollution has a significant impact on people's health and wellbeing. Particulate matter 2.5 (PM2.5) alone is estimated to lead to tens of thousands of premature deaths and have economic costs of ~£16 billion a year in the UK.⁶ Despite recent improvements, UK air pollution continues at levels breaching Article 13 of the EU Directive on NO₂ limits.⁷

Complementing the work of Commons departmental select committees.

The DEFRA, Transport and Environmental Audit Committees have all been examining different aspects of air pollution; none looked at health impacts or what the public health response should be.

Besides premature deaths, pollution stunts children's lungs, exacerbates symptoms of lung conditions and leads to hospitalisations. The risk of exposure rises in certain occupations, and depends on where people live, work and go to school. However, we do not measure these impacts well, nor are we developing an effective public health strategy to reduce the risks of exposure. Given current plans envisage that parts of the UK will breach legal limits for air pollution until at least 2025; this health protection work is pressing.

Due to the complexity of particulate matter, we must also understand better the composition and behaviour of different particles, if we are to properly protect the population. Without better understanding, responses and recommendations from committees regarding pollution sources and prevention may risk missing crucial opportunities.⁸

Addresses areas of policy that cross departmental boundaries.

Several government departments affect air quality; emissions are affected by transport, construction, energy and agricultural policies. Impacts are felt in the departments for health, welfare and education. DEFRA are responsible for the national strategy on air quality and monitoring pollution; DfT for cleaning up public transport and emission zones; DCLG set standards for construction and planning; DECC lead on energy policy; and DH lead on public health. The DfE has an interest too, in understanding educational impacts and potentially mitigating particular risks to children of poor air quality. Pollution is also relevant to the problem of airport expansion.

A strategy to tackle air pollution appears to have fallen through the cracks, and the Supreme Court has ruled that the Government is not meeting its legal obligations. This failure disproportionately affects the most vulnerable in society, with air pollution typically being of higher, often illegal, levels in areas of greater deprivation.⁹

6 Department for Environment, Food and Rural Affairs (DEFRA). Impact pathway guidance for valuing changes in air quality. 2013.

7 <http://www.airqualitynews.com/2015/04/29/supreme-court-orders-new-uk-air-quality-plan/>

8 Department for Environment Food and Rural Affairs (DEFRA). AIR QUALITY EXPERT GROUP: Fine Particulate Matter (PM2.5) in the United Kingdom: http://uk-air.defra.gov.uk/assets/documents/reports/cat11/1212141150_AQEG_Fine_Partuculate_Matter_in_the_UK.pdf

9 Institute of Health Equity. Fair Society, Healthy Lives (The Marmot Review). 2010

Makes best use of knowledge and experience of Members of the House.

Peers with scientific and medical backgrounds, public health, social research and health protection backgrounds would be ideal for this enquiry. They would ideally be joined by Members of the House with experience in business, energy, education, transport and infrastructure.

Proposed activity capable in one session.

The *ad hoc* committee could look into:

- Better understanding the impact air pollution has on health and education
- Understanding different types of air pollution and their respective risks
- How Government can develop plans that meet legal requirements in this area
- Key populations at risk, and strategies to protect these groups
- Protecting children from exposure to dangerous air pollution

I declare my interest as a Trustee of the British Lung Foundation.

Baroness Parminter supports this proposal.

BORWICK

Letter from Lord Foulkes of Cumnock

Implications for the Barnett Formula of the Scotland Acts

Following on from the Scotland Act, and the expected implementation of the Smith Commission proposals, it would be beneficial if an *ad hoc* committee explored the consequences of these reforms for the Barnett Formula, including potential problems, inequities, and their consequences for each devolved administration and the UK as a whole.

FOULKES OF CUMNOCK

Letter from Lord Hameed

Interfaith dialogue

My ongoing interest has been interfaith work and I have undertaken public platforms as well as in writing this very important area of our lives, not only internationally but in our own country. There has sadly been events recently which do not represent the faith of Islam in any sense at all.

We need to discuss how to keep our young people out of reach of the radical elements of all faiths by visiting amongst other things schools, colleges and universities speaking to young people. An overwhelming majority of our House would be interested in a discussion and dialogue that a committee of this nature would help to provide for the benefit of the future of the UK.

HAMEED

Letter from Baroness Gardner of Parkes

Law relating to property

The topic would, I suggest, be “The Law Relating to Residential Property”.

There are so many different laws covering different aspects of Property Law. People of all ages have no idea of what their obligations are or even what they should do or what they must not do. Citizens' Advice Bureaux are hard to find now and a report from an *ad hoc* committee would be a very valuable document to the huge numbers of the public in UK residential properties.

I have taken an active part in the Lords stages of many of the present Acts and it may be for this reason that I am contacted so often by people who really need to have help to understand these complicated Acts. Ideally we need a Consolidation Act but an *ad hoc* committee would be very valuable in considering what is good in legislation now and what is simply not workable.

This proposal, I believe, matches the criteria set out in the "Red Benches" Issue 53.

GARDNER OF PARKES

Letter from Lord Campbell-Savours

National Identity Cards

I propose an enquiry into the introduction and potential use of National Identity cards.

An enquiry would consider lessons to be learnt from the original I.D. card development programme, the changed conditions, advances in I.D. technology, I.D. card developments in the European Union, in particular Germany, issues of privacy, circumstances in which the cards would be used and the issue of identity theft.

Lord Blunkett, Lord Clark of Windermere, Baroness Corston, Lord Dubs, Lord Grocott, Lord Hughes of Woodside, Lord Richard QC and Lord West of Spithead support this proposal.

CAMPBELL-SAVOURS

Letter from Lord Lea of Crondall

North and South

A subject which is always there in the background is the chronic - indeed worryingly growing—problem of inequality between the North and South of England

Scotland, Wales and Northern Ireland now proper forums to enquire into their own internal inequalities.

If I may address another possible objection ie along the lines "What about Cornwall?" I don't think my friends in the Duchy would odds the fact that North versus South is a Big Picture problem. And we have to avoid a box ticking exercise - or drown in regional statistics - certainly if one were to get into every sub region.

There is scope for other types of pedantry—"what about the Midlands?"—as if someone wasn't bright enough to think of that; I think the *ad hoc* committee would have the nous to use its judgement (some people might call it common sense) on accepting or otherwise that there is a line famously to be drawn from the Humber to the Wash—or that the river Trent is as good a line as any—cutting Nottingham neatly in half.

I am conscious that the Lords Economic Committee for example could have a go - but they have crowded agenda - meetings with the Treasury and the Bank of England as well as topical subjects including in this territory eg the ‘Northern Powerhouse (which in practice concerns the rules of local government raising capital) and HS2. Moreover, our wider issue is misunderstood if it is seen as simply ‘economic’; but it is certainly manifested in a very unbalanced economy.

Having been born in Manchester many moons ago I am rather conscious of a default position of many people feeling that they are seen as second class citizens up north - which is of course a vicious circle. There are a multiplicity of reasons for inequality of life chances—and even such much vaunted concepts as ‘entrepreneurialism’—or lack of—don’t arise in a vacuum.

It requires a certain sociological finesse to include people’s accents or affinities and culture in its broadest sense which were always there—including what people nowadays call ‘the mix of ethnicities’.

I guess some people may run a mile away from any of this—”Far too ambitious!” being one of a number of possible euphemisms—as if it were roughly akin to asking the Liaison Committee to report on “the Future of the Universe”.

North versus South - I could have said ‘the Two Nations’ but that sounds political—requires precisely this sort of Big Picture treatment. And to return the complement with the greatest respect to the polar bears (yes I did read their interesting report) it is a bit nearer home than the Arctic.

In sum, it meets the rubric rather well and is an idea whose time has come; indeed—if I am allowed a touch of hyperbole—is long overdue since Mrs Gaskell last wrote about it in 1855.

LEA OF CRONDALL

Letter from Lord Storey

Northern Powerhouse

The Northern Power House—how we can effectively deal with the North/South divide

STOREY

Letter from Viscount Hailsham

Out of cell activity for prisoners and the treatment of vulnerable prisoners

I would suggest that there is scope for an enquiry as to the lack of sufficient out of cell activity for prisoners [eg lack of education/ training and workshop opportunities] and the treatment of vulnerable prisoners [eg transgender prisoners]. This could be extended to include the lack of courses for the historic IPP prisoners who as a result of lack of suitable course unable to establish their suitability for release.

HAILSHAM

Letter from Baroness Berridge

Prevent Duty and Strategy

I think the House of Lords is uniquely placed to do this as the security, education, university, policing and theological skills that Peers possess all need to be on such a committee.

- What should be the components of Prevent given the rise of ISIL since the 2011 policy was promulgated?
- Is the present policy working?
- How can performance of the policy be improved?
- What is the legitimate role of the police in Prevent?
- What has been the effectiveness of the imposition of the Prevent Duty on Statutory Bodies? Is there consistent application of this across the various institutions and local authority areas? What is the nature of matters being reported under the Duty? Are universities still upholding their statutory duty to uphold academic freedom and freedom of speech?
- Are the issues about discrimination perceived or real?
- How (if at all) should we address religious issues in Prevent?
- How can British Muslims provide the most effective leadership in relation to Prevent?
- The role and conduct of supplementary schools?
- What is the inter play between Prevent and De-radicalisation programmes?
- How many children have been removed from their parents by the courts for radicalisation reasons and what training is there of foster carers who take on these children?
- What international comparable programmes are there and are they any more effective?

Note: I declare a Category 2 interest at the University of Birmingham on public understanding of religion, Category 6 (sponsorship) interests in terms of support provided by the APPG on International Freedom of Religion or Belief and a Category 10 interest as a Director of British Future.

BERRIDGE

Letter from Lord Black of Brentwood

Protecting the welfare of our pets

This is a proposal for an inquiry to examine the operation of the Animal Welfare Act 2006 (England and Wales), ten years after it was enacted, and of other relevant interlocking legislation, to assess the extent to which it is protecting pets and ensuring their welfare needs are met, and to make recommendations for modernisation and improvement.

This issue covers a number of policy areas, and different Government departments, including DEFRA, the Department for Education, the Department for Health and the Home Office. Because of the scale of pet ownership in the UK it would impact on, and be relevant to, a significant proportion of the public.

It would involve a significant number of members of the House of Lords with interests in these areas. Although there are a wide range of cross-departmental issues to address, a report—building on work from the EFRA Select Committee—could be completed in one session.

Background: an issue with wide reach and interest

The UK is known as a nation of animal lovers and pets are enormously popular. A recent report by PDSA¹⁰ shows that 52% of UK households own a pet. This equates to 9.3 million dogs, 11.1 million cats and 1.2 million rabbits. A recent report ‘One Click Away’, looking specifically at exotic animals, estimated that between 1.3 and 7 million reptiles and amphibians are kept as pets.¹¹ The welfare of pets is therefore an important issue for a significant proportion of the public.

For owners the benefits of having a companion animal are very clear. 95% of owners believe their pet provides invaluable companionship, 85% believe owning a pet improves their life and 75% believe that a pet makes them physically or mentally healthier.

The challenge for this inquiry is to assess the success of the Animal Welfare Act 2006 (which applies to England and Wales)¹² in ensuring high standards of pet welfare and protection of our pets whilst also ensuring people are able to benefit from pet ownership.

The Animal Welfare Act 2006 contains clauses aimed at the protection of animals from harm which includes protecting them from unnecessary suffering (Section 4), such as [administration of poisons etc.](#) (Section 7) as well as other specific provisions. The Act introduced a legal ‘duty of care’ for all pet owners to meet the welfare needs of their pets (Section 9). These requirements were split into five areas, which act as a simple framework:

- Environment: the need for a suitable environment
- Diet: the need for a suitable diet
- Behaviour: the need to be able to express normal behaviour
- Companionship: the need to live with, or apart from, other animals
- Health: the need to be protected from pain, suffering, injury and disease

Codes of Practice provide owners and animal keepers with information on how to meet the animal welfare needs of their animals, as required under the Animal Welfare Acts 2006 (and 2011 in Northern Ireland).¹³ Where there is an investigation by the RSPCA their Inspectors can issue advice or warning notices under the Animal Welfare Act 2006, the majority of which are warning notices. The RSPCA reports good success rates from such notices enabling complaints to be dealt with at an early stage and avoiding the costs and resources of repeated visits and/or taking a case through to prosecution. This suggests, at least for the cases reported to the RSPCA, that provision of information to animal owners about the legal duty of care can be effective. Preferably pet owners would have this knowledge on obtaining a pet or other animal to prevent poor welfare and/or suffering occurring.

10 PDSA Animal Wellbeing (PAW) Report (2015)

11 Blue Cross/Born Free (2015) One Click Away

12 There are devolved equivalents. The Animal Health and Welfare (Scotland) Act 2006 which applies to Scotland and the Welfare of Animals (Northern Ireland) 2011.

13 The Canine and Feline Sector Group has recently submitted revised codes for England for consideration by Defra

The problem

Recent research from PDSA shows that only 31% of pet owners are familiar with their responsibilities as a pet owner as detailed in the Animal Welfare Acts and the five welfare needs. This shows a significant decrease from 45% of owners who stated that they were familiar with the Acts in 2011, and could indicate that many pets are not having their welfare needs met. Other key findings include:

- Over 4.5 million pet owners did no research at all before taking on their pet.
- 2.3 million dogs are left alone for 5 hours or more on a weekday, with the recommendation being no longer than 4 hours
- 74 % of cats can access both indoors and outdoors which is a decrease from 83% in 2011
- 57% of rabbit owners report that their rabbit lives alone, despite best practice being to always keep rabbits with other neutered rabbits.

Animal welfare charities see ongoing problems of pets being abandoned or given over to their care because the owner can't cope with the animal and/or its offspring often because they have not understood the pet's needs. Linked to the low levels of pre-purchase research PDSA found that over a third of pet owners (36%) believe the most important pet welfare issue is people choosing the wrong pet for their lifestyle. Blue Cross has seen the number of unwanted and abandoned animals needing help from them increase by over 24 per cent in the last five years.

Additionally, some animals that are kept as pets may not be suited to a domesticated environment due to their complex welfare needs and requirements. A recent debate in the Commons on exotic animals¹⁴ made the case for a reform of outdated pet vending legislation to tackle the growing trade in internet sales of exotic pets and also discussed a ban on the keeping of primates as pets in the UK, showing support for a current petition recently launched by the British Veterinary Association and a coalition of charities.

Pets share our homes, and it's essential that children also understand how to care for and respect animals in order to become responsible citizens and responsible pet owners when they grow up. It is also important for children and families to learn how to stay safe around pets, in particular around dogs. Teaching the basics of canine communication for example to young people could be a key way to significantly reduce the rising level of dog bite incidents treated by the NHS.¹⁵ Such educational and preventative measures need further consideration and development.

The case for an inquiry

The Animal Welfare Act 2006 will have its 10 year anniversary in 2016. The Act was reviewed as part of a post-legislative assessment in December 2010. That assessment reflected that more needed to be done not only to educate the public on their responsibilities in terms of their duty of care, but also to raise awareness of the existence of the legislative requirements among pet owners. With 69% of pet owners still not familiar with the Animal Welfare Acts across the UK there is still much more to be done.

14 House of Commons Debate: 9 December: Exotic Pets Trade. Westminster Hall

15 <http://www.nhs.uk/news/2014/04April/Pages/Dog-bite-hospitalisations-highest-in-deprived-areas.aspx> "There were 6,743 hospital admissions specifically caused by dog bites, a 5.8% increase from the 6,372 admissions in the previous 12 months."

This inquiry would:

- examine the effectiveness of animal welfare and related legislation in protecting pet welfare
- examine and clarify the individual and collective role of organisations involved in animal welfare, including Central and local Government, veterinary professionals, trade organisations, animal welfare charities, enforcement bodies, and identify areas needing more effective collaboration to improve pet welfare
- consider how more can be done and by whom to aid public education about, and understanding of, the welfare needs of pets, encourage responsible pet ownership, prevent poor pet welfare and measure the impact of work in this area
- consider how effective enforcement of the Animal Welfare Act 2006 and other relevant legislation to protect pet welfare can be funded, delivered and measured
- Other core areas to cover could include:
 - examining how to encourage better awareness of the mental health needs of our pets such as the need for appropriate, species specific companionship or behavioural needs
 - identifying commonly held mistaken beliefs or widely held myths that lead to pet welfare issues and looking at how best to combat them
 - identifying how some animals (such as primates) might be banned as pets
 - identifying how evidence-based, educational material for pet purchasers can best be disseminated
 - reviewing the role of formal education and considering how the five welfare needs can be introduced to children through curriculum learning
 - reviewing the role of community learning and informal education initiatives in encouraging an understanding of the welfare needs of pets
 - considering how best to promote the use of positive training methods ensuring, where needed, pet owners learn how to control pets to minimise harm to themselves/others
 - reviewing evidential and resource issues affecting effective enforcement of legislation protecting pets and their welfare needs.

This inquiry would be complementary to the recently announced “consultation on the review of animal establishments licensing in England”.¹⁶

This inquiry would involve consideration of various policy areas (Animal Welfare, Justice and Education). It would therefore draw on a range of expertise across the House, for example those with experience of schools and education policy and practice, animal welfare and behaviour and veterinary practice and the role of animal welfare charities in society.

16 <https://consult.defra.gov.uk/animal-health-and-welfare/consultation-on-the-review-of-animal-licensing>

This inquiry would also follow on and build on much of the good work done by the both Associate Parliamentary Group for Animal Welfare (APGAW) and the Environment Food and Rural Affairs (EFRA) Select Committee. Recent reports have looked at the issues surrounding responsible dog ownership, equine identification, dog breeding and primates as pets in the UK. Many of the reports made mention of the Animal Welfare Act 2006 and how it is helping but also clearly noted loopholes and areas where the Act could be improved. A more detailed inquiry in the Lords encompassing the full range of pet species would allow these issues to be examined more closely.

My interests

I have no financial or other interests to declare in the matter apart from being Patron of the “Black Cat Society”, which is one of the fundraising arms of the charity Cats Protection.

I have a long term interest in animal welfare issues, and have led debates and asked questions on the issue regularly in the House of Lords.

BLACK OF BRENTWOOD

Letter from Lord Foulkes of Cumnock

Role of evidence, data and scientific procedure in the formulation of government policy

Such a committee would explore to what extent government and the civil service are putting to use the latest in data technology, scientific testing (such as randomised control tests), and evidence collection techniques in the formulation of policy. It would inquire into the process through which policies are formulated, to what extent they are based on available evidence, gaps in our evidence base, and what can be done to make government more evidence-based, and data savvy.

FOULKES OF CUMNOCK

Letter from Lord Williams of Elvel

Sharia Law

“To examine the spread of Sharia law in communities in the United Kingdom and to assess its social consequences”.

This is obviously a controversial topic. Nonetheless it is one which deserves attention. The reason should be obvious. Evidence could come from a wide range of bodies eg. Church of England, Muslim Council, Local Authorities etc.

WILLIAMS OF ELVEL

Letter from Earl of Kinnoull

Skills and Equality of Opportunity

This thought is the natural pairing and follow up to the work of this year’s *Ad hoc* Social Mobility. This Committee has been harmonious and is bringing forward a report which will make important recommendations concerning the route from education to employment. It has been examining the issues from a “Top Down” perspective.

In the very large amount of evidence that has been accepted by the current Committee a number of themes have surfaced that the current Committee either

felt fell outside the particular area that it decided to focus on or it did not have the time to develop.

The particular area that I feel would benefit from a Committee would be to look in detail at current differences in attainment in regionally and amongst different groups (socio economic, gender, race, cultural and so on), and particularly how these might be impacted by devolution.

This is an important time for England and the UK. With a number of City Deals either signed or in the pipeline one is already seeing devolution, for instance, in the skills budget (e.g. Manchester). Devolution brings with it problems as to how to ensure the sharing of good practice across the UK and evidence has been taken in the current *Ad Hoc* Committee which suggests that pre-devolution this should be improved.

The age range that the current *Ad hoc* Committee has been considering (14–24) would be the same.

In other words this would be a “Bottom Up” exercise designed to make policy recommendations at the national level and not at the local level.

I attach one visual example of the sort of evidence regional that the current *Ad hoc* Committee has accepted as evidence.

Summary of Proposal

One of the new *Ad hoc* Committees should undertake a “Bottom Up” analysis on equality of opportunity to employment, complementing the “Top Down” work of the current Social Mobility Select Committee. The Committee would be to look in detail at current differences in attainment in regionally and amongst different groups, and particularly how these might be impacted by devolution.

It would focus on the use made of local labour market information, how local authorities work with their skills budget and the emerging impact of city deals and greater devolution, and local partnership working and sharing of best practice.

It would examine academic and other evidence on skills and consider its implications for policy interventions that would be effective in improving social mobility in all regions of the UK.

Recent Parliamentary Work on Social mobility

Parliamentarians in both houses have long been looking at social mobility issues. The current House of Lords Select Committee on Social Mobility and the All Party Parliamentary Group on Social Mobility are the main current engines of thought in this area. With the delivery of its report by the current Select Committee the spotlight in this important area will dim just as the devolution issue begins to have its affect.

Interest to Peers

There is very strong cross party interest in this area of policy, with many Peers who have direct experience and expertise. Improving social mobility is a multi-disciplinary issue and thus well suited to the breadth of membership of the House of Lords.

Conclusion

The extent to which the circumstances of birth rather than merit determine life chances remains an issue troubling and of great importance to British society. A Lords Select Committee on equality of opportunity and skills focussing on current differences in attainment regionally and amongst different socio economic groups, and particularly how these might be impacted by devolution will provide the House and interested Peers with an ideal opportunity to address a host of important issues.

KINNOULL

Letter from Lord Shinkwin*Strengthening the charity sector*

This letter asks the Liaison Committee to consider the establishment of an *ad hoc* Select Committee to explore how the charity sector could be strengthened through the development, dissemination and application of best practice, of mechanisms and of procedures for improving transparency and accountability. It outlines the rationale for such an inquiry and how the criteria for selection¹⁷ would be met.

Rationale

The charity sector is under unprecedented strain. Demand for the services it provides is growing inexorably, with research showing that nearly four fifths (79%) of households and half (51%) households have used at least one charity service in the last year and in the last month respectively.¹⁸ The number of charities also continues to grow with almost 165,000¹⁹ now registered with the Charity Commission. Yet, in the wake of the Kids Company controversy and the Olive Cooke tragedy, demand is not matched by supply. In fact, public confidence and trust is moving in the opposite direction, fast.

It is declining at an alarming rate; research shows that public trust has fallen by almost 15% in the last year²⁰ with barely more than half (57%) of voters agreeing that ‘charities are trustworthy and act in the public interest’²¹. As the Charities Aid Foundation has admitted, ‘Public trust in charities is under threat, and charities need to focus on rebuilding and restoring trust’²². This is a cause for concern, especially when research (cited in a 2014 HL debate on charities) shows that fewer households are participating in regular charitable giving—just 27% in 2010 compared to 32% in 1978—and that charities are relying on donations from an increasingly narrow and ageing segment of the population.²³

The measures in the Charities (Investment and Social Investment) Bill should help considerably. However, on their own, they will not be sufficient to allay the growing concern, highlighted recently in the Times²⁴ and on Radio Four’s

17 As listed in Red Benches, November 2015

18 This includes visiting charity shops, charity-run institutions/churches/community centres or attending events organized by charities or accessing advice from charity hotlines or websites. (Populus online poll for IPPR and CAF, July 2014)

19 164,348 charities were on the Charity Commission register as of 30th September 2014.

20 From 71% (Charity Commission/IPSOS MORI poll, 2014)

21 ComRes survey, June 2015

22 p. 5, ‘Under the Microscope – examining the future of charities in Britain’ (CAF, September 2015)

23 Baroness Tyler of Enfield, (HL Deb, 26 June 2014, [col 1376](#))

24 In a letter to ‘The Times’ (30th November 2015), Lady Bannister called for Gift Aid to be scrapped: ‘...It is preposterous that taxpayers are subsidising charities...It is quite obvious that [charities] cannot be properly audited or supervised.’

‘Moneybox’ programme, that donors’ money is not being spent where they meant it to be spent and that measures, such as Gift Aid, should be abolished, with the Treasury ‘subsidy’ instead being directed to funding hospitals and schools. Indeed, in the wake of an investigation into executive pay at Britain’s 1,000 highest-earning general-purpose charities, the Times has said that ‘the culture of the third sector must change’²⁵.

Further and deeper change, to improve transparency and accountability, is therefore essential if the sector is to be sustained and enabled to meet growing demand for its services. Crucially though, such change should not be at the expense of the sector’s greatest, enduring asset, its independence. So change needs a consensual, organic foundation which draws on existing best practice, both in the charity sector and beyond.

The House of Lords is ideally suited to facilitate such a process through a measured, expert and non-partisan inquiry which looks at what procedures and mechanisms either already exist or can be developed and disseminated in order to pre-empt damaging situations, such as Kids Company, coming to a head and thereby undermining the charity sector as a whole. For example, how can the whistle-blowing process be improved as an early warning system that prevents problems escalating? Should this be a responsibility of the Charity Commission or of another organisation, such as Public Concern at Work, perhaps working in partnership with the Commission? We know that charity executives’ pay is an issue of public concern, but are charities being held sufficiently to account for the number of compromise agreements reached or the sums involved? What is the expert view of employment law firms, such as Slater & Gordon, on how the process might be improved?

Awareness-raising and non-party political campaigning are championed by many (rightly in my view as someone who worked with parliamentarians on several major campaigns²⁶) as essential hallmarks of an independent, vibrant sector, committed to promoting the needs of its beneficiaries. However, such activity should not be disproportionately expensive. For example, concurrent campaigns should not be run partly to justify the continued employment of the campaigners working on them, as the significant size of some charities’ Campaigns and Public Policy teams would suggest is the case. Donors are entitled to know how much is being spent on overall campaign activity and on staffing costs, but how many charities provide such details, for example, in their annual reports? Equally, how many annual reports are fully transparent about details such as the average salary paid, the number of staff, the average senior management salary and the exact amount being paid to the Chief Executive?

One of the charity sector’s greatest strengths is its capacity to inject fresh thinking into a debate, innovate and develop best practice. But how effective are the mechanisms for disseminating best practice for good governance, transparency and accountability and then ensuring they are applied, for the good of the sector,

25 See leader article in The Times of 17th December 2015 on charity executives’ pay packages: ‘Charity Bonanza - Weak accountability and inadequate regulation has allowed executives at Britain’s top charities to take excessive salaries. The culture of the third sector must change.’ (<http://www.thetimes.d.uk/tto/opinion/leaders/article4643024.ece>)

26 Including with their Lordships’ House on successful campaigns to extend the definition of disability to anyone with a cancer diagnosis (2005); enshrining the principles of the Military Covenant in law (2011); and saving the post of Chief Coroner from inclusion in the Public Bodies Bill list of public bodies to be abolished (2011)

its donors and, thus, its beneficiaries? Is this the role of the Charity Commission and, if so, is it sufficiently resourced and equipped to perform it?

The National Audit Office has recently commented favourably²⁷ on changes at the Commission since its critical report of 2013. These include the appointment of a new Chief Executive, the development of a revised regulatory strategy and a new business model as well as the launch of a three-year change programme. And yet while more is being asked of it, questions have also been raised as to whether the resources are commensurate with the scale of the overriding task that the Commission itself identifies as its top objective: to increase public trust and confidence in charities. As its Chairman, William Shawcross, makes clear in a recent Commission corporate report, ‘Abuse or non-compliance of any kind in just one charity ... can damage public trust in the reputation of the entire charitable world, whether the abuse is deliberate or arises through mismanagement or neglect’.²⁸

With so much at stake, an *ad hoc* inquiry, which took evidence from stakeholders from across the sector (including important bodies like NCVO, ACEVO and CAF) and beyond and made considered recommendations on improving governance, transparency and accountability, could be hugely helpful to the process of rebuilding trust in our vital charity sector.

Making best use of the knowledge and experience of Members of the House

Debates on charities, such as that initiated by Baroness Scott of Needham Market in June 2014 on the subject of ‘Voluntary and Charitable Sectors’ (HL *Hansard*, 26th June 2014, cols 1354–1400), and the Second Reading of the Charities (Protection and Social Investment) Bill [HL] 2015–16 (HL *Hansard*, 10th June 2015, cols 798–811 and 824–861), are testimony to the significant interest and commitment shown by Members of the House in this area. For example, in the 2014 debate, more than 20 Peers spoke, almost all of them from the perspective of direct personal involvement in the sector at a senior level and some as former Chief Executives.

Complementing the work of Commons departmental select committees

As above, an *ad hoc* inquiry would not only complement, but also build on, the important work of the Commons Public Accounts Committee and of the Public Administration Committee, to name but two Commons committees whose work has involved examining aspects of the voluntary sector. This proposed inquiry could serve as a logical next step in helping the sector to develop solutions essential to rebuilding public trust and sustaining the sector’s future.

Addressing areas of policy that cross departmental boundaries

With recent research²⁹ identifying 14 separate types of charitable causes, ranging from education and training; sport recreation; medical, health and sickness; disability; animals; and overseas aid, such is the breadth of its work, few sectors cross as many departmental boundaries as the charity sector does.

27 ‘Confirmed Impacts: Helping the Charity Commission to improve its effectiveness’ (NAO, October 2015)

28 ‘Tackling abuse and mismanagement 2014–15’ Charity Commission corporate report

29 Top 10 charities by voluntary income, CAF, November 2015: <http://www.charitytrends.org/KeyCharts.aspx>

Confining the inquiry to one session

Given the substantive issues which would be under consideration, the range of stakeholders involved, e.g. the Charity Commission, NCVO, ACEVO, CAF, Public Concern at Work, Slater & Gordon, individual charities covering different policy areas and of different sizes, journalists, etc., and the positive interest—and, therefore, additional enquiries, submissions and requests to give evidence—which such an inquiry would generate, I think it would justify a thorough examination over the course of a session. Providing the focus on developing, disseminating and applying best practice, mechanisms and procedures for improving transparency and accountability was maintained, an inquiry over the course of one session could prove a very productive and worthwhile use of an *ad hoc* committee's time and expertise and of the House's resources. An inquiry could also be of real, long-term benefit to the charity sector and civil society in general.

SHINKWIN

Letter from Lord Kakkar*Sustainability and affordability of the NHS*

The National Health Service represents an exemplary model of achievement in having provided healthcare to our citizens for over 65 years.

This model of healthcare, funded through the tax-payer, free at the point of contact and available to all is one that many other countries aspire to.

However, the increasing demands of an aging population, with increasingly complex physical and mental health patterns, and complex social care needs combined with the broader influences of lifestyle behaviours resulting in chronic diseases at a younger age, have substantial implications for the utilisation of resources. These demands are further increased by the pressures from the cost of development and adoption of innovative technologies and treatments; these manifest themselves both financially and in terms of demands in education and training that are required to develop an appropriate workforce.

The NHS is recognised to have delivered at a relatively lower cost when compared to other OECD countries but does not always deliver comparable outcomes. The Commonwealth Fund in 2013 placed the UK number one in its overall ranking of performance against 10 other nations including the USA and Sweden based on a narrow set of criteria. When assessing some of the broader criteria associated with successful healthcare delivery the NHS does not perform as well.

In considering characteristics for future successful healthcare delivery a number of key determinants have been identified including models of delivery of care; appropriate resource utilisation; continued focus on delivering productivity gains and clinical priorities; and development of an adaptable fully trained workforce that can meet the evolving needs of the population and which relies less on overseas professionals.

In view of the fact that health and healthcare impact on the life of every citizen at every turn and involves substantial public expenditure across many government departments a committee should be convened to undertake a focussed inquiry, limited in scope, and to be completed in a single parliamentary session.

The inquiry would cover:

- How do healthcare systems address the challenge of resourcing
- Continuum of resource needs and utilisation
- The mechanisms for adopting innovation
- Adaptable models of care and workforce to deliver sustainability

I understand the Health Select Committee in the House of Commons has no plans to undertake a review of this nature.

This Committee would be cross-departmental including expertise in education and training, business and health. Within the House we are uniquely positioned with its broad expertise to undertake such an inquiry. Following a debate in the name of the noble Lord Patel ‘National Health Service: Sustainability’ 9 July 2015 it is clear that there is strong support in the House of Lords for an inquiry of this type.

A House of Lords Committee that is convened to undertake this focussed inquiry would provide a strong foundation upon which to promote a wider public debate:

How do we deliver a world class health service in terms of access and outcomes to an ageing and increasing population, with greater demands in a sustainable and affordable fashion?

Note: I declare the following interests: Professor of Surgery University College London; Consultant Surgeon University College London Hospitals NHS Foundation Trust; Practising Surgeon; Chairman University College London; Chairman, University College London Partners Limited; Member General Medical Council and UK Business Ambassador Healthcare and Life Sciences.

KAKKAR

Letter from Lord Harrison

UK's foreign language capability

I am writing to propose an *Ad hoc* Committee to assess the need for the UK to provide itself with sufficient modern language speakers, readers and interpreters, for the purposes of strengthening its economic, industrial and commercial arms and its diplomatic and defence facilities.

The inquiry would be a focussed and hard-headed approach to language acquisition, rather than at the basic conversational or “holiday level”. Following the British Council’s 2013 “State of the Nation” report, followed by its 2014 report on “Which languages the UK needs most and why”, the UK needs a strategy to deal with the happenstance that English has become the lingua franca for Europe, and arguably for the World. The inquiry should therefore examine and analyse both the advantages and the disadvantages of the unique position that English holds for the UK. Any such *Ad hoc* Committee would need to examine the current dire results of modern language teaching and depletion of modern languages in the school curriculum, but its focus would be on the steps needed to rectify the situation for UK plc. The inquiry would by its nature be cross-cutting, involving both BIS and DfE. It would make good use of the specialist knowledge and interest of members from across the political spectrum in the House of Lords, whilst being sufficiently focused to be able to be conducted within one parliamentary session.

- Those who might be interviewed on this subject include the following:
- Armed Forces
- Association for Language Learning
- British Academy
- British Council
- British Dyslexic Association
- CBI
- Department for Business, Innovation and Skills
- Department for Education
- European Commission
- Foreign and Commonwealth Office
- GCHQ
- Rosetta Stone
- Universities Council of Modern Languages

HARRISON

Letter from Lord Bruce of Bennachie

UK's response to refugee crisis

It seems to me there are a number of aspects that could be usefully explored.

- Has the UK given enough resources?
- Has the UK done enough to encourage others to contribute?
- Have we concentrated too much on Syria to the detriment of Yemen, Somalia, Nigeria, Libya and elsewhere?
- Have we taken our fair share of refugees for asylum or resettlement?
- Have we given enough attention to the fallout in Lebanon, Jordan and Palestine?
- Has there been enough cross Government co-ordination?
- Has there been a detrimental impact on other central and local government services?
- Has the crisis distorted our priorities towards eliminating absolute poverty and promoting pro-poor development?
- What are the implications for national security and community relations?

I have no doubt if the committee felt minded to set up a committee to pursue this agenda it could be well occupied in taking evidence and deliberating. No doubt other members might have other questions relating to the crisis that could be considered.

BRUCE OF BENNACHIE

Letter from Lord Foulkes of Cumnock

Visa: arrangements for obtaining visas to visit, study and reside in the United Kingdom

Following various reforms this parliament, it would be beneficial if visa policy as a whole could be investigated, including the impact of current arrangements on Britain's economic competitiveness, the higher education sector, immigration control and relations with other countries and regions.

FOULKES OF CUMNOCK