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PARLIAMENTARY DEBATES
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HOUSE OF LORDS

OFFICIAL REPORT

ORDER OF BUSINESS

Questions

Transport: Mobile Telephones
Intercept Evidence
Honour-related Violence
Universities: Finance

Questions to the Secretary of State for Transport

Buses
Aviation: Climate Change
Railways: Passenger Satisfaction

Business of the House

Timing of Debates

Business of the House

Motion on Standing Orders

Child Poverty Bill

Order of Consideration Motion

Climate Change: Copenhagen Conference

Debate

UK: Tolerance, Democracy and Openness

Debate

Marriage (Wales) Bill [HL]

Order of Commitment Discharged

Co-operative and Community Benefit Societies and Credit Unions Bill [HL]

Third Reading

General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010

Motion to Approve

Written Statements

Written Answers

For column numbers see back page

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House of Lords

Thursday, 14 January 2010.

11 am

Prayers—read by the Lord Bishop of Chichester.

Transport: Mobile Telephones

Question

11.06 am

Tabled By *Viscount Tenby*

To ask Her Majesty's Government what steps they are taking to reduce the use of hand-held mobile telephones by drivers, in the light of the report by the Transport Research Laboratory indicating that the practice is on the increase.

Lord Aberdare: My Lords, on behalf of my noble friend Lord Tenby, and with his permission, I beg leave to ask the Question standing in his name on the Order Paper.

The Secretary of State for Transport (Lord Adonis): My Lords, using a mobile phone while driving became an offence in 2003 and the penalties were increased in 2007 to the same level as for speeding. For the first two years since then, surveys have shown a remarkable 35 per cent reduction in the observed use of mobile phones by drivers. Figures showing an increase in the past year apply to London only; but they are clearly a cause of concern, and I have asked that further measures be considered as part of the forthcoming road safety strategy for the next 10 years.

Lord Aberdare: My Lords, I thank the Minister for that Answer. Would he agree that a change of attitude among drivers is needed, similar to the one that has made drink-driving socially unacceptable? With that in mind, would the Government consider mounting another advertising campaign similar to the helpful one some years ago on the theme of, "Think! Switch it off before you drive", or exploring ways of ensuring that employers actively seek to prevent the use of mobile phones—whether hand-held or hands-free—while driving by their employees, to whom they may have provided both the phone and the vehicle?

Lord Adonis: My Lords, all of the noble Lord's points are well made. There have been two "Think" campaigns specifically directed at the use of mobile phones by drivers. A number of employers have policies that specifically prohibit their employees from using their mobile phones while on the road—although, of course, it is the responsibility of individual motorists to ensure that they do not use hand-held mobile phones while driving.

As for changes in public attitude, there has been a very significant change in practice. Before the 2007 change in the law, research by the Transport Research Laboratory estimated that 1.7 per cent of those drivers whom they were observing were using hand-held mobile phones. The last national figures we have show that 1.1 per cent were using hand-held mobile phones. So

there has been a very significant reduction, but of course that is not a big enough reduction, and we need to be prepared to consider all measures, including renewed advertising campaigns, to bring the figure down further.

Baroness Gardner of Parkes: My Lords, can the Minister tell us how many fatal and how many serious accidents there have been involving the use of mobile phones, as we read alarmingly about them in the press all the time?

Lord Adonis: My Lords, I am afraid that we do not gather statistics on that basis, but there has been a very significant fall in the number of those killed and seriously injured on the roads. The latest data for 2008 were that there were 2,538 deaths on the roads. That compared with an average between 1994 and 1998 of 3,578, so there has been a 29 per cent increase overall, but we do not have the figure specifically in respect of accidents caused by drivers being on mobile phones.

Lord Bradshaw: Building on what the noble Baroness said, in the forthcoming road safety review, will the Minister consider that when an accident is shown to be caused or contributed to by somebody using a mobile phone, that offence should be considered as dangerous driving, rather than careless driving?

Lord Adonis: My Lords, it is entirely up to the police what offences they choose to prosecute for. They can, of course, prosecute for either of those offences.

Lord Filkin: Can my noble friend tell the House whether the level of compliance has met the standard that the department expected when it legislated? Secondly, can he tell us whether he thinks the public believe that the legislation is working?

Lord Adonis: My Lords, we expected to see a significant reduction in the number of drivers using hand-held mobile phones. The evidence is that we have seen such a reduction, but we cannot be satisfied with the fact that there are still significant numbers of drivers using hand-held mobile phones. Public attitudes are changing. I believe that, as the noble Lord, Lord Aberdare, said at the beginning, people are coming to see using mobile phones while driving as being in the same category as drink-driving. As we get public attitudes changing, we will be able to bear down on it more successfully.

Baroness Hanham: My Lords, would the Secretary of State tell us the means of enforcement for hand-held mobile phone offences? Is it just left to the police to go off on a motor bicycle after them? How does the enforcement take place?

Lord Adonis: My Lords, it is the responsibility of the police, but the big change in the law in 2007 was to bring in not only a £60 fine—doubling the previous £30 fine—but, crucially, to treat the offence in the same way as speeding so placing three points on the licence. Three points on the licence appears to have had a big impact on the attitude of motorists. When it

[LORD ADONIS]

comes to reviewing the progress of the legislation, I am certainly prepared to consider whether the three points should be increased in future.

Baroness Finlay of Llandaff: In the investigation of serious and fatal accidents, has any consideration been given to communicating with the mobile phone companies, which should be able to track from where masts have been used for calls whether a person was on the phone at the time of the accident? Then it would not be very difficult to see whether the car had been fitted with a hands-free set.

Lord Adonis: My Lords, when accidents occur, the police assess all the available information and evidence about the causes. That includes the use of mobile phones.

Viscount Simon: My Lords, in order to resolve this problem, is there any possibility of getting car manufacturers to put some sort of microchip in all vehicles so that phones cannot be used when the engine is switched on, except when phoning the emergency services?

Lord Adonis: That idea has not been put to me before. There is the issue of hands-free mobile phones, which it is not illegal to use. I am not quite sure how my noble friend's suggestion would be compatible with that perfectly legal means of using a mobile phone in a car.

Lord Colwyn: Can the Minister remind the House whether it is illegal to use a mobile telephone while stuck in a long traffic jam?

Lord Adonis: It is. Provided you are in the car and it is on the public highway, you are not allowed to use it.

Baroness O'Cathain: Can the Minister tell us whether any progress has been made on the suggestion made many years ago in this House that all new-build cars should have the ability to have a hands-free phone? I have been told that there will be similar contact points for all mobile phones, no matter what sort they are, and the same charger will charge all mobile phones. If we could get that into all new-build cars, at least people who need the security and safety of having a mobile phone available, particularly in rural areas or when driving late at night—I recommend that all women should have them in cars—would have no temptation to have the mobile phone in their hand.

Lord Adonis: It is fairly simple and straightforward to install a hands-free mobile phone in a car, so I am not immediately persuaded that it is the duty of Her Majesty's Government to start insisting on mandatory arrangements. However, I will bear in mind what the noble Baroness said.

Lord Campbell-Savours: My Lords, following on from the question asked by the noble Baroness, Lady Finlay, will my noble friend ask the police whether they are using that material as evidence?

Lord Adonis: My Lords, they take appropriate account of all evidence when deciding on prosecutions following accidents.

Intercept Evidence

Question

11.14 am

Asked By **Baroness Miller of Chilthorne Domer**

To ask Her Majesty's Government what assessment they have made of how the size of the United Kingdom intercept operation, described in the Privy Council review in February 2008 as "a particularly large and sophisticated intercept capability", has contributed to the inability to find a solution to the admissibility of intercept evidence in court.

The Parliamentary Under-Secretary of State, Home Office (Lord West of Spithead): My Lords, the difficulties arise out of the need to reconcile fair trial requirements with the operational requirements cited in the Privy Council review. The amount of interception conducted directly affects how much must be retained and reviewed under an intercept-as-evidence regime. Less interception would ease the burden of retention and review but would mean missing out on significant amounts of intelligence that are vital for protecting the public.

Baroness Miller of Chilthorne Domer: My Lords, I thank the Minister for that reply. The Government's intention was to lay a further updated report before Parliament before Easter. Is this timetable still on track? Will the Minister give the House some idea of how many outstanding serious criminal cases are not being prosecuted as a result of the inability to admit such evidence?

Lord West of Spithead: My Lords, I will come back in writing on the report, because I am not sure exactly where we stand on that. As the House will be aware, we have looked at the nine points that were raised by Chilcot and that need to be ticked and cleared before we can go down this route. The answer is that we have not been able to meet all nine points, which is why we are now looking at further work with the advisory group of privy counsellors.

On the point about cases not being conducted because of this, I would prefer to put it another way; at the moment, this evidence can be provided if it needs to be. So far in the past year, we have had just under 1,500 arrests, picked up 146 firearms, helped to prevent the loss of 20 lives and picked up 4 tonnes of class A drugs. These are the sorts of things that we can do because of our intercept ability. It is certainly a jewel in the crown when it comes to alerting us to real threats of terrorism to this country.

Baroness Neville-Jones: My Lords, in the light of the Minister's initial Answer, will he say whether the intended outcome of the intercept modernisation programme is that it will assist in allowing intercept to be used as evidence in court?

Lord West of Spithead: My Lords, the two are not really related. The IMP is there because of what is happening in the world and because there are new methods of communication. This is being driven by the telecom companies for the very good reasons of efficiency and cost, which makes it extremely difficult

for old methods of interception to work, so we need to look at new ways of collecting primarily communications data. In the case of letters, for example, we are talking about addresses and things such as that. Such communications data are used dramatically by our law enforcement services and are extremely valuable in very serious cases such as terrorist cases. The IMP issue does not relate directly to the intercept-as-evidence issue.

Baroness Hamwee: My Lords, this is one of very few countries, if not the only country, in the developed world not to use intercept as evidence. There must be other countries that have adversarial systems, as we do, rather than inquisitorial ones. How have they solved the problem of protecting the security services while pursuing prosecutions?

Lord West of Spithead: My Lords, the Privy Council review, which is cross-party, made it absolutely clear that comparisons with other countries are of very limited value for a number of reasons, including different legal reasons and operational environments. The particular features of our legal system, including very demanding disclosure requirements, are not necessarily the same as those in most of those countries, and foreign models could not really be replicated. Also, because of some of the requirements, a number of those countries miss out on the very close interagency co-operation, which in some ways we lead the world in and which has enabled us to keep this country safe.

Lord Lester of Herne Hill: My Lords, what are the differences between the United States, Canada and ourselves in our legal systems which allow them to use intercept evidence but not us?

Lord West of Spithead: My Lords, I had hoped that I had answered that to an extent in terms of the legal processes. Although there are a lot of statements about stuff being used, I know very well that most intercept evidence used in America is what I would call phone-tapping, which is used by the FBI and others. It does not use stuff that NSA collects in the same way. I do not think that it is the same. There are differences, as was said by the Privy Council review.

Honour-related Violence

Question

11.20 am

Asked By Baroness Cox

To ask Her Majesty's Government what is their response to recent reports of an increase in honour-related violence in the United Kingdom.

The Parliamentary Under-Secretary of State, Home Office (Lord West of Spithead): My Lords, in recent years, the Government have taken a range of measures to tackle so-called honour-based violence, which are likely to have encouraged more victims to report incidents of honour-based violence. For example, a series of

Home Office awareness raising road shows were held in 2008-09 to stimulate local action to protect victims and in February 2009 the police adopted a risk assessment tool-kit to assist officers handling cases of so-called honour-based violence.

Baroness Cox: My Lords, I thank the Minister for his encouraging reply. Is he aware that the Iranian and Kurdish Women's Human Rights Organisation is dealing with four times more complaints of honour-related violence associated with religious fundamentalism than it dealt with just two years ago? According to an excellent report by the Centre for Social Cohesion, some women who had fled their communities to the authorities for safety were returned to those communities by police or by local taxi drivers, or had personal details divulged to their families by local authority personnel. Does the Minister agree that there is nothing honourable about this form of violence? What are the Government doing to identify, protect and support these victims?

Lord West of Spithead: My Lords, the noble Baronesses raises three questions. I absolutely agree that there is nothing honourable in this at all. It relates to power, ownership of a chattel and other things, but the people involved see it in terms of honour and a reflection on them and perhaps their masculinity or whatever. I think that it is totally abhorrent and I see nothing honourable in it at all.

I am aware of the Iranian-Iraqi issue. We are working very closely with Iranian and Kurdish women's rights organisations to look at how we can best support this. Some of that work includes appropriate consular response to British nationals facing forced marriage or violence in Iraqi Kurdistan. We are trying to map out developing police links and are working to integrate the forced marriage and honour violence within our broader political work with women's rights in Iraqi Kurdistan, and we are launching specific projects in Kurdistan.

The issue of the police and community advisers returning people to their families is very difficult. This is really a case of having to teach people the full implications of that. The Forced Marriage Unit is leading on work to engage with communities and the people involved to ensure that that does not happen. But it is very difficult and complex. Of course, very often, it involves very young women who are children almost. They are within a family and people are not willing to report things. We are increasing this awareness, but we have to do more. It is very sad that these things happen and it is something into which we have got to put even more effort.

Lord Pearson of Rannoch: My Lords, what proportion of this problem arises in the Islamic community, within Islam? What proportion arises among the Jews, Christians, Hindus, Sikhs and Buddhists? Have the Government made that calculation?

Lord West of Spithead: My Lords, I do not have details in exactly the way in which the noble Lord has raised them. It is fair to say that a recent Crown Prosecution Service pilot to identify and monitor this, because we want to get more information and data on it, found that of 35 cases, there were 33 victims, 18 of

[LORD WEST OF SPITHEAD]

whom were female and 15 were male. All the defendants who had done this were male and the majority were of Asian ethnicity. That is about the maximum detail that I can go into.

Baroness Warsi: My Lords, is the Minister aware of guidance issued by the Foreign Office entitled *Handling Cases of Forced Marriage*? It effectively states that the FCO is obliged to ask the person or their trusted friends to find the cost of repatriating a forced marriage victim. In exceptional cases it will provide them with a loan. Is the Minister aware that that loan is subject to the victim handing over her or his passport and being allowed only a single journey back to the UK? Is that the most appropriate way to deal with forced marriages victims?

Lord West of Spithead: My Lords, I have to say that I was not aware of that detail. It does not sound to me the most attractive thing. Perhaps I may take it away and come back to the noble Baroness in writing. If it is the case, it is something that I should like to look into.

Baroness Afshar: My Lords, is the noble Lord aware that there is absolutely nothing in Islamic teaching which condones honour killing? This kind of killing is a matter of culture, not religion, and is banned by most Islamic countries, as well as being unacceptable in this country.

Lord West of Spithead: My Lords, that interjection by the noble Baroness is extremely valuable. I was aware of what she has said, and indeed there is nothing in the Koran which says that this sort of thing should happen, so she is absolutely right. It does take place within certain groups and there are cultural aspects to it, but that does not make it any less diabolical. It is the most appalling thing and we have got to put all our effort into it. Historically it is possible that we did not do as much as we should have. We are now getting a flavour of the scale of it. The Metropolitan Police Service is reporting the statistics and we intend to make sure that that is done in other parts of the UK as well. As we get a grip and realise the full scale of it, we shall have to do more and more in this area.

Lord Howarth of Newport: My Lords, I am certain that the House welcomes my noble friend's strong condemnation of these practices—

Lord Lester of Herne Hill: My Lords—

The Minister of State, Department of Energy and Climate Change (Lord Hunt of Kings Heath): My Lords, there is plenty of time. Why do we not let my noble friend speak and then hear from the noble Lord, Lord Lester?

Lord Howarth of Newport: What more do the Government intend to do to encourage the victims of this kind of persecution or others who may be aware of such persecution being planned or taking place to report what is going on? Is he able to refute suggestions

that organisations set up to help the victims, including the one mentioned by the noble Baroness, Lady Cox, may have their funding reduced? Can he give people a reassurance on that point?

Lord West of Spithead: My Lords, given the position on funding issues in general, I do not think that I can give a commitment that there would not be any reduction. That does not mean that we have any less desire to do more in this area. It is just a reflection of the reality of life in terms of what money is available. I know that a number of voluntary agencies are involved in this area and are doing extremely good work, which is important.

I have already mentioned the number of areas we are working in to put the message out about this issue so that people know who to contact. As part of the Together We Can End Violence Against Women and Girls strategy, which was launched recently, we are carrying out a review of what additional powers the police need and we are taking the recommendations forward. We are looking at the possibility of the development of a domestic violence protection order to see whether that is worth doing, and we are consulting on multi-agency risk assessment conferences to see whether that should be put on a statutory basis. We are doing quite a lot in this area.

Lord Lester of Herne Hill: My Lords, there is widespread concern that the Government are not doing enough in this area, both in relation to honour crimes and forced marriages, so I am glad to hear the Minister say that we must do more. Along with his colleagues at the Ministry of Justice, will he consider, first, specifically making sure that local authority social services departments understand their obligations under the guidance; secondly, that proper training is given; thirdly, that specific funding is provided for community self-help groups, including for their help lines; fourthly, that in respect of the court system, proper protection is given to victims in these cases; and lastly, that a European protection order is considered?

Lord West of Spithead: My Lords, while I have said that we must and should do more, actually this Government have done a lot in the area. Perhaps I may look at exactly what is set out in the noble Lord's long list because I think a number of them concern issues that we are addressing already. This is a quite horrendous crime and some horrible things are being done. We are aware of that, so we need to get the message out more and do everything we can to stop it. This also relates across to issues such as female genital mutilation, which we have discussed in the House before. Again, I have seen no prosecutions for this crime. I have been pushing the police and asking why there have been none. The problem is that these issues are buried deep within families and it is really difficult to get to the roots. We know how bad it is, but we are working hard to achieve results, and I am sure that we shall get them.

Baroness Massey of Darwen: Can the Minister say whether there are any specific education proposals with regard to men and boys in order to tackle this issue?

Lord West of Spithead: My Lords, my noble friend has raised an interesting point. I am not aware of any specific programmes of education for males within these cultural groups, and it is a thought. Again, I can see all the difficulties that would arise, but perhaps I may take the point away and look at it.

Lord Elton: My Lords, the noble Lord agreed with the noble Baroness, Lady Afshar, that there is no religious precept for honour crimes. However, the rate of report appears to be escalating at roughly the same speed as the rate of radicalisation. Will he consider whether these crimes are not thought of as being religious but are motivated by falsely inculcated religious beliefs?

Lord West of Spithead: My Lords, the rate of increase that we are seeing is because we are putting on much more pressure and are identifying the crimes; they were there already. What we are doing will, if anything, make the rate come down. However, because people are reporting them and because they are being seen, we know that they are there. I absolutely believe that this is nothing to do with the Koran and the Muslim religion but with culture and those kinds of things. One has only to look back into our own history when one owned women; one's wife was one's chattel and you could do all kinds of things to her. These things happen within cultures; they are nothing to do with religion.

Universities: Finance

Question

11.30 am

Asked By *Baroness Howe of Idlicote*

To ask Her Majesty's Government what is their response to the comments of the Russell Group about university finance.

Lord Davies of Oldham: My Lords, it is one of the functions of a lobby group to press for more resources, but the Russell Group's recent comments do no justice either to the greatly increased funding that we have provided for higher education or to universities' own underlying strength.

Baroness Howe of Idlicote: I thank the Minister for that reply but, despite what he said, does he not acknowledge that the public sector cash cuts in the year ahead, as explained by the Russell Group, amount to about one-third in total? How can the Government be confident that the UK's leading research-intensive universities—indeed, the UK's world-leading research base—can continue to thrive in the face of what one must acknowledge is a very sharp reduction?

Lord Davies of Oldham: My Lords, there is a reduction because higher education has its part to play in the country's recovery from the difficulties that the economy has had over the past two years. However, this is against a background where 25 per cent extra has been spent on higher education since 1997. Therefore, the issue ought not to be exaggerated. When the Russell

Group indicated in its comments to the *Guardian* newspaper that the higher education system is teetering on the brink of collapse, that was clearly an exaggeration.

Baroness Garden of Frognal: My Lords, alongside the Russell Group concerns, the Institute for Fiscal Studies has warned that an extra £1.6 billion of cuts to the science and university budgets will be needed to achieve Ministers' targets of halving the national debt by 2013. Can the Minister say how such cuts would impact government aspirations for increasing take-up in science, technology, engineering and mathematics, the much valued STEM subjects?

Lord Davies of Oldham: My Lords, the latter aspect of the noble Baroness's question is indeed a government priority. On the Institute for Fiscal Studies, just as it is the role of a lobby group to lobby for more resources, a research institute is concerned to examine how the Government might approach reducing the deficit. However, at the present time the institute is involved in conjecture, not in analysis of government plans.

Lord Hannay of Chiswick: Does not the Minister recognise that the line of argument that he is using is pretty unconvincing? Although he is correct to say that additional resources were provided between 1997 and last year, the implication must be that, if these cuts can be carried out without severe damage to universities, the Government have been paying the universities far too much taxpayers' money.

Lord Davies of Oldham: My Lords, we are concerned to provide extra opportunities in higher education as rapidly as we can. We have a proud record of a very large increase in the number of students in universities over the last decade. There is no doubt that that expansion has been damaged in so far as we will not be able to continue to expect an increase in student participation at the same rate as over the past decade. However, that is a consequence of the economic crisis that we are in. The universities will, on mature reflection, recognise that they have a role to play with regard to public expenditure in the same way as anyone else who is in receipt of it.

Lord Filkin: Does my noble friend agree that everybody who is in receipt of government funding has to face the same reality as Governments at this time? They must seriously think how they can get much more value out of what they receive and face up to the need to find economies.

Lord Davies of Oldham: My Lords, I am grateful to my noble friend for those comments. I add the obvious point that public funding represents just over half the resources that the Russell Group universities, for instance, receive. They are not totally dependent on the public purse. In recent years, of course, through government help and strategy, they have increased their ability to obtain resources elsewhere.

Lord Pearson of Rannoch: Has it not been clear for years that the "poly" bit of the polytechnic experiment has failed, while the former technical departments

[LORD PEARSON OF RANNOCH]
often remain excellent? Therefore, is not one obvious place to look for cuts the humanities departments of the former polytechnics?

Lord Davies of Oldham: The noble Lord needs to examine the relationship between the courses that are provided and the employment prospects of those who graduate from those universities. Certain of what he referred to as the former polytechnics and new universities have a very good record in that respect. When it comes to the priorities that were identified in an earlier question from the Liberal Benches, there is no doubt that the new universities have a very important role to play.

Baroness Finlay of Llandaff: Will the Government meet their—

The Minister of State, Department of Energy and Climate Change (Lord Hunt of Kings Heath): My Lords, my noble friend sat down at 30 minutes.

Arrangement of Business

Announcement

11.37 am

The Chancellor of the Duchy of Lancaster (Baroness Royall of Blaisdon): My Lords, we are about to embark on our first session of Oral Questions to the Secretary of State for Transport. There are three Questions to be covered in the 15 minutes available, so each Question and supplementaries will have five minutes. To allow as many noble Lords as possible to participate, I encourage noble Lords to keep their supplementary questions concise. I have of course reminded my noble friend the Secretary of State for Transport to aim for the same with his answers.

Buses

Question

11.38 am

Asked By Baroness Hanham

To ask the Secretary of State for Transport when he will publish the report of the consultation on local authority special grant funding in 2010–11 for the national bus concession in England.

Baroness Hanham: My Lords, I beg leave to ask the Question standing in my name on the Order Paper. In doing so, I declare an interest as an elected member of a London borough council and—I may not be alone in this—as a holder of a Freedom Pass.

The Secretary of State for Transport (Lord Adonis): My Lords, the consultation on local authority special grant funding in 2010–11 closed on 30 December. My department is in the process of analysing the responses. I am mindful of the deadline for local authorities to finalise their budgets and I intend to announce final funding allocations very shortly.

Baroness Hanham: My Lords, I thank the Secretary of State for that reply. I remind the House that the consultation is on altering the final year of a three-year national agreement. What justification is there for London boroughs receiving less grant to support the cost of providing concessionary bus fares for Londoners within Greater London but outside their borough of residence? Why are the Government not prepared fully to grant-fund these journeys in London, when they fully fund equivalent journeys elsewhere in England?

Lord Adonis: My Lords, the answer is simple and I can be brief: London has much more money than it needs to meet its obligations under the concessionary fares scheme. Indeed, the return of the noble Baroness's own borough, Kensington and Chelsea, states that its spending on concessionary travel decreased by 7 per cent between 2007–08 and 2008–09. We are leaving London with half its gain in terms of the amount of money that it needs to meet its concessionary fares increase, so mindful are we of the need for Kensington and Chelsea and other London boroughs to be fairly dealt with.

Baroness Scott of Needham Market: Is the noble Lord aware that there is a problem with small, independent bus operators, particularly in rural areas, where they carry a higher than average percentage of concessionary passengers for longer journeys? For example, one company says that it is not being reimbursed for as many as one in five of its passengers.

Lord Adonis: My Lords, the principle is that operators should be no better and no worse off by carrying additional passengers as a result of the concessionary fares scheme. The evidence is that, overall, there was more than sufficient funding going into the system to meet the concessionary fares on offer. As for rural bus services, over and above the concessionary fares funding, the rural bus subsidy grant of £60 million for 2010–11 will support nearly 2,000 services and more than 38 million passenger journeys a year. So we are mindful of the need for further support for rural bus services over and above the support for concessionary fares.

Lord Filkin: My Lords, does my noble friend think that it makes sense that wealthy pensioners, such as some of the present company, perhaps, should also benefit from this government subsidy?

Lord Adonis: My Lords, in my experience, wealth is in the eye of the beholder.

The Earl of Mar and Kellie: My Lords, I declare my Scottish bus pass. How often does the Secretary of State regret not having a system of funding concessionary bus fares similar to the one that we have in Scotland?

Lord Adonis: My Lords, I have no regrets about the operation of the concessionary fares policy, which has brought huge benefits to 11 million of the over-60s at the cost of more than £1 billion a year. We regard that as a very worthwhile investment in promoting mobility for those over 60.

Aviation: Climate Change

Question

11.41 am

Asked By **Baroness Wilcox**

To ask the Secretary of State for Transport what is his response to the recommendation of the Committee on Climate Change in its report *Meeting the UK aviation target—options for reducing emissions to 2050* about a total increase of aviation demand of 60 per cent by 2050.

The Secretary of State for Transport (Lord Adonis): My Lords, I welcome the committee's advice. The report will be extremely useful for Government and the aviation industry in planning for the future. We are now engaging in further work to cost and assess policy options to meet the 2050 target. It is important that the aviation industry also focuses on operational and technological changes, which will contain the growth of aviation's carbon emissions in the short term, and then reduce them thereafter.

Lord Soley: My Lords—

Noble Lords: Order!

Baroness Wilcox: Thank you very much indeed. I thank the Minister. In the light of that target, if the Government go ahead with the third runway at Heathrow, what measures is the noble Lord planning to use to constrain the growth of aviation elsewhere?

Lord Adonis: My Lords, the Committee on Climate Change stated that on its central case scenario, a 54 per cent increase in flights by 2050 was compatible with the carbon reduction targets. The full utilisation of the third runway at Heathrow would represent a 10 per cent increase in flights, so it is perfectly compatible to increase the number of flights and passengers at Heathrow while also meeting our carbon reduction targets. I emphasise that Heathrow is the busiest airport in the UK; it is also running at full capacity at the moment. Therefore, the argument for expansion of capacity at Heathrow is stronger than for any other airport.

Lord Soley: I am on cloud nine now, as someone has just said to me, "So young, so eager". I apologise to the noble Baroness.

We need our transport policy for railroad and air to be integrated, as it is in Europe, if we are to benefit from the single European market. Will my noble friend respond to the letter that I sent to him asking that the regulators take account of the inter-operability of railroad and air as they do in Europe, where all forms of transport are required to drive down their emissions and not simply compete with each other in a very simplistic manner?

Lord Adonis: My Lords, I entirely agree with my noble friend in all the points that he has made.

Lord Lawson of Blaby: My Lords, given the complete and predictable failure of the Copenhagen conference and the fact that it is clear that the world as a whole will have no curbs on the growth of aviation passenger transport, can the Minister assure the House that he will look at the matter again and not do anything to curb the use of air travel for British citizens, particularly in view of his answer to the earlier question, when he expressed his desire to see greater mobility?

Lord Adonis: My Lords, we need to strike a balance. It is important that we meet our carbon reduction targets, but we are mindful of the social and economic importance of aviation, which is why we welcome the key recommendation of the Committee on Climate Change that an increase of 60 per cent in the number of passengers and 54 per cent in the number of flights is compatible with our climate change obligations.

Lord Clinton-Davis: My Lords, does my noble friend agree that there is strong evidence at the moment that aircraft manufacturers are taking this very seriously, particularly where the next generation of aircraft is concerned? I speak as the president of BALPA.

Lord Adonis: My Lords, my noble friend makes a good point, and the Committee on Climate Change emphasises that the development of technology such as novel airframe configurations, advanced lightweight materials, innovative laminar airflow control techniques and more electric airframe aircraft systems all significantly improve aircrafts' environmental performance and fuel efficiency.

Baroness Hamwee: My Lords, what progress are the Government making in reducing groundborne emissions around airports? Clearly, the two are directly related.

Lord Adonis: My Lords, the airport operators have targets for improving the efficiency of air traffic movements on the ground, all of which of course also contribute to the reduction in carbon emissions.

Baroness McIntosh of Hudnall: My Lords, I declare an interest as a supporter of the Stop Stansted Expansion campaign. Encouraged by his earlier answer, and in view of declining passenger numbers and the emissions issue, will my noble friend commit the Government to withdrawing explicitly their support for BAA's plans to expand runway capacity at Stansted and thereby end 10 years of blight on that area?

Lord Adonis: My Lords, the decision on an application to expand the airport is a matter for the airport operator. However, I would not overdo the decline in air passenger numbers; if one looks at this in any historic context, they are continuing to rise sharply. In 1982, the number of air passengers was 60 million; in 1997 it was 146 million and in 2007 it was 240 million. Even in the midst of all the economic problems that we have had over the past two years, the reduction on that figure has only been very slight. There is still enormous economic and social demand for air travel, and there will be a need for additional airport capacity in the future.

Lord Elton: Is the Minister aware of how difficult it is for those who are amateurs in this field to swallow the statement that increasing traffic by 54 per cent will enable us to reduce emissions? That means that they will have to be reduced by at least 55 per cent in relation to each aircraft.

Lord Adonis: I do not wish to blind the noble Lord with facts, and I am an amateur myself in this business. Perhaps I might, however, simply give him the facts; today's aircraft are 70 per cent more fuel-efficient than the first commercial jets were, and each successive generation of aircraft is significantly more fuel-efficient than its predecessors. That will give him some idea of how it is possible to significantly expand air traffic without increasing carbon emissions.

Railways: Passenger Satisfaction

Question

11.47 am

Asked By Lord Bradshaw

To ask the Secretary of State for Transport whether he will incorporate further measurements of passenger satisfaction, beyond those in the public performance measure, into future bidding processes for railway franchises.

The Secretary of State for Transport (Lord Adonis): My Lords, the bidding process for the most recent rail franchise awarded by the Government, to Govia for Southern railway, included an evaluation not only of punctuality and reliability but passenger satisfaction in respect of trains, stations and passenger information. Those customer satisfaction improvements are part of the franchise and financial penalties apply if they are not met. I intend to include similar requirements in future franchise bids and contracts.

Lord Bradshaw: Is the Minister aware that Passenger Focus is undertaking work on the use of sampling passenger experience where the station, the car park, the cleanliness of the train, luggage space, information and many other factors are taken into account in a statistically rigorous manner? That is much better than the crude measure of public performance, which can be easily abused both by operators and by Network Rail.

Lord Adonis: I am well aware of the points that the noble Lord makes. Indeed, it was thanks to research done by Passenger Focus that the passenger satisfaction indices that I mentioned in my initial Answer were included in the Southern franchise. Passenger Focus is doing similar work for us in respect of forthcoming rail franchises, and I intend to see that a wider range of passenger satisfaction targets are included in those franchises.

Lord Snape: Does the Minister agree that the punctuality figures for our railway system in 2009 were probably the best in railway history? Would he also like to pay tribute to railwaymen and women for that excellent performance over the past year?

Lord Adonis: My noble friend is absolutely right. The punctuality figure now stands at more than 90 per cent in terms of the public performance measure, which is the best it has been since we started collecting these statistics. However, of course, "no complacency" are my middle names and I certainly do not regard that as high enough. We want to see it continuing to rise month by month and year by year. I point out that the public performance measure is for trains to be regarded as punctual if, in respect of long-distance trains they arrive within 10 minutes of their scheduled time and in respect of commuter trains they arrive within five minutes of their scheduled time. I do not think that most passengers regard that as absolutely punctual and we might have a more exacting target in the future.

Lord McNally: My Lords, I speak from these Benches not as Leader of the Liberal Democrats but as one of the poor bloody infantry who has to use the Bedford to Brighton line to commute into London. This morning there was a fire on the line that stopped the cross-London service. Last night, inclement weather stopped the cross-London service. Previously we have had technical breakdowns, industrial disputes and a whole list of excuses from First Capital Connect. Is there not an urgent need to see whether this franchise is being served properly? I can assure the noble Lord that if he asked the commuters on that line, they would tell him very clearly, "Come back Thameslink, all is forgiven".

Lord Adonis: My Lords, I am only too well aware of the substandard service that has been offered by First Capital Connect in recent months. This is a matter of acute concern to me and my department. However, I am the bearer of some modest glad tidings to the noble Lord. The drivers' ballot on the pay settlement was held yesterday, which led to a decision to accept the pay settlement. The intention is that a full, normal service will be offered from Monday. I stress that that is the intention of the company. Of course, in the current weather conditions, other factors may come into play. However, the company is well aware of the concerns of the noble Lord and of those many others who have been severely inconvenienced in using this service in recent months, and is fully intent on improving that service rapidly.

Baroness Hanham: My Lords, when we previously discussed the problems of Eurostar, we talked about communications. Will there be included in the new franchises a requirement that there should be proper communications with passengers at all times?

Lord Adonis: The noble Baroness makes a very important point. Passenger information matters a great deal to passengers. We have seen the importance of that in recent days as services have had to be changed due to weather conditions. In the Southern railway franchise that I mentioned earlier, there is a requirement for improvements in passenger information, and that the passengers themselves should rate those improvements as satisfactory. I intend to incorporate similar requirements in future rail franchises.

Business of the House

Timing of Debates

11.52 am

Moved By **The Chancellor of the Duchy of Lancaster**
(**Baroness Royall of Blaisdon**)

That the debate on the motion in the name of Lord Stone of Blackheath set down for today shall be limited to three and a quarter hours and that in the name of Lord Harrison to one and three-quarter hours.

Motion agreed.

Business of the House

Motion on Standing Orders

Moved By **The Chancellor of the Duchy of Lancaster**
(**Baroness Royall of Blaisdon**)

That, in the event of the Video Recordings Bill being read a second time on Monday 18 January, Standing Order 47 (No two stages of a Bill to be taken on one day) be dispensed with to allow it to be considered in Committee that day.

Motion agreed.

Child Poverty Bill

Order of Consideration Motion

11.53 am

Moved By **The Parliamentary Under-Secretary of State, Department for Communities and Local Government & Department for Work and Pensions** (**Lord McKenzie of Luton**)

That it be an instruction to the Grand Committee to which the Child Poverty Bill has been committed that they consider the bill in the following order:

Clauses 1 to 7, Schedule 1, Clauses 8 to 16, Schedule 2, Clauses 17 to 30.

Motion agreed.

Climate Change: Copenhagen Conference

Debate

11.53 am

Moved By **Lord Stone of Blackheath**

To call attention to the outcome of the Copenhagen conference on climate change; and to move for papers.

Lord Stone of Blackheath: My Lords, early in December, colleagues involved in climate change issues were telling me that they doubted that Copenhagen would resolve the problems. They said that the concluding agreement would fall short of what was needed and that the overwhelming effect would be disappointing. That is why I asked for this debate then, not because I feel expert in this field as there are giants in climate

change in this House and I am looking forward to hearing what they say. No, where my expertise lies, as a retailer, is in knowing how people will react to events in the way that they eat, dress, spend their money and live their lives.

I knew that, post-Copenhagen, if we had scary, doomsday headlines saying that it was a complete failure, these would turn people off. Here are three of those predictable headlines:

“I blame Bono for the Copenhagen failure”.

That was the *Spectator*.

“Copenhagen was an all-out failure”.

That was *Der Spiegel*.

“Low targets, goals dropped: Copenhagen ends in failure”.

stated the *Guardian*. The press know that doom-and-gloom headline sell their papers, and that is their business. What we should be concerned about is that if people do not believe that world Governments can agree on what to do and set legal frameworks, that businesses, in making profits, are an essential part of the solution, or that campaigning NGOs will work with business and government to put things right, individuals will stop acting in a communal way.

However, the majority were on board. Last year, according to a Defra tracker, 91 per cent of respondents were recycling; 76 per cent cut their gas and electricity use; and 62 per cent of drivers used their car less for short journeys. But if these people think that we cannot manage the world process, they will stop all this and consider only self-preservation and the good of their immediate family and close friends. I hope that we can turn the tide a little in this debate by hearing some positive suggestions on what to do next.

Before I continue I must declare an interest. I was close to Copenhagen because I chair a charity, the Sindicatum Climate Change Foundation, which was set up to fund activities around the world that fall between two stools. We carry out projects that are considered either not profitable enough for business or too “commercial” to be adopted by NGOs. We get them both to work together. Before that, I helped found a business four years ago that reduces carbon emissions. From these involvements, I know that four sectors must co-operate in order—dare I use this phrase?—to save the planet. Their tendency, when there is apparent failure, actually is to blame each other. NGOs love to blame business; businesses blame Government; Governments blame every other Government that went before them; and people blame all of the above. But now is not the time to apportion blame.

Around the world much positive activity is going on and it is not too late. It is close; but not closed. I shall say a few words about NGOs, businesses, Governments and individuals, and I hope that we can build on what is being done, not pull it apart. NGOs are not just talking, they are doing. I have seen in hospitals in Ghana how solar panels have replaced dirty diesel generators and, in doing so, not only have they reduced emissions, but they have helped facilitate life-saving operations that previously were impossible there. In India, in Delhi, thousands of tonnes of grass cuttings, previously sent to rot and emit greenhouse

[LORD STONE OF BLACKHEATH]

gases in landfills in the suburbs, are now being turned into biomass fuel for cooking in the city. In business, examples I have seen include the capturing and utilisation of coal-mine methane on a huge scale in Shanxi province in China to produce power. This methane was previously released into the atmosphere. Methane is 23 times more polluting than CO₂. In Indonesia, sugar cane husks and rice husks that were previously wasted are being used for biofuel. In the Middle East, where I was last week, a strain of tamarix tree that grows in salt water and in the desert, where you cannot grow food, is being produced to burn as biofuel to replace oil and coal. This may be the burning bush.

I hope we hear in this debate of many more scalable and sustainable projects that can grow rapidly, given the right resources and support. An example of resources needed is new mechanisms. Organisations in the field tell me that CDM is not capable of delivering the kinds of emission reductions that we need. Developers are focusing only on countries where CDM can be, or has been, implemented, rather than working in countries which lack the basic infrastructure to support CDM. They say that this is because CDM is at one end of the spectrum and cap-and-trade regimes at the other, and there is nothing in between to act as a ladder. Government should promote new mechanisms to fill the gap. Given the right incentives and mechanisms, the private sector will finance these kinds of initiatives.

I have mentioned British NGOs and British businesses. We can also be proud also of our UK Government. We are leaders here, being the first to pass a Climate Change Bill. Here in this House we have world expertise. The Lord Speaker chaired a pre-Copenhagen debate, and we heard the noble Lord, Lord Rees, say that the science was solid and had been consistent on this for decades. The noble Lord, Lord Stern, has calculated what needs to be done and said it is expensive but affordable. The noble Lord, Lord Turner, who apologises for not being here today, made it very simple and clear to me. He said that we need, as a species, to find alternative sources of energy that are cleaner and better, and that we need to find more efficient ways of using them and a different way to live. The noble Lord, Lord Jay, who is stuck due to the weather today, said that the politics were complicated but doable. I hope that we will now hear from some of these experts what the Government should do next.

Again, as a retailer and a negotiator, one thing that I know the Government must do is to put some leadership into the negotiating process. The Copenhagen process was clearly badly managed and that was a huge factor in not producing a binding treaty. We must, before Bonn in June and Mexico in November, know what the process is, specify the unified text on which we are negotiating and draw up realistic timelines. Hence, the Government must now demonstrate a real commitment to the Copenhagen accord, take leadership in managing the process, defining it before the next summit so that we can integrate the Copenhagen accord into the UN process, and develop a realistic administrative road map for negotiations on one central authorised text. We should strengthen co-operation on the UK-German axis and tighten co-ordination within the EU delegation. In that way, we can agree

ambitious and binding medium and long-term targets for action that make the 2 degrees centigrade a realistic pathway; we can agree binding commitments by developed countries to deliver jointly on the \$30 billion for mitigation and adaptation in developing countries from 2010 to 2012; and we can include a binding timeline and cost-sharing formula between developed countries. Then, we can agree a road map to pursue new mechanisms to promote cost-effective mitigation action, with their integration into the European Emissions Trading Scheme, and, finally, a binding timeline for the establishment and entry into force of a REDD-plus mechanism dealing with afforestation.

I am conscious that I have spoken a lot about mitigation, and there are those here who feel that it has already gone too far. In fact, I am sure that we will hear from some that what we should concentrate on now is adaptation for the United Kingdom.

Knowing that, I want to add a point which may seem odd and perhaps a little too spiritual coming from someone secular. Earlier, I referred to the heroic, pragmatic and positive actions of individuals, but there is also a human role for individuals in terms of context. We are wrongly led to believe by some quarters of science, business, the media and politics that we are each completely separate and responsible only for ourselves, our family, our friends, our colleagues or our country. It is true in a way that we feel physically, emotionally and intellectually separate. There is me, there is you and there is the rest of the world. However, the ancient wisdoms, the pre-monotheistic religions, monotheism, the philosophies of the East and even quantum physics have all known that actually we are one. Rabbi Hillel said:

“If I am not for myself, then who will be for me? And if I am only for myself, what am I? And if not now, when?”.

Geoffrey Bamford of the Society for the Wider Understanding of the Buddhist Tradition has said:

“Feeling as one isn’t a question of intellect and will. It depends largely on our frame of mind. Are we acting upon a situation here that is separate from ourselves? Are we trying to solve a problem, where we are merely external observers? No, clearly we ourselves are bound up in this process of environmental change and of adaptation to it”.

Everything that we do affects the universe, and everything that happens in the universe affects us. Today, each of us here can have a positive effect on the planet and the universe if, with good intention and with space to contemplate, we show what the Government, business, NGOs and individuals can do when we act together as one. I beg to move.

12.04 pm

Lord Ryder of Wensum: My Lords, I thank the noble Lord, Lord Stone, for instigating this important debate, on which I congratulate him. Two and a half years ago the Royal Society published a pamphlet entitled *Climate change Controversies: a Simple Guide*. It stated:

“This is not intended to provide exhaustive answers to every contentious argument that has been put forward by those who seek to distort and undermine the science of climate change”.

In other words, only doubters of science dispute or query the conventional wisdom. The authors overlook the proud motto of the Royal Society: “Take nobody’s word for it”.

I take nobody's word for it. Scientists divide on the principle or pace of climate change. Unanimity does not exist. Professor Morner, former chairman of the International Commission on Sea Level Change, regarded Al Gore's claims of 20-foot rises in sea levels by 2100 as a scare story. So too did Professor Lindzen of MIT, a leading climatologist. Nearer home, Sir David King, a former chief government scientific adviser, affirmed that if China and India continued to support the USA, the planet, apart from Antarctica, would be uninhabitable by 2100.

In the spirit of the Royal Society's motto, I offer some observations. The G77 demanded hundreds of billions of dollars in addition to development aid. The notion that richer countries would be willing to surrender so much of their wealth in perpetuity was always for the elves. Nations are unlikely to be disposed towards policies with such high economic costs, least of all during an international recession, in spite of the rhapsodising by western political leaders, each purporting to be more virtuous and generous than the other. But then candour has never been at the heart of this debate. Take Canada, a Kyoto signatory. It has increased its emissions by more than the USA, a Kyoto dissenter.

David Miliband, when he was Environment Secretary three years ago, claimed that the scientific and popular debates were coming to an end. These words did not chime with stronger-headed businessmen before or during Copenhagen. Richard Lambert, director-general of the CBI, pleaded for business to be given a clearer sense of direction. After all, businesses and taxpayers will bear the brunt of moves to low-carbon technology. It will be hard for the UK in our present plight, Europe or depressed Japan to continue to endorse policies or aims that burden economies by harming competitiveness.

The USA is central to what happens before and at Mexico. Congress and the White House remain preoccupied with other priorities: health reform, the deficit and, of course, the mid-term elections. President Obama arrived in Copenhagen declaring that the time for talking was over, but straight talking in the USA has not begun in earnest. Has the President dared to persuade people to pay higher taxes to subsidise China, with its aggressive currency policy, to become more energy-efficient and economically competitive?

The principle of comparative advantage haunts Congressmen and, of course, it is accompanied by the risks of green protectionism, already advanced by President Sarkozy. Surely our leaders grasp that China, the world's number one emitter, avoids action because of its burgeoning energy needs and its efforts to join the ranks of the industrial powers when it would also be subject to the tougher restrictions under any future treaty, however unenforceable it might be in reality.

Paul Krugman, Nobel prize winner in economics in 2008, stated that if an economists' creed existed, it would be: "I understand the principle of comparative advantage and I advocate free trade". This powerful creed will lurk just below the surface in Mexico, and it will be certain to influence the outcome.

12.09 pm

Lord Maclennan of Rogart: My Lords, I add my gratitude to the noble Lord, Lord Stone, for initiating this debate, and for doing so in an immediate way that put individuals on the spot. I declare an interest as the chairman of a start-up company seeking to promote the development of tidal power in this country.

I think that those who were shocked by the Copenhagen outcome must have had expectations that were beyond the reasonable. Global governance involving over 190 countries will not progress by a number of heads of state arriving and using megaphone diplomacy at each other. Copenhagen was in some senses an important gathering in so far as it underlined the widespread—indeed, now almost general—concern about climate change. It was, however, completely inadequately prepared. It could result in a protracted and inconclusive negotiation if the faults of the process are not recognised and considered very deeply by our Government, who have a long experience of attempting to take the lead in international negotiations.

Copenhagen is not alone in standing for the incapability of multinational organisations to produce satisfactory outcomes. In the past year we have witnessed the Doha round coming to a standstill in a most distressing fashion. Then as now at Copenhagen, there were multiple reasons for this. I think it is necessary not to be dismissed as a dewy-eyed utopian if one stands back and says that the modes of reaching global decisions have to be considered in a new way. I do not think that we are getting a lead on this from the United Nations or the leaders of the United Nations. I would commend the forum of the European Union as an appropriate one at least to seek to bring together the voices of developed countries, many of which have very strong ties to developing countries, and which are perhaps collectively less nationalist in their outlook than some of the other participants in the international debate.

It seems to me that Copenhagen was vitiated by the quite long parallel discussions going on in the UN Framework Convention on Climate Change, the Rio summit and the Kyoto protocol directions. The fact that there was no success in bringing together those two parallel developments seems to me to be due largely to a lack of preparation. This is a subject in which we as a single country cannot lecture the Chinese, any more than we can lecture the President of the United States, on what their interests are or how they must conform; we cannot do it even within the 27 member nations of the European Union. However, we can engage in continuing dialogue and activity. It seems to me that that is what is principally lacking in the world governance development. The support systems for these periodic conventions are wholly inadequate. They are too ad hoc. I believe that a step in the right direction has been taken by the Lisbon treaty. I very much hope that the External Action Service enables Europe not to be sidelined at the decision-making moments, as it was at Copenhagen. It was absent from the discussion that was initiated and led to the accord. That is a pretty shocking indictment of the preparation that we in Europe put into this.

12.15 pm

Lord Oxburgh: My Lords, I had not intended to talk about science today because the science was not seriously questioned at Copenhagen—it was not the issue. On the other hand, it is worth making a comment or two on it. When the former leader of one of the world's important countries, said, as he commonly did, that the science is not certain, that was pretty much a content-free statement. It does not mean anything unless you specify what question the science is supposed to answer. Although scientists, climatologists and so forth disagree about a great many of the details, the general direction of change is not seriously questioned by many.

It is very difficult to question the influence of our greenhouse gases in controlling the earth's temperature and question the fact that during the past 150 years we have significantly increased those by roughly 30 per cent. People who deny that really have to recognise that they have to come up with a whole new theory for temperature distribution in the terrestrial planets, which has stood the test of time for about 100 years, if they want to throw out the concept of greenhouse gas perturbation. When you come to the precise consequences of this—how much ice melts where; whether we are talking about 2 or 3 degrees—there is much more scope for disagreement over modelling and between the different approaches taken. However, there is nearly uniform agreement on the general direction of change.

Turning to the Copenhagen conference, certainly the outcome was a disappointment to many. One cannot avoid the feeling that the approaches to the conference were buoyed up on a somewhat unsubstantiated froth of optimism. There is nothing wrong with that, but that is what I think it was. Certainly, many small and developing countries must have come away with a feeling of deep disappointment because they believe that they are the innocent victims of environmental damage which they had no part in creating.

One of the favourable outcomes of Copenhagen was that there appeared to be a willingness on the part of the developed world to recognise that and to help both with adaptation and mitigation. There is some way to go and a great many details have to be worked out. However, arguably, the most important consequence of the conference was that simply by going to Copenhagen in the numbers they did, world leaders demonstrated the importance that they attached to tackling climate change.

As regards the developed countries, existing climate change initiatives really must be pursued with increased urgency. Copenhagen simply means that a great deal more hard diplomatic work must go on in parallel. But for many developed countries, the climate change agenda and the energy security agenda are quite close. We in this country must continue to attach high priority to using less energy in a whole range of ways and, in addition to reducing our overall energy consumption, to obtain our energy from more sustainable sources. On top of that, as long as we are obliged to use fossil fuels, if we are to avoid calamitous climate change, we have to prevent the emissions from those fuels escaping into the atmosphere. The means of doing that is by

carbon capture and storage. This country had a lead in that technology but one has to admit that through a combination of procrastination and lack of commitment we have allowed a number of other countries to overtake us. I declare an interest as the honorary president of the Carbon Capture & Storage Association.

A different and serious question relates to the pivotal role of the United States. Opinion polls suggest that in spite of US Government commitment to action and the extensive support that it is giving to work on many technologies that will be needed to tackle climate change, significantly fewer than half the US population believes that human beings have anything to do with changing the earth's climate. For a mixture of complex reasons climate change has in the United States become embroiled in party politics. This is really serious and of great concern because it is hard to see any world accord being effective without the enthusiastic support and commitment of the United States.

However, public opinion can change. I watched a politically significant shift in Australian public opinion over a period of 12 months, triggered by a combination of extreme climatic events and a successful and well publicised lecture tour by Al Gore. It is not clear how a similar change could be achieved in the US, particularly in the face of overt hostility on the part of some news networks and even some indication of the spread of disinformation. It is clear, however, that the message has to be that action on climate change, taken in conjunction with the rest of the world, would promote rather than damage the US economy. Indeed I believe that there is an opportunity for all Members of this House to help this process by making these arguments whenever they meet opinion leaders and opinion makers in the United States.

In conclusion—

Lord Faulkner of Worcester: The debate is time-limited and the noble Lord is moving into his eighth minute.

Lord Oxburgh: In conclusion, all was not lost at Copenhagen. It is essential for the UK to move ahead both at a practical and diplomatic level, but above all we need to do everything possible to bring the US fully on board as quickly as possible.

12.22 pm

The Lord Bishop of London: My Lords, I, too, am grateful for the constructive way in which the noble Lord, Lord Stone, introduced this significant debate. Clearly, post-Copenhagen we need to find ways of making progress that will lift spirits. A recent Brookings Institution paper by Alex Evans and David Steven, entitled *Hitting Reboot*, is the best analysis that I have read, recommending 12 specific ways forward.

There are many other people in your Lordships' House much better qualified to speak about the specifics. We have already heard the noble Lord, Lord MacLennan, talk about the necessary work in transforming our global institutions and we have heard something about the confidence in the scientific consensus, which, if opinion polls are to be believed, is under threat. I look forward to hearing the noble Lord, Lord Rees, in particular, reflecting on that.

The climate challenge starts with science but the action needed to deal with it depends on politics and, as we all know, politics revolves around the electoral cycles. Ed Miliband called for civil society to exert pressure, but the challenge is so complex and the canvas so vast that uncorking the kind of constructive passion that made a success of the Jubilee Debt Campaign on debt relief and the Make Poverty History campaign has been difficult to do. As we have heard, NGOs have been active, but what we need are mass civil society movements that are not afraid of messages about ethics and justice, sacrifice and solidarity—movements that have legitimacy and social influence around the world.

Religious organisations and communities are in touch with more than 85 per cent of the population of the globe. Even in Greater London, 650,000 Christians are at worship every week in more than 4,000 churches, not to mention substantial communities of believers from other faith traditions. Recognition of the potential of such communities lay behind the joint effort mounted by the UN and the Alliance of Religions and Conservation to organise an event in November as a preparation for Copenhagen. Under the aegis of the UN Secretary-General and the Duke of Edinburgh, a cross-section of world religious leaders unveiled their seven-year plans for their own communities. The plan for the Church of England is called *Church and Earth*.

The Grand Mufti of Egypt was another participant. He outlined a programme of teaching about climate change in Islamic schools. We heard earlier about the extraordinary importance of making profound common cause with the Islamic community, and he has been planning for climate change lessons in Islamic schools, using renewable energy in mosques and the inculcation of green habits in places of pilgrimage. The message is spreading. The Pope, in his New Year message, took as his theme, “If you want to cultivate peace, protect the creation”.

Ed Miliband has pointed out that, if Martin Luther King had said “I’ve got a nightmare”, rather than a dream, nobody would have taken much notice or followed him. The task now is to build a global movement that goes beyond G20 territory and embraces Africa and the poorest communities in the world, on which the burden of adapting to climate change is already being felt most acutely.

Polling evidence reveals a dispiriting picture of the growing numbers of people feeling bored, paralysed and disempowered by talk of climate change. Copenhagen was a demonstration of the limits of the global reach and capacity of our present institutions. The experience of the conference should challenge us all to find the wisdom and care for the common good capable of unlocking the vast resources of altruism and the resources of the knowledge that we have acquired through the progress of science.

It was in a speech to the UN 20 years ago, in 1989, that the challenge was most clearly expressed, by someone who is today a member of your Lordships’ House. These words continue to have enormous resonance for us. It was said then that,

“another of the beliefs of Darwin’s era should help to see us through”,

this crisis—

“the belief in reason and the scientific method ... Now we must use our reason to find a way in which we can live with nature, and not dominate nature. We need our reason to teach us today ... that we must not try to be ... the lords of all we survey. We are not the lords, we are the Lord’s creatures, the trustees of this planet, charged today with preserving life itself—preserving life with all its mystery and all its wonder. May we all be equal to that task”.

The words were, of course, those of the noble Baroness, Lady Thatcher.

12.28 pm

Lord Giddens: My Lords, I take no particular pleasure in saying that in my book on the politics of climate change, which was published nine months ago, I predicted what would happen at Copenhagen. In my five minutes, I want to make just four brief points about what I think are the implications, although there are many of them.

First, the collapse of COP15 marks the end of the road for Kyoto-style agreements. Nevertheless, the Copenhagen accord arrived by the back door at what needed to be done anyway. It brings the large polluters together and it cross-cuts the developed/developing societies divide. Two countries, the US and China, produce more than 40 per cent of total global greenhouse gas emissions. Six countries produce more than 80 per cent. We will need bilateral and limited multilateral negotiation alongside the accord in future. This should be explicitly linked to the G20, which is an emergent body that is quite close to being a representative body and, certainly in respect of climate change, includes virtually all the large polluters.

Secondly, Copenhagen expressed the weaknesses of the United Nations. The UN has done a significant job in promoting world consciousness of climate change yet, as all noble Lords are well aware, it tends to be paralysed by internal divisions. A crucial question facing us, therefore, is what the role of the UN will be. The noble Lord, Lord Hannay, put it very well in a recent book, in which he discussed the weaknesses of the UN but also said that it is an indispensable institution. It remains so for what is a global task. There are many things that we will need the UN to monitor. For example, we will need an agreed framework for measuring emissions and a robust system to assess different countries. We have to keep the pressure on China. What Google did yesterday is significant. You cannot be a country that benefits from and faces the risks of global interdependence, climate change being the main risk, and yet stick with a very narrow notion of sovereignty.

Thirdly, the success or otherwise of the accord will depend to a large degree on the coherence of the plans to reduce emissions to be drawn up by the industrial countries by 31 January this year. I have frequently spoken on this in previous debates, as I have carried out an in-depth analysis of the climate change policies of the industrial countries. One can say bluntly that the industrial states have not lived up to their historic responsibilities in limiting greenhouse gas emissions. There has been a lot more hype than real action. We have a small number of countries, such as Germany, Sweden and Denmark, in the vanguard, but there is a long tail of countries, including the United States, Australia, Canada and many others, where greenhouse

[LORD GIDDENS]

gas emissions have risen radically since the Kyoto 1990 period. This is not a demonstration to the rest of the world of effective climate change policy.

Fourthly, climate change sceptics have mounted an organised campaign around COP15; indeed, we heard an expression of that point of view today. We have to give a lot of thought to the political consequences of how we cope with the necessarily sceptical nature of the scientific enterprise. Science depends on scepticism; it feeds on disagreement, not consensus. We know that the impact of the climate change sceptics has been massive among the general public; a previous speaker referred to that. The proportion of the general public that is sceptical about the claims that climate change is dangerous and is caused by human activity is much larger than the proportion in the scientific community.

There are real issues to be confronted. Having written extensively about this, I am worried about the increasing political polarisation around climate change. Climate change is not intrinsically a left/right issue, but it is beginning to polarise around the left and the right. The situation in the United States, which the noble Lord, Lord Oxburgh, mentioned, expresses this political polarisation. We have at least to consider looking again at the IPCC. We have to consider whether producing a single set of documents, even with different scenarios in them, is the best way of addressing the relationship between science as a sceptical enterprise and the need to convince the public of the crucial importance of action.

12.33 pm

Lord James of Blackheath: My Lords, I am not firmly of the view either way about climate change, but I am very concerned about the adverse consequences that may flow from Copenhagen from another perspective. I am anxious that we should not take the view that that failed, but never mind because there will be another conference along soon and we will catch that bus instead. I do not believe that that is a safe approach to take. The subtext of this dialogue is sustainability and green energy, and it distracts us from those two great objectives if we are overconcerned with the scientific proof in the short term. In the long term, it does not matter. We need sustainability and green, so let us get on with it. That is where I start my major concern.

Are we getting on with it? I do not think we are at the national level, the European level or the international level. Recently, I was hugely impressed when, along with a few other Members of your Lordships' House, I listened to a talk by Professor Niall Ferguson, the author of *The Ascent of Money*, who was asked what is the one thing we could do that would give us a more optimistic future. He said it is the achievement of a single, cheap, sustainable source of fuel. It would wipe out the cause of international strife, free up an enormous amount of GDP that would be sufficient to cure world poverty and bring peace and economic stability to the world. I buy that argument.

Where are we on that? The Government are concerned with building a vast amount of wind on a very cost-ineffective basis, for which we have no adequate grid structure to link up the resources. Beyond that, we do

not have the grid at a level that would allow economic development of the other subsidiary sources of renewable energy that are available to us. At the moment, we are using only some 40 per cent of the biomass potential of this country. The other 60 per cent would add three or four points of our achievable target for 2020, but we cannot use it because it is not accessible to the grid. Similar restrictions apply to any commercial development of solar, which is emphatically the most cost-effective source and God's great gift to the world. We should be using it everywhere we can. Finally, we have no commercial development of wave, for which we have the single greatest resource in the European theatre in the Dogger Bank, and we need to get that development going before Europe decides it belongs to it.

Beyond that, we have other developments that ought to be brought into effect. If we look across into Europe, the other great failure of Copenhagen was the total lack of a unified voice on behalf of Europe. No European strategy was identifiable from Copenhagen. That is a disgrace. This Government or the next need to take a major initiative in inspiring leadership of Europe. In general, Europe has the same problem that the UK has in microcosm. It does not have a smart grid.

Lord Lea of Crondall: Is the noble Lord not aware that we are part of a unified European position that drove China and America to do something?

Lord James of Blackheath: I am grateful to the noble Lord. My point is that there is a lack of inspiration in getting on with it. This country should recognise that and do more.

I wholly agree with the right reverend Prelate the Bishop of London. His words reminded me of the last sermon I got from the school padre on my last day at school. He said: "You're all going out into this wonderful world. You will go in the company of a great and powerful God, but He has got very bored and tired of performing miracles to get you out of the messes you get yourselves into. Instead, He has given you all the materials you need to do it for yourselves. Now get out there and do it". I do not think we are doing it. This House should have a Select Committee on renewable energy with the objectives I have defined. It may fit into the Europe committees or another structure, but it is long overdue. I like to think that we might now start to take that powerful initiative. The issues are sustainability, which we do not have, and green, which we can have.

The other great miracle we have available to us, which has been missed, is clean coal. Clean coal is wonderful. We have a wonderful plant in Hull, which noble Lords should go and look at. It is the answer to many of our prayers. It takes carbon and drives it through to drive out the carbon from whatever else is presented to it. You end up with captured carbon for the fuel you have treated and the fuel you started with and a clean product. Coal is very cheap, and we have a lot of it. It would buy us the time, on a cost-effective basis, to solve the longer-term problems. Clean coal is a huge answer, and I would like to think that this House will pay a lot of attention to it.

12.39 pm

Lord Rees of Ludlow: My Lords, it is sometimes said fatalistically that the UK's stance on climate change is of marginal import because our emissions are only 1 or 2 per cent of the problem, but we have leverage in two respects. The first is political. Our Government have shown leadership both internationally and through the Climate Change Act. We also have leverage through science and engineering. We have the expertise to spearhead the technologies without which there would be no transition to a low-carbon economy for the world, and it is in our national interest to take a lead. We need to keep our own lights on, but beyond that imperative we should seize the chance to pioneer clean energy to meet the entire world's growing needs.

What are the options? There is nuclear power. Many of us favour the UK having a replacement generation of power stations, but we also need worldwide R&D into fourth-generation reactors. There is wind, onshore and offshore. The technology is well tried, but the Government's expectation of the speed of deploying turbines may be unrealistic. There is wave and tidal energy, on which the UK could lead; we have the geography and marine technology from North Sea oil and gas. There are biofuels, a field in which genetic technology may have a lot to offer. There is also the need for improved energy storage for transport and to complement unsteady power sources such as the sun and wind. Nuclear fusion remains an important area of long-term research. A widely favoured long-term bet for Europe is solar energy, with huge collectors perhaps in north Africa generating power that is distributed via a pan-European smart grid. Here, as the noble Lord, Lord James, has said, the urgency of the UK's and Europe's commitment does not match the scale of the challenge or the real opportunity.

Even the optimists among us worry about whether renewables can take over from oil and gas before the CO₂ concentration has risen to a threatening level. That is why, as the noble Lord, Lord Oxburgh, has said, carbon capture and storage is crucial. It could be widely adopted by 2030, but there is a risk if that does not happen, so some argue that we should contemplate a plan B as a fallback: geo-engineering the climate to combat the effects of rising CO₂.

The Royal Society—I declare an interest as president—recently published an assessment of schemes such as modifying clouds, putting aerosols into the stratosphere, or even deploying sunshades in space. Such techno fixes have an undoubted allure for some people, but our report emphasised that geo-engineering could have unintended consequences, as well as being plainly politically problematic. Our overall message was that geo-engineering merits some long-term research to clarify its feasibility, but it is not a substitute for the high-priority pursuit of the Copenhagen goals.

Our understanding of climate science must be progressed. No one seriously disputes the rapid anthropogenic rise in CO₂ concentrations: nor that, if this continues unchecked, it will lead to secular warming that is superimposed on all the other long-term trends. None the less, there is still uncertainty in the actual rate of warming and in the probability of positive feedbacks. It is therefore crucial to improve the database

and the models. This is being done in the UK, which is strong on this. I hope that those who need to be assured that scientists are giving climate change critical scrutiny will attend some of the lively discussion meetings at the Royal Society, which are open to all, at which these issues are regularly debated.

Finally, let us not forget how ambitious a goal it is to halve carbon emissions by 2050. Reaching it would be a momentous achievement in which all major nations acted together in the interests of a future beyond the normal political horizon. Ironically, the political response to the financial crisis offers me some encouragement for the future. Who would have thought two years ago that the world's financial system would have been so transformed that banks were nationalised? Likewise, we surely need outside-the-box international policies to make progress, and the UK should not lose focus on the goal of transitioning to a low-carbon economy, both in our own interests and in those of the wider world.

12.45 pm

Baroness Jay of Paddington: My Lords, I will focus my contribution on the developing world, and declare my interest as a member of the council of the Overseas Development Institute.

After Copenhagen, it is important to re-emphasise the disaster for development if we do not go on working together to find more successful and comprehensive ways to manage climate change. It is now clear that the challenge of overcoming world poverty is inextricably linked to the challenges of global warming; if we fail on one, we fail on the other. The vast populations that now live in dire poverty and produce the lowest emissions of carbon will undoubtedly suffer the most.

One of the most recent sources of alarming prediction in this area is the 2010 world development report, *Development and Climate Change*, by the World Bank. I highlight this report because the World Bank is after all an organisation that is dedicated to driving free market growth and free enterprise; it is not an environmental pressure group or a body that is happy to see limits on technology, and it cannot be accused of a green bias. The World Bank lists the particular vulnerability of the developing world region by region. For example, it notes that two-thirds of sub-Saharan Africa is especially exposed to increases in floods and droughts, threatening the agriculture that employs 70 per cent of the population. In east Asia and the Pacific, one of the major drivers of vulnerability is that millions of people—40 million in Vietnam alone—live in low-lying coastal areas that are liable to disappear under rising sea levels. In the world's driest region—the Middle East and north Africa—per capita water availability is predicted to halve by 2050, with a devastating impact on food production which accounts at the moment for more than 80 per cent of the region's water use.

The results for already fragile food security are obvious. Even in middle-income India, crop yields could decline by up to 9 per cent in the next three decades. Not surprisingly, food and water shortages lead to related predictions of more debilitating diseases such as cholera and malaria, progressively undermining

[BARONESS JAY OF PADDINGTON]

gains in public health and life expectancy. The World Bank states starkly that even the modest 2 degrees centigrade increase in warming could mean that up to 400 million more people are at risk of hunger, and that 1 to 2 billion more people may no longer have enough water to meet their consumption, hygiene and food needs.

One of the most positive outcomes of the Copenhagen accord was the agreement by developed countries to commit \$30 billion immediately to the developing countries to tackle some of these challenges, and to provide \$100 billion more a year by 2020. I congratulate our Prime Minister on leading this commitment, but in general the Copenhagen accord could call only for “a goal of mobilising” long-term funding. Nothing is binding. Since Gleneagles, we have learnt, perhaps not to our surprise but to our concern, that other countries constantly fail to meet their promises. Only half the 2010 targets that were agreed five years ago in Scotland have been achieved. Post-Copenhagen, there is also absolutely no clarity about what will count as special climate mitigation aid and whether what is promised will be new money that is additional to existing overseas development aid. I would be very grateful if the Minister could clarify the UK’s position on these two points when he replies. I echo the noble Lord, Lord Stone, and other noble Lords who have spoken, in saying that we must look again before the next meetings at the possibility of reforming international decision-making. I am glad that Ed Miliband has already called for this.

The UN principles of universality, transparency and accountability should be maintained in all these discussions, but work should now be done on possible changes to those broad principles. There is a case for using the UN multilateral forum for a discussion on financial mechanisms to mitigate climate change. These are the most relevant matters to the developing countries, which obviously must have a voice and a vote. At the same time, the hard negotiations on legally binding reduction targets could be handled by a smaller group. I have been interested in suggestions that this should be the G20; I am quite clear that it should not be exclusively the G2.

The most pressing challenge this year before the Mexico meeting is to maintain momentum, and above all to strive for a higher level of trust between the developed and the developing world. Perhaps the Commonwealth could have a role to play in this. If we can achieve this greater trust, we may be able to move fairly rapidly towards the most significant milestone: a binding and enforceable legal treaty.

12.50 pm

Lord Patel: My Lords, hitherto most of the debate around climate change has revolved around limiting the increase of greenhouse gases and shifting to a low-carbon economy and other technologies, some of which have been mentioned. Although this is important, while we wait for the new technologies to deliver, climate change strategy that does not take into account human dimensions and population dynamics will in my view and that of many others not succeed. In this context, that includes the relationship between the sexes and, importantly, the well-being of women.

Per capita income and population numbers are important factors in CO₂ emissions. At 11.46 am today, the population of the world was recorded at 6,902,586,727. There are 220,990 births each day and 27 per cent of the world’s population is under the age of 15. World population has increased from 300 million 1,000 years ago to 1.6 billion in 1900 and 6 billion in 2000; according to UN projections, it is heading towards 10 billion by 2050. The majority of the increase will be in the developing countries, where the per capita contribution to greenhouse gases today is low. As a result of industrialisation and patterns of consumption, that is changing. For example, according to a recent report, the number of new car sales in China has outstripped that of the USA for the first time. Some of the developed countries, such as the UK, are also growing demographically. Our population is estimated to rise to 70 million by 2030 and 77 million by 2050.

The developing world, with four-fifths of the world population, has legitimate aspirations for better standards of living, but that also constrains the necessary debate related to population stabilisation. A yearly increase of 80 million in world population adds 90 million tonnes of emissions, which is equal to another Brazil or Australia. The current level of population growth would require a per capita emissions reduction of 1.2 per cent per year. We have not achieved even a 1 per cent reduction over the past 40 years. Recent data on population management are better. In 1970, there was a growth rate of 2.1 per cent, while today the rate is 1.2 per cent. It could be improved even more if strategies for reducing unintended pregnancies and the education of girls were more universally promoted. Without strategies for population stabilisation, any targets for the global reduction of emissions will not be met.

My questions for the Minister are quite simple. Why was there no discussion related to population stabilisation? After searching the material from the Copenhagen meeting, I found barely a mention of it. Does the Minister agree that population growth has to be included in any debate, if not at Copenhagen, then subsequently? Does he also agree that any funding arrangement should support strategies of population stabilisation, particularly the education of girls?

12.54 pm

Baroness Young of Old Scone: My Lords, I thank the noble Lord, Lord Stone, for the opportunity that this debate gives. I declare an interest as a member of the climate change adaptation committee. I am notably a gloomy person, but I am desperately trying to be positive about Copenhagen. First, I should like to commend the efforts of the Government and the leadership that was shown to take forward the climate change agreement in what was an unsatisfactory negotiating process. I am afraid that I have to confess that I am a fully paid-up member of the Ed Miliband fan club.

Copenhagen was unsatisfactory, but who even a year ago would have believed that we would be in a position where the United States of America, China and many of the developed and developing countries would, if not stating targets, commit themselves to

adopting targets and to monitoring them? However, that is not enough and we need to continue. Many clear suggestions have been made today about how the process can be taken forward past 31 January, past the Merkel process and into Mexico, in order to get an ambitious, fair and binding deal in 2010.

Even if there is a deal, CO₂ reduction targets notably slip. Even now, there is enough carbon in the atmosphere to cause impacts. Plan B is even more vital now than it was before. This is not the techno-fix plan B of the noble Lord, Lord Rees, but the plan B for how to adapt to the impacts of climate change. I am grateful to the noble Baroness, Lady Jay, for clearly outlining the impacts on a global scale. The UNFCCC negotiations on adaptation made progress in Copenhagen, but they were not concluded. The green fund is only a start.

In the UK, the Government stated a clear commitment to planning to adapt to climate change and to consider what may happen to us as a nation and to our economy as a result of increased heat, drought or floods and their impact on health, biodiversity, land use, infrastructure, food security, farming and migration. There could be opportunities—for example, increased tourism. Indeed, I continue to rile the people of Aberdeen by saying that climate change is the only thing that might make Aberdeen habitable.

Action needs to be taken at many levels, including at the national, regional and local government levels, as well as by the utilities and infrastructure providers. We need to take adaptation action. A perception of what needs to happen to mitigate the risks of climate change impacts should be threaded through the work of all these bodies in the planning and implementation of their day-to-day activities.

I should like to highlight four forthcoming domestic opportunities. The climate change risk assessment that is being undertaken and its associated economic appraisal will report early next year. There will be national and regional versions of this. This process needs not just to be an academic appraisal of climate change risks in this country but to engage and involve those who will have to take action over the forthcoming years in order to ensure that they are fully involved, understand their roles and begin to get a sense of excitement and challenge into their work.

Secondly, there will be a government adaptation action plan, which will need to be a clear plan with targets and timescales. There needs to be real action and not just something on paper.

The third domestic opportunity is that, in the spring, each government department will produce a departmental action plan. Again, they need to be about real activity and real action with targets and timescales; they must not be as limp as lettuce—a phrase that I got from Mr Miliband last night. There is a possibility that departments will fail to grasp the importance of their work on adaptation to the impacts of climate change.

Last but not least, your Lordships skilfully put into the Climate Change Bill a reporting requirement on more than 100 key bodies. Again, we want to see action from that reporting requirement; it must be about real activity and not just going through the motions of reporting. The activities that all these bodies need to undertake to meet the impacts of

climate change should be able to deal with uncertainty, should be no-regrets actions and should be value for money. They should be about doing things differently and not necessarily about doing additional things. They need to integrate across sectors. Perhaps I may reassure the noble Lord, Lord Stone, that I am not talking about adaptation instead of mitigation.

Will the Minister give assurances that the Government will continue not only to show vigour and leadership in mitigating climate change, but also to inject a similar degree of vigour and leadership into pushing forward here and internationally plan B, the actions that we need to ensure that the nation adapts to the impacts of climate change?

1 pm

Lord Whitty: My Lords, while, along with my noble friend Lady Young, we can garner some consolation from bits of Copenhagen and perhaps flagellate ourselves about raising expectations too high, we should not forget that the real position of Copenhagen was that of a gigantic historic failure and a missed opportunity. As a number of noble Lords have said, it was a failure of international process and of national will in a number of different countries. We are running out of time. We are now over 20 years on from Rio and 10 years on from Kyoto, but global carbon and greenhouse gas emissions are still rising.

If we accept the scientific consensus, which, along with the noble Lord, Lord Oxburgh, I do, we are already on track for a temperature rise of more than 2 degrees, which in itself will bring some drastic changes to our weather patterns and therefore to our ecology and land use. Moreover, if we do not turn the corner by reaching a peak of greenhouse gas emissions before the end of this decade, together with achieving a pretty steep curve of decline thereafter, because cumulative emissions matter more than annual figures, we will fail completely to limit the rise in temperature to 2 degrees by the middle of the century. Most calculations now suggest that we need to be over the peak of greenhouse gas emissions by around 2017. That is seven years away. It is only six years away by the time we reach Mexico and, on the heroic assumption that we get an enforceable agreement there, around five years by the time any new mechanism comes into effect and, at best, four years before it has any real effect on greenhouse gas emissions.

International mechanisms are vital and we need them, but the reality is that in the short term, and for their effect on the long term, it is national actions and perhaps cross-national actions at the EU and other regional levels that will, we hope, deliver the returns that we need at the beginning of this process. The outlook post-Copenhagen is slightly better on that front, because we at least have generalised commitments from the US, Canada and China, as well as commitments from the developing countries to take action. We may well also get some serious and aggressive targets from those countries against which national trading schemes and fiscal and regulatory policies can be set and which may therefore deliver.

Not only do we have to look at the emphasis on switching—through the use of nuclear fuel, through carbon capture and storage and through moving over

[LORD WHITTY]

to renewables—away from fossil fuels for the generation of energy and transportation, but we need heavy investment in other areas, by which I mean both capital investment and political investment in terms of leadership to reduce emissions, to buy us some time and to protect us from the worst effects of inevitable climate change.

The biggest of these challenges is, of course, to reduce the demand for energy in the first place. I have spoken many times on energy efficiency and I declare an interest as honorary president of the Combined Heat and Power Association. It is not only in heating that we need to achieve greater efficiency; we need to do so in relation to buildings, transport and virtually every aspect of our behaviour from the domestic to high-level industrial. That involves behavioural change on the part of consumers as well as business and here I declare an interest as chair of the organisation Consumer Focus. In order to get consumers to change, however, the Government have serious responsibilities in terms of regulation, fiscal intervention and education policy. These are somewhat outwith the zeitgeist. Neither tax nor regulation is regarded with great affection by the population or by our political leaders, yet their effective use in these fields is vital.

I do not want to cross swords with the might of the Royal Society in the form of the noble Lord, Lord Rees, but we have to pay some attention to issues that can buy us a little time in terms of geo-engineering and techno-fixes. I do not say that that is an immediate position but, if we find ourselves well off target in 2020, 2025 and 2030, we will regret not having put at least some effort into developing some of the more Professor Brainstorm versions of geo-engineering, which may or may not work but certainly need serious investigation.

Finally, we need a programme of adaptation; the committee on which my noble friend Lady Young serves will be a vital part of that. In the end, some climate change is inevitable, so not only how we mitigate and avoid it but, more important, how we adapt to it will determine how humankind and, indeed, life itself can survive on this planet. Like my noble friend, I am an admirer of Ed Miliband and, obviously, of Martin Luther King, but I am not sure that the right reverend Prelate was entirely right. We need a dream, but the vision of a nightmare is important in motivating people as well. If we do not take action, the nightmare scenario may well eventuate.

Lord Giddens: Perhaps I may remind noble Lords that the quotation about Martin Luther King came from two American academics, Nordhaus and Shellenberger, not from Ed Miliband.

Lord Whitty: My Lords, I bow to my noble friend's greater knowledge.

1.06 pm

Lord Browne of Madingley: My Lords, for many observers, the Copenhagen accord, signed at last month's climate conference, is a failure. Targets for global emissions are conspicuously absent, and while national

targets are included, they are set only on a voluntary basis. The failure to acknowledge an ongoing process for converting the accord into a legally binding treaty is disappointing. But despite falling short in these respects, the agreement makes significant progress in others. It commits all major polluters, not just developed countries, to take action on reducing emissions and to submit their plans to international oversight. The agreement enshrines a joint target to limit global warming to 2 degrees centigrade and it promises tens of billions of dollars for developing countries over the next decade, financed through private and public channels.

This momentum must not be lost. As we look to the next major climate change meeting in Mexico City and beyond, I believe that three points are critical. First, policy-makers must pay attention to the requirements of business, whose job it is to deliver the transition to a low-carbon economy. Direction setting is important, but until the Copenhagen accord is translated into detailed policies, it will fail to have an impact on investment decisions. From a business perspective, carbon offsets are a practical way to reduce emissions at low cost. Yet the current system is too bureaucratic and lacks sufficient scale to fund the commitments envisaged by Copenhagen. Reformed carbon offset mechanisms, along with new policies to leverage private capital such as loan guarantees, will be needed to mobilise flows of carbon finance across borders.

A second lesson is that expectations of what can be achieved through the current UN process need to be realistic. Big-tent multilateralism still makes sense in several areas; for example, transparency and adaptation funding. But differences of fundamental principle are best settled in smaller groupings involving heads of state, as demonstrated at Copenhagen. Deals to share low-carbon technologies may need to be brokered in even smaller groups or bilaterally. Initiatives within national borders, such as the promotion of strategic industries, should be given greater recognition and be learnt from by others. There is an opportunity to work with the Mexican Government, a member of both the Major Economies Forum on Energy and Climate and the G20, to develop a new multi-track approach.

This brings me to my third point. The UK must target its diplomatic influence effectively. We must be pragmatic about the areas where this country can have a real influence; for example, over the design of carbon markets and international financing mechanisms. Whatever one's political orientation, it makes sense to work much more closely with Europe on climate change matters. The EU is the world's third largest polluter and yet it was absent from the room when the decisive deal was struck. Europe needs to present a more ambitious, unified front if it is to have influence commensurate with its importance in combating climate change. I agree with the recent suggestion by William Hague that the EU should direct more of its budget towards climate change. The protection of tropical forests is one area where this enhanced funding could be effectively deployed.

With enduring political and financial support, I believe that the Copenhagen accord will go down as a cornerstone text in the history of mankind's efforts to

combat climate change. To ensure that it does, my advice to policy makers is simple: keep the requirements of business in mind when drafting policies; embrace a new multi-track approach to climate diplomacy; and focus the UK's efforts where our influence is the greatest, working at the heart of Europe, not at its fringes.

1.11 pm

Lord Hunt of Chesterton: My Lords, I congratulate the noble Lord, Lord Stone, on introducing the debate and on his opening remarks in which he said that we should think about the political and social aspects of how people are reacting to these great events. I declare an interest as a member of Globe and as an emeritus professor of climate modelling.

On the Government's achievements, it was important that at Copenhagen there was an acceptance of the need to control global temperature by limiting emissions and preventing deforestation and that there should be help for developing countries. The mere fact that there was this accord at Copenhagen enables the United Nations system and all kinds of international bodies, businesses and industries to continue the general direction of work to reduce emissions, adaptation and work on the effects of climate change. If there had been a total failure, many of these important ongoing activities would have come to a stop.

However, there were some bad aspects and outcomes at Copenhagen. One of the features is that it was seen to be too much of a bureaucratic, governmental organisation. Some countries, particularly in the Far East, have realised that dealing with climate change requires visionary, practical, visible, symbolic changes. In Japan, the Prime Minister no longer wears a tie; in extremely hot conditions it has changed the temperature in its buildings. We still fail to do that in this building. Similarly, in China there is a one-child population policy, which, of course, has some flexibility, and there is no heating in buildings south of the Yangtze. It is incredible. These countries are making extraordinary gestures and we should recognise that those kinds of symbolic gestures help people to understand what the Governments are about.

At a political level there was great disappointment but, as the noble Lord, Lord Giddens, said, there was also an understanding that there was unrealistic optimism about the meeting. If Cassandra had tabled a PQ to ask, "What about this horse outside Troy?", undoubtedly the answer would have been, "Don't worry". I tabled a PQ and I went to China in May. It was absolutely clear what was going to happen: the Chinese published their climate change documents in English. These had not been read by anyone in Whitehall or by the Met Office. It was absolutely clear what was going to happen, and it happened.

This has led to political embarrassment for this and other countries. Why was no public warning given about this information? Why was there not some indication that a plan B was going to be necessary? Pretending to be optimistic to the last minute was not good politics and I hope that there will be a change of heart in that strategy when we come to the next phase.

There were some disappointing features about the Copenhagen process from a scientific point of view. Once again, the only graph presented to decision-makers by the World Meteorological Organisation showed, as we have commented before, a flat value of the global average temperature in the past 10 years, and the only explanation that was given was "variability". We know what it was: the temperature was rising over the land and there has been a considerable reduction of temperature in the oceans because of the important dynamical processes that can happen over periods that may last 10 years. The way in which this was presented was unfortunate.

On a Statement made in this House on 5 January, the noble Lord, Lord Reay, commented that we could not believe any of these models because the Met Office cannot forecast this winter. That is the level of understanding with which we have to deal. It is true that variability, particularly in the UK, is difficult. In fact, the reason we have the best Met Office in the world is because we have the most variable climate—perhaps noble Lords had not realised that—and we have to deal with it. However, when the Met Office forecasts seasonal changes in other parts of the world it is sometimes 80 per cent or 90 per cent accurate. The Met Office has successfully modelled the change in climate and global temperature over the past 150 years and has related that to emissions. So, from the global point of view, we should accept this climatic science as being the basis for policy.

We need to work with other countries much more closely. The degree of scientific co-ordination with China needs to be considerably improved. Another important feature is that in order for countries around the world to deal with and make their own policies on climate change, they need to understand how the climate is varying. The level of data and information is inadequate, both within cities in developing countries and developed countries. For example, the World Bank is now promoting programmes of "metrics for sustainable cities". It is gratifying that the DfID programme, with the United Nations, is finally enabling African countries to improve their measurements so that we will have a more accurate understanding of what is happening and the effects of the changes.

It is very important that we work more closely with the United Nations system. Some noble Lords have commented that the United Nations is a broken reed and we should not deal with it, but all the agencies are working very closely together, whether on health, water, nuclear energy and so on. We must be positive about that and work closely with them.

1.17 pm

The Earl of Sandwich: My Lords, many of us remember Barbara Ward and the authors of the Brandt report, where we learned that world poverty is the responsibility of rich and poor acting together. Climate change is surely a new manifestation of this partnership. Even if no solution is in sight, our key objective must be to save lives in the short and long term. Many are even using the term "climate justice".

My starting point is, therefore, quite simple: how can this latest agreement improve the position of the poorest countries? These countries, which have been

[THE EARL OF SANDWICH] highlighted by the noble Baroness, Lady Jay, will certainly welcome the pledge of finance up to 2020, with the caveat she mentioned. Whatever the heading under which funds are raised, whether climate change or millennium development goals, they will be used to reduce poverty and ill health and to mitigate against many other effects of climate change. I congratulate UCL and the *Lancet* on their joint programme of research.

Climate change in the poorest countries is nothing new; it has simply been made worse by industrialised countries. That is all the more reason why those countries should take the major responsibility. This was the key plank of the Kyoto agreement. Carbon reduction is irrelevant in many parts of sub-Saharan Africa; climate change is not. Funding is rarely free of strings and this is where conditionality comes in. I have tried to learn the meaning of “adaptation” and have come up with, “adjustment in natural or human systems to a new or changing environment”. “Mitigation” is defined as “any action taken to permanently eliminate or reduce the long-term risk and hazards of climate change to human life and property”. Both definitions fit in with poverty reduction.

But what does, “in the context of meaningful mitigation” mean? Does it imply carbon cuts for these countries or can it equally apply to coping with the effects of climate change? It is still a confusing picture. If it means the former, there is a real risk that the funding will go to middle-income countries which qualify, and which can afford to set up their own mechanisms for reducing carbon emissions, and not to countries which may potentially be in greater need of assistance.

Copenhagen appears to place all the legal requirements for emissions cuts at national domestic level, with no legally binding international commitments. This pushes greater commitments on to developing countries, which have less responsibility and capacity to respond to climate change.

What therefore is the status of Copenhagen in relation to the Kyoto Protocol? Only 49 of the 192 countries in the process have signed the accord, and there are no new binding obligations or targets. I presume that those who did not sign the accord are not excluded from it. Perhaps the Minister could clarify that.

There are then the questions of new money, mentioned by the noble Baroness, Lady Jay, and additionality. Are the new funds simply a statement of intent? Donors’ so-called “new” pledges often simply replace previous promises. The Government have pledged that no more than 10 per cent of official development assistance will be used for climate change. Have the Government committed to any financing that does not come from the aid budget, and do they plan to do so in the future? What are the current estimates of our aid funding in relation to climate change? What conditionality is attached? The definition of climate change, as we have seen, is fairly broad. From the recipient’s point of view, labels can be meaningless. Accounting procedures in the poorest countries may not easily distinguish funds sent for different purposes.

Something labelled “climate change aid” could equally mean “agriculture” and be recorded twice or not at all. Will the Government provide a definition of their budget lines that will be quite clear to those countries?

Unlike the right reverend Prelate, I am encouraged by the massive public interest generated by Copenhagen, even if it does not have all the answers. The noble Lord, Lord Stone, spoke of the highly focused NGOs—I mention also Saferworld and its new report on climate change and conflict in Kenya. There is a powerful lobby among NGOs. One organisation claims to be, “the largest global online citizens’ movement in history”, with nearly 4 million members. The climate change movement has therefore commanded already enormous support in the country.

1.22 pm

Lord Lea of Crondall: My Lords, for once, I can say that I am not being wise after the event, because I wrote an article for *The House Magazine* before Copenhagen on reasonable predictions and reasonable measures of success. I wrote:

“There are three complementary elements ... price/tax rises for [greenhouse gases] to choke off demand for carbon intensive forms of production and consumption ... promoting new low carbon technologies - and demand for their output - in the same timescale ... [and] an agreed financial formula or key”—

as the European Council put it—

“for equitable global implementation”.

I added:

“But the idea that in 2009 we can finalise in detail the financial mechanisms which can ensure that we meet hugely ambitious carbon tonnage reductions stretching to 2050 – and to which all future generations of politicians are bound by treaty – is a bridge too far. Indeed, there is a danger that we will denigrate what will in the longer term probably be seen as substantial progress. The multi-layered complexities of the exercise can only be compared with Rubik’s cube. It is self-evidently an incremental one – a huge negotiation with 192 countries with 192 different economic attributes, whose energy emissions and outputs range from reliance on ruminant animals to nuclear power ... A rough guesstimate is that half the financing will come from the international carbon market and half from international public finance/tax, which of course means the taxpayers of Burton-on-Trent ... It is of decisive importance that the tax regime is not regressive; the average working person must not pay more percentage-of-income than the wealthy. This is a political necessity if the whole strategy is to succeed – but it is one to which so far insufficient attention has been paid. The EU Council is proposing that all the countries of the world—except the least developed—contribute to international public finance through a global distribution key, based on emissions totals and GDP. In practice this can be described as a carbon equalisation tax”.

Those who are realistic—not NGOs, which just shout all the time from a pulpit without having any responsibilities—recognise that interests have to be reconciled in the world. The immediate priority for the UN mechanism in the next six or nine months is to look at the financial key in a quieter atmosphere. My only experience of the UN system is having been on the UN Commission on Transnational Corporations for about three years. You need on an ongoing basis to make sure that you have shop stewards from each part of the world in the lead-up arrangements; you cannot just leave it to top dogs to agree something when you have to deal, for instance, with Bolivia as well at the next meeting.

Scientists have to be a little more respectful of the political process. The University of East Anglia episode was damaging. The Met Office has not done itself a favour by having been associated with a campaigning mode; indeed, the present top person there is a former head of campaigning at the World Wildlife Fund. I agree with the noble Lord, Lord Patel, in saying that population must be included. If we double the population in the next 20 years, we double the number of greenhouse gases. How can the Vatican say that it is now very involved in the process of sustainability while having a theologically dubious policy on contraception? I speak as a member of the European Parliamentary Forum on Population and Development, handing out condoms to women in villages in Niger. There is a demand there—it is not just western propaganda—and we have to bring that into the equation. We lack courage if we do not press that.

The noble Lord, Lord Stern, will speak later. I have great sympathy with the views put forward by Professor Dasgupta of Cambridge University on what is summarised as the discounting problem. He has written:

“Where the modern economist is rightly hesitant, the authors of the [Stern] Review are supremely confident. But their cause is not served when parameter values are chosen to yield desired answers”.

Those are provocative words, but I gave notice to the noble Lord, Lord Stern, that I wanted to hear what he had to say about them.

1.28 pm

Lord Smith of Finsbury: My Lords, I declare an interest as chairman of the Environment Agency, the day-by-day work of which gives us direct experience and evidence of how our weather, our climate and our environment here in England and Wales are changing. We may not yet be able to attribute directly to climate change the fact that the most intensive rainfall in a concentrated period of 24 hours ever seen in England fell on Cumbria last November, causing, as we all know, the devastating floods that overwhelmed Cocker mouth, Workington and Keswick, or the intense heat that is currently being experienced in Australia, or the droughts that have occurred recently in Kenya. However, there will be many more such events as change develops during coming years.

But there are smaller things, too, that are happening here in England. For example, damselflies and dragonflies are now found much further north, at higher altitudes and in greater numbers than ever before. There is a slim, rare, blue-green fish called the vendace, dating back to the ice age. It has disappeared from its stronghold in Bassenthwaite lake, and is having to be reintroduced further north in colder waters in Scotland. The coldwater arctic char is disappearing from Lake Windermere. Over the past 20 years, our testing of river water across England seems to indicate that there has been an average rise of water temperature in our rivers of 0.6 degrees centigrade over 20 years. These are small signals but, like the canary in the mine, signals of what may well happen in future. That is why Copenhagen was so important and why the outcome of Copenhagen was such a disappointment.

We knew that we were unlikely to achieve a legally binding treaty instantly, but I thought that we would be further along the road towards it than we now are.

However, the worst possible response to Copenhagen would be to give up the fight and abandon the search for a clear international agreement at the very least among the major polluting countries. There is a real danger that some people will use the outcome of Copenhagen as an excuse for giving up the fight, while others will feel so frustrated that they will retreat from the challenge altogether. Others, as the noble Lord, Lord Stone, in his excellent opening remarks observed, will stop doing the little things that each one of us can do as individual citizens which, taken altogether, can make a genuine difference.

So what do we need to do? First, we need to press forward with every redoubled effort to achieve a firm international agreement and seek to do so before the end of this year. Secondly, as a nation we need to continue to do our own work to reduce emissions, even though it may not yet be clear what the rest of the world will be doing. That means developing carbon capture and storage and a new generation of nuclear power; it means investment in renewable energy and decarbonising as much electricity production as we can over the next 20 years. It means switching to electric vehicles and high-speed rail networks across Europe—and it means a major national programme of energy efficiency work. We should never underestimate not only the importance of doing all this as a country but the power of example. We must show here in the UK that these things are possible and that we can reduce emissions and seize the genuine willingness of the business community to change, find new ways of developing economic success and well-being and show how low-carbon prosperity can be achieved. If we do not continue to try to do that, no one else will.

1.33 pm

Lord Clinton-Davis: My Lords, it is a privilege to follow the noble Lord, Lord Smith of Finsbury, whom we have just heard. I congratulate my noble friend Lord Stone on raising this monumentally important issue. Certainly, the results of the Copenhagen conference were deeply disappointing. I share the view, on the other hand, that all is not lost. Without intense preparation, to conceive of a possibility of an agreement being reached with 192 participants was profoundly illusory. As it was, there was no commitment to produce a legally binding agreement, and this is unlikely at the next meeting in Mexico unless the major countries come to their senses and reach out for a worthwhile compromise. That would involve a change of mind and purpose, principally by China and the United States.

China must understand that, confronted by little or no change, she, like others, will face a catastrophic situation. Over time, no one will be spared. Among the other major players is the United States. Despite the advances contemplated by President Obama, an arid battle within Congress lies ahead. Some, perhaps a majority, of congressmen take the view that the United States will avoid the ill effects of climate change; I believe that they are utterly wrong. Some will argue falsely for the industries that they continue to champion. Others will say that action to combat climate change has to be taken immediately. All this amounts to a recipe for inaction.

[LORD CLINTON-DAVIS]

So is there no hope? I believe that there is, provided that the major polluters come to their senses soon, which is a big if. Surely we have to pose the argument that, even if at the end the sceptics are proved to be right, which I believe is an extremely remote possibility, what do we have to lose? Time, a great deal of money, the probable improvement of man's well-being? But if the sceptics are wrong and their myopia is unjustified, devastating consequences might be avoided. I believe that the sceptics are likely to be proved wrong and that urgent action needs to be taken. In my view, the noble Lord, Lord Stern, who we will hear from later, is absolutely right. The Mexicans, who are the hosts of the next conference, should take urgent action before it is too late and call together some 20 representative countries to work on a potential treaty. Nothing should be sacrosanct; all the outstanding issues should be confronted. Consensus needs to be built; time is not on our side; the future of the planet is at stake, and we have to think anew.

1.38 pm

Lord Hannay of Chiswick: My Lords, on the spectrum between success and failure, the Copenhagen conference surely has to be placed nearer to the latter. We should have no illusions about that. To delude ourselves that the outcome was really quite good, with clichés about half-full and half-empty glasses, is to underestimate the length and difficulty of the road that the international community still has to travel if it is to handle successfully the challenge of man-made climate change. Such an approach will be likely to programme another more costly failure when the negotiations resume this year. We need to remember, too, that settling for an inadequate outcome on climate change, in contrast with some other multilateral negotiations, such as those on trade or nuclear disarmament, where half a loaf can genuinely be worth more than no bread, is likely to bring in due course a reality check in the form of catastrophic global warming, which it will be too late to mitigate and much more costly to handle.

What should our priorities be? I suggest that we—and I include in that “we” the European Union and not just the UK—need a twin-track process, with an implementation track and a negotiating track. On the implementation track, we should work to give effect promptly to those political commitments that are contained in the Copenhagen accord or which will be tabled under it by the end of this month. That will mean this country—at the national level and as part of the EU—ensuring that we are on track to achieve a 20 per cent reduction in carbon emissions by 2020, that we devote enough funds to research, and that we are achieving nuclear build and a greater use of renewables. It will also mean putting serious money into programmes and projects that will help developing countries adapt to lower-carbon economies, and helping to finance the plan for reversing deforestation that was basically agreed at Copenhagen. If we can make a serious effort on that implementation track in 2010, that should considerably enhance the credibility of the negotiating track as we move toward the Mexico City ministerial meeting at the end of the year. Conversely, if we fritter away the year in bickering and inaction, that will

seriously undermine the negotiating process. Clearly, what happens in the United States on cap and trade will be crucial to that implementation track.

On the negotiating track, I suggest that we have three main objectives. First, the EU should pursue and not resile from the more ambitious objectives that it set out before Copenhagen, which were then brushed aside in the scramble to save something from the wreckage of that meeting. That means that we should remain firmly set on achieving a legally binding set of agreements at the end of this year, because only a rules-based system will stand up to the wear and tear of the many decades that lie ahead. Then, we should continue to push for 30 per cent emission reductions by 2020 if others are prepared to raise their sights. We should not give up on the setting of a longer-term reduction for 2050. Pushing an ambitious agenda like this will require a great deal more of a concerted diplomatic effort by the EU than was forthcoming in the months leading up to Copenhagen, when it was preoccupied by its own internal arrangements. The EU's role in this negotiation is to set the bar high, but not unrealistically high. If it does not do that, it will be a race to the bottom—to the lowest common denominator.

Secondly, we should pay much more attention to the architecture and detail of the arrangements for verifying and monitoring the commitments entered into in any legally binding agreement than has hitherto been the case. Copenhagen showed that this could well be a make-or-break issue. The Chinese position of refusing any international machinery for verifying and monitoring commitments is not sustainable, and not compatible with a successful outcome at Mexico and beyond. Without such machinery the US and, probably, others will not ratify any legally binding agreements. In any case, over the long term they will not hold. Would it not therefore make sense for the European Union now to put on to the negotiating table a fully worked out set of arrangements for international verification and monitoring? I should like to hear the Minister's view on that.

Thirdly, I suggest that there are of course issues of process that bulk large—some would say too large—in any such complex negotiation. A great deal of heat was generated at Copenhagen over whether any agreement should be attached to the Kyoto protocol. There was also a great deal of umbrage taken about the accord that was reached in a smaller group. These process issues can be a bit exaggerated; we should not all be sitting around wasting time and waiting for somebody to produce a magic solution. I agree there with my noble friend Lord Browne of Madingley when he said that we need a more multifaceted process that makes use of everything, and we must not throw out the 192-country framework completely. We must not lose the baby with the bathwater, but we need other groupings. The G20, which will be meeting twice at summit level this year—it will I hope be better prepared than it has been in the past—and other groupings should all be brought together. I hope that if that is done, and if the building blocks can be put together before we get to Mexico, there should be a real chance at the end of this year of grasping the prize which eluded us at the end of the last.

1.44 pm

Lord Donoghue: My Lords, I also thank the noble Lord, Lord Stone, for the opportunity to discuss the Copenhagen conference. Personally, I am not sure whether its failure was a disaster for the future of the planet or a fortunate rescue from dangerous commitments. Time will tell. I want to focus today on global warming, which is allegedly occurring on an unprecedented scale and is allegedly caused by man-made carbon emissions—the majority view is certainly that way.

First, I should declare that I have no training in physical science, although I have in social science from I was when an academic at the LSE, and I am aware of the use and misuse of statistics. I should also emphasise that I believe it is of prime importance to protect our planet from pollution of its earth, skies and oceans. I am also convinced that climate change is, indeed, taking place; it always has. There is nothing new there, although the volatility may now be much greater. However, climate change may not be the same as unprecedented global warming, although there is of course a link.

I am not yet convinced that such warming is, in fact, occurring on an unprecedented and catastrophic scale—although I am aware of the weight of scientific opinion being that way—nor has it, to me, been convincingly forecast to continue in a devastatingly upward curve as the global warming alarmists claim. I am neither a “flat earther” nor a so-called denier—a nasty word, being linked with Nazis denying the Holocaust. The facts of the Holocaust are tragically well established. However, the facts of onward global warming seem less secure. I am not a neo-Nazi but a questioner. It is about those facts of global warming that I wish to ask a few brief questions.

First, on the state of global warming science, would the Government and the preachers of global warming orthodoxy please stop asserting that the scientific evidence is decisively settled and that virtually all scientists support the warming orthodoxy? The science is not yet settled, and some questions are unsettled; nor are all scientists unanimous in support of the orthodoxy or its theology. Five hundred scientists, for instance, gathered recently at a conference in Washington to express their dissent. Their views can be found massively on the internet, although no British media and especially not the BBC reported the conference. Their dissenting views should be addressed, not suppressed.

Secondly, concerning the conclusions of the scientific evidence, specifically, is the global warming of the late 20th century demonstrably different and more threatening than the natural cycles of earlier times? The 300-year long medieval warming period was as hot, or hotter, than our recent experience. Grapes grew on Hadrian's Wall and the Vikings cultivated the green fields of the then green Greenland. Is the recent warming significantly different and sure to rise continuously and catastrophically? Related to this question, what has actually happened in the first decade of the 21st century, when the Met Office constantly forecast mild winters and barbecue summers, which did not materialise, and we currently have the worst winter in at least 30 years? That may be a blip—and I suspect that it is—but it raises questions.

Even more worrying questions have been raised about the integrity of some statistical sources for future global warming forecasts. The University of East Anglia's climatic unit, a major source of the world's global warming forecasts, has been exposed in practices which may not display the best values of objective science. Why did it perform a trick—its description—to,

“hide the decline in recent temperature”?

It admits using “adjustments” to data, but one man's adjustments can be another's manipulation. It is particularly worrying that it strove to resist freedom of information requests and so have prevented scrutiny of its data.

In relation to the media coverage of this important issue, the BBC should follow its charter and cover global warming impartially, not as a cheerleader for the alarmist side. It is counterproductive and provokes, like manipulation of statistics, the kind of public scepticism which the noble Lord, Lord Giddens, fears. As for the Met Office, it should go back to objective science and try to get its forecasts right and cease blatant campaigning for one side. I note that it has just inevitably forecast that 2010 will be a very hot year—noble Lords should stock up on their long-johns and fur boots.

Why should we be wary of forecasts? One reason is that meteorology is clearly a very difficult science and the data are inevitably imperfect, but there are two other reasons. First, for too many this issue has become more a question of faith than of science. I am wary of zealots. Secondly, the forecasting black boxes are unreliable. We should remember the banks forecasting that their toxic debt had no risk. As a former Minister of Agriculture I recall that the black boxes forecasted thousands of human dead from CJD.

In conclusion, this debate should not be between those who allegedly nobly wish to save the planet by radical decarbonisation and the selfish deniers who do not care for the future of the world. We must continue seeking practical ways to cleanse our environment. Above all, we must seek for objective science to establish what is happening to our ever-changing climate. I hope that we will not rush into panic measures that fatally damage our western economy. We must make sure that we get the scientific facts right and that our policy responses are ones of proportionate adaptation.

1.51 pm

Lord Judd: My Lords, I join those who have congratulated my noble friend Lord Stone of Blackheath on having secured this debate and, indeed, on having opened it so well. If ever there was an example of how the future of humanity depends on recognising our total interdependence with the rest of the world and the priority of building up strong, effective systems of global governance, climate change is just that. Of course, we need convincing national policies across the world. We need effective UK/Irish co-operation. We need firm commitments by the European Union. But none of these can alone resolve the issues that threaten the species.

It is an urgent imperative to have in place global policies that will deliver. Gordon Brown and the UK Government have recognised this and their leadership

[LORD JUDD]

has been impressive. This is a human rights challenge of the first order. At stake is not only the survival of our children, grandchildren and future generations, but also the plight of the vulnerable right now, as we debate. We must make Copenhagen a spur for decisive action. It is estimated that, by the time of the Mexico talks next December, 150,000 people will have died and 1 million more will have been displaced as a result of climate change. There will have been still more destruction of Bangladeshi coastal communities, still more inundation of island communities and still more Cockermouths, and this process is accelerating.

The consequences of insufficient action will be devastating economically, will lead to massive flows of migration by climate refugees and will inevitably produce political tension, extremism and yet more terrorism. That is the harsh reality. Clearly, short-term, market-dominated ideology will not provide the answers. The imperative is a long-term, inclusive, mutually supportive plan with precise undertakings for action and with firm target dates. Preparation for this will surely necessitate more frequent meetings than the mere two planned before Mexico. There will have to be high-level, authoritative ministerial representation at them all, able to speak for Governments as a whole. There must be specific target outcomes for each meeting and these outcomes must be reached however many nights it takes. There should really be just one meeting place where all these meetings take place to provide the concentrated effort required and to build up the administrative resources essential for success. Above all, there must be visionary and courageous political leadership able to rise above the destructive cynicism of the media at their worst. Again, Gordon Brown and Ed Miliband have been demonstrating what it takes. They deserve our full-hearted support.

We should have no illusions. Without a legally binding agreement in Mexico in December, we shall be back on the road to the catastrophe that awaits us. We must have the agreed means to control emissions, ensuring no more than a 2 degrees centigrade rise; otherwise, we are set for 4 degrees centigrade at least, with all the nightmares that will follow. Without an agreement, there is a real risk that the rich country emissions will be higher in 2020 than in 1990.

As the noble Lord, Lord Oxburgh, pointed out so well, a key contextual issue simply has to be addressed if failure is to be averted. We have to understand that vast numbers of people in the underprivileged world resent being constantly told by the affluent nations what they must and must not do in the cause of humanity's survival. They see us as the people who literally polluted our way to wealth. They already pay the price in the vicious effects of climate change. But they are not mad. They are not to be patronised. What they want is a real and substantive shared ownership of the agenda and the outcomes, not coerced acceptance of these outcomes. It is not enough to want to provide them with help in preparing for negotiations, worthy though that may be. It is not enough to be enlightened towards them in negotiations. What is indispensable is a reality in which the agreed agenda is as much theirs as ours and reflects their priorities as well as ours. The \$100 billion so far

promised to address their special needs is reckoned by most informed front-line operators to be only half of what it should be and there is no transparent evidence that it will be additional to funds already pledged for development. The industrial world has to do better than this if the prospects for success are to be strengthened.

1.56 pm

Lord Birt: My Lords, I declare an interest as a director of the renewable energy companies listed in the Register.

The recent abrupt and startling rise of CO₂ in the atmosphere means that levels are now twice as high as the previous peak some 130,000 years ago. This should make us profoundly nervous. However, putting the brake on will not be easy in a world facing rapid rises in both population and prosperity. We saw at Copenhagen just how politically difficult putting on that brake will be. That should not surprise us. As we know, the whole fabric of our economies and our societies is bound up at every turn with energy overwhelmingly produced from hydrocarbons, distributed by long-developed infrastructures and harnessed via myriad machines, technologies and devices. Changing these embedded structures and, indeed, how we live and work from day to day will be very hard and, unavoidably, costly.

We need now to explore those measures that will ease, if not eliminate, the awesome political challenge that the world faces. The biggest, though certainly not the only, opportunity is likely to be to use electricity to supply the bulk of our energy needs and to produce that electricity from nuclear and renewable sources. Carbon capture may be part of the answer, but I would not yet bet the ranch on that. Perhaps one day in the next half century fusion technology may unlock the boundless energy present in every atom and truly ride to the world's rescue, but in the near term a focus on electricity from nuclear and renewable sources is the safety-first approach.

The consequences of that are profound. Perhaps all Governments should agree a target that all the world's travel by, say, 2040 should be powered by electricity or hydrogen. That would mean electric cars, for instance, and a suitable infrastructure to support them. Perhaps China would find it easier to agree that. Though normally I am a profound believer in the virtues of market mechanisms, in this instance I think that the world will need to supplement a market framework on carbon pricing with some such agreed measures and a coherent approach to investment in research and development.

We need to focus on the enormous whole-system energy loss—some 80 per cent—that occurs between the energy source and the final productive use worldwide. We need the obligatory and internationally agreed designing-out of chronic energy inefficiency in many household devices. We need to identify what a modern national grid in a world of dispersed energy sources would look like. We need to invest in technologies that effectively and efficiently harness wave, tidal and solar power. We need to consider how to approach the manifest waste of energy—for example, empty office blocks illuminating the night. Finally, I suggest that, after the so-called chaos of Copenhagen, there is a

pressing need for some new global institutions to underpin the world's efforts and to address the biggest collective challenge that this planet has yet faced.

2 pm

Lord Anderson of Swansea: My Lords, two years before the Copenhagen conference, the UN Secretary-General wrote in the *Washington Post*:

“We must set an agenda—create a road map to the future, coupled with a time line that produces a deal by 2009”.

Ed Miliband, the Secretary of State for Energy and Climate Change, wrote in June in *The Road to Copenhagen*:

“December 2009 is a make-or-break moment for the future of our planet”.

I repeat: “make-or-break”. Those challenges manifestly have not been met and the responses to the outcome of Copenhagen range from disappointing to disastrous. Key questions remain unresolved, including bankable emission reduction targets, the level and timing of financial and technological transfers to the developing world, on which my noble friends Lady Jay and Lord Judd spoke so well, and even transparency in monitoring and verification.

What will future historians make of the conference? Was it a depressing stage on the route to a massive failure by the international community or, let us hope, the best deal in the circumstances—a necessary part of the journey to a binding and verifiable legal treaty? I shall make three brief points.

First, the conference was an illumination of the change in the world power balance. Certainly historians will note that it marks such a transition, as evidenced by those countries that reached the Copenhagen accord. It was also significant for the relative lack of impact by the European Community.

Secondly, the starting point is, of course, the recognition by so many countries that the pollution over the past century and more leaves a great debt to the developing world by those of us who have benefited from pollution in the past. My noble friend Lord Giddens stated that the US and China account for 40 per cent of emissions.

Yet there is also a responsibility on the developing world. The conference failed to address many other causes of carbon dioxide increase, including from world population growth, a subject that did not figure in the accord. That is all the more surprising given that the UN Population Fund had just published its report *The State of World Population 2009*, showing a link between population growth and climate change that is complex but real. It is in part about our growing numbers—now approximately 7 billion, an increase of 200,000 a day or 80 million a year, which outpaces the earth's capacity to adjust. The UN report states that greenhouse gases would not be accumulating so haphazardly had not the number of the earth's inhabitants increased so rapidly and that the connection between population growth and the accumulation of greenhouse gases has barely featured in scientific and diplomatic discussions. The report mentions the importance of stabilising population by,

“Universal access to voluntary family planning”, as a key intervention. The status of women is central in that. This is a sensitive factor, which, perhaps, explains why so many countries shied away from this linkage.

Equally, there should be a recognition that the increase in greenhouse gases in the atmosphere results from a number of sources, not just fossil fuels but those related to human activity. These include unsustainable farming and forestry methods that promote the loss of vegetation—“sinks” and the release of greenhouse gases. At the conference, there was some genuflection on reforestation. It is surely relevant in this context that the population of Africa is projected to double to 1 billion. How many of its delegates to Copenhagen accept the case, for example, for moderating that increase by giving women increased status and the facilities to choose their family size?

What are the lessons for the future? How do we prevent the momentum generated at Copenhagen from stalling? Could the conference have been better prepared? How do we avoid the procedural chaos? Is there a case for separating the discussion into regional and thematic groups, as suggested recently in the *Economist*? Objective observers praised the role of the UK Government and we now need to prepare for the coming conferences in Bonn and Mexico, recognising the necessity of dialogue and of avoiding accusations of diktat to the developing world and seeking creative ways of preventing the recurrence of the procedural wrangles that characterised Copenhagen.

Finally, we should recognise the gap between the necessary reduction and the pledges. In short, we should seek urgent agreement on the next steps, so that the UN Secretary-General's call two years ago for a road map for the future can be produced with clear timelines. I look forward to hearing the Government's response from my noble friend on the Front Bench.

2.06 pm

Lord Dixon-Smith: My Lords, as always, it is a privilege to take part in a debate in this House on this subject. I speak as a farmer who has endured too many wet harvests to be unduly concerned about a couple of weeks of somewhat gloomy weather coming out of a place called Copenhagen. There is always next week and next year. I hope that the Minister, in his reply, will clearly indicate how he sees the process of moving the international agenda forward, because it is clear that with 180-odd nations meeting together for a fortnight, which, in itself, was a major achievement, and with at the end a general agreement for action, this area of international work will be vital.

It is worth noting that the world's two greatest economies, which are inevitably the world's two greatest producers of greenhouse gases, are also the world's two greatest investors in sustainable energy. Perhaps that inevitably just a matter of scale, but we need to be a little careful about how we castigate places for not being interested in this subject. Those countries are, of course, the United States and China. The USA is blessedly open in its information systems and it is a fact that it has allocated \$150 billion from its economic recovery programme to create jobs in the sustainable energy field. The USA actually has a target of producing 10 per cent of its electricity from renewable sources by 2012—that is the President's ambition—and that 25 per cent of its electricity should be produced from sustainable resources by 2025. If the President has his way, which I shall consider in a moment, he would wish to have in

[LORD DIXON-SMITH]

place an economy-wide emissions trading scheme to reduce greenhouse gas emissions by 80 per cent from the 2005 position by 2050. I have no doubt that Congress will have a great deal to say on this, but the fact of the matter is that a great deal of scientific and political opinion in the United States would support that position. We should not denigrate it. With regard to the United States, we also need to recognise that, rather unlike this country, which is now very unitary, individual states can also act, and do.

Sadly, there is less information about what is happening in China. China would greatly enhance its reputation internationally if it had the sort of open system that the Americans have. We know pretty much what the situation is across Europe. The European Emissions Trading Scheme works very well in some ways but it has been a profit centre for some of our industries because of the allocation of certificates. This morning, I received a very disconcerting report on the potential for fraud within that market. We shall need to think about that.

However, I emphasise that the three largest economic or trading groupings in the world are now all trying to move in a similar direction. If that is the case, my view is that, even if there is no international agreement, the inevitability of the consequences of that major move will drag the rest of the world along, despite anything that countries might feel. We live in a global economy. The businesses and industries that survive will be those that are capable of universal application across the whole planet and of being economically viable across the whole planet. We cannot absolutely predict where the road to 2050 will take us but we are travelling along it, perhaps slightly more slowly than we would have wished post-Copenhagen, but we are none the less travelling along it. We may not know the exact destination but we are certainly making progress.

2.11 pm

Lord Stern of Brentford: My Lords, I thank the noble Lord, Lord Stone, for initiating this debate. I was at Copenhagen for the second week of the conference. I was there as an independent, as a professor at the London School of Economics and as chairman of the Grantham Research Institute on Climate Change and the Environment at the London School of Economics, and I was working very closely with Governments from Europe, Africa, the United States, India and others. I pay tribute to the leadership of the UK authorities—the Prime Minister and the Secretary of State—for their very strong input.

The outcome was disappointing in many respects and chaotic in others but there was significant progress. At Copenhagen we laid the foundation for future work. It is very important to be specific about that, not general and hand-waving, and I should like briefly to talk specifically about what was achieved and where we go from here. I look forward very much to sitting down with the noble Lord, Lord Lea, and looking at questions of discounting and economics. I have sent him some literature and we are going to go through it together. I have dealt in print very robustly with the points that he makes.

For those who raised questions about the science, let us remember that this is about risk. This is 19th-century science, which is very well founded on basic physics, and it shows convincingly that the risks are very big. Is everything tied up? Of course not, but the argument that the risks are very big is clear. Although questioning is very good and should happen, those who want to do nothing on the basis of questioning the science will have to show that they are very confident that the risks are small. That is a very hard ask, given the evidence.

So what were the positives at Copenhagen? There was agreement on a figure of 2 degrees centigrade. The United States and China got together, with great difficulty but specifically and for the very first time, to discuss and propose action, along with other key players—in this case, Brazil, India and South Africa. On the road to Copenhagen, many targets were proposed by individual countries—indeed, most of them. I could go on. On transparency and monitoring, there was progress. Setting up work to show how new sources of funding can generate at least the \$100 billion a year that we should be looking for was progress too, and I worked closely with Prime Minister Meles Zenawi of Ethiopia in trying to take that forward. I could go on but those are specific things of real value in the Copenhagen accord.

What were the negatives? There was no explicitness on overall emissions targets, although they follow very quickly from the issue of the 2 degrees centigrade, and there was no requirement for the individual country commitments to add up to the overall targets that we need. Those are serious drawbacks or negatives, and of course the Copenhagen accord drawn up by those five countries was simply noted by the assembly. Those were the negatives but we should not lose sight of the clear positives that came out. Our analysis of the way forward follows directly from the foundations that were laid.

I want to say one or two words on the substance and one or two on the process. On the substance, we have to get specific on what the 2 degrees centigrade means. It means at least 50 per cent cuts for the world as a whole from 1990 to 2050, going well below 20 billion tonnes of CO₂ equivalent by 2050. That is the implication; let us just acknowledge that explicitly and then make sure that the individual country targets add up to be consistent with that. Some of us have done some work on what they do add up to. The targets are not near enough yet but they are not so far away that with strong further commitment, with people going to the upper end of their scale and with some tightening in key countries we could not set ourselves on that path by 2050. However, it will need strong action.

There are many things to do in demonstrating what does and does not work. However, there are many examples of countries and communities making very strong investments and investments in R&D. I join my noble friend Lord Browne in emphasising the importance of private firms in this regard. We should also recognise that some of the countries that have been criticised as a result of Copenhagen—I think particularly of China—have invested in railways and solar and wind energy,

Those are examples of where we have to go forward. I hope that the high-level panel on finance will be established before too long and that it will get down to doing its work. One could go on, but all this extra work following Copenhagen has to be based on a recognition not only of the great dangers of inaction but also of the huge opportunities from setting forward strongly on the path of a new energy revolution. In my view, it is an energy and industrial revolution that will be more dynamic than that of the railways, electricity or even, more recently, information technology. There is a huge opportunity to avoid the great danger that we face.

Very briefly on the process, we must use small groups. I agree very much with the sentiment expressed by my noble friend Lord Giddens and others. A small group was put together in Copenhagen. It happened a bit late—more or less on the Wednesday night/Thursday morning of the second week—but it exists and it could be taken forward. I hope that the Secretary-General of the UN will do exactly that, together with Calderón, who will chair the next COP. Europe must get together much more strongly. I think that it can, and indeed must, in order to be more effective as we go forward.

Finally and most importantly on the subject of the process, we must, as a rich country, work together much more closely with the developing world. A fundamental mistake in the run-up to Copenhagen was that the rich countries got together, worked out what they thought and then tried to put it to the developing countries. They may not have thought that they were doing that, but that was certainly the perception of the developing countries and there is some evidence for that view. We have to ensure that proposals are put together in a collaborative way that recognises that the two defining problems of our century are overcoming poverty and managing climate change, and we have to deal with them together. Confrontation with people who are seen as miscreants, difficult or recalcitrant just will not work. The propositions and processes have to be collaborative.

2.18 pm

Lord Puttnam: My Lords, it falls to me as the last Back-Bench speaker to thank my noble friend Lord Stone on having stimulated an extremely informed and informative debate.

The Copenhagen Climate Change Conference was probably unfairly billed as the last chance for world leaders to agree an international climate agreement that would prevent global temperatures increasing by 2 degrees centigrade above pre-industrial levels—the figure that the International Panel on Climate Change recommended as being the safe limit. It is worth noting that it is a figure that is already viewed by many of the more obviously vulnerable states as being too high.

It is divisions such as that between developed and developing nations that illustrate the difficulty in driving forward any effective global response, with the result that, in the short term at least, the future of our planet remains very much in the hands of individual Governments, businesses and communities. To borrow a phrase from Shakespearean tragedy, the “corrupted

currents of the world” have worked in such a way as to ensure that the response of a minority of nations to this unparalleled threat has been little more than an exercise in the worst form of geopolitical cynicism.

So, as ever, it will all come down to people: people in the form of bold political leadership and consistent upward pressure from across the whole of civil society. It is my hope that the democratising power of technology will enable citizens—most particularly young people—to make their voices heard in such a way as to make it impossible for the world’s political leaders to ignore them.

At national level, the UK is already legally bound by the Climate Change Act to reduce greenhouse emissions by at least 34 per cent by 2020, and 80 per cent by 2050 when compared to 1990 levels. A series of five-year carbon budgets established by this House will hopefully ensure that these long-term goals are met. This means that, regardless of what replaces the Kyoto Protocol, we as a nation are already committed to the type of tough emission reduction targets that are likely to involve substantial and difficult changes to society as we know it.

Until now, that has been a very hard sell politically. People are understandably reluctant to change aspects of their lifestyle that they have come to enjoy and take for granted. They also, equally understandably, cling to any thread of hope that encourages them to believe that perceptible sacrifice might prove unnecessary. I was reminded of this at the weekend when reading Max Hastings’s excellent recounting of Churchill’s war years. On page 112 of his book he quotes the MP Harold Nicolson as remarking that:

“As long as Britain appeared to face imminent catastrophe, its people displayed notable fortitude ... it was a striking feature of British wartime behaviour that the moment peril fractionally receded, many ordinary people allowed themselves to nurse fantasies that their ordeal might soon be over and the spectre of war had been banished”.

By exploiting this all too human trait, those who for many years cynically promoted the belief that there was no proven connection between smoking and lung cancer were able to spin a web of confusion, leading in many cases to fatal delay. It is my personal belief that their direct successors, those who promote the interests of nations and companies to whom global action to avert climate catastrophe represents a similar commercial threat, will be exposed over time in the same way as have the tobacco kings and their lobbyists who, by spending millions actively peddling ignorance, now stand guilty for tens of thousands of unnecessary deaths.

In the United States, there is even disturbing evidence that some of the cancer deniers and the more recent climate deniers are in fact one and the same. I am sorry that my noble friend Lord Donoughue does not like the word “denier”, but I would be happy to share the evidence with him.

It is to be hoped that science and common sense will see off this pernicious fifth column. However, if we are successfully to tackle climate change, we must assiduously promote the opportunities that a low-carbon economy will create and enable people to see the tangible benefits of changing their behaviour, not just for themselves but for successive generations. Only by

[LORD PUTTNAM]

supporting a bottom-up approach to climate change mitigation as well as a top-down one will we in this country unleash the type of powerful entrepreneurial community spirit that is capable of delivering financial and environmental returns to the benefit of our own people and of the planet in general.

The National Endowment for Science, Technology and the Arts, of which I had the privilege of being founding chair, has done exactly that through its Big Green Challenge, a competition to encourage local communities to reduce carbon emissions by offering a £1 million prize. The initiative triggered a response from more than 350 community-led organisations, 10 of which over the past year have received specialist support and start-up funding as finalists. Yesterday three joint winners were announced: the Green Valleys, based in the Brecon Beacons in Wales; the Household Energy Service, based in Ludlow, Shropshire; and the Isle of Eigg in Scotland, along with an admirable runner-up, Low Carbon West Oxford. During the past year alone, these community groups have cumulatively cut CO₂ emissions by an impressive 15 per cent—a figure that is set to treble within the next three years, representing a significant step towards achieving the Government's 2020 target.

As I see it, the success of the competition provides all the evidence that you could need for a new, or at least additional, approach by policymakers, one in which small, cost-effective and scalable initiatives are able to demonstrate the vital role communities can play in tackling climate change. In Europe, similar community-based schemes have been reducing emissions for years, most notably in Denmark and Germany where favourable tax and regulatory incentives encourage people to invest in local renewable energy schemes. As a result, hundreds of thousands of Germans have invested in citizens' wind farms, a sector that now employs 90,000 people and generates 8 per cent of that country's electricity.

Copenhagen has shown that to achieve a consensus among the world's nations can be as tortuous as it is time-consuming; time that the world simply does not have. While politicians squabble over targets, serious and sensible communities everywhere are beginning to roll up their sleeves and take responsibility for the crucial business of reducing emissions on their own patch. But they need support, and that support has to be both financial and regulatory. Following the disappointment of Copenhagen, surely this is the very least that we can do in our attempt to secure the future of generations as yet unborn.

2.25 pm

Lord Kerr of Kinlochard: My Lords, I had not expected to be able to speak in this debate, and I apologise to the five speakers whose contributions I did not hear. I declare an interest as a director of energy companies.

What prompts me to intervene is what was said by the noble Lord, Lord Browne of Madingley, who has rather greater experience of the energy sector than I have. He stressed the importance of thinking now about the structure of carbon markets and financing

mechanisms. I agree that this is a priority task now, for three reasons. First, if we are to have a global market in carbon permits and offsets, there will need to be a global regulator verifying them. Secondly, more controversially, if we are to have monitoring of national commitments to emissions reductions, there will have to be an international monitor verifying that the reductions happen. Thirdly, if there is to be substantial investment in developing countries, as I hope there will be, the donors will insist on some verification mechanism to ensure that the investments paid for actually happen.

The United Nations is not ideally suited either to drawing up blueprints for any of those three tasks or to carrying them out. The IMF and IBRD precedents are much more relevant, with their qualified majority voting and constituency arrangements as well as the experience of the SDR.

I am struck by the fact that the noble Lord, Lord Hannay, whose expertise on the United Nations is well known, is clearly of the same view; he calls for the Government to ask the EU, well before Mexico City, to draw up a proposed blueprint for the global monitoring and verification mechanisms. That is an extremely good suggestion, and I will be interested to hear how the Minister responds to it.

I have one other point. We do not need to waste too much time in gloom about the absence of so-called legally binding commitments, or a treaty, coming out of Copenhagen. What is the meaning of a legally binding commitment if there is no law, no verification and no enforcement authority? It does not mean anything; it is like passing a law that says we will reduce the deficit by so much by a particular time. It is what you do, not what you say, that matters. All our Governments across the EU are not yet doing nearly enough on carbon capture and storage, on clean coal, on hydro and, perhaps most of all, on nuclear, to deliver the reality that would match the rhetoric. It is not terribly important whether we commit ourselves to 20 per cent or 30 per cent rhetorically; what matters is whether we have any underlying intention to deliver the reality.

2.28 pm

Lord Teverson: My Lords, I thank the noble Lord, Lord Stone, for this debate. I apologise that I was not here for the first 30 seconds of his address to us.

I am afraid that I belong to the Lord Whitty school that believes Copenhagen was a failure. The quotes from the President of the United States, from the Prime Minister of India and from South Africa show that many of the participants who brought the accord together are probably of the same view. Having said that, I agree with the noble Lord, Lord Stone, that out of that failure come more opportunities for the change that is needed to make future agreements more robust than they might otherwise have been. We should remember that Kyoto, which we look back to as the first model, has hardly been a great success in delivering climate change action since it was agreed in 1997.

In Copenhagen we saw a major shift in geopolitical power which perhaps points the way to the future. The agreement was brought together primarily by the United States and China, with South Africa, India and Brazil there as well, and the European Union very much on

the sidelines. The European Union had been unified and set the pace on climate negotiations but it was left outside during that crucial period. I think that that will have consequences. Huge improvement is also needed in the United Kingdom's future performance. Its leadership is undoubted, but Europe will need to look at this carefully.

One of the main things to come out of this debate were the contributions by the noble Lords, Lord Ryder and Lord Browne, on business. Copenhagen undermines business and industry's investment and forward thinking about whether this agenda will last. The decisions that they make in the world's corporate boardrooms will reflect this agenda into the future.

I should like to ask the Government some specific questions although I realise that they will not have exact answers after a conference which was held less than a month ago. In terms of signatories, the accord has two blank pages at the end. It also simply notes the agreement. Do the Government know who will be signing the agreement by the end of this month, which is the deadline?

Verification is one of the most positive moves in the accord. I recently read a history of the Reagan Administration. Although he is not one of my role models, one of his watchwords during the negotiations with the Soviet Union on mid-range missiles was "trust but verify". I think that that very much reflects the current view not only of the United States but of the European Union. China may have agreed the principle of that, but it does not like it. There is no way forward for a robust agreement without that working. I would be interested to hear the Government's views on it.

One of the sectors which has not been mentioned at all is international aviation and shipping. Where will that go from here? It was left out of Kyoto and we need it as part of the future agreement. Will it be included as a separate sector and will it be part of national targets? Do the Government believe that it will be included, and will they press for its inclusion?

One of the other more positive areas was the great progress made on deforestation. How do the Government think practical action on the momentum built up in Copenhagen—in what was in many ways a separate track—will develop in the short term so that the momentum is not lost? As for the developed world's commitment to developing nations, on which there were numbers in the accord, I would be interested to hear the Government's view on whether there will be new money or whether it will come out of the Environmental Transformation Fund announced, I think, in 2009. It is important that there is a new money element.

The biggest question has to be whether there is a real chance that there will be what we call a legally binding agreement where people actually make written commitments to deliver. That is of great importance. But will China and some of the developing world ever agree with that? Pragmatically, we need to take action on climate change as a global community. The United States, China, Japan, the European Union and India create two-thirds of the world's emissions and contain more than half of the world's population. If nothing

else, let us take action there, through the G20 or wherever. One of the things that worries me most is that the parties process will become a Doha process—the Dohaisation of Copenhagen. That would be its death. It might not matter to the world community whether we have a free trade agreement in the next two or three years but it is vital that we have a climate change agreement.

2.34 pm

Baroness Wilcox: I thank the noble Lord, Lord Stone, for calling this debate, which has allowed the House the opportunity to discuss the outcome of the Copenhagen conference. I declare an interest in that I am governor of Imperial College, one of the world's leading universities in the study of climate change. Climate change is without a doubt the biggest global challenge to mankind. At present we are on track for at least a 2 per cent or 3 per cent rise in global temperatures which, if ignored, would have a disastrous outcome for all. After the many great speeches we have heard today, no one could argue how important it is that we protect the environment and make real efforts to reverse the damage that has already been caused.

Last year's Copenhagen conference was attended by 110 world leaders, including leaders from the likes of China and America, which combined are responsible for almost half of all global carbon emissions. There is no question but that climate change will be central to the political thinking of every country on the planet.

The Copenhagen conference had, and has, huge potential to facilitate truly historic global deals that could greatly affect the health of the planet for generations to come. Meanwhile, delays in reaching such deals will come with increasing human, environmental and economic cost. That is why it is such a great shame that this last meeting achieved such limited success. Some progress was made but the accord is far from the set of arrangements necessary to make real headway. It is defined chiefly by what is absent from it and, as we all know, it is not legally binding. It is vague about where the funding for adaptation will come from and contains nothing to indicate the scale or timing of the carbon reductions required of the world, or, indeed, of any particular country.

In the days after the conference the Prime Minister said that the negotiations had been held to ransom by only a handful of countries. Newspaper articles described how China's most senior delegates snubbed the leaders of the developing countries by walking out. A poor leadership and an unconvincing level of ambition have been blamed for the failures of Copenhagen. This must not be repeated at talks in Mexico later this year. What plans are the Government putting in place to improve relations between countries and correct some of the issues that stunted development last year?

The failings of Copenhagen require us to face up to the fact that we need countries such as China and India on board. These and other parts of the developing world cannot simply be overlooked or assumed away. No meaningful global deal can be done without them. Does not the Minister see that it is crucial to find a solution to the question of how cutting current and

[BARONESS WILCOX]

future emissions can be compatible with development? What we need to do now is understand why these nations considered a real deal to be against the interests of their own people. Although the process was flawed, COP15 did not fail just because of process. There were significant and genuine differences of opinion which even the most perfect process could not have hidden. It is very important for us to know what the Minister is doing to bridge those differences of opinion and priority. Blaming these nations for being obstructive is not the answer. It is clear that we need to amend our methods both around the negotiating table and in the public domain.

Has the Minister considered how we can change our approach to the politics of climate change and make our country's policy clear to all, thus giving it the best chance of being successful—not least, of course, to businesses? As the head of corporate sustainable development at E.ON said:

“Having long-term targets in place is absolutely critical to energy companies ... we're making investments now for 30 years or more into the future”.

I am sure that the noble Lords, Lord Browne of Madingley and Lord Kerr, and my noble friend Lord Ryder would support and sympathise with this view of business needs. As has been said several times today, we need new international bodies to ensure that there is a level playing field for all of us to be able to get out there and go for the best deals we can for our own countries.

Despite the gruelling and disappointing process that culminated at Copenhagen, the accord helps to define a pathway that closes the gap between the current state of affairs and a set of agreements that are robust enough to prevent dangerous anthropogenic global warming. It is essential, as we have heard many times here today, to have a clear strategy. That is what we seek. We cannot go on like this. If stronger agreements are not made, if a broadening of the conference is not achieved, and if a profound change of approach from the world's wealthiest countries to secure a genuine, strong and fair agreement is not reached, we will be condemning millions of the world's poorest people to hunger, suffering and loss of life as climate change accelerates.

The noble Lord, Lord Stern, said that it is all about risk. The right reverend Prelate the Bishop of London reminded us that making profound common cause, as faith communities worldwide are striving to do, is how we will find the wisdom we so badly need and how we will care for the common good of our people and the safety of our planet.

2.41 pm

The Minister of State, Department of Energy and Climate Change (Lord Hunt of Kings Heath): My Lords, I thank my noble friend for allowing us to have an interesting and important debate. The Government have listened carefully to the constructive comments that have been made by noble Lords as we decide what further action we need to take in the next few weeks and in the lead-up to Mexico. I appreciated my noble friend's positive message and thoughtful comments.

We went to Copenhagen seeking an ambitious agreement. As the noble Lords, Lord Browne and Lord Lea, suggested, they were very challenging goals. It may be, as the noble Lord, Lord Oxburgh, said, that we were buoyed on a substantive froth of optimism, a view which my noble friend Lord Giddens did not share.

I believe that it was right to be ambitious and I would defend that position very much indeed. However, we did not achieve all our aims. As the noble Lord, Lord Maclennan, said, the process of managing negotiations was unwieldy and it inhibited progress. Many countries present felt a sense of exclusion from the progress made in other forums in the run-up to the summit, and we could not bridge the gap between key developing countries on a legal treaty.

I want to assure the noble Lord, Lord Hannay, that the Government are not complacent about the outcome of Copenhagen. As the noble Lord, Lord Browne, suggested, we should not allow our frustration to obscure the progress that was made. As the noble Lord, Lord Oxburgh, and the noble Baroness, Lady Wilcox, suggested, the appearance of so many world leaders was in itself significant. The accord was agreed by a group representing 49 developed and developing countries, which together account for more than 80 per cent of global emissions. That accord endorsed the limit of 2 degrees of warming as the benchmark for global progress. Unlike in other previous agreements, not only developed but many developing countries agreed to make specific commitments to tackle emissions to be lodged in the agreement by 31 January. For the first time, we can be assured that countries are acting as they say they will. All countries signed up to comprehensive measurement, reporting and verification of progress.

On finance, which I shall turn to in detail in a moment, there are significant short-term and long-term commitments made by the rich world to developing countries, including immediate finance worth \$10 billion a year by 2012, with a total of up to \$2.4 billion from the UK. As the noble Lord, Lord Stern, said, we need to work on that. We have made some progress and we need to work with it.

As regards aviation and shipping, I say to the noble Lord, Lord Teverson, that I understand that at Copenhagen there was a lot of discussion which did not make it into the accord. The high-level panel that is to be established to look at sources of finance can look at ways of raising finance from that sector. He will know that the EU has taken significant action in that area.

I also take on board the comments of the right reverend Prelate the Bishop of London about the work of community and religious organisations. I hope that globally they will continue to work and influence, will spread the message and unlock the resources of altruism, as he said, and pressure. My noble friend Lord Puttnam talked not only about the pressure that we should encourage communities to put on their leaders, but also the local ingenuity of communities to rise to the momentous challenge that we face.

Some interesting comments have been made about what might be described as the international architecture for agreement on climate change. My noble friend

Lord Giddens in particular talked about the potential role of the G20, and that was echoed by my noble friend Lady Jay and the noble Lord, Lord Hannay. My noble friend Lord Anderson suggested the potential of other groupings of countries. Those were all most helpful suggestions and comments that we will need to consider as we take forward progress in the next few weeks and months.

I agree with the noble Lords, Lord Hannay and Lord Maclennan, about the role of the EU. It is important that it continues to show leadership in this area. Some noble Lords have expressed disappointment about the role of the EU in Copenhagen, but it is fair to say that it was at the formal meeting on the accord. Noble Lords commented about various side meetings that took place during that process and, clearly, we want the EU to be a major player. I believe that it was in the lead-up to Copenhagen and it is important that it continues to do that. Nowhere is that more apposite than in relation to the 30 per cent target. The EU always made it clear that it would move from 20 to 30 per cent reductions by 2020, provided that others make comparable commitments. My right honourable friend the Prime Minister has said that he wants Europe to be able to go to 30 per cent as part of our work to encourage maximum ambition from other countries. I say to the noble Lord, Lord Hannay, that we certainly want to avoid a race for the bottom. That is why it is important for the EU continues to be ambitious.

As regards the UN, its process can be slow and unwieldy, but we have to work within that and other suggestions that have been made. It is the one forum that brings all 192 countries together and we should welcome Ban Ki-Moon's announcement for Copenhagen to establish a high-level panel to look at an international institute of architecture for climate change and development which will report in 2012.

We have debated climate science on a number of occasions. I say to the noble Lord, Lord Ryder, and my noble friend Lord Donoghue, who are not convinced of the science, that the overwhelming majority of leading climate scientists agree on the fundamentals that climate change is happening and has recently been caused by increased greenhouse gases from human activities. It is worth pointing out that 2000 to 2009 was the warmest decade on record. And, yes, the climate has varied naturally in the past: the medieval warm period and the little ice age have often been quoted as examples of previous temperature change. However, I do not think there is evidence that either of those periods of temperature change were seen globally—they were seen only in the northern hemisphere—whereas today's changes are so observed. As the noble Lord, Lord Oxburgh, said, the science was not an issue at Copenhagen, and the general direction of change is not in question. My noble friend Lord Clinton-Davis asked whether, in any case, we could really take the risk.

With regard to UEA, it is better for us to await the announcement of the independent review by Sir Muir Russell. It is worth saying that the work of the CRU at UEA has been confirmed by institutes in the US. I do not share the view of my noble friend Lord Lea of the Met Office and I respect its robustness and integrity.

The impact of climate change sceptics, as the noble Lord, Lord Giddens, said, has been considerable in relation to the public and politicisation. He talked of the risk of politicisation of left and right, which I believe we must be wary of. Remarks were made on the role of the IPCC and we will need to reflect on that, but I understand that the IPCC involves many eminent scientists from many countries. There is extensive peer review and I understand that the process is very robust.

The noble Lords, Lord Oxburgh, Lord Ryder and Lord Dixon-Smith, all discussed the role of the US, as did the noble Baroness, Lady Young. It is fair to say that the US has moved a long way on climate change. It played an important part in the negotiations in Copenhagen and showed its willingness to contribute to longer-term climate finance. Let us hope that that is built on in the future.

On the question raised by the noble Lord, Lord Ryder, that the US would not give money to China because of concerns about competitiveness, I understand his point. Anyone who has followed debates in the US Congress will understand that. It is worth saying that the US already contributes to a range of multilateral funds from which China benefits. I do not think that climate change is intrinsically any different, but the objective is to ensure that finance is allocated to the poorest and most vulnerable countries, particularly for adaptation. On the question of green protective zone and trade measures, we believe that border adjustment mechanisms, as they are colloquially described, are unhelpful, because they can have protectionist undertones. They also raise issues of complexity and bureaucracy and issues for business. We are wary of going down that path.

My noble friend Lord Hunt raised the issue of China. He felt that we were overoptimistic, but it is difficult to predict what will happen at the end of any multinational negotiation. Throughout 2009, we had regular and constructive conversations with most of the key players, including China, about their policies and the prospects for Copenhagen. We did not go to Copenhagen in any naive sense. This engagement suggested right up to the last moment that we could make progress on many of the key issues and that it might be possible to secure a timetable to a legal treaty. It is right, as I said earlier, that we remained ambitious and optimistic to the end. The noble Lord, Lord Dixon-Smith, is right that we should not ignore the fact that China has already come forward with a mitigation offer. The noble Lord and my noble friend Lord Hunt are right to say that we have to continue the dialogue with China, and we will do so.

My noble friend Lady Jay and the noble Earl, Lord Sandwich, made some powerful comments on the relationship between the developed and developing worlds and the relationship between poverty and global warming. My noble friend Lady Jay quoted extensively from the World Bank report. My noble friend Lord Judd also gave a number of explicit examples of the issues with which the poorest, most vulnerable developing countries are faced. The noble Lord, Lord Stern, talked about the significance of the relationship between poverty, developing countries and climate change, which

[LORD HUNT OF KINGS HEATH]

has to be reflected in the negotiation architecture and process. That is a most important point.

Population growth is significant, too, as mentioned by the noble Lord, Lord Patel. A range of factors contribute to climate change, including population growth, but the real challenge, as suggested by the noble Lord, Lord Birt, is that economic growth over coming decades will be dwarfed by the increase in carbon due to population. None the less, the Government fully support a rights-based approach to reproductive health, and I agree with him that it is important for the international community to engage in a progressive debate about population growth and climate change alongside other issues.

On the question of resources, I make it clear to the noble Earl, Lord Sandwich, and my noble friend Lady Jay that of the £1.5 billion to which I have already referred, £700 million is new money. The noble Earl, Lord Sandwich, referred to the Government's decision on where the climate finance is coming from, and he is right to say that some of it will come from existing official development assistance commitments, but we believe that a ceiling should be placed on that. As he said, we have agreed to limit such expenditure to up to 10 per cent of our official development assistance and no more. We are working towards this limit being agreed internationally. I shall reflect on what the noble Earl said about providing more clarity on this to developing countries, which was a very important point indeed.

My noble friend Lord Lea talked about the impact of climate change policies on life in this country and the cost and impact on individuals in terms of prices. Clearly, there is a debate to be had there. But we cannot ignore the impact and benefit of a low-carbon economy, because that is how this country can make huge advances in our economic prospects in the years ahead—to the energy sector, in particular.

Lord Lea of Crondall: I am grateful to my noble friend, but the point I was making is that we must be careful that the tax rises are not regressive and that ordinary people at work do not pay a disproportionate share relative to other people for these changes.

Lord Hunt of Kings Heath: That is a very helpful intervention, and I agree with my noble friend. However, I still think that we must focus on the benefits of a low-carbon economy. The noble Lords, Lord Oxburgh, Lord Rees and Lord James, talked about the potential of carbon capture and storage. I want to lay to rest the view that somehow the UK has suddenly lost its leadership role and that other countries are making much more progress.

I say at once that there is a lot of talk, but the UK remains a global leader in promoting the development of CCS. We are one of only five countries committed to supporting commercial-scale projects demonstrating the full chain of CCS. I understand that the UK is ranked second, after the US, in the Ernst & Young index of most attractive countries for accelerating the development of CCS. We also see great potential in the development of new nuclear. I agree with the noble Lord, Lord Rees, about worldwide R&D and I will do

what I can to make sure that the UK plays a role. We should perhaps not debate wind today, but we are in a good position to exploit our wind resources. Again, I agree with the noble Lord, Lord Rees, on marine and tidal.

On geo-engineering, we agree with the view of the Royal Society report published in October last year that none of the geo-engineering options offers an alternative to emission reductions, but some may be useful in future to augment continuing efforts to migrate climate change through emission reduction. We will keep that under review, and I hope that that reassures my noble friend Lord Whitty. The noble Lord, Lord Birt, spoke about the need to focus on electricity. He will be aware of the Government's policy, particularly in relation to transport, to do that. I agree with him about energy efficiency. We see smart meters as a great foundation for a smart grid, which I hope will allow for the kind of efficiencies to which he drew our attention.

Of course, we need to ensure the integrity of agreements by MRV and compliance, monitoring and verification. The noble Lord, Lord Hannay, always has some very apposite points to make. I particularly noted his comments about whether the EU ought to put proposals on the table. I prefer not to give him a substantive response today, but I would like to consider that. That is interesting; I certainly accept that the EU can play an important role in the mitigation offer. We think that progress was made in the accord in that area, particularly in the reporting to which countries have agreed, but, at the end of the day, we must have integrity in monitoring and reporting.

The noble Lords, Lord Browne and Lord Teverson, raised the issue of forestry. We are committed to reaching agreement to reduce tropical deforestation by at least 50 per cent by 2020, and we think that the Copenhagen accord provides the basis for setting up a mechanism to reduce emissions from deforestation and forest degradation. A commitment was also made in the Copenhagen accord to provide financial support to address deforestation. I hope that noble Lords will accept that some progress has been made in that area.

Let me finish on adaptation. As my noble friend Lord Whitty said, some climate change is inevitable. My noble friend Lord Smith gave some very good illustrations of what is happening at the moment and why, alongside mitigation, adaptation measures must be taken. I thank the noble Baroness, Lady Young, for her work on the adaptation sub-committee of the Committee on Climate Change. The adaptation plan, which is to be published in spring 2010, will be very important. All government departments are contributing to it. I very much echo the noble Baroness's comments about the statutory responsibility being placed on public bodies, with an equivalent responsibility on local authorities, to prepare plans for adaptation. That will be significant in ensuring that, as infrastructure is developed, public authorities make decisions now based on climate change factors that are likely to impact on infrastructure in the years ahead. The role of the adaptation sub-committee, and the fact that the Government have to report to Parliament on those measures, will be a powerful way to ensure that adaptation is taken seriously, not as a substitute for mitigation,

but very powerfully alongside it. I know that my colleagues in Defra regard the adaptation responsibility of that department as being of a very high order, and I very much echo that.

We did not achieve all that we wanted to achieve, and there is palpable disappointment. None the less, the accord provides some measure of achievement; it is very important that we work on it. I say to the noble Lord, Lord Teverson, that I will not forecast here today how many more countries will have signed the accord by the end of the month; we must be ambitious. The noble Baroness, Lady Wilcox, asked me about the Government's view of what we need to do. She is absolutely right: we must reflect on the things that did not go so right, on our negotiating strategy and how we can work in partnership with developing countries. These are matters that we need to take forward urgently. We will do so with vigour and enthusiasm, and with a degree of optimism. This has been a very helpful and useful debate, and I am most grateful to all noble Lords who have taken part.

3.04 pm

Lord Stone of Blackheath: My Lords, I was urged to call this debate by warm, caring and sensitive friends and Members of this House who said that, even if this is not my area of expertise, what was needed now was a natural optimism and a tendency towards co-operation, collaboration and conflict resolution. It has been that kind of debate, and it will lift spirits. I am so grateful for all the knowledgeable, pertinent, informed and pragmatic contributions that we have heard today, and I thank my noble friend the Minister for his full, positive, substantive and embracing reply. His energy and drive is refreshing and effective.

My overall impression of this debate, this issue, this process, is similar to my deep feeling about another complex, large-scale, world-threatening condition in which I am somewhat involved—the conflict in the Middle East. In both these scenarios, people will suffer in their thousands and continue to die, experts know what should be done, the resources can be made available, but what is missing is the positive political will and co-operation and collaboration binding countries together.

Together with individuals and their community leaders, NGOs and their trustees, businesses and their management and Governments and their Ministers, bearing in mind that we are all interconnected and knowing that by acting together with dynamism and optimism, we can turn this to the betterment of all beings. I am heartened that there are many in this House who know that, speak it and live by it. I beg leave to withdraw the Motion.

Motion withdrawn.

UK: Tolerance, Democracy and Openness Debate

3.06 pm

Moved By Lord Harrison

To call attention to the progress that has been made in making the United Kingdom a more tolerant, democratic and open society; and to move for papers.

Lord Harrison: My Lords, in this bleak midwinter, I offer some reasons to be cheerful. Indeed, I celebrate and suggest that in the past long decade, we have become a more tolerant, more mobile, more open and, indeed, more democratic society.

In the forthcoming general election, the parties will divide on the economy, the NHS, education, housing and the reform of Parliament, but the parallel—indeed, complementary—agenda, so much of which helps people in some modest or targeted way, will scarcely be heard beneath the raging political arguments about those big issues. I regret that. There is much that an incumbent Government can do to improve people's lives, even at the margins. Whoever wins the general election must be alive and alert to mobilise that parallel agenda. Paradoxically, during these tough economic times, that agenda can flourish and help to mitigate some of the hardships.

In drawing attention to that parallel agenda, I do not claim that Labour has got everything right—it has not—but I assert that much has been done for the good and should be acknowledged. Let me offer some examples of our fostering a more open, democratic and tolerant Britain. The right to roam Acts applicable to the countryside and our coast have been a tonic for all of us who cherish the opportunity to walk and enjoy tracts of our beautiful countryside previously just talked about but, sadly, not walked about. Painstaking consultation with landowners has resulted in pleasure and leisure for the many, not just the few. Those of your Lordships who watched "Countryfile" on Sunday will have learnt of the farmer who changed his mind about access to the countryside. He found opportunities to offer tea to walkers coming through his land, make a bob or two and, as he said, meet people literally from the other side of the fence, perhaps promoting tolerance. The Act liberating the half of our coastline previously closed to the public was equally welcome, restoring to our people a national treasure. Indeed, we are all bonny beachcombers now.

The groundbreaking Hunting Act 2004 has also helped the countryside as well as establishing a decisive step in favour of animal welfare. The fear that the economy of the countryside would implode has been exploded. It has been quite the reverse. Drag hunting has attracted new enthusiasts who love the joy of horseriding. Rural industries and jobs there have been strengthened. Infractions of the hunting law have been limited, as the vast majority of riders have been keen to observe the law—yes, the law of the land.

But what of the countryside's future and the parallel agenda for rural Britain? The Government's recent pledge to bring broadband to rural Britain is essential for a living and active countryside as it confers on the remotest SME or individual the right to roam all modern communications. I hope that we can enable our rural towns and villages to strengthen local communities by collocating essential services in the local shop, pub or, indeed, parish church. We need inspired responses to the changing countryside. Farming is a life-saving industry for our nation, but it is no longer as job-rich as the extractive industries, tourism or the countless small businesses that have been helped by the establishment of first-class broadband facilities.

[LORD HARRISON]

Benign legislation has also allowed Britons the right to roam our national museums and art galleries free of charge. Free access brought in many more visitors, often for the first time, for whom entering a museum was as forbidding as unlocking Fort Knox. The profile of visitors to the excellent Museum of Liverpool shows that there are higher numbers drawn from social classes C2, D and E, which more than satisfies our hopes that our national treasures are thrown open to the people. As democracy comes to the arts, coupled with government-sponsored free access to our national museums has been huge capital investment in this sector, which has revived older museums, such as my own first museum, the Ashmolean Museum in Oxford, and built new, such as Merseyside's outstanding International Slavery Museum where we democratise the art and history of our country. Perhaps the parallel agenda can next liberate the 90 per cent of holdings in our museums hidden away from the public eye for want of exhibition space.

The Government have, post-millennium, stimulated new investment in exciting new public architecture, often generating enormous civic pride. Antony Gormley's "Angel of the North" reflects the pride of the north-east's industrial steel heritage. The millennium celebrations in London saw innovative public architecture, embracing not only the quickly popular wobbly bridge and the London Eye, but the Millennium Dome, now the world's most successful entertainment venue. In future, I believe that local and private museums should be helped and linked with local industry and the national curriculum. They are palaces of wisdom and knowledge as yet untapped to the full extent, like too many of our private and public libraries. We should open up the former and repair the latter. Why not give free access to our unparalleled theatres? London theatres prosper, but we could subsidise free entry, say, on a one-week-of-the-year basis, to our regional repertory theatres or provide free entry to groups such as the young and the jobless. The recession offers new opportunities for fresh thinking when judiciously encouraged by the Government.

How can one get to the local theatre or museum or the coast, countryside or England's beautiful cathedrals, now spruced up by plentiful public grants? Free bus passes for pensioners have been a winner and are another right to roam. I remember pensioners enthusiastically planning routes to roam Britain by linking up local bus services. Some plotted journeys as far as from John o'Groats to Land's End. London's Freedom Pass incorporates the Underground. The right to roam TV channels through free TV licences for 4.5 million people over the age of 75 has proved a bonus, as has the extension of the winter fuel and cold weather payments schemes, which have saved lives as well as cheering everyone up in snow-bound Britain. These added extras supplement the substantial rise in pensions that secures real dignity for those in retirement.

The Disability Discrimination Act has strengthened the dignity of those who are less physically able, many of whom are pensioners. The Act not only outlawed obvious discriminatory practices but changed the whole atmosphere of how society values and cherishes all our citizens, whatever their level of mobility. I am a

passionate bus fan, and I notice the kindness and tolerance that people have to less mobile fellow travellers on buses. Many people call for the return of the old Routemasters, but they were intolerant of women with children and older people.

A propos a more open society, I point to the liberalising of Britain's antiquated licensing laws. It was controversial to some, but it is here to stay, meeting, as it has, the general public mood of exercising freedom of choice on where and when to drink. Related to this is the brave introduction of the ban on smoking in public places. Its successful implementation has astonished all but the most optimistic. Indeed, "Smoke Gets In Your Eyes" is now imprisoned in the gastropub's jukebox and is no longer blown across the dining table to the discomfort of us all. Many habitual smokers welcomed the fresh opportunity to give up. In time, the evidence will show the enormous health benefits to our nation of this bold move. Perhaps excess alcohol consumption will be the next target of bold thinking.

A more tolerant society is a more open society and, in turn, a more democratic society. The change in mood in modern Britain towards women, members of the gay and lesbian communities and our ethnic communities strengthens our democratic roots. Increasingly, we are becoming a nation at ease with itself. The Civil Partnership Act epitomises this change of mood, as our gay and lesbian colleagues can now, with pride, express, at long last, their open love for and attachment to a companion human being of the same sex before a wider and more tolerant community. I remember learning to my delight from a senior marriage registrar of her staff's visible pleasure in presiding over such happy civil partnership ceremonies. The *Evening Standard's* recent uplifting report on the conference of gay armed services personnel held in the Victory Services Club in central London was unusual in itself, but the event was blessed by a personal message of welcome from Her Majesty the Queen. How welcome, and how heart-warming.

Similarly, on women in Britain today, I remind noble Lords of the song "I Love the Sound of Breaking Glass". There are examples here in this House of breaking the glass ceiling. Your Lordships' House has had five Leaders since I arrived. Four have been noble Baronesses, each here on merit. The noble Baroness, Lady Hayman, is our first Lord Speaker, and nowadays all the Front Benches boast gifted women in substantial numbers. Tokenism is unwelcome in your Lordships' House, as it is when it comes to our valued ethnic communities. John Denham and the noble Lord, Lord Ouseley, on this morning's "Today" programme, recognised a decade of achievement in this respect. We still have much more to do to sweep out prejudice in all its debilitating forms, but progress is real and we should celebrate it while remaining vigilant.

The Government's parliamentary reform agenda has been substantial, and many parliamentarians are ambiguous about the introduction of the Freedom of Information Act, but despite the media's often selective approach to this new freedom, the Act will be seen to endure. So, too, will be the profound reform of the British constitution, including the sensible divesting from our once multitasking Lord Chancellor his many

incompatible roles. The Supreme Court will prove to be a worthy development and a wise surrender of excessive powers. No future Administration will undo it.

Similarly, on devolution, who now argues the status quo ante for the Welsh Assembly, the Scottish Parliament, or indeed the coming together of the Northern Ireland Assembly, which are improved equally with a flourish of architectural development that rightly follows those changes?

There is an example in your Lordships' House of how we have moved forward, becoming a more tolerant and more open society. We were the first House in these Houses of Parliament to welcome a youth parliament into our Chamber, which I celebrate. It is right and proper that we who are the responsible politicians of the day pass on the good news to our younger people.

In conclusion, there will be a clash of the mighty in the forthcoming general election, but there is a parallel agenda and there are ways in which enlightened and thinking Governments can help the lives of many of our other citizens. We should not miss those opportunities.

3.20 pm

Lord Patten: My Lords, I wish to concentrate my remarks on the "T" word—"tolerant"—in the Motion in the name of the noble Lord, Lord Harrison. While I recognise that there have been advances in tolerance in recent years, I have just begun to perceive that some advances in tolerance have led to intolerances in other areas, which I regret. In particular, I regret the creeping intolerance towards religious faiths of all sorts in this country.

It may well be necessary, sooner rather than later, for this House and another place to consider the introduction of legislation to protect religious freedoms in this country. It is about the one area that has not seen such legislation in recent years. This may cause the lips of self-styled liberals to curl a bit in scorn—I am rather careful about complaining about the work of liberals, who have indeed advanced matters quite considerably—but illiberalism is increasingly creeping into liberalism. There is a problem if people do not subscribe to this or that tenet of the fashionable liberalism of the day, whatever those nostrums are. Perhaps now is not the time to discuss this, and we do not have the noble Lord, Lord Quirk, that great grammarian, here to help us, but if you use some bits of language in a particular way, they are correct in the liberal canon, whereas if you use them in other ways, they are incorrect in the liberal canon.

Also creeping into modern and contemporary liberal thought is the clear view that the European Convention on Human Rights should drive how we behave and, much more than that, that the convention is all about the individual and not at all about the communities to which individuals belong. Therein, in some interpretations, we have seen some of the drive that has been pro the individual and anti groups, which include religious faiths of all sorts in this country. There must surely be some recognition that a pluralist society is not merely a collective of individuals—an idea that leads to totalitarianism—but a community of communities, as one wise person once observed to me.

It is very good that the noble Lord, Lord Harrison, has promoted this debate. He is an original thinker and I have enjoyed earlier debates that he has promoted in your Lordships' House. In no way could he ever be accused of being a party hack. For fear that the *Hansard* writers who assiduously record our proceedings missed this, let me state that the person who said "Hear, hear" after the noble Lord, Lord Harrison, opined that the Labour Government have not got everything right was me.

It is good to have this debate before there is further progress on the piecemeal legislation in front of this House in the shape of the Equality Bill and other legislation. Seeking to help, perhaps for the best of reasons, toleration of this or that group, or this or that individual, may at the same time create a new and diminished understanding of the human and move against the interests of church and faith groups in this country.

I have not taken part in the proceedings on the Equality Bill. I am not trying to read across anything that I have said or will say in those debates, but I am interested to note that in our present piecemeal legislation representations are coming thick and fast from faith groups. I do not think that anyone should curl their lip at faith groups—churches, Jews, Muslims and others—feeling alarmed. In the area of long-term care for people with learning disabilities, for example, people living in such communities have got used to turning to a care worker and being able to say, "Please help me with this scripture. Please pray with me", always knowing that there will be a Christian context. Faith groups are extremely concerned that the Bill might make it impossible to ensure that that is the case.

I do not think that the Government understand the role of the clergy. They now require proof that a protected job involves leading worship or teaching doctrine, wholly or mainly. Most pastors—I use that term generically, whether they are in the Jewish faith or the Muslim faith, or are Catholics or Protestants—are greatly involved in pastoral and administrative work. They probably could not demonstrate that they are mainly or wholly involved in leading worship or teaching doctrine.

The results of this sort of legislation could be disastrous. The Roman Catholic view—I am one of those who hold it—is in general that the new wording may outlaw its male-only clergy policy. I am not on direct drive from the Vatican. His Holiness has not instructed me to say this. No one from Archbishop's House in Westminster has sent me the Roman Catholic equivalent of a three-line Whip, which is much tougher than any three-line Whip that we have ever seen in your Lordships' House, to say this. I believe that non-Christian religious groups are also very concerned.

The time has come for religious groups and faith groups to make quite sure that they are not walking away from their ground in front of the little intolerances that are being brought in as a direct result of trying to promote tolerance. We do not have any Roman Catholic religious representation; we do not have any cardinals in your Lordships' House. Recently, we had the very welcome introduction of the noble Lord, Lord Sacks, who I hope will speak out in favour of religious freedoms.

[LORD PATTEN]

We also have a Bench of Bishops. I have a story from a few years ago, which has the seal of the confessional as to who it involved. I met a Bishop as we were going through the Lobbies on one of those great life issues that exercise us all in this place and on which we all get together to vote one way or another. Very few Bishops were in the Lobby voting the same way as me. The Bishop involved was not the right reverend Prelate the Bishop of Chichester. In answer to my question as to why there were so few Bishops about, the Bishop said that the Bishops had between them, in a very real sense, taken the view that they did not want to be seen to be coming here and swamping the House in this Division. If churches vacate the ground, they cannot complain if an increasingly secular society moves its tanks on to the ground that they have vacated. I should like to see a terrifying figure, such as the most reverend Primate the Archbishop of York, nipping at the heels of the Government on these issues to ensure that we do not vacate the ground of defending ancient religious rights and freedoms. An Act of Parliament will shortly be needed to protect what many churches have thought was theirs, but which many churches, faith groups, Muslims and Jews are ceding.

3.28 pm

Lord Roberts of Llandudno: My Lords, I am tempted to follow the noble Lord, Lord Patten, in my role as a mere Methodist in this House, but that is not the direction in which I want to go today. I am grateful to my noble friend Lord Harrison, my travelling colleague from Crewe and Chester to London, for initiating this debate. I should like to stress again the democratic element in his Motion. The Government have moved, and we must express gratitude to them, to fulfil the pledge that they made in 1997 to establish a Parliament for Scotland and Assemblies for Northern Ireland and Wales. That has brought about a transformation in the way in which legislative programmes are considered in Wales and Scotland and, over time I expect, Northern Ireland. Instead of a Secretary of State dictating what is to happen, the elected Assembly or Parliament has a voice and makes the final decision. This is growing and improving as the years go by and we are grateful for it.

I want to mention the revolutionary change that was made to the way in which we elect Members of the European Parliament, so that we now use a form of PR list, for which, again, I am most grateful. However, the noble Lord, Lord Henley, when speaking in a debate a couple of nights ago, suggested that the next Conservative Government,

“might be reverting to first past the post, for European parliamentary elections”.—[*Official Report*, 11/1/10; col. 364.]

Others participating in the debate will have listened to that statement with a wee bit of alarm. Democracy cannot stand still and the systems of yesterday are not necessarily fit for purpose today.

Perhaps I may repeat what I have said a number of times. Around 200 years ago, there were uncontested, unopposed returns in many constituencies. Even as recently as the general election of 1900, there were some 243 unopposed returns. We had only the Whigs

and the Tories and later the Liberals and the Conservatives. With only two candidates from each of the parties fighting for most of the seats, it was easy to achieve over 50 per cent of the vote for one of the candidates. But that has changed over the years. In Scotland and Wales, with nationalist parties and others having come into the ring, we now have three, four or five candidates for each seat. It is therefore often the case that a Member is elected with under 50 per cent of the votes and thus does not represent the majority of the constituents. Yesterday's system does not work today and, as I have said, it is not fit for purpose.

We have seen changes over the past century such as votes for women, who achieved the same status as men in 1928, and, from 1960, votes for those aged 18 and over. We have also seen the growth of postal voting on demand. This is a move that we on these Benches regard with a bit of suspicion. This is the only country in the world that has postal votes on demand and the whole field has been opened up to the possibility of fraud. In Birmingham and other places, there have been court cases to decide on this element of democratic change.

Postal votes have changed everything. In 1997, 2.1 per cent of the electorate had a postal vote, which represented 937,205 votes. In 2001, the figure had risen to 1,758,055, representing 4 per cent of the electorate. By 2005, 12.1 per cent had the postal vote—5,362,501 people. For the European elections last year, 14.2 per cent of the electorate—6,318,501 people—had a postal vote. It is quite possible that in the election in May this year we will see 8 million postal votes. In Newcastle upon Tyne, for example, some 31 per cent of the electorate has registered for a postal vote—some 67,000 applications.

However, the election timetable remains the same. For parliamentary elections, close of nominations and close of postal vote applications occur only 11 days before polling day. When the number of postal vote applications has increased tenfold, an intolerable burden is placed on returning officers in the constituencies, which can lead to serious errors being made. When you do something under pressure, mistakes can be made.

I am pressing this in various ways, but what I would like is for us to look at the timetable. In local elections, 19 days are allowed between nomination day and polling day. Why do we not allow an extra week for people to register for postal votes in general elections? Once nomination day is reached, the electoral registration officer has 24 hours in which to send by Royal Mail all the ballot papers. There will be immense pressure this year if the general election is held on the same day as the local elections, which are being held in England on 6 May. It will be a recipe for disaster unless the Government move to extend the time allowed.

It is bad for us at home in this country, but are there not also great difficulties in trying to get postal votes returned from those in Afghanistan in 11 days? It cannot be done. One local authority informed me that it did not have one return from Iraq at the time of the last general election. By limiting the period to 11 days, we are disfranchising those young men and women who are putting their lives on the line for us. If we expect them to do that, the least we can do is make sure that they have the opportunity to vote in a general election.

I say 19 days, but the Electoral Commission says 25 days and has urged the Government to increase the period to that. There is time to do it. You can sometimes get a Bill through the House of Commons and the House of Lords in a matter of a day or two. Why are the Government not responding to this need and, at the same time, undermining the democratic ideal?

3.36 pm

Lord Anderson of Swansea: My Lords, I congratulate my noble friend Lord Harrison on a wonderful, non-partisan survey of the triumphs of the Labour Government over the past 10 years. I also congratulate my tribal friend Lord Roberts of Llandudno on his speech. Like many Liberal Democrats, he believes that all roads lead to electoral reform. I shall say a little more in tune with what the noble Lord, Lord Patten, said in a moment as a corrective to what I agree was a grand and comprehensive speech. I was going to adopt most of what my noble friend said, in particular in relation to the smoking ban, until I noticed my noble friend Lady Farrington on the Front Bench and I thought it prudent not to follow him down that path.

However, I agree with most of what the noble Lord said so comprehensively about the right to roam and the openness of the arts. When he said that, I thought about the local library in my home city of Swansea. When I was a boy, the local library was full of stygian gloom and one was afraid of entering into it. Now it is gloriously open—with children before screens, comics and so on—and it is a joy to enter. What a change. My noble friend also mentioned the triumphs of the new deal, the minimum wage and the way in which the sclerotic constitution of this country has been radically altered over the period. In his theme of openness he mentioned the freedom of information legislation, which, of course, is a great inconvenience to government but which is, nevertheless, a key part of our democracy, with crucial new rights.

I think also, of course, of the technical advances we have made. We may dislike e-mails but, since having had the good fortune to come down this Corridor from the other side, I notice that my former colleagues down the Corridor are besieged by the e-mails which dominate their lives. Nevertheless, e-mails link them to the citizens and people they represent in a proper way.

My noble friend's second theme was that of tolerance. The cause of tolerance has also taken great strides over that time, as evidenced by the speech that the Minister, John Denham, is going to make today. For example, the way in which racism was tolerated when I was a boy is no longer acceptable; and the jokes which were then acceptable are no longer funny. I refer to the new Ipsos MORI survey carried out for the Equality and Human Rights Commission which underlines that trend and shows that Britain is becoming a more racially tolerant society. The picture overall is very optimistic.

The reason for these changes is partly a new multiculturalism and a new attitude on the part of our people, but legislation has played a part, too. The great milestones and landmarks in the history of tolerance have been laid by Labour Governments, from the Race Relations Acts of 1965 and 1968 through to

those of the 1970s and even of now. They are an example of how legislation is not only good in itself but sets the tone for public attitudes which follow.

I shall not dwell at length on democracy. The noble Lord, Lord Roberts, mentioned the devolution which came about post-1997 and which means that we have brought power closer to the people, with some problems that have emerged. Nevertheless, there is no turning back and I think there is a welcome acceptance now of the devolution settlement. So often—this is perhaps the only partisan thing that I shall say—the Conservative Party will oppose any reform until it becomes a tradition. I recall even as a young Member of Parliament for a rural constituency, Monmouth, seeing the enormous upset over the introduction of breathalysers in 1967. I received sackloads of pro forma, signed documents which stated discreetly at the bottom: "Published for and on behalf of the Licensed Victuallers Association". I think that I had only two letters in favour, both from Protestant pastors. Yet who now would want to turn back the clock and stop the controls over drinking and driving?

Following the theme of the noble Lord, Lord Patten, I sound one note of caution, about what I call managing the pendulum. One of the challenges to emerge in the midst of all the positive changes that have been made during the past 10 years is that of the swinging pendulum. When the pendulum has swung too far in one direction, there is naturally a public reaction against it and a danger therefore that the reforming zeal of those seeking correction will swing it too far in the other direction. Perhaps the best example of this in our history was the Charles II revolution after the Cromwellite period in the 1650s—perhaps I could designate myself as a moderate Roundhead. It is important to understand the stresses which have been generated as a result of some of the changes—I think that my noble friend was prepared to accept some of those. I am pleased that it is now clear that the Government are prepared to look again at 24-hour drinking, for example. Moreover, it is said in today's press that they are ready to fix minimum prices for alcohol in an effort to curb binge drinking, which is a part of "set the people free" and where the pendulum has swung too far.

It has been seen in the Equality Bill that the Government have not really understood the role of clerics, pastors and others. However, it is seen also, although this is not directly to do with the Government, that there are ways in which the Christian faith has been marginalised; for example, the nurse who prayed for a patient, the teaching assistant who showed her faith with fellow pupils, and the Christian registrar. Many more examples can be given, some of which the Bench of Bishops have mentioned. I think of the attitude to the Roman Catholic adoption societies, where a reasonable compromise could have been reached.

I raise these concerns, but, overall, I readily acknowledge the welcome advances made by the Government. I am sure that we all acknowledge that this country is still a very good place to live. There are queues at Calais of people wanting to come here; there are no queues at Dover to leave this great country.

Baroness Farrington of Ribbleton: My Lords, I remind noble Lords about the speaking time limits, otherwise my noble friend Lord Davies will have no time to reply.

3.45 pm

Lord Borrie: My Lords, in terms of government priorities, I have no doubt that the economic well-being of people in terms of jobs and value for money in the shops as well as the greater advancement of international trade deserves to come out at the top. However, my noble friend Lord Harrison has done a most useful task in initiating a debate on the much wider issue in which government policy can also be very important—namely, how to improve the kind of society that we generally live in.

One Bill that the Government are bravely trying to get on to the statute book before the magic date of a general election is the Equality Bill. To my mind, that is a tremendous example of the Government trying to build on many decades of government success in combating the blot of discrimination in various fields in our society. The Equality Bill marks a broad level of that achievement. On the narrower level, as has already been mentioned by the noble Lord, Lord Harrison, is the Civil Partnership Bill. That is an example of a sign that we have progressed to a more tolerant society than used to be the case. Of course, the examples that several have given already of free entry to our museums and national galleries demonstrate that our heritage in art and culture is meant to be available for all to have access and enjoy. Those changes are all examples of a civilised approach, to use a general term, to the kind of society that we want to live in.

Just over 50 years ago, Tony Crosland published his influential book, *The Future of Socialism*. At the request of the then general secretary of the Fabian Society, now more generally known as the noble Lord, Lord Rodgers of Quarry Bank, I did the index to that book—and, of course, if you do an index to a book you have to read it so thoroughly that you get a bit bored with it. I was certainly most influenced by that book. Tony Crosland was once described by his rival intellectual in the Labour Party, Dick Crossman, as the Labour Party's only other thinker. What struck me, more than anything that Tony Crosland said about the economic situation, was what he said on broader matters. The language may seem a little old-fashioned now, but he called for action to be taken to, "widen opportunities for enjoyment and relaxation, and to diminish existing restrictions on personal freedom".

He went on to say:

"We need not only higher exports and old-age pensions, but more open-air cafes",

and later closing-hours for public houses. Those are the types of things that the noble Lord, Lord Harrison, mentioned. Sadly, Crosland died young, as noble Lords will recall, when Callaghan's Foreign Secretary in 1977, but he lived to see some of the reforms that he wanted carried out during the lifetime of the Wilson Governments of the 1960s and 1970s, for which his colleague Roy Jenkins deserves quite a lot of praise. This example has not been used in this debate, but he would certainly have been pleased to see the end of the Lord Chamberlain and the censorship of theatre productions in 1968.

At times, I am a bit concerned that my party gives the impression not of promoting personal freedom but of adopting a more negative approach, sometimes seeking to ban anything of which it disapproves. Hunting with dogs was mentioned—and I noted the gentle way in which the noble Lord, Lord Harrison, mentioned it. Even when a ban of some sort is justified on health grounds, for example, such as the ban on smoking in public places, we should examine very closely and perhaps more than we have the extent of the ban and the possibility of deleterious side effects. I believe—and this is a purely personal view—that the smoking ban has improved the health of many and enhanced the comfort of many more who have been unwilling, passive smokers for many a long year. However, I am not all sure that we needed, for example, the latest Health Act to go further by imposing restrictions on the display of tobacco products.

More generally, my own view is that Labour and Labour Governments, irrespective of whether some of their members later joined another party, have enhanced personal freedoms—in the course of this Labour Government, particularly through the Human Rights Act. We need to keep the desirability of personal freedom and tolerance at the forefront of our consideration of all legislation that comes before Parliament. Some legislation has to be restrictive, imposing bans, but let us never forget the other side of the question: which personal freedoms may be lost as we move on?

3.51 pm

Lord Judd: My Lords, preparing for this reflective debate, so thoughtfully secured by my noble friend Lord Harrison, I turned to the Oxford dictionary and looked up "tolerate". It is described as, "the practice of enduring or sustaining pain or hardship". Meanwhile, "tolerant" is described as, "disposed or inclined to tolerate or bear with something", and as, "practising or favouring toleration", or as, "able to endure the action of a drug", or, "irritant ... without being affected; capable of resisting".

Is that enough? Surely there is room for an even more positive approach. What about compassion, caring and solidarity? We talk a great deal about the poor, the handicapped, the young, the elderly and the excluded, but in our managerial society how often do we talk with them, listen to them or respond rather than prescribe? Is it not high time to ponder these aspects of our mercenary culture? Do technological developments invariably empower, or do they sometimes disempower?

Consider diversity. I am bewildered when people whom in many ways I respect deny the concept of a multicultural society, as if there is something inherently wrong with it. Diversity is one of the richest assets in the human story and the nature of creation. God forbid that we become a stunted bog of mediocrity and homogeneity. The exciting challenge is to make a success of multiculturalism, to celebrate it and not to dismiss it. It is on the foundations of lively diversity that we can build a healthy and vigorous social dynamic

in contrast to the frail, defensive and insecure vulnerability of intellectual, cultural and physical inbreeding. To engage in that building is the way to strengthen a society worth defending against the negativism of the unyielding absolutists, bigots and extremists. The Human Rights Act is a highly significant and relevant development in that context, as are the Equality Bill and the revolution in policy and attitudes towards homosexuality.

The Motion refers to democracy. It seems to me that the viability of democracy depends on a creative tension between imaginative, visionary leadership and strong, well informed accountability. Is part of the public alienation from politics perhaps related to the extent to which politicians have become increasingly perceived as a closed, professional class? Is there not a need to ventilate that and open it up? Society is a matrix; could we miss a gigantic opportunity if we fail to reform this House into a second Chamber that convincingly reflects that matrix rather than into a pale, carbon copy of the Commons, with membership in effect largely coming through the existing, relatively narrow political machinery? In the same context, it is encouraging that the debate is no longer about whether but how we move to a more convincingly proportionally representative electoral system.

The success of democracy is also related to the quality of education. Is this now trapped in an overutilitarian approach? Do we need to reassert the importance of education as an end in itself in terms of the quality of life and the fulfilment of the individual? Must we not prioritise, producing self-confident, well informed and, one hopes, constructively critical citizens? It is vital to stem a trend towards blurring the distinction between consumerism and citizenship. We may indeed receive more questionnaires than ever before, but citizenship is about drafting the questions.

Of course, we must have effective management, but a flourishing political democracy is about spelling out and debating the objectives for which the management is required. Yes, good, qualified people in the engine room are essential, but the destination must be clear and the vision of those on the bridge is indispensable. Management cannot be an end in itself if we are to enhance the quality of our civilisation. Values desperately matter. We must see the objective as being when people are stimulated to want to vote, not when they are induced to do so by one device or another.

I am convinced that one of the great achievements of the present Government is devolution. In an age of globalisation, people badly need a sense of identity, but the challenge is to ensure that with that sense of identity the effective national and international co-operation, without which humanity is doomed, is generated. Perhaps a next step in our own constitutional evolution will prove before too long to be a federal United Kingdom. There is the West Lothian question to be resolved; it cannot be swept under the carpet.

Where I believe the Government deserve very positive recognition is in having demonstrated that constitutional change in the cause of a better-quality democracy is possible. The beginning of a better ethnic mix among the Members of this House is a very good example. Yes, of course, there are inconsistencies, each step reveals new contradictions and certainly we have a

long way to go, but the process has, I believe, become irreversible. That in itself is substantial progress and the Government deserve great credit for it.

3.57 pm

Baroness Kennedy of The Shaws: My Lords, I, too, thank the noble Lord, Lord Harrison, for initiating this debate. In recent years I have spent a lot of time looking at the state of British democracy, having had the honour of chairing, first, Charter 88, which played an important role in the Government's constitutional reform programme when they came to office in 1997, and then the Power inquiry for the Rowntree Trust, which reported in 2007.

I believe that Britain is probably one of the most tolerant, freedom-loving countries in the world. The strength of our democracy comes from many values: respecting the right of others to live as they please, so long as they are causing no harm; a healthy scepticism about state power, which keeps our politicians on their toes; a belief in the right of others to express their views freely, which gives rise to our free press; and in recent times an increased desire to see light shone in dark corners to flush out systemic abuse. We have one of the finest judiciaries in the world, with no hint of corruption. We have a rich civil society, which comes from a willingness of people to volunteer in millions of ways to improve the lot of others.

The list of good things is long and others have contributed to it in the debate, but that is not to say that everything is perfect within our system. In recent times our democratic system has taken something of a battering, with profound public concern and disillusionment after the allowances scandal and, before that, the scandal of loans for peerages and the taint of corporate lobbyists possibly being able to influence policy. There is political disengagement, particularly among the young, which is a serious threat to democracy. Much of it comes from a sense that politicians are unable to hold the Executive to account and from people feeling that they themselves have very little power and that their voice is not heard.

I have taken part in this debate to convey some good news. Last weekend, as a follow-on from the Power inquiry, a campaign called Power2010 held a deliberative poll. It was an unprecedented experiment in deliberative democracy. It was unprecedented because we have never before had an experiment on such a scale here in Britain and because the issues, rather than coming from government or some campaign group, were put forward by the public themselves. The poll was overseen by a team of political scientists from Stanford University led by Professor Jim Fishkin. He is the global maestro of such processes and has used his methodology for deliberative polling in bringing reform to different parts of the United States, Canada, Greece, Japan and, more recently, even China. He has been involved in deliberative polling in the European Union and in Australia.

Last weekend, 130 people came together—a representative sample of the United Kingdom put together by YouGov by boiling down our nation into a large hall. They came together to discuss, debate and learn about how our democracy works and to consider

[BARONESS KENNEDY OF THE SHAWES]

a set of proposals put forward by the public through the internet. Very often this kind of event—a public meeting or a consultation—is a collection of people who impersonate the public but are not a representative cross-section of it. The people at the gathering over two days discussed suggestions on improving the workings of Parliament and the workings of political parties—from funding through to the selection of candidates. They debated voting systems, the role of the Prime Minister and the role of this House. They discussed Europe and the euro, devolution, the possibility of an English Parliament and the way in which legislation has been put through with the votes of Scottish MPs on specifically English issues. They also discussed local government and the election of mayors.

The results were extraordinary. They showed us that when people are given good information they make sensible, well informed decisions. That was not new to me, because I have practised for many years in the courts—I am a trial lawyer—and I have considerable experience of juries. One of the things that juries have taught me is that the public can be trusted so long as they are given good information and allowed to debate outcomes in a safe and reassuring environment.

Changes can very easily be knee-jerk if you simply ask the public's opinion without giving them good information. That is when there is intolerance and when serious risks are posed to our democracy. ID cards are a good example. When first asked, "Do you want ID cards?", a significant percentage of the public said yes. After the debates that have taken place, the reflection is very different. When polled before the process last weekend, people were keen on all manner of populist solutions. Yet when they discussed the options, heard the arguments and were able to ask questions of experts in the field—mainly professors of politics—they often came to very different conclusions. The results of the outgoing poll after two days of deliberation were nuanced, conscientious and very different from the views expressed at the beginning.

Noble Lords can find the results on the Power2010 website, where one can vote on the reforms, which this cross-section of the public ranked in order of priority. The purpose is to create a set of five key reforms to take to the political parties and candidates at the next election. It was interesting that at the top of the poll came the strengthening of Parliament. People did not want some mad reform; they wanted a strengthening of Select Committees, more free votes for Members of Parliament, more parliamentary time for MPs' Bills and—would you believe it?—less use of statutory instruments. Most of them did not previously have a clue what a statutory instrument was, but when they found out they started thinking, "Of course there are circumstances when they are useful, but they should not be overused". That was interesting. They wanted voting at weekends, on a Sunday—why not? They wanted "None of the above" to be on the ballot paper. They wanted a strengthening of local government.

The people were dissuaded from an English Parliament. They were not happy about that idea. When it was pointed out that Scotland has a population of only 5 million, Ireland only one point whatever million and Wales three point something million, that England

would be a huge part of the federal system with more than 40 million people and that that would be unworkable, they started to retreat from such a possibility because of their concern about the risk to the union. They were also not persuaded that there should be votes at 16.

I just say to your Lordships that a way in which we can enrich our representative democracy is by allowing people's voices to be heard on important issues. That, I think, is certainly better than turning too readily to referenda. The good news for your Lordships—I want to say this before I sit down—is that reform of the House of Lords was not very high on the public's list of priorities. When they heard the experts' different views and understood our role, they thought that it was much more complex than it had at first appeared. They did not want an elected House as a knee-jerk reaction; they wanted more reflection on it. I suggest that a deliberative poll might be the way of taking this matter forward and having the public properly debate the issues.

Over the past 12 years, the Government have done many positive things on creating tolerance and they have many things of which to be proud. However, the protection of our democracy means that we have to be constantly vigilant. We have to find new ways of retuning the vibrancy of our democracy and we have to make real efforts to regain public trust.

4.06 pm

Lord Mitchell: My Lords, God bless the British public: it seems that there will be no reform of the House of Lords. I thank my noble friend Lord Harrison for his introduction to this debate, which was full of content, uplifting and, on a very gloomy and grey day out there, very cheery.

In 1964, as a very excited 21 year-old, I left London for New York. I had been accepted for a postgraduate degree at Columbia University and I could hardly contain myself. One of the first things that struck me on my arrival was that I had dropped into the centre of the world's greatest melting pot. I had never seen such a melange of faces, colours, languages and restaurants—each community with its own strong sense of identity, culture and political power.

For a Jew, New York was a wonder to behold. Jews have a strong presence in that city and in those days more Jews lived in New York than in Israel. I was staggered at Hanukkah to see the local branch of the Chase Manhattan Bank with menorah candles in the shop front. That was unheard of in London. Had I been Irish, Puerto Rican or Afro-American, I am sure that I would have had a similar sensation. It made me feel very provincial, having left a London that then was very white and very homogeneous. Sure I was Jewish, but we were a small minority nestling in the outer reaches of north-west London.

I remember my mother telling me how, as a 15 year-old, she could not get a job as a shop assistant at C&A in Oxford Street. The people there unashamedly told her that it was because her surname was Cohen and they had a policy of not employing Jews. She and her generation had to endure continuous anti-Semitism, most notably during the Mosley marches in the 1930s.

Knowing what Hitler was advocating in Germany, can your Lordships imagine how they must have felt watching the fascists march in the East End?

Before the war, some of our leading authors, poets and academics were openly anti-Semitic. Our leading public schools thought that they were being liberal when they imposed a 10 per cent Jewish quota on admissions. Indeed, some still do. I say all this as a Jew but I know that other minorities suffered similar indignities. Maybe it was simply the inevitable consequence of being immigrants in a very white Christian country.

Today in the 21st century, the London that I left no longer exists. The city of my birth and my continuous home is truly the city of the world, matched only by New York, and in many regards I think that we are even more multi-ethnic than New York is. I am sure that that is why we were awarded the Olympic Games. The world will be astounded in 2012 when it realises just how culturally diverse this city has become. Foreigners are staggered when they come to London—from the female immigration official wearing a hijab to the customs officer with a turban, to the mixed-race couples walking hand in hand on our streets, to the blasé way that we regard gays and lesbians. We simply do not care, and isn't it wonderful?

So it may well come as quite a shock to learn that the Jewish community in this country feels under constant attack. I do not want to overstate the case, but many Jewish friends have said to me that they feel more frightened and threatened than at any time in their lives. Instances of anti-Semitic attacks are up. Some attacks are verbal, others are physical, but the trend is rising. Of course, many of the attacks are linked to the situation in the Middle East. Jews are held by some to be supporters of the more extreme elements in Israel and, when there is a south Lebanon or Gaza conflict, attacks on British Jews go up.

Noble Lords may not be aware that for many years all synagogues have had constant security patrols. At most Jewish social events, you will see Community Security Trust-trained personnel prominently watching and checking. At this point I must pay tribute first to CST but also to the police forces up and down this country that work hand in hand with the Jewish community, particularly the Metropolitan Police, which gets such a bad time from other quarters but which has done amazing things in this direction. Anti-Semitism is unacceptable for most people, but anti-Zionist or anti-Israeli attitudes have become its barely concealed proxy. That is what makes people very worried.

I am chair of an organisation called the Coexistence Trust. Our mission is to be united against intolerance. Our focus is on Muslim-Jewish relations, particularly on university campuses in the UK. Noble Lords may again be surprised to learn that there is a problem and that there are campuses in our country that Jews prefer to avoid. Religious Jews wearing any form of dress that identifies them as being Jewish are sometimes attacked. I can tell noble Lords of many instances where stickers saying things such as "Death to Jews" have been displayed at some of our leading campuses and have been slow to be removed. It is not a good scene.

Muslims also have a difficult time. Issues such as dietary observance and exams being held on religious holidays cause problems for them. I have raised these issues with university officials. They tell me that it is difficult for them, that universities thrive on free speech and that they are loath to get involved. Well, who can object to free speech? On the other hand, the universities have a legal duty of care towards their students, but in many cases they are slow to uphold this duty. The laws in this country are pretty tough on the subject of racism; there are plenty of weapons should they choose to use them, but they seldom do.

We can bemoan the situation or we can do something about it. Those who know me know that there is nothing that I like better than a challenge. The Coexistence Trust is absolutely balanced between Jews and Muslims; our trustees, our donors and our staff all come from both communities. We visit campuses with a simple message: racism and discrimination have no place in our society. We actively encourage Jewish and Muslim students to get to know one another. After all, our backgrounds are not that dissimilar; all of us are sons and daughters of immigrants.

Our campus objectives for 2010 are that we will provide conflict resolution training, develop student leadership skills and appoint campus representatives and ambassadors at key universities. Now I shall tell your Lordships what we will not be doing: we will not get into any discussions about the Middle East. The situation is complicated enough and nothing much that we can do can change it. We are concerned about British Muslims and British Jews. Our role, indeed, is to make the UK a more tolerant society. We are all lucky to live in this wonderful country. It is a beacon of tolerance to the world and long may it remain so.

4.13 pm

Lord Graham of Edmonton: My Lords, it is a pleasure to take part in this debate. I have enjoyed every speech but none more so than the one I have just heard. I congratulate the noble Lord, Lord Mitchell, on taking the opportunity, as has everyone, to use this debate as a peg, allowing them to introduce aspects of how they interpret the purpose of the title in their own way. I have learnt a great deal.

Like other colleagues, I congratulate my noble friend Lord Harrison on giving us this opportunity. He opened my eyes with his interpretation of the title, as did many other speakers. It is like mother love and apple pie. I am sure that all my political opponents will subscribe, as I do, to every aspect of the tenets of the Motion. Nevertheless, as a political opponent to many people on the other side of the House, I hope that we are all united, as the previous speaker was, in paying tribute to and being grateful for the nature of society in this country. When you look at how some other countries and some other cultures interpret their rights and their remit to the people of those countries, you can see that we should always be grateful for our type of society.

I am very much aware that all the main debates are subjective. Some of them I win and some of them I lose. When I win I say, "Democracy has worked", but

[LORD GRAHAM OF EDMONTON]
when I lose I say, "Democracy was asleep". We all have to accept the fact that you win some and you lose some and that it is the general tenor.

A previous speaker said that there were queues to get into this country but none to leave. People sometimes say that we are a soft touch, but this country has for centuries been a haven for those who are oppressed in their own country. Although we have problems with immigration and assimilation we should look at the overall picture. As far as I am concerned, the British system has a great deal to be proud of.

As for democracy, I see my dear and noble friend Lord Davies on the Front Bench. At one time he proudly represented Enfield and I represented Edmonton next to him. In 1975 a great debate was initiated by the then Government on whether we should stay in or leave the Common Market. Through the local press in Edmonton I asked people to give me their views on the issue. I was then able to stand up in the Commons and say that, by a majority of two to one, my constituents favoured staying in. I had received three letters—two in favour and one against. Not for a moment would I have said that I was speaking on behalf of 60,000 electors; but that is the way it was.

I was very glad to hear the noble Lord, Lord Patten, on the theme of religious tolerance and support of all faiths. I would agree with that although I am of no faith. I am a member of the Humanist Society, and I have the same right. There are relationships that need to be cultivated. I am not for a moment saying that there is a hierarchy or pecking order or that one is more important. But I would do nothing to inhibit the right of any man or woman to practise their religion in whichever way they can, within the clearly defined lines which are democratically created in this House and in the other House and to which we all have to conform. As far as I am concerned, the British Humanist Society is committed to human rights, democracy, equality and mutual respect. We work for an open, inclusive and tolerant society. I cannot imagine that many bodies of a religious faith would disagree with those tenets which underlie their rights.

I want to tell my noble friend Lord Mitchell how much I enjoyed his speech. One of my cousins is Miriam Stoppard. She was the daughter of my Auntie Jenny, who was the sister of my father, and she married Tom Stoppard. Her mother married Sid, who was a Jew, and they became Jewish. The other daughter, my cousin, was Hazel. She married Preston King and her daughter is Oona King. I am therefore fully alive to the problems of the Jewish race and sympathetic to the points of view that have been made.

While other noble Lords had to take a minute more than their lot to say what they wanted to say, I shall give my noble friend on the Front Bench a Christmas box too late by giving him a minute of my time.

4.20 pm

Lord Dholakia: My Lords, I thank the noble Lord, Lord Harrison, for introducing this debate. Last September, he and I travelled to the Commonwealth Parliamentary Association conference in Tanzania. He is keenly interested in tactical issues relating to democracy and democratic values, and much of our

conversation over three days centred around that subject. I mention that because if ever your Lordships have an opportunity and want a peaceful, quiet visit to a country, don't travel with him. If you do travel, don't sit next to him.

We have a good story to tell. A number of noble Lords mentioned race relations legislation in this country. Who in their right mind in the 1950s and 60s would have stood up and said that this country would have a series of race relations laws based on achieving equality of opportunity and good relations? Today's announcement by John Denham clearly demonstrates the extent to which the country has moved in terms of its tolerance.

I do not like the word "tolerance" as used by the noble Lord, Lord Judd, because it indicates a grudging way of acceptance, but I believe that it has achieved a substantial number of changes in the attitude mentioned by the noble Lords, Lord Anderson and Lord Borrie. But let us also not forget that we have paid a heavy price to be able to reach this stage. Let us not forget the days of Enoch Powell and the time when even the Prime Minister talked about the country being swamped with different cultures. And let us not ever forget that it was the death of Stephen Lawrence which actually resulted in the Race Relations (Amendment) Act, whose achievements we are celebrating after 10 years.

There is not only success, but a downside to this issue. Over the past few years we have increasingly sacrificed some of the values we cherish. The concepts of "rights" and "liberty" in a democratic society are all that we appreciate. These had to be fought for, and in many parts of the world they are still to be won. Increasingly, we see that political powers in Parliament or success in a general election are the result of issue-based politics which is lacking in political philosophy and beliefs. I shudder at the thought of a large number of measures being translated into parliamentary Bills without the underlying beliefs which should underpin policies.

For example, how can we justify the unremitting attacks on trial by jury; the derogation from human rights legislation; the introduction of ID cards; the criminalising of children as young as 10; the violating of the provisions of the UN convention on the rights of refugees; and the detention of DNA samples of innocent people? Where did all this feature in the core values of the Labour Party? It is here that great care needs to be exercised. Democracy and democratic values are established in one's belief about the freedom of the individual. This is fundamental to the principle of democracy and any dilution of such principles negates democracy. If you take the freedom of the individual to its logical conclusion, it will point to a commitment to civil rights—the right to live in peace; the right to get an education; the right to get a job; the right to raise a family free from fear; and, above all, the right to be treated fairly and with respect without reference to race, colour or ethnic origin. All of those are the basic civil rights that we talk about.

In a democracy, they are the issues at the core of everything that needs to be done. They are at the heart of every issue. No longer can a society endure in peace, live with itself and prosper in all ways if in that society the establishment denies others equal opportunities and protection from discrimination.

In our fast-changing world we are often confronted with a change in attitude and a new assertiveness. Youngsters are better educated, better informed and question authority more than ever before. Equally, there are other factors that often put pressure on our democracy. The globalisation of power, the decline of class loyalty, and the end of deference put great pressure on some of the antique structures and often on the antiquated ways in which some of us think. Change is frightening to many but there is a positive side. We are gaining interdependence, self-reliance, openness, liberty, diversity and pluralism. All these things are to be applauded in our society. We are seeing the birth of new values and a new culture encompassing all that is good in our own values and all that is good in the values of others. We cannot turn a blind eye. No longer can we sustain our economic and political development if we continue to behave like little Englanders.

The crucial question will continue to arise: how do we safeguard democracy and the democratic process which is so deeply engrained in our values and beliefs? The answer is simple. We must continue to oppose and at times deny Governments the ability to take actions that impinge on our individual freedoms. The reform of our Parliament is still a long way off. It is not enough to talk about the reform of the Lords. Parliament as a whole needs to be reformed. The Executive are far too powerful and the legislators so weak. We still do not have adequate representation of women or our diverse communities in our political process.

Over the past 10 years we have had a steady development of the concept of human rights, including the very positive step of incorporating the European Convention of Human Rights into UK law through the Human Rights Act 1998. For far too long in the UK we have assumed that our liberties are protected by a set of traditions and customary activities assisted by general consensus within our society about the liberty of the individual. We have no written constitution and very little guidance in the legal process and in documentation. This is a nice cosy approach which is increasingly challenged by the human rights legislation. It is not surprising that this is uncomfortable for the Tory Party and that change is being proposed.

I am aware that my time is up, so I will sit down, but I hope that we will have further opportunities to debate this subject as there are so many issues to concentrate on. In conclusion, the heart of the democratic process is the voting process. It may lead us, as the noble Lord, Lord Anderson, said, to voting reform. That is essential; otherwise it will negate our democracy.

4.28 pm

Lord Bates: My Lords, I begin by adding my thanks to the noble Lord, Lord Harrison, for securing the debate, which has been presented and conducted in an outstanding way. The contributions from around the Chamber have been constructive and occasionally inspiring as we have reflected on the democracy, openness and tolerance which is woven into the DNA and aspirations of the people of this country. We have a proud record of speaking up against injustice and intolerance and promoting democracy at home and

abroad. That positive view, which was so wonderfully expounded on by the noble Lord, Lord Mitchell, is something of which we are proud.

All such debates present a certain problem. I am an incurable optimist and love to be positive about everything, particularly about this country, but it would not be much of a debate if we all simply just agree. In that spirit I hope that noble Lords will forgive me if I consider some evidence that might point to a different view in the hope that we can come back to the clear view of what we need to do to secure those values that are so precious to us.

One of the weaknesses of the current Government is that whenever they are faced with a problem, they instinctively believe that the answer lies in one of three things: regulation; expenditure of public finance; or, indeed in surveillance—greater collection of data.

I want to present the case that, as the noble Baroness, Lady Kennedy, said, the people of this country can be trusted. There is another option available to us, which is not to legislate, not to give public money and not to surveil, but to trust people to do the right thing.

Over the past 10 years, the proportion of public income which is spent by the Government has risen from 38.2 per cent to 50 per cent this year. The average number of laws passed each year during the time of my noble friend Lady Thatcher as Prime Minister was 1,724. In 2007, that had risen to 3,071 laws each year. Each one of those laws, each one of those regulations, requires a bureaucrat to collect data to ensure that the law is being complied with. That requires a regulatory approach.

In addition, we have seen a greater centralisation of power. I take the point about devolution, but in England we have seen a significant centralisation of power, with more and more powers taken away from local people to have the freedom to decide how they spend their money and set targets to meet their local community needs. That decision is increasingly taken in Whitehall, rather than in their locality. As a result, the Local Government Association has estimated that its members are responsible for providing data on some 1,200 targets to the Government. Those data must be collected and sent up the line. Why does that matter? It matters not only because it is wasteful and information overload, but a lot of people come to teaching, nursing and the police force because they want to protect, to care and to teach. They do not come do these jobs because they want to fill out forms—it would be pretty disappointing if they did. That is why we need to free people up and trust them more to do the right thing.

One thing we have not touched on—we need to put in a line about this—is that our prodigious style of legislating and legislating, issuing more and more regulations from this place, means that we are effectively saying that the people on the ground doing the job cannot be trusted. They then find a rich sense of irony in the events of last year, when it was found that some—I stress, some—Members of this place, who were legislating, could not be trusted to fill in their expenses correctly and behave in an honourable way. Therefore, people say, “Why should we trust you to legislate for us when you do not trust us to do our jobs?”. The erosion of trust is a great challenge in our

[LORD BATES]

society and something to which we must attend. The centralisation of power and the erosion of trust, leads, as the noble Lord, Lord Roberts, said, to a lack of participation in local democracy. People think, “Why should I get involved in local democracy?”, so we find that more people vote on the final of “The X Factor” than in local elections. Why is that? Because there has been atrophy of power in local government. People think that it does not matter.

We see that represented in a number of minute ways. A telling example is the debate taking place surrounding the clearing of snow from pathways. I know that this is something of an urban myth, but it is an urban myth about which the Health and Safety Executive has done nothing to disabuse people. The view is, “Leave the snow, leave the pathways as they are, do not get involved in clearing them, because if you try to clear them for a neighbour or to make school a little more accessible, you could face a lawsuit”. Everyone says, “Oh, that is an urban myth”. It may be, but it would be great if the Minister could slay that urban myth when he responds. It is quite wrong that people should be paranoid about wanting to help other people by doing the right thing, doing good things in their community and helping their neighbours for fear that they will be the subject of litigation. As a result of the army of new legislation, the fear that we have become a more litigious, contractual society, rather than a relational society, causes concern.

A number of noble Lords spoke about tolerance. I particularly acknowledge the remarks of my noble friend Lord Patten, who spoke powerfully about the sense, particularly in the Christian church, that there is growing intolerance towards people of faith and that they are being victimised. That cannot be right. I am sure that the pendulum has swung, but we need to remember that legislation and the pendulum were meant to correct something that was wrong. The corrective was never meant to be normative. We have reached a position where we think that the default position we should have as a society is for ever to take powers away from people and take the view that we do not trust them to do the right thing in their local communities and to look after their neighbours.

The title of this debate asks how we can make the United Kingdom a more tolerant, democratic and open society. I believe that that is the language of legislation, regulation and surveillance and the language of the past. The language of the future needs to ask how we allow and encourage people to become more tolerant, democratic and free. The answer to that is in the words “personal responsibility”, and the mechanism for that is trust.

4.36 pm

Lord Davies of Oldham: My Lords, this debate was consensual about the extent to which our society displays clear virtues with regard to tolerance and acceptance and where progress needs to be made. The noble Lord, Lord Bates, introduced controversy. I understand the point he made about prescription in narrow ways not being beneficial, but this debate identified that the achievement of a more tolerant society over the past 30 years is the result of legislation.

My noble friend Lord Harrison began the debate with a wide-ranging review of changes in society, and other speakers faced that position. Of course more needs to be done and we have weaknesses in levels of tolerance and acceptance in our society, but progress has been etched out and achieved by legislation. The Race Relations Act, the Disability Discrimination Act, the Freedom of Information Act, the devolution Act and the Civil Partnership Act all, in their different ways, enhance tolerance, greater freedom and participation. They are very different Acts covering very different areas, but they are all part of the architecture that nearly every contributor to this debate emphasised our society has much to be proud of. It is based on civil freedom, respect for the individual and, in particular, amity between communities, which we need to sustain and develop. I recognise that powerful speeches have been made about the areas in which we need to make further progress.

The noble Lord, Lord Bates, advanced a do-nothing perspective that might help on whether householders are creating danger when they clear paths. I have heard that canard before. It all revolves around whether a greater danger has been created by clearing the snow than by leaving it alone. On the whole, the number of prosecutions against householders for having put their neighbours at risk because they have cleared their paths is, if not negligible, then so limited as to be insignificant.

Meanwhile, we must recognise that our society is based on a framework of law, particularly with regard to the advancement of interests that are challenged and threatened. Those who need to feel safe in our society need protection, which is created significantly by the framework of law, and I am grateful to my noble friend Lord Harrison not only for opening this debate but for identifying pieces of legislative achievement under Labour Administrations, including this one, that have enhanced the freedoms of our individuals.

Lord Patten: I listened with care to everything that the noble Lord, Lord Davies of Oldham, has just said. He will correct me if I am wrong, but it seems that his belief is that the only way, in the words of his noble friend Lord Harrison, to make the United Kingdom a more tolerant, democratic and open society is to use legislation on every occasion to bring this about.

Lord Davies of Oldham: My Lords, I am not saying, nor did my noble friend Lord Harrison suggest, that only legislation brought this about, although legislation is an important component that conditions the perspectives of society. One obvious example is the Disability Discrimination Act. There is no doubt at all that our improvements to the rights of the disabled across a whole range of activity in our society have been based on legislation. I recall a time, as no doubt noble Lords can, when an airline refused to allow disabled passengers on to its aircraft because, as far as it was concerned, they were an extra burden and it did not cater for them because it was a cheap-fares airline. We could do nothing about it because the legislation did not extend beyond the airport terminal to the tarmac and entry into the aircraft. It was a foreign

airline, so we could do nothing about it. Where we can do things, however, it is quite clear that we have greatly enhanced the position of disabled people in our society, and the law has done that. Of course I recognise that there are other aspects beyond legislation, but I seek to counter the Opposition's position, which will not stand in this debate.

I am grateful to my noble friend Lord Harrison for raising a number of issues. He talked about free access to theatres. That is pushing things a little further, but he will know that the National Theatre and others have pioneered cheap £10 tickets for major productions in the West End—a reflection of some progress in that area. He also emphasised the particular importance of something that was not picked up by any other speaker in the debate: the right to roam. There is no doubt at all that freedom includes freedom in this area. At one stage, landowners thought that this threatened their interests, but on the whole the Act has been hugely successful and has promoted opportunities for our citizens that are greatly appreciated.

The noble Lord, Lord Patten, moved on to the important issue of tolerance. I hear what he says about religious freedom, which is of the greatest significance. Our society cannot be free unless there is proper protection for religious freedom and people are free to worship in the way in which they are called to do so, but he will appreciate that part of our difficulty is that there are some who masquerade under the religious banner and who are a threat to our society. I have met many imams—I represented a constituency with a very large number of Muslim constituents, so I know of imams' wonderful work and leadership in their communities—but the noble Lord will also know that we have to watch with care those who carry the title without any commitment to the teachings of Islam, who have a very distorted perspective of the concept of jihad and who are a constant physical challenge to other people. Within that framework there is bound to be an area of constraint. As to the more general positions that he put forward on religious freedoms, no one could possibly take exception to the thrust of his arguments.

The noble Lord, Lord Roberts of Llandudno, emphasised a number of points. He stressed that devolution and other legislation brought increased opportunities for participation in the devolved Administrations. I want to reassure him on his cardinal concern about postal votes and the general election, particularly with regard to our forces serving in Afghanistan. I am with him entirely on that. The Government are eager to reassure the House that we will make proper arrangements in time for the participation of our forces personnel in the next general election. The problem with the prescription put forward by the noble Lord, Lord Roberts, is that we would need changes to primary legislation to change the dates of postal voting. He will recognise the impossibility of us being able to offer that at this stage.

My noble friend Lord Anderson brought in some important points. He emphasised the extent to which we had to challenge racism in our society and how we have made progress in a more tolerant society. I want to reassure him on binge drinking, which predates

changes in the licensing laws and has precious little to do with pubs staying open extra hours. A great deal of binge drinking relates to hours which are not just when the pubs are open. The number of public houses which have applied for licensing beyond midnight is relatively few. We are concerned about binge drinking, one aspect of which is the cheapness of alcohol. I want to reassure my noble friend that we are addressing ourselves—there was a recent Statement and another by the Department of Health—to the very cheap pricing of alcohol which helps to cause this problem.

My noble friend Lord Borrie took us down memory lane in referring to the contributions of Anthony Crosland and Richard Crossman to the development of our society. He emphasised that the process of enhancing personal freedoms has a long history to it, as did my noble friend Lord Judd in his emphasis on issues of constitutional change. I acknowledge that there always will be defects with regard to our constitutional arrangements which need to be challenged. He will also know that since 1997, we have had significant Acts of Parliament on constitutional change—not least the whole nature of this House has been transformed by the Act which changed its composition a decade ago.

I was very grateful for the contribution from my noble friend Lady Kennedy of The Shaws. She knows that from time to time she makes a contribution that makes the hair curl of those of us who serve in the Government Whips Office and, to put it mildly, we have our anxieties. In counting Opposition votes, I have noted that my noble friend is often among them. In her terms it is for the very best of reasons, which she often articulates on the Floor. But today she brought a measure of encouragement as regards the way in which we could look at the processes of consultation with our communities with the confidence of the judgment that they would show. I do not think that there is the slightest doubt about that affirmation of the concepts of democracy to which we all subscribe. I am conscious that this House is just a tad away from the full embracement of democracy, but many noble Lords share her perspective, which she identified in such an important and constructive manner today.

I am grateful to my noble friend Lord Mitchell for his contribution. It was an important one that identified areas where enormous progress has been made. He is right to celebrate diversity, particularly in our capital city, and he is right to emphasise that we would not have got the Olympic Games without being able to present that argument. However, I take on board his point about anxieties in some communities. We know that there is a fascist element represented by a minority party in our society that poses a threat to all minority groups, and we know also that tensions arise from time to time between minority groups. My noble friend was also right to say that although universities of course have to cherish freedom of speech and debate as their essential role, it is also important that they remove any element of fear that might obtain with regard to some in their communities.

I am grateful to my noble friend Lord Graham and to the noble Lord, Lord Dholakia, for his precise identification of the need to advance civil liberties. I regret that I am not able to pay full tribute to all the

[LORD DAVIES OF OLDHAM] contributions made to this debate. It has been a most heartening and encouraging one, and on behalf of the Government Benches I hope that I can say that we are in total congruence with it.

4.50 pm

Lord Harrison: My Lords, in swiftly ending the debate I shall respond to the suggestion of my noble friend Lord Anderson that I spoke in a partisan way. I thank all my colleagues on these Benches, but would like to point out that in the form of the Liberal Democrat Benches, both physically and philosophically, I have two fellow travellers. I would like also to thank all the other Members who spoke in the debate. With that, and with the hope that noble Lords will read the debate in *Hansard*, I beg leave to withdraw the Motion.

Motion withdrawn.

Marriage (Wales) Bill [HL]

Order of Commitment Discharged

4.51 pm

Moved By Lord Rowe-Beard

That the order of commitment be discharged.

Lord Rowe-Beard: My Lords, I understand that no amendments have been set down to this Bill and that no noble Lord has indicated a wish to move a manuscript amendment or to speak in Committee. Unless, therefore, any noble Lord objects, I beg to move that the order of commitment be discharged.

Motion agreed

Co-operative and Community Benefit Societies and Credit Unions Bill [HL]

Third Reading

4.52 pm

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Davies of Oldham): My Lords, I have it in command from Her Majesty the Queen and His Royal Highness the Prince of Wales to acquaint the House that they, having been informed of the purport of the Co-operative and Community Benefit Societies and Credit Unions Bill, have consented to place their interests, so far as they are affected by the Bill, at the disposal of Parliament for the purposes of the Bill.

Motion

Moved by Lord Tomlinson

That the Bill do now pass.

Lord Tomlinson: My Lords, briefly, perhaps I may express my gratitude for the support of three different groups on this Bill. First, I thank the Treasury for all its help in the redrafting of various clauses to overcome the objections that came from two Select Committees of your Lordships' House. That work is very much

appreciated. Secondly, I thank the opposition parties and the Cross Benches for collaborating so readily in giving the Bill a fair wind during this Session of Parliament. Thirdly, I thank my right honourable friend Malcolm Wicks for all the spadework he has done in another place. I hope that he encounters the same collaborative atmosphere in which to pursue the Bill when it goes back to the other place as I have had in this House.

Bill passed.

General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010

Motion to Approve

4.55 pm

Moved By Baroness Thornton

That the draft order laid before the House on 18 November 2009 be approved. *First report from the Joint Committee on Statutory Instruments.*

Baroness Thornton: My Lords, the order being debated today is the first in a series of legislative instruments implementing the recommendations made in the report of the Tooke inquiry, *Aspiring to Excellence—Findings and Final Recommendations of the Independent Inquiry into Modernising Medical Careers*. This is quite a complex order and my remarks will be quite lengthy. I apologise in advance for that. However, I hope they will be helpful in facilitating the discussion.

The draft order is made under powers in Section 60 of the Health Act 1999. It abolishes the Postgraduate Medical Education and Training Board and transfers its functions to the General Medical Council. The Postgraduate Medical Education and Training Board was created in 2003 and took over the functions of its two predecessor bodies—the Specialist Training Authority, the STA, and the Joint Committee on Postgraduate Training in General Practice, known colloquially as the JCPTGP—in September 2005. It currently approves standards for assessments, trainers and programmes for the delivery of postgraduate medical education and training, and monitors training, quality standards and outcomes through inspection visits and other arrangements in the UK. It also awards certificates of completion of training, CCTs, and determines the eligibility of doctors for inclusion on the specialist and GP registers. The effect of the draft order is to transfer to the GMC statutory responsibility for delivering these functions, which are central to ensuring the delivery of effective patient care.

The GMC already has responsibility for setting and assuring standards in undergraduate medical education and for ensuring that all doctors participate effectively in continuing professional development to ensure that they keep their skills up to date after completing training. While taking on responsibility for postgraduate medical education and training is a significant extension of the GMC's remit, it is in a functional area in which the GMC already has a strong track record.

When the Postgraduate Medical Education and Training Board was created in 2003, it brought together, for the first time, responsibility for setting and maintaining standards in both postgraduate general practice education and training and specialist medical education and training. The rationale for merging the functions of the Postgraduate Medical Education and Training Board with the GMC originates from the report of the Tooke Inquiry, *Aspiring to Excellence—Findings and Final Recommendations of the Independent Inquiry into Modernising Medical Careers*.

This is not a new idea. It was first recommended in 1975 in the Merrison report. The Tooke inquiry demonstrated dissatisfaction among the profession with the current fragmented system and found evidence that the medical profession sought an education and training standards-setting authority that was independent of both the Government and the NHS, had strong lay representation and which could work in close partnership with the profession. Such a body would also need to draw on relevant specialist expertise to facilitate flexible training and set standards across the continuum of medical education, from undergraduate studies through to postgraduate qualification and continuing professional development.

The inquiry suggested that a merger of the two bodies responsible for medical education and training would provide the potential for shared expertise, the development of a shared philosophy and facilitate economies of scale. The merger will also create a single competent authority for medical education and training and a single point of contact for doctors, employers and other partner organisations.

Historically, the financial burden of standard setting in postgraduate medical education and training has fallen primarily on the trainee. The Tooke report also revealed that there is strong support for the view that it would be more appropriate for the costs to be borne by the profession as a whole. Transferring responsibility for setting and assuring standards of postgraduate medical education and training into the GMC's remit will enable changes to the current funding structure to be made so that, in future, the system of assuring postgraduate medical education and training could be funded through GMC fees with the burden of costs shared across all licensed doctors.

Both the GMC and the Postgraduate Medical Education and Training Board support the merger, recognising that it creates an opportunity to realise more far-reaching improvements in the way that medical education and training are regulated. During the public consultation on the proposed legislation, there was also very strong support for the proposal, with a large majority of respondents supporting a merger of the two bodies.

Turning to the proposed transfer of functions, I have already said that the draft order makes provision similar to that currently in the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003. I apologise for going into some detail. As the order integrates the provisions of the 2003 order into the Medical Act 2003, it is, I am afraid, rather complicated legislation.

5 pm

Article 3 of the order formally abolishes the Postgraduate Medical Education and Training Board. Article 4 then introduces a number of amendments into the Medical Act 1983, made in Schedule 1 to the order.

Although the PMETB is currently responsible for setting standards for entry to the GP register and the specialist register, the GMC as the body responsible for regulating medical practitioners currently holds and administers the registers. The GMC will continue to hold and administer the registers once the PMETB is abolished.

However, a number of consequential amendments to the Medical Act 1983 are required in order to ensure that the GMC is able to perform all the statutory functions necessary, both in connection with the keeping of the registers and postgraduate medical education and training generally. With this in mind, paragraph 10 of Schedule 1 inserts a new Part 4A into the Medical Act 1983 dealing with postgraduate medical education and training.

I shall not take up the House's time by going through all the provisions of new Part 4A in detail as there is a comprehensive explanation of them in the consultation paper on the draft order prepared by the Department of Health. I should perhaps mention, however, the provisions where there is a departure from the current legislative position. These relate to the categories of registered medical practitioners, other than those who have been awarded a CCT, who are eligible for entry in the GP register and the specialist register. Whereas the 2003 order set out the eligibility criteria for doctors wishing to be included in the GP register and the specialist register, new Part 4A provides new delegated powers enabling the Privy Council to prescribe such criteria in an order. These new powers, at new Section 34C(2)(c) and Section 34D(2)(c), enable the Privy Council by order to specify other categories of registered medical practitioners who may be entitled to be included on the GP register or the specialist register respectively. There is also a power at new Section 34D(3) for the Privy Council by order to designate specialties as recognised specialties for the purpose of inclusion in the specialist register.

Creating a new regulation-making power will enable any necessary changes to the criteria for inclusion on the registers to be made more quickly and easily in order to reflect changes in the wider external environment. However, I believe that the necessary checks and balances would be provided, as many of the eligibility criteria are derived from European Community legislation. Changes would be consulted on and be subject to approval by Parliament.

The Postgraduate Medical Education and Training Order of Council 2010, which sets out detailed provisions relating to the categories of registered medical practitioners other than those who have been awarded a CCT who will be eligible for entry in the GP register and the specialist register, was consulted on at the same time as the draft order before us today and will be laid before Parliament as soon as this order is made.

The draft order does not make any substantial changes to standards of postgraduate medical education

[BARONESS THORNTON]

and training, the process for certifying that doctors have completed postgraduate medical education and training, or the way that any of the quality assurance functions in postgraduate medical education and training are undertaken. It was felt that changing procedures at the same time as significant personnel changes were taking place would increase the risk of disruption and that there was a need to maintain the operational stability of both organisations during the transfer. However, the need for a comprehensive review of the system of medical education and training is recognised.

The noble Lord, Lord Patel, chairman of the National Patient Safety Agency and former chair of the Specialist Training Authority, was invited by the GMC and the Postgraduate Medical Education and Training Board to lead the ongoing review of the current arrangements, which is due to make recommendations on an appropriate, contemporary approach to medical education and training in March 2010.

Noble Lords may be aware that the GMC and PMETB published for consultation recommendations arising from the review of the noble Lord, Lord Patel, on 11 January. I understand that the outcome of the consultation will then inform the final report and recommendations to the GMC.

A merger in advance of the noble Lord's final report makes sense because it allows the GMC to take an overview of the whole continuous system. The GMC will then be better placed to identify and implement any changes required as a result.

Finally, I should also point out that the order makes a technical amendment to the Medical Act to enable GPs to be included on the GP register without the need to make a request to the GMC when they have been registered temporarily under Section 18A of the Medical Act in the event that the GMC has been advised that a civil emergency has occurred, is occurring, or is about to occur. As part of the Government's planning in response to the recent swine flu epidemic, it became clear that, although the powers introduced in the Health Care and Associated Professions (Miscellaneous Amendments) Order 2008 enabled temporary registration of doctors generally, they did not give the GMC the explicit power to be able automatically to add former GPs to the GP register. To practise primary medical services, GPs need to be included on the GP register before they can be included on their employer's local performers list.

New section 34F(4) of the Medical Act enables the GMC automatically to include doctors' names on the GP register as soon as re-registration occurs. I commend the order to the House.

Earl Howe: My Lords, I begin by thanking the Minister for introducing the order, which I welcome entirely. I shall therefore not spend long in responding.

As the Minister said, it was the report by Sir John Tooke two years ago which recommended that PMETB should be merged into the General Medical Council. The reasons for doing this are several, but the chief of them is to bring together a fragmented system of setting and monitoring standards in medical education and training and to create a clear connection between

the registration of doctors, their certification and subsequent revalidation. In short, as a result of this order, there will be a single, competent authority responsible for the qualifications and the performance of a doctor at every stage of his or her career pathway. Those arrangements will bring with them clear and obvious benefits.

The noble lord, Lord Patel, is currently conducting a review into the regulation of medical education and training, and there was some feeling that we ought to have awaited the outcome of that review before asking Parliament to approve this merger. However, my own view is that this order, which deals merely with the transfer of basic functions, ought not to compromise the noble Lord's freedom to make recommendations on a more detailed and practical level. I hope that the noble Lord himself does not feel that we are jumping the gun here.

The Tooke inquiry set out what it saw as the features of an ideal regulatory authority—that it should be independent of government, which PMETB is not; have strong lay representation; facilitate training that is flexible and which can adapt to change; and cover the whole continuum of medical education throughout a doctor's career. Tooke also said that there should be one authority overseeing medical education and standards and that that authority should work in close partnership with the profession. I do not think that many people disagreed with those conclusions. While there were several ways of delivering some or most of the desirable features which Tooke identified, the option which the Government chose and which we are now considering was the only one that delivered all of them without introducing an unwelcome degree of risk and expense. It was significant, I think, that 82 per cent of the members of the medical profession who responded to the consultation came out in favour of this option.

Everything that I have read and heard leads me to think that the GMC is well prepared to implement the merger smoothly, and strongly placed to cope with its expanded role—which, incidentally, should be facilitated by its well established IT systems and support staff. I am sure, too, that the GMC will be in a good position to take in its stride any improvements to postgraduate medical education that are deemed necessary in the future. It is right that we should thank PMETB for the role that it has played over the last few years and to wish the GMC well as it approaches its new tasks.

My only query about this order is technical. Could the Minister clarify why the amendments to the Medical Act 1983, which are set out in Schedule 1 to the order, do not have to be effected by means of primary legislation? How satisfactory is it, and how comfortable should we feel, that we are amending an Act of Parliament in a fairly major way by means of a mere statutory instrument? As I understand it, Schedule 1 says that the performance of the functions currently carried out by PMETB no longer have to be specified in primary legislation, but can instead be prescribed in subordinate legislation. That seems a fairly important change to me, and I would be grateful to hear from the Minister whether the gain in flexibility, which this clearly delivers, justifies the concomitant weakening of parliamentary control and scrutiny.

Lord Addington: When I first looked at this document—despite the fact that I found it mildly intimidating, I read through it—the idea that all the training facilities are being consolidated in one body seemed very sensible to me. When something seems sensible, you then look to practical problems with it. Reading it through and trying to find out if there were practical problems, I did not think that there were any insurmountable ones. I must admit that the technical point that the noble Earl has just raised had passed me by, but an answer would probably help those who come after us. If the noble Lord, Lord Patel, has no objection to this, I suggest that the rest of us would be well advised to let it go through.

Baroness Finlay of Llandaff: My Lords, I should like briefly to comment and I must declare an interest as someone with her name on the specialist register of the GMC and as an observer at the Medical Schools Council at the time of the Tooke inquiry. This is an important document; it is being welcomed generally and almost without major reservation, although there will always be some minor ones. However, I have a few questions for the Minister.

The first is for clarification. Proposed new Section 34F deals with the,

“Removal of names from the General Practitioner Register and the Specialist Register”.

That is not absolutely clear, but I hope that that is because of my not seeing the clarity in its wording. Should somebody fall below the level of their specialist competencies, when we get into revalidation and relicensing would they still remain on the medical register during a period of retraining and then re-enter? It looks as if it is written from the point of view of somebody being struck off for a time, then coming back on or having a suspended medical registration, rather than their simply falling below the line as a specialist. That is one question.

Secondly, I very much welcome the provision of emergency powers in the event of a national emergency. That fits completely with the report from this House on pandemic flu, with which everyone here is familiar. However, I wonder whether it should also include a provision that, in a dire emergency, those doctors who have ceased to maintain their GMC registration—within the previous 12 months, perhaps—could be rapidly reregistered, so that they could return to provide hospital services. That would particularly be in some of the specialities where not very many other people would be around. I am thinking of highly specialised areas in surgery, cardiology and so on, where a lot of high-tech medicine is going on. One would hate to see those areas fold completely because we have missed a technicality at this stage.

Lastly, I have a much more general question. This order is important for protecting patients. It states clearly how training up to specialist competencies will occur and it says that those doctors on the specialist register have the appropriate skills and competencies and are maintaining them. I hope that the other healthcare professions will pick up that example. We recently had the document *Post Registration Career Framework for Nurses in Wales*, which Rosemary Kennedy, our Chief Nursing Officer for Wales, led on. That lays

out the specialist competencies for nurses. I do not wish to sound disrespectful, but the definition of specialist competencies as regards certain healthcare disciplines is long overdue. In some healthcare disciplines, staff may be graded, paid and viewed by patients as specialists but have no specialist register and, by and large, no framework. I urge the Government to discuss taking forward specialist registration with other registration bodies, thereby enabling patients to assess the skills and competencies of everybody looking after them who is a member of a specialist team. We live in an era of multiprofessional teams, not unidisciplinary ones.

5.15 pm

Lord Colwyn: My Lords, I, too, welcome the order. The transfer of functions, which, as we have heard, was recommended in Sir John Tooke's independent inquiry into modernising medical careers, is widely supported, with responses to a recent consultation on the draft order overwhelmingly positive. This legislation is one of the final stages of a merger which is already well under way and which will bring a number of benefits, including the rationalisation of medical education and training regulation, a single point of contact for key interest groups, a more efficient delivery of functions and the enhanced opportunity to share best practice.

I also welcome the current review by the noble Lord, Lord Patel, of the regulation of medical education and training and its focus on the developments needed to achieve an appropriate and modern approach to regulating medical education and training.

I am reassured to hear that fees for trainee doctors completing specialist GP training, or seeking certification via the equivalence routes, will be frozen at the current levels for the 2010-11 period and I welcome the news that the GMC will hold a consultation on a future fees framework later this year.

I have three questions for the Minister. In view of the current problems with an out-of-hours doctor making a very serious mistake, can she confirm that the single competent authority for medical education, or the GMC, will ensure that all doctors will have to show and prove an ability to be able to communicate in English with both colleagues and patients? Is she aware of any similar plans to transfer postgraduate dental education to the General Dental Council, or does the Specialist Dental Education Board, which sounds as if it deals just with specialist training, cover all postgraduate dental training, so that there is no need for any change? Does she not agree that plans for re-inclusion on the register in the event of an emergency such as a major pandemic, which is covered in this order for the medical profession, would also be beneficial to the dental profession?

Lord Patel: My Lords, I support the order. Putting all the regulation related to medical training under one regulator will be very beneficial. I was previously chairman of the specialist training authority and I remember the difficulties that I experienced when I tried to regulate postgraduate medical training.

Like the noble Earl, Lord Howe, I pay tribute to the Postgraduate Medical Education and Training Board. Under the current and previous chairmen, the board

[LORD PATEL]

has done a fantastic job in implementing the required regulatory framework for postgraduate medical education and training. The review that I am conducting on behalf of the General Medical Council and the PMETB has now gone out to wider consultation and is available on the GMC's website for anybody who wishes to see it. People should feel free to comment on the consultation. We are looking at a regulatory framework that covers a doctor's career from entry to medical school to the day that he or she retires. It should cover every stage of training at undergraduate and postgraduate level, continuous professional development and recertification. It may well be that, after consultation, some consequential changes are required to the duties and powers of the GMC to fulfil its duties in relation to making sure that people have the competencies necessary to remain on the register, whether that be a generalist or a specialist register.

In that context, I support the part of the order on temporary registration in an emergency. This pertains only to general practice, because it is the competencies of a GP that would be required. The issue of whether retired specialists might be able to contribute—an important point made by the noble Baroness, Lady Finlay—would have to be considered, including what regulatory framework would be required. I hope that the consultation document from the review that I am conducting will address that. Other powers may be required to fulfil that aspect, because it is slightly different on the GP side.

Baroness Finlay of Llandaff: Perhaps I may ask a brief question. Heaven forbid that we should have a catastrophe such as the recent earthquake, but in that situation we would desperately need anaesthetists and surgeons. It would not be helpful to expand the GP base. Does the noble Lord in his thinking recognise that, sadly, we have to plan for everything?

Lord Patel: It is fortunate that we are not on any fault lines that I know of, but I take the noble Baroness's point that, in a disaster, all skills would be required. Equally important is that a regulatory framework exists that allows people with competency to practise accordingly—not everyone else. I hope that covers the question.

I support both parts of the order. Furthermore, the question was asked as to whether I feel that we could have waited for this order until my report was finalised. I do not believe that that is the case. I think that I have the freedom that I need to get the report through. I do not need to wait for this order to be finalised. In any case, as the noble Earl well knows, I do not require particular freedom. I am not and will not be constrained by this.

However, I wish seek assurance from the Minister that the Government remain committed to supporting this merger, that it happens in the specified period and that therefore there remains a commitment to support the transitional costs of the merger that the Department of Health has already entered into. If that commitment is given, I have no doubt that the merger will go ahead speedily. I support the order.

Baroness Thornton: I thank noble Lords across the House for their support for this important order. I hope that I can answer some of the questions that we have been asked. I do not need to respond to the question of the noble Earl about the review of the noble Lord, Lord Patel, and the merger—in fact, it was not really a question, because the noble Earl agreed with us that there was no restraint on the noble Lord's work from this issue and that it was an organisational matter.

The noble Earl also asked about primary legislation. The answer to that is our old favourite; Section 60 of the Health Act 1999 provides the power to amend primary legislation. The noble Earl will recall, given that we have dealt with several orders in that way, that the process is speeded up when we can take powers under Section 60. However, the safeguard is, of course, that these orders have to be debated and agreed by both Houses of Parliament.

The noble Earl also raised the issue of different types of legislation, which relates to the point that I have just covered. Our approach is to put the overarching framework into the Medical Act 1983 but much of the operational detail into subordinate legislation. This will help to ensure that legislative provisions can be amended more easily if necessary and enable a speedy response to changes in the system of medical education and training; for example, possibly those arising out of the review being conducted by the noble Lord, Lord Patel.

The noble Baroness, Lady Finlay, raised the issue of re-registration. The GMC already has powers to include doctors on the specialist register in an emergency. The noble Baroness also raised the question of revalidation and asked what happens to doctors. Doctors undergoing a period of retraining would normally remain on the specialist register. However, the noble Baroness raised an interesting point. If she thinks that the current provisions are not sufficient, we would certainly be very happy to discuss them with her in more detail.

Lord Patel: Currently, doctors who are suspended from duties and are subjected to further assessment remain on the register while they are being assessed, but they do not necessarily practise.

Baroness Thornton: I thank the noble Lord for that clarification. The noble Lord, Lord Colwyn, raised the issue of dentists. As he will be aware, dentists are regulated by the General Dental Council and do not fall within the remit of either the GMC or the Postgraduate Medical Education and Training Board. The only registered dentists who will be affected by the scope of the draft order are consultants in oral maxillo-facial surgery. This group of specialists is required to be registered with the General Medical Council as well, as I am sure the noble Lord is aware, and to be included in the specialist register, as well as maintaining registration with the General Dental Council. Any changes to the current arrangements would be for the General Dental Council to consider, and certainly the department would work with it should the council wish to do so.

The noble Lord, Lord Colwyn, also asked whether dentists need powers to re-register. If the General Dental Council indicated that it needed more powers

in respect of emergency re-registration, we would be happy to consider that. I understand that discussions with the regulator about legislative changes are currently in hand.

The noble Lord also raised the question of language testing. We are working with the GMC to explore whether there is any scope to include a language test as part of the registration. Our advice to date is that this is not possible under existing legislation, but we are certainly pursuing the matter because we think that it is very important.

I am very grateful for the support of the noble Lord, Lord Addington. I think that, if he does not mind my saying so, he and I are the least expert people in the Chamber on these matters, although I have the benefit of a department.

Finally, I thank the noble Lord, Lord Patel, for his remarks and wish him well with his review. I assure him that the department is consistent in its support for

the cost of the merger and for ensuring that it takes place in an orderly fashion.

We are grateful for the support for these proposals given by the GMC, and I join the noble Earl in paying tribute to the Postgraduate Medical Education and Training Board. Indeed, we are grateful for the support of the medical royal colleges and all the bodies that have an interest in improving the quality of medical education and training.

In closing, I remind noble Lords that these changes bring benefits to the medical profession by placing in a single body responsibility for setting and assuring standards across the continuum of postgraduate medical education and training. Most importantly, over the longer term, the proposed merger will bring significant benefits to NHS patients by improving standards of education and training for doctors in the UK.

Motion agreed.

House adjourned at 5.29 pm.

Written Statements

Thursday 14 January 2010

Armed Forces: Typhoon

Statement

The Minister for International Defence and Security (Baroness Taylor of Bolton): My right honourable friend the Parliamentary Under-Secretary of State for Defence (Quentin Davies) has made the following Written Ministerial Statement.

I am pleased to announce that the Ministry of Defence has today signed a 10-year contract, with Rolls-Royce, worth £865 million, for an enduring spares inclusive availability service for the Typhoon engine (EJ200).

This contract will see Rolls-Royce taking a major role in ensuring the availability of the Typhoon fleet to meet its standing and operational commitments and demonstrates the Ministry of Defence's commitment to partnering with British industry to get more efficient support for our front-line Typhoon fighter force.

The innovative partnering arrangement will help to sustain up to 3,000 highly skilled jobs throughout Rolls-Royce and the supply chain. Contracting for the long term will enable Rolls-Royce to consolidate its cost base and provide stability to its workforce while providing the optimised support service that the RAF requires.

Data Protection

Statement

Baroness Crawley: My right honourable friend the Minister of State, Cabinet Office (Angela E. Smith) has made the following Written Ministerial Statement.

On 25 June 2008 (*Official Report*, col. 26WS) the former Minister for the Cabinet Office, Ed Miliband, placed a report on government data-handling procedures before Parliament. That report put in place reforms to strengthen the Government's data-handling capability and management of risks to information. As part of this, the report committed to the publication of an annual report on information risk to be placed before Parliament. I am today placing the first annual report on *Protecting Information in Government* in the Libraries of both Houses.

The data-handling report set out measures to improve the handling of information by putting in place a set of core measures to protect personal data and other information across government including:

- the use of protective measures, such as encryption and penetration testing of systems;
- identifying the key individuals responsible for managing departmental information risk and information assets and setting out their responsibilities;
- mandating regular training for all staff involved in handling personal data;

introducing greater scrutiny and monitoring through statements on internal control, which are scrutinised by the National Audit Office and through spot checks by the Information Commissioner; and

enhancing transparency, through the reporting of data loss incidents in departments' annual resource accounts and this first annual report to Parliament on progress and information risk as a whole.

The report published today lays out the progress that has been made to meet these new data-handling requirements; how we will continue to drive improvements in our data handling and information risk-management capability, and the challenges which lie ahead.

The report highlights the considerable work that has been carried out across government in relation to improving data handling such as:

- the roll-out of enhanced data security training to over 450,000 public servants;

- the establishment of a network of more than 150 senior information risk owners at board level within organisations and over 9,000 people who are now responsible for ensuring that data are handled responsibly at a working level;

- the extent of the encryption of mobile devices including laptops and removable media with over 100,000 devices encrypted to date;

- penetration testing of ICT systems to protect systems from electronic attack and other threats (to date over 650 tests have been conducted), and;

- work to conduct privacy impact assessments across government with over 270 PIAs carried out on new projects handling personal data.

But the report also recognises that ensuring personal and sensitive information is treated as a valuable asset is a continuous task. It also highlights the remaining challenges and the work that is under way to build our information-assurance capability across government.

Race Inequality

Statement

The Parliamentary Under-Secretary of State, Department for Communities and Local Government & Department for Work and Pensions (Lord McKenzie of Luton): I have today published *Tackling Race Inequality: A Statement on Race*. This document sets out the Government's approach to tackling the inequalities that people from minority ethnic groups continue to face and also sets out the increasing complexity of those problems. The statement was informed by the responses to the publication *Tackling Race Inequalities: A Discussion Document* and the listening events held in April and May 2009 which supplemented the written document.

Over the past decade, the Government have worked tirelessly to build a fairer, more equal society. A society where a person's chances and opportunities in life are determined solely by their talent and effort—not by their class, gender, beliefs, sexuality or their race. The Macpherson report in 1999 has helped achieve substantial strides towards racial equality throughout our society.

However, there is still much to do. We know that there are still areas of concern, especially in school exclusions and stop and search. But we must also recognise that Britain today is not the same place as it was a decade ago. Migration, the growing importance of community cohesion, and our better understanding of the way in which race interacts with class and other factors such as religion and identity, have all changed the terms of the debate and made promoting race equality a much more complex challenge.

So we must recognise that we will not succeed in tackling racism without tackling all forms of discrimination, prejudice and inequality. We have to redouble our efforts to promote greater equality for all, and combine that with action to target the specific problems faced by particular groups. And we have to do that in ways which are fair, and seen to be fair, so that no group is neglected or overlooked.

This statement sets out how we will build on the remarkable achievements of the past 10 years. We now have a very strong legal framework to tackle racism and promote equality—this will be simplified once the new Equality Bill becomes law.

The emphasis in this statement is on enforcing those laws, particularly through the EHRC and through effective inspection of public services. We stress the commitment across government departments to promoting race equality. And we make clear that we will continue to promote targeted approaches to address the specific obstacles and barriers which hold particular groups back—such as the very successful Reach programme for black boys and young men. I am grateful to all those who have contributed to and commented on this statement. It reflects the concerns and priorities of a whole variety of individuals, community groups, and public bodies—and I look forward to working with them to deliver its ambitions.

Copies of the statement have been placed in the Libraries of both Houses.

Regional Development Agencies: East of England

Statement

The First Secretary of State, Secretary of State for Business, Innovation and Skills and Lord President of the Council (Lord Mandelson): I would like to announce a new chair appointment to the board of the East of England Regional Development Agency (EEDA).

William Pope will commence as chair designate, to ensure continuity, from 1 February 2010, and take up post as chair from 1 April 2010.

The appointment will be initially until 13 December 2012.

The appointment has been made in accordance with the Commissioner for Public Appointments code of practice. I have placed further details of the appointments in the Library of both Houses.

Urban Development Corporations

Statement

The Parliamentary Under-Secretary of State, Department for Communities and Local Government & Department for Work and Pensions (Lord McKenzie of Luton): My honourable friend the Parliamentary Under-Secretary of State (Shahid Malik) has made the following Written Ministerial Statement.

My honourable friend the Member for Dudley, North (Mr Austin) and I are today announcing the outcome of the quinquennial review of England's three urban development corporations (UDCs): London Thames Gateway, Thurrock Thames Gateway and West Northamptonshire. We are also outlining new delivery arrangements that will take forward the regeneration and sustainable growth of these areas that would allow for a shorter lifespan for the UDCs than was originally envisaged, and where possible, the return of certain planning responsibilities to local planning authorities.

The three UDCs were established in 2003 and 2004 to secure the regeneration of their areas as part of the planned housing and economic growth in the Thames Gateway and Milton Keynes-South Midlands growth areas. At the time of their establishment, the Government committed to reviewing the UDCs after five years. The quinquennial review fulfils that commitment.

The situation of each UDC is very different, and the review has therefore been carried out in such a way as to allow different decisions about the future of each UDC. In each case the review has considered:

whether the UDCs have fulfilled the rationale for establishing them, and how well they have performed, including progress against the targets they were set, since they were established;

whether changes locally or regionally affect the continuing need for a UDC, or the extent of its powers;

the impact of the changing national context, particularly the establishment of the Homes and Communities Agency;

efficiency in the light of the Government's operational efficiency programme, which is looking at achieving greater efficiencies in a number of cross-cutting areas, including back office operations and IT and collaborative procurement; and

whether there are obstacles that if removed, or greater freedoms that if given, would enable the UDCs to operate more effectively.

The review included stakeholder consultations which began on 22 June 2009 and lasted 12 weeks.

We will publish a response to the consultation exercise on the Communities and Local Government website, and make a summary of the review and its findings publicly available on request, and will place copies of both in the Library of the House. Key findings common to each UDC are that:

there continues to be a need to secure the regeneration of their respective areas, and there continues to be a need for focused delivery arrangements to support this;

each UDC has a mixed track record of success so far, but this largely reflects that they have only been in existence for a relatively limited period of time. However, the UDCs have now started, or are on the cusp of delivering, some significant projects. We have been concerned that any proposed changes should not risk delivery; and

planning performance of each UDC against major planning applications is below the national target, but this reflects the more complex characteristics of the caseload they are dealing with; the relatively limited time that they have had; that they have had to put in place new arrangements to handle planning applications; and that the UDCs do not have plan-making functions. However, planning performance is now improving.

The conclusions for each UDC are set out below:

London Thames Gateway Development Corporation

London Thames Gateway Development Corporation (LTGDC) has performed well, working in an extremely complicated environment, handling a complex planning case load. The organisation has existed for a relatively limited period, but in this time, it has put in place innovative planning processes, and is starting to deliver real and tangible benefit for the area through its investment in new homes, jobs, open space, transport infrastructure and its education and skills programme.

The proximity of the Olympic Park to LTGDC's area means that the corporation has an important role to play in securing a long-term legacy in east London from the 2012 Olympic Games. It is important that LTGDC is focused on this in the run up to the Games, and the Government have therefore decided not to make any changes to the structure or responsibilities of the corporation prior to the Olympics.

Following the Games, the Olympic Delivery Authority (ODA) will be wound up and new planning arrangements will need to be put in place to discharge the responsibilities currently undertaken by the authority. The Government intend to consider the future of LTGDC's planning powers alongside those of the ODA, and have today invited the London Boroughs of Newham, Tower Hamlets and Hackney to submit proposals for a new planning regime for the Lower Lea Valley. The Government will also consider how, in addition to the work that the Olympic Park Legacy Company will be undertaking, to best take forward the development and regeneration of the Lower Lea Valley.

We are also inviting the London Boroughs of Havering and Barking and Dagenham to bring forward proposals for the future planning regime in their area.

Thurrock Thames Gateway Development Corporation

The review has demonstrated Thurrock Thames Gateway Development Corporation (TTGDC) to be an effective organisation well liked by its stakeholders and on the point of delivering real change. The Government are keen to build on and strengthen this success. Since TTGDC was established, the Government have created the Homes and Communities Agency (HCA) which is already establishing a strong track record of strong and successful delivery of housing and regeneration. The Government have concluded that the economic development of Thurrock would be

further enhanced if TTGDC were to become part of the HCA from April 2011, allowing the regeneration and development of Thurrock to benefit from strength in the depth and regeneration expertise of the largest regeneration agency in western Europe. From that date, TTGDC's staff will transfer to the HCA and will operate in a manner similar to the arrangements that the HCA already has in place in Milton Keynes. The HCA's work in Thurrock will continue to be based, as now, within the borough. An HCA board, and planning sub-committee acting as a local planning authority, will be established to ensure continued strong local leadership and stakeholder engagement. Over time, the HCA intends that all of its operations in Thurrock will be undertaken from the current TTGDC offices in the borough, and the opportunity to widen the reach of its Thurrock-based team will also be explored.

In order to give effect to these changes, the Government will be bringing forward orders to formally confer TTGDC's planning powers on the HCA.

West Northamptonshire Development Corporation.

My honourable friend the Member for Dudley, North (Mr Austin) believes that the regeneration of Northampton, Daventry and Towcester continues to be an important priority, particularly given the importance of Northampton to the economic strength of Northamptonshire, and growth across the Milton Keynes-South Midlands growth area. The West Northamptonshire Development Corporation (WNDC) was established to tackle the regeneration challenges in West Northamptonshire and there is recognition that it has had some significant successes and has put the foundations in place to deliver this.

There continues to be a need for a strong delivery vehicle to support this, and in particular a number of critical regeneration projects in Northampton, Daventry and Towcester. Over time we would like to see a new type of local partnership take forward and deliver the work started by WNDC. In the interim, there is scope for WNDC to become a more strategic delivery-focused organisation, working closely with the Homes and Communities Agency and other partners.

WNDC has had a significant role in making planning decisions for West Northamptonshire. However, the time is now right to start to return these to local planning authorities. However, it is important that this is done in a proper and managed process which supports the local planning authorities and does not distract from delivery. The Government will therefore provide for planning responsibilities to be returned on a staged basis, and will work with the local planning authorities to achieve this, with support from the Planning Advisory Service. The first stage will be to raise the threshold for residential applications handled by WNDC from 50 homes to 200 homes; to return other applications in the Northampton Central Planning Area to Northampton Borough Council; and return waste and minerals applications to Northamptonshire County Council. The Government intend that this should take effect from April 2011.

The return of planning responsibilities and a reduction in the number of planning applications that WNDC will have to deal with will enable WNDC to play a more strategic delivery-focused role concentrating on

large housing and commercial developments across its area, but this will require greater partnership working between WNDC and the local authorities and delivery partners in West Northamptonshire, including the Homes and Communities Agency, with the opportunity for more joint working and delivery, with the potential for efficiencies and savings through shared services. These new joint working arrangements will provide the basis for moving to new non-statutory delivery arrangements, and the Government will invite the local authorities and delivery partners to work with WNDC and bring forward proposals for a new delivery model which might succeed WNDC in 2013-14. As part of the discussion of these proposals the Government will review the timetable for the return of the remaining planning responsibilities.

The local authorities in West Northamptonshire will be key in delivering the next phase of this important agenda, and the WNDC board members nominated by the local authorities will have an important role to play. They, and the other board members, play a valuable role and we will preserve the number of local

authority nominated positions on the board, and ensure that we strengthen the link between nominated members and the local authorities they represent.

As part of the Government's operational efficiency programme WNDC is already planning to achieve cumulative savings of around £4 million by 2013-14. Through refocusing WNDC as a more strategic delivery organisation, with more joint working, delivery and shared services with partners, it should be possible to achieve further cumulative savings of at least £1 million by 2013-14.

The Government believe these new arrangements will maintain a strong focus on the important job of regenerating and delivering growth in West Northamptonshire, strengthen partnerships, provide improved delivery and joint working arrangements with efficiencies across delivery partners, as well as providing greater responsibility and accountability to local planning authorities for planning decisions, and provide the basis for moving to non-statutory delivery arrangements.

Written Answers

Thursday 14 January 2010

Alcohol

Question

Asked by *Lord Laird*

To ask Her Majesty's Government what proposals they have to charge those who require National Health Service treatment due to the regular consumption of alcohol. [HL951]

Baroness Thornton: None. The founding principle of the National Health Service is that access to services is based on clinical need and is free of charge, a principle recently reconfirmed in the NHS Constitution, except in limited circumstances where charges are expressly sanctioned by Parliament, for example for prescription charges.

Chief of the General Staff

Question

Asked by *Lord Foulkes of Cumnock*

To ask Her Majesty's Government what lump sum was paid to Sir Richard Dannatt on his retirement as Chief of the General Staff; and whether that payment was enhanced for any reason. [HL956]

The Minister for International Defence and Security (Baroness Taylor of Bolton): Sir Richard Dannatt was awarded a terminal grant and pension commensurate with his rank and length of service. The amounts awarded are considered personal data and are therefore protected from disclosure under the Data Protection Act 1998.

Climate Change: Copenhagen Conference

Question

Asked by *Lord Browne of Madingley*

To ask Her Majesty's Government what assessment they have made of whether further countries will sign the Copenhagen Accord; and whether they have taken steps to encourage other nations to sign up before the 31 January deadline for submission of emission-reduction plans. [HL1135]

The Minister of State, Department of Energy and Climate Change (Lord Hunt of Kings Heath): On 11 January the UN Secretary-General held a meeting in New York to discuss climate change priorities following the Copenhagen conference. The majority of interventions at that meeting either welcomed the Copenhagen Accord or recognised it as a building block to a future legally binding treaty.

The UK wholeheartedly associates itself with the Copenhagen Accord and will be writing to the UN to

this effect. We believe this represents a real step change in global action to combat dangerous climate change.

We will be encouraging others to show the same level of support and urging all parties, including the EU, to show maximum ambition in their submissions to the appendices to the accord by 31 January.

Constable of the Tower of London

Questions

Asked by *Lord Foulkes of Cumnock*

To ask Her Majesty's Government who advises the Prime Minister prior to him making a recommendation to HM The Queen on the appointment of the Constable of the Tower of London. [HL953]

To ask Her Majesty's Government who has served as Constable of the Tower of London since 1979; and what have been their qualifications for appointment to the post. [HL954]

The Minister for International Defence and Security (Baroness Taylor of Bolton): The Secretary of State for Defence makes the recommendation to the Prime Minister after seeking advice from the current service Chiefs of Staff.

Since 1784 and in accordance with Queen's Regulations for the Army, the ceremonial office of Constable of the Tower of London has been conferred on a retired senior military officer. Since 1979, the following former Chiefs of the Defence Staff and/or Chiefs of the General Staff have been appointed as constables.

	<i>From</i>	<i>To</i>
Field Marshal Sir Geoffrey Baker GCB, CMG, CBE, MC	1975	May 1980
General Sir Peter Hunt GCB, DSO, OBE	June 1980	July 1985
Field Marshal Sir Roland Gibbs GCB, CBE, DSO, MC, KStJ	August 1985	July 1990
Field Marshal Sir John Stanier GCB, MBE	August 1990	July 1996
The Rt Hon Field Marshal The Lord Inge KG, GCB, PC, DL	August 1996	July 2001
General Sir Roger Wheeler GCB, CBE, ADC	August 2001	July 2009
General Sir Richard Dannatt GCB, CBE, MC	August 2009	To date

Control Orders

Question

Asked by *Baroness Neville-Jones*

To ask Her Majesty's Government how much has been paid in each type of benefit to people subject to control orders in each year since control orders were introduced. [HL822]

The Parliamentary Under-Secretary of State, Department for Communities and Local Government & Department for Work and Pensions (Lord McKenzie of Luton): The requested information is not available other than at disproportionate cost.

Democratic Republic of Congo

Questions

Asked by **Lord Alton of Liverpool**

To ask Her Majesty's Government what assessment they have made of reports that during the Kimia II operation in North Kivu 7,000 women have been raped, 900,000 people have been forced from their homes and 6,000 homes have been burnt down; and what representations they have made to the Governments of Congo, Rwanda and Uganda about pursuing political initiatives and a sustained peace process over further military offensives, such as Operation Amani Leo. [HL1151]

Lord Brett: The Government agree that significant human rights abuses were committed during Operation Kimia II, although precise numbers are very difficult to verify in an area such as Eastern Democratic Republic of the Congo (DRC). We regularly raise the issue of civilian protection with the Government of DRC, and were instrumental in the renewal of the United Nations peacekeeping force in the DRC (MONUC) mandate, with its sharper focus on protection of civilians. We fully support the decision by MONUC to withdraw support from the Congolese military (FARDC) units which commit serious human rights abuses, and continue to press the Government of DRC to take action against any members of the DRC armed forces who commit such abuses.

We continue to promote a peaceful resolution to the conflict, for example by supporting the voluntary disarmament, demobilisation, repatriation, resettlement and reintegration of Democratic Liberation Forces of Rwanda combatants, which has been successful in encouraging some of these combatants to lay down their arms.

We agree that long-term peace in DRC depends on good relations between the DRC, Rwanda and Uganda. There are signs of improvements in these relations and DRC made a welcome exchange of ambassadors with Rwanda in 2008 and Uganda in early 2009. Through our ambassador in Kinshasa, and High Commissioners in Kigali and Kampala we continue to support co-operation between the states.

Asked by **Lord Alton of Liverpool**

To ask Her Majesty's Government whether they will continue to review whether to appoint a special envoy for the African Great Lakes region to report on cross-border human rights issues, including ethnic tensions and cross-border military activity. [HL1152]

Lord Brett: At this point in time, we are content that we have sufficient coverage and leverage in the region to pursue our objectives of improving conflict situations and the quality of governance throughout Africa. This has been provided through the work of our posts in the region and by the Foreign and Commonwealth Office in London.

Embryology

Questions

Asked by **Lord Alton of Liverpool**

To ask Her Majesty's Government further to the Written Answers by Lord Darzi of Denham on 7 January 2008 (WA 151) and Baroness Thornton on 9 November 2009 (WA 111), whether the explanation for the inaccuracy in the figures given by the Human Fertilisation and Embryology Authority (HFEA) chief executive in his letter on 9 November 2009 was also provided to the unidentified author of a letter to the HFEA on 18 September 2006; if not, why such an explanation was not given; and what alternative response was provided. [HL969]

To ask Her Majesty's Government further to the Written Answers by Lord Darzi of Denham on 7 January 2008 (WA 151) and Baroness Thornton on 9 November 2009 (WA 111), why the Human Fertilisation and Embryology Authority (HFEA) supplied incorrect figures in response to the Freedom of Information request (F-2005-00134) regarding research licence R0152, given that the person responsible for that licence indicated in writing to Lord Alton of Liverpool on 4 September 2007 that accurate data were provided to the HFEA and records were checked by the HFEA when the licence was reviewed. [HL970]

To ask Her Majesty's Government with regard to a letter from the Human Fertilisation and Embryology Authority's legal advisor on 7 December 2009 describing the volume of correspondence about the use of eggs under research licence R0152, how many members of the press requested such information under the Freedom of Information Act 2000; what response was provided to each of those applicants; how many letters or telephone calls were exchanged between members of the HFEA on that subject; how many were exchanged with external authorities; and what proportion of the HFEA's time was spent dealing with such enquiries. [HL971]

Baroness Thornton: The Human Fertilisation and Embryology Authority (HFEA) has advised that the author of the September 2006 letter has been provided with a copy of the letter sent to the noble Lord, by the HFEA's chief executive, on 9 November 2009.

In the November letter, the HFEA's chief executive stated that information relating to research licence R0122 was mistakenly included in the authority's response to the freedom of information request (F-2005-00134) as data relating to research licence R0152. The HFEA has advised that it has nothing further to add to the information given in that letter.

The HFEA has also advised that it has received a number of enquiries from the press about the use of eggs under research licence R0152. Only one such enquiry was made under the Freedom of Information Act 2000. The response to that enquiry concerned the number of eggs used between August 2004 and November 2005 and the regulatory oversight of the research licence.

I have asked the HFEA to examine all records of correspondence and telephone communications concerning the use of eggs under research licence R0152 and to let me have the information requested by the noble Lord. The volume of documentation to be examined is substantial but the HFEA will endeavour to complete this within 20 working days, which is the statutory time period prescribed under the Freedom of Information Act 2000. I will write to the noble Lord in due course and place a copy of my letter in the Library.

Energy: Electricity Generation

Question

Asked by **Lord Hylton**

To ask Her Majesty's Government when they expect to assess the Wave Hub project for electricity generation off the coast of Cornwall. [HL654]

The Minister of State, Department of Energy and Climate Change (Lord Hunt of Kings Heath): The Government formally assessed the business case for the Wave Hub project early last year to ensure value for money to the taxpayer. Construction on the project began in late 2009 and is due for completion in August 2010 with the first wave energy devices expected to be deployed in 2011. The project's progress is being monitored and will be assessed by funders (including Government) in the normal way once it is complete.

Energy: Supply Forecast

Question

Asked by **Lord Moynihan**

To ask Her Majesty's Government what forecast they have made of the demand for and supply of energy between 2015 and 2020. [HL546]

The Minister of State, Department of Energy and Climate Change (Lord Hunt of Kings Heath): It is assumed that the question refers to future UK demand and supply. The latest energy projections are those published as part of the Low Carbon Transition Plan, July 2009. The table shows the central case projection of UK total primary energy demand by fuel for the years 2015 to 2020. The total supply of each fuel will equal total demand.

UK Primary Energy Demand, Million Tonnes of Oil Equivalent

	2015	2016	2017	2018	2019	2020
Solids	30.6	29.0	26.9	28.5	26.1	24.7
Oil	80.7	80.3	79.9	79.5	79.0	78.6
Natural gas	79.0	76.9	76.9	71.9	70.6	66.1
Renewables	14.3	16.9	19.0	21.5	24.1	27.2
Primary	10.7	10.0	7.4	7.0	6.1	7.6
Electricity	0.8	0.8	0.8	0.8	0.8	0.8
Total	216.2	213.9	210.9	209.2	206.7	205.0

All renewable energy is included within the renewable category, whereas by normal statistical convention, primary renewable energy sources (eg wind, wave) would be included within "primary electricity". Figures shown in the "electricity" category represent net electricity imports.

Environment: Areas of Outstanding Beauty

Questions

Asked by **Lord Greaves**

To ask Her Majesty's Government what consideration they are giving to the proposals of the Campaign for the Protection of Rural England, the Campaign for National Parks, the Campaign for the Protection of Rural Wales and the National Association for Areas of Outstanding Natural Beauty for a "smart" electricity grid which minimises damage to the most beautiful landscapes, and for a long-term programme of investment to bury the estimated 8 per cent of existing transmission lines that cross protected landscapes such as National Parks and Areas of Outstanding Natural Beauty. [HL1215]

The Minister of State, Department of Energy and Climate Change (Lord Hunt of Kings Heath): In deciding upon the location and design of required transmission infrastructure a balance has to be struck between a number of concerns including delivering new transmission network to meet our climate change objectives and security of supply needs, protecting the local environment, and the cost to consumers. The planning system enables all stakeholders to have their views considered when decisions are made.

Any assessments on undergrounding existing transmission lines are a matter for Ofgem and the network operators and would be carried out as part of the price control review mechanism through which the transmission network companies are regulated.

Asked by **Lord Greaves**

To ask Her Majesty's Government whether they support the erection of new electricity transmission pylons in protected landscapes such as National Parks and Areas of Outstanding Natural Beauty. [HL1216]

Lord Hunt of Kings Heath: It is for the planning system to decide upon the location of required transmission infrastructure and the framework is in place to allow all relevant concerns, including environmental impacts, to be fully considered when making such decisions.

Environment: Uplands

Question

Asked by **Lord Greaves**

To ask Her Majesty's Government what is their response to the Natural England report *Vital Uplands: Natural England's vision for the upland environment in 2060*. [HL959]

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Davies of Oldham): Natural England's report on the vision for the upland environment in 2060 is a helpful contribution to the debate on the future of the

English uplands. The English uplands are some of our most iconic areas, providing vital environmental benefits in the form of biodiversity, natural resource protection and valued historic landscapes. The Government remain committed to supporting upland farmers in England for their crucial role in maintaining the upland landscape and environment. This is why we will shortly be launching our new upland entry level stewardship scheme to reward farmers for environmentally beneficial land management practices, with the first agreements starting from July 2010.

EU: UK Resident Citizens

Question

Asked by *Lord Wallace of Saltaire*

To ask Her Majesty's Government how many United Kingdom citizens are resident in each other European Union state. [HL1089]

Lord Brett: The last time the FCO gathered these figures was for the period April 2006 to March 2007.

The results for the EU states are provided below:

Country—Estimated Size of the British National Community

Austria	7,369
Belgium	39,867
Bulgaria	1,700
Cyprus	60,000
Czech Republic	3,183
Denmark	13,183
Estonia	220
Finland	4,350
France	381,000
Germany	115,554
Greece	31,470
Hungary	2,640
Ireland	112,548
Italy	71,990
Latvia	400
Lithuania	250
Luxembourg	4,480
Malta	6,000
Netherlands	73,600
Poland	2,531
Portugal	34,624
Romania	6,000
Slovakia	1,000
Slovenia	157
Spain	840,989
Sweden	15,000

Food: Breast Milk

Questions

Asked by *Lord Avebury*

To ask Her Majesty's Government what steps they are taking to persuade relevant United Kingdom companies to comply with the International Code of Marketing of Breast-milk Substitutes and subsequent relevant World Health Assembly resolutions. [HL978]

Baroness Thornton: In 2007, the Government asked an expert group to look at the effectiveness of new provisions in the Infant Formula and Follow-on Formula (England) Regulations 2007. These set tighter controls on the marketing and advertising of these products in line with the principles and aims of the International Code of Marketing of Breast-milk Substitutes.

The expert group has engaged with a wide range of relevant interests, including United Kingdom companies providing breast milk substitutes. We expect the expert group to report shortly on its findings.

Asked by *Lord Avebury*

To ask Her Majesty's Government what action they have taken following the recommendation of the Committee on the Rights of the Child to signatories of the Convention on the Rights of the Child to implement fully the International Code of Marketing of Breast-milk Substitutes and subsequent relevant World Health Assembly resolutions. [HL979]

Baroness Thornton: In 2007, the Government introduced new provisions in the Infant Formula and Follow-on Formula (England) Regulations 2007. These set tighter controls on the marketing and advertising of these products, implementing European Commission Directive 2006/141/EC which revised existing measures on the marketing of breast milk substitutes, giving effect to the principles and aims of World Health Organization (WHO) Code of Marketing of Breast-milk substitutes.

At the same time, the Government asked an expert group to assess the effectiveness of these measures on the way breast milk substitutes (know as infant formula and follow-on formula) are advertised and presented. We expect the expert group to report shortly on its findings.

Asked by *Lord Avebury*

To ask Her Majesty's Government what action they are taking to ensure that European directives are compliant with the International Code of Marketing of Breast-milk Substitutes and subsequent relevant World Health Assembly resolutions. [HL980]

Baroness Thornton: In 2007, the Government put in place the Infant Formula and Follow-on Formula (England) Regulations 2007, which sets tighter controls on the marketing and advertising of these products and implements European Commission Directive 2006/141/EC. This directive gives effect to the principles and aims of the International Code of Marketing of Breast-milk Substitutes.

The Government also set up an independent review of the effectiveness of the revised measures on the way infant formula and follow-on formula are advertised and presented. We are awaiting the final report of this review.

Food: Imports

Question

Asked by *Lord Tebbit*

To ask Her Majesty's Government whether they continue to allow the import from France of meat and meat products from animals fed on sewage sludge. [HL932]

Baroness Thornton: The use of sewage sludge in animal feed has been specifically prohibited in European feed legislation since 1991.

Government Departments: Bonuses

Questions

Asked by **Lord Newby**

To ask Her Majesty's Government for each of the last three years for which figures are available, how many people were eligible for performance bonuses and special bonuses in Communities and Local Government and its agencies, by civil service band; how many people received each type of bonus, by civil service band; what the average payment was for each type of bonus, by civil service band; and what the maximum payment was for each type of bonus, by civil service band [HL34]

The Parliamentary Under-Secretary of State, Department for Communities and Local Government & Department for Work and Pensions (Lord McKenzie of Luton): An element of the Communities and Local

Government overall pay award is allocated to non-consolidated variable pay related to performance. These payments are used to drive high performance and form part of the pay award for members of staff who demonstrate exceptional performance, for example by exceeding targets set or meeting challenging objectives.

Non-consolidated variable pay awards are funded from within existing pay bill controls, and have to be re-earned each year against pre-determined targets and, as such, do not add to future pay bill costs. The percentage of the pay bill set aside for performance-related awards for the SCS is based on recommendations from the independent Senior Salaries Review Body.

The table below details how many people were eligible for and received a non-consolidated variable pay awards and the average and the maximum payment for a non-consolidated variable pay award, by civil service band, awarded under the Communities and Local Government standard pay and performance management process for the three most recent financial years.

	<i>Financial Year 2007-08</i>		<i>Financial Year 2008-09</i>		<i>Financial year 2009/2010</i>	
	<i>SCS</i>	<i>Non-SCS</i>	<i>SCS</i>	<i>Non-SCS</i>	<i>SCS</i>	<i>Non-SCS</i>
Number of staff eligible for non-consolidated performance payment	121	2188	132	2015	134	1940
Number of staff who received a non-consolidated performance payment	102	391	100	570	99	Information not yet available
Average value of non-consolidated performance payment	6,513	850	8,200	752	7,262	Information not yet available
The value of maximum non-consolidated payment	16,270	850	20,500	850	12,500	Information not yet available
Percentage of SCS paybill set aside for non-consolidated performance payments	6.5	N/A	7.6	N/A	8.6	N/A

In addition, two individuals employed on a SCS non-standard form contract, which links a higher than normal percentage of their pay to delivery-based objectives, received a non-consolidated award of £12,500 for their performance in 2009-10, and one individual in 2008-09 received a non-consolidated award of £16,270 in 2007-08.

The department also operates a scheme for all staff below the Senior Civil Service under which individuals or teams may receive a small non-consolidated award in recognition of an outstanding contribution over a limited period. The maximum payment made under these arrangements is £600 but records are not available to show the number of payments made under this scheme.

Asked by **Lord Newby**

To ask Her Majesty's Government for each of the past three years for which figures are available, how many people were eligible for performance bonuses and special bonuses in the Department for Culture, Media and Sport and its agencies, by civil service band; how many people received each type

of bonus, by civil service band; what the average payment was for each type of bonus, by civil service band; and what the maximum payment was for each type of bonus, by civil service band [HL35]

Lord Davies of Oldham: An element of the DCMS overall pay award is allocated to non-consolidated variable pay related to performance. These payments are used to drive high performance and form part of the pay award for members of staff who demonstrate exceptional performance, for example by exceeding targets set or meeting challenging objectives.

Non-consolidated variable pay awards are funded from within existing pay bill controls, and have to be re-earned each year against pre-determined targets and, as such, do not add to future pay bill costs. The percentage of the pay bill set aside for performance-related awards for the SCS is based on recommendations from the independent Senior Salaries Review Body.

The table below details how many people were eligible for and received a non-consolidated variable pay awards and the average and the maximum payment for a non-consolidated variable pay award, by civil

service band, awarded under the DCMS standard pay and performance management process for the three most recent performance years for which the relevant payments have been published in the department's accounts.

The department, and its executive agency, make non-consolidated performance payments to its employees for two purposes: (a) in-year non-consolidated performance payments to reward outstanding contributions in particularly demanding tasks or situations; and (b) year-end non-consolidated performance payments to reward highly successful performance

over a whole year. In both cases they support help drive high performance in the both the department and its executive agency.

These figures cover all civil servants on standard terms. They are exclusive of two key senior staff in the Government Olympic Executive, who were appointed on non-standard terms with fixed-term contracts ending in 2012 and whose remuneration reflects extensive relevant experience and the unique challenge of delivering the Olympics to a fixed deadline. Details of their remuneration were published in the departmental annual reports and accounts 2009.

The Department of Culture, Media and Sport DCMS

	Performance Year 2006-07		Performance Year 2007-08		Performance Year 2008-09	
	SCS	Non-SCS	SCS	Non-SCS	SCS	Non-SCS
Number of staff eligible for non-consolidated performance payment	35	504	37	471	41	433
Number of staff who received a non-consolidated performance payment	25	219	32	345	25	369
Average value of non-consolidated performance payment	£6,455	£1,395	£6,947	£953	£7,072	£940
The value of maximum non-consolidated payment	£10,000	£2,400	£13,000	£2,500	£13,500	£2,500
Percentage of SCS paybill set aside for non-consolidated performance payments	6.5%	N/A	7.6%	N/A	8.6%	N/A

The Royal Parks

As the number of SCS employed by the Royal Parks is less than five, this information has not been disclosed due to reasons of confidentiality.

	Performance Year 2005-06		Performance Year 2006-07		Performance Year 2007-08	
	SCS	Non-SCS	SCS	Non-SCS	SCS	Non-SCS
Number of staff eligible for non-consolidated performance payment	N/A	58	N/A	81	N/A	80
Number of staff who received a non-consolidated performance payment	N/A	16	N/A	33	N/A	39
Average value of non-consolidated performance payment	N/A	£510	N/A	£403	N/A	£418
The value of maximum non-consolidated payment	N/A	£510	N/A	£510	N/A	£750
Percentage of SCS paybill set aside for non-consolidated performance payments	6.5%	N/A	7.6%	N/A	8.6%	N/A

Government: Correspondence

Question

Asked by Lord Norton of Louth

To ask Her Majesty's Government how many letters were received by ministers from MPs and peers in 2009; and which department was (a) the best, and (b) the worst, in meeting the target times for replying to such correspondence. [HL1136]

The Chancellor of the Duchy of Lancaster (Baroness Royall of Blaisdon): The Cabinet Office publishes, on an annual basis, a report to Parliament on the performance of departments in replying to Members and Peers correspondence. Information for 2009 is currently being compiled and will be published as soon as it ready.

A copy of the report for 2008 can be accessed at http://www.cabinetoffice.gov.uk/propriety_and_ethics/publications/correspondence_2008.aspx and is available in the Library of the House.

Government: Ministerial Visits

Questions

Asked by Lord Laird

To ask Her Majesty's Government how many times Government officials travelled to Dublin in 2009; what modes of transport they used; and what the total cost was. [HL949]

Lord Brett: This information is not held centrally and is only available at disproportionate cost.

Asked by **Baroness Hamwee**

To ask Her Majesty's Government what is the cross-departmental policy regarding visits by MPs to Government establishments in the run-up to a general election; what establishments are covered by the policy; where the policy is published; and how the time when the policy applies is calculated.

[HL1024]

The Chancellor of the Duchy of Lancaster (Baroness Royall of Blaisdon): On the announcement of a general election, the Cabinet Office issues guidance on the handling of departmental business, including visits to government establishments, during the pre-election period. The 2005 general election guidance is in the Libraries of both Houses, and can be found on the Cabinet Office website http://www.cabinetoffice.gov.uk/media/cabinetoffice/propriety_and_ethics/assets/electguide.pdf.

Government: Office Equipment

Question

Asked by **Lord Bates**

To ask Her Majesty's Government further to the Written Answer by the Parliamentary Under-Secretary of State for Communities and Local Government, Barbara Follett, on 9 December 2009 (*Official Report*, House of Commons, col. 390W), what was the average purchase price, excluding value added tax, of a 500 sheet ream of white A4 80 gsm photocopier paper paid by the Department of Energy and Climate Change in the latest period for which figures are available.

[HL1032]

The Minister of State, Department of Energy and Climate Change (Lord Hunt of Kings Heath): The Department of Energy and Climate Change purchases white, A4 80 gsm photocopier paper at £1.67 per ream excluding value added tax. The paper provided is 100 per cent recycled.

Government: Scottish Ministers

Question

Asked by **Lord Foulkes of Cumnock**

To ask Her Majesty's Government who is responsible for the terms and conditions of service of the Permanent Secretary of the Scottish Government.

[HL1146]

Baroness Crawley: The Civil Service Order in Council 1995 gives the Minister for the Civil Service the power to make regulations and give instructions for the management of the Home Civil Service. The Civil Service Management Code then sets out regulations and instructions to departments and agencies regarding the terms and conditions of service of civil servants. It also sets out the delegations that have been made by the Minister for the Civil Service and any conditions attached to those delegations.

In relation to the Senior Civil Service, a number of terms and conditions of service are set and managed centrally so come under the authority of the Minister of the Civil Service, administered by the Cabinet Office. The delegated terms and conditions of service come under the authority of the individual to whom they have been delegated. In relation to civil servants supporting the Scottish Government, who are members of the unified Home Civil Service, this would be the First Minister, administered by the Scottish Government.

The Civil Service Management Code, which sets out which terms and conditions are centrally set and managed centrally and which are delegated, is available at <http://www.civilservice.gov.uk/about/resources/csmc/index.aspx>.

Health: Bilateral Agreements

Question

Asked by **Lord Kilclooney**

To ask Her Majesty's Government whether the United Kingdom has bilateral health agreements with (a) Azerbaijan, (b) Kazakhstan, (c) Georgia, (d) Armenia, (e) Moldova, (f) Guernsey, and (g) the Isle of Man; and if so, whether there are proposals to bring to any of those agreements to an end.

[HL1010]

Baroness Thornton: The United Kingdom Government have held agreements with all of the countries listed. The agreement with the Channel Islands (which includes Guernsey) ended with effect from 1 April 2009 and the agreement with the Isle of Man is due to end with effect from 1 April 2010. There are no current plans to end the other agreements, which do not involve the UK Government providing a financial allocation.

Health: Vaccinations

Questions

Asked by **Lord Jopling**

To ask Her Majesty's Government further to the Written Answer by Lord Darzi of Denham on 25 March 2008 (*WA 81*), how many current members of the emergency services have been vaccinated for anthrax.

[HL1093]

Baroness Thornton: Decisions about vaccination are made on the basis of a risk assessment of the potential threat. To date, no members of the emergency services have been vaccinated against anthrax. As part of our national emergency preparedness strategy, a stockpile of licensed anthrax vaccine is maintained.

Asked by **Lord Jopling**

To ask Her Majesty's Government further to the Written Answer by Lord Darzi of Denham on 25 March 2008 (*WA 81*), how many current members of the emergency services have been vaccinated for smallpox; how many of those have had adverse complications; and what is the status of the programme of vaccination which commenced in 2008. [HL1094]

Baroness Thornton: A cohort of frontline health workers was vaccinated in 2005 to deal with any initial suspected or confirmed case of smallpox if they were to occur. The cohort comprised a total of 516 vaccinated personnel of whom 147 were doctors, 164 were nurses, 100 were ambulance staff, 32 were scientists and 73 held other related healthcare occupations. All were carefully screened and monitored and none had adverse complications that required vaccinia immunoglobulin. In order to maintain their protection against smallpox, a programme of revaccination commenced in 2008 and is ongoing. There is no proposal to increase the numbers of people in the cohort.

Asked by Lord Jopling

To ask Her Majesty's Government what plans they have to vaccinate for smallpox and anthrax (a) members of the emergency services who will be involved in the London 2012 Olympic Games, and (b) others likely to be involved in transportation, stewarding and activities within the Olympic village during the games; and whether such treatment will be voluntary. [HL1095]

Baroness Thornton: The current risk assessment for the 2012 Olympic Games does not indicate any need to change the current national preparedness arrangements in relation to smallpox or anthrax. There are, therefore, no plans to introduce vaccination against anthrax for any of those involved in the Games nor to increase the numbers of people in the current cohort of healthcare worker who are vaccinated against smallpox. This risk assessment, as with all other assessments, will be kept under review in the context of the Games, as will our systems for the detection of, and response to, infectious diseases in the United Kingdom and any new challenges they may present.

Health: Voluntary Groups

Question

Asked by Lord Laird

To ask Her Majesty's Government whether they will introduce an award to recognise long service by voluntary groups in the health sector. [HL1057]

Baroness Thornton: The Queen's Award for Voluntary Service is the highest award given to volunteer groups across the United Kingdom to recognise work done in their local communities. Her Majesty's Government have no plans to introduce any further awards to recognise long service by voluntary groups in the health sector.

Houses of Parliament: Mail

Question

Asked by Lord Norton of Louth

To ask the Chairman of Committees how many items of mail were received in the Palace of Westminster in 2009; and, of those, what percentage was received in the House of Lords. [HL1139]

The Chairman of Committees (Lord Brabazon of Tara): In total, 3,540,080 items of mail were received in the Palace of Westminster in 2009. The House of Lords received 885,020 of these, or 25 per cent. These figures do not include courier items or internal mail.

Interpal

Question

Asked by Baroness Tonge

To ask Her Majesty's Government when they will acknowledge or reply to the letter to the Foreign Secretary of 18 November 2009 from Ibrahim Hewitt, chairman of Interpal, regarding the status of that organisation. [HL952]

Lord Brett: A reply was sent to Mr Hewitt on 11 January 2010.

Isle of Man

Question

Asked by Lord Steel of Aikwood

To ask Her Majesty's Government whether payment of £8.4 million by the Government of the Isle of Man to health authorities in north-west England for patients referred for specialist treatment and the existing reciprocal health agreements between the United Kingdom and other countries outside the European Union were considerations in the decision to end this year the reciprocal health agreement with the Isle of Man; and whether they will reconsider the decision. [HL1065]

Baroness Thornton: All relevant factors were taken into consideration in deciding to terminate the current agreement with the Isle of Man. The decision was made on economic grounds and took account of the payment of £8.4 million for elective treatment commissioned by the Isle of Man, which is partly offset by a financial allocation provided by the United Kingdom Government. The Government are not minded to revisit the decision to end the current agreement.

Kazakhstan

Questions

Asked by Viscount Waverley

To ask Her Majesty's Government what will be the agenda for the 2010 Kazakhstan chairmanship of the Organisation for Security and Co-operation in Europe. [HL988]

Lord Brett: Kazakhstan will officially unveil its full chairmanship programme on 14 January 2010 when Foreign Minister Saudabayev addresses the Organisation for Security and Co-operation in Europe (OSCE) Permanent Council in Vienna.

We expect Kazakhstan to balance its work across all three OSCE dimensions, and that priority items on its chairmanship agenda will include tolerance and non-discrimination; the rule of law; protracted conflicts; and issues relating to Afghanistan.

Asked by Viscount Waverley

To ask Her Majesty's Government by what criteria they will assess the 2010 Kazakhstan chairmanship of the Organisation for Security and Co-operation in Europe as to its success. [HL989]

Lord Brett: Kazakhstan is working hard to manage its responsibilities across the full range of the Organisation for Security and Co-operation in Europe (OSCE)'s activities. As with all OSCE chairs, it can expect scrutiny from the international community.

We expect Kazakhstan to live up to its public assurances to uphold the principles of the organisation as chair and to balance its work across all three OSCE dimensions.

We want Kazakhstan's year in the chair to be a success. With that in mind, we continue to offer assistance where we can, underlining the importance of living up to its OSCE commitments.

Nigeria*Question**Asked by Viscount Waverley*

To ask Her Majesty's Government what consideration they are giving to encouraging mechanisms to ensure a transparent process for ensuing rounds of elections in Nigeria; what assessment they have made of the report by the Electoral Reform Committee led by Justice Mohammed Uwais; and what assessment they have made of the merits of option A four of that report. [HL1132]

Lord Brett: The UK is working hard to encourage transparent elections in Nigeria, and to improve democratic governance more broadly, including through the Department for International Development's Deepening Democracy in Nigeria and Democratic Governance for Development programmes, joint-funded by the European Commission, Canadian International Development Agency and United Nations Development Programme.

The UK welcomes the report of former Justice Mohammed Uwais' Electoral Reform Committee. It is now for the Nigerian National Assembly, State Houses of Assembly, and the presidency to work together, with civil society, to agree reforms that deepen the democratic process based on independent and transparent electoral institutions. The UK and international partners will continue to support these efforts where we can.

Overseas Territories Consultative Committee*Question**Asked by Lord Jones of Cheltenham*

To ask Her Majesty's Government what decisions were taken at the Overseas Territories Consultative Committee meetings in December 2009. [HL1001]

Lord Brett: My honourable friend the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs had open and frank exchanges with the Overseas Territory leaders (except Gibraltar, which did not attend) at this year's Overseas Territories Consultative Council on a wide range of subjects. We agreed the following in a communiqué issued after the meeting:

we would continue discussions on the relationship between the UK and the Overseas Territories;

the principles of good governance will be reported; the UK would, where appropriate, assist the territories to meet their international obligations;

respect for human rights and the need to safeguard children will be guaranteed;

territories would extend to all the populated territories of ILO Convention 182 on the Worst Forms of Child Labour and the UN Convention on the Elimination of all forms of Discrimination against Women, during the course of 2010;

the territories would manage their finances so they are better placed to guard against downturns in their economies;

the Overseas Territories borrowing guidelines will be reviewed;

the importance of implementing recommendations from the Foot review of British offshore financial centres will be implemented in full; and

the UK would support efforts to tackle crime in the Overseas Territories.

Planning*Questions**Asked by Lord Greaves*

To ask Her Majesty's Government whether the terms of reference, outputs, timing and measures of success of the Penfold review of non-planning consents were decided by the steering board, or whether they were decided before the steering board was set up; and, if so, by which department or departments. [HL1217]

The Minister for Trade and Investment (Lord Davies of Abersoch): The terms of reference, outputs, timing and measures of success of the Penfold review of non-planning consents were all decided by the steering board at its first meeting on 10 December 2009.

The terms of reference to the Penfold review can be found at www.bis.gov.uk/penfold.

Asked by Lord Greaves

To ask Her Majesty's Government what was the recruitment process for the position of independent reviewer for the Penfold review of non-planning consents; and what are his terms of engagement and remuneration. [HL1218]

Lord Davies of Abersoch: Research across BIS and CLG, with input from the Whitehall and Industry Group, identified Adrian Penfold as a strong candidate for the role of independent reviewer. Following advice

from officials and a short telephone interview Ian Lucas, the Minister for Business and Regulatory Reform, appointed Mr Penfold as independent reviewer.

The terms of engagement are a commitment of approximately one to two days a month until April 2010, without remuneration. Necessary expenses will be paid by BIS.

Asked by Lord Greaves

To ask Her Majesty's Government to which department or departments the Penfold review of non-planning consents will report; and which Minister or Ministers will make a decision on which recommendations to accept. [HL1219]

Lord Davies of Abersoch: Decisions on which review recommendations to accept will be taken collectively by the relevant government departments at the appropriate time. The Better Regulation Executive, within BIS, will co-ordinate the government response to the review. Ian Lucas, Minister for Business and Regulatory Reform, will be the Minister with responsibility for agreeing the cross-government response.

Asked by Lord Greaves

To ask Her Majesty's Government whether the Penfold review of non-planning consents can propose changes to the regulatory regimes relating to non-planning consents; or whether its focus will be on the systems involved in issuing consents. [HL1220]

Lord Davies of Abersoch: The Penfold review terms of reference enable the review to consider how obtaining consents, that are considered problematic by developers and other stakeholders, could be made simpler and more cost-effective. On this basis, the review has the ability to make recommendations affecting both regulatory regimes and to the systems involved in issuing consents.

Rainforests

Question

Asked by Lord Hylton

To ask Her Majesty's Government whether revenue from the European Union Emissions Trading Scheme will be used to prevent destruction of rainforests. [HL186]

The Minister of State, Department of Energy and Climate Change (Lord Hunt of Kings Heath): In general, the Government do not hypothecate revenue. Income from taxes and other revenues are pooled in the Consolidated Fund so that spending can be prioritised across the range of government activities in the most efficient way.

Last December, the Government and other EU member states committed to non-legally binding commitments to spend sums equivalent to half of the revenues from EU ETS auctioning to tackle climate change both in the EU and in developing countries. One of the possible areas identified for funding was reducing deforestation and increasing afforestation.

The Government are also working hard to ensure that emissions from deforestation in the developing world are included in a Copenhagen climate change agreement.

Rights of Way: Maps

Question

Asked by Lord Greaves

To ask Her Majesty's Government further to the Written Answer by Lord Davies of Oldham on 20 October 2009 (WA 65) stating that "Natural England's Stakeholder Working Group on Rights of Way is still expected to deliver its final report by the end of 2009", what has caused the delay in delivering the report; and when the group is now expected to report. [HL1045]

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Davies of Oldham): The stakeholder working group largely completed its deliberations before the end of 2009. The group agreed that an additional meeting should be held in late January to enable members to seek and discuss any final comments from key contacts within their sectors on the package of recommendations it has developed. The group is expected to report in February.

Trees: Sudden Oak Death Syndrome

Question

Asked by Lord Maginnis of Drumglass

To ask Her Majesty's Government whether they have commissioned research to find measures to combat phytophthora ramorum (Sudden Oak Death); and whether they have assessed its practical effect over the next decade. [HL1051]

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Davies of Oldham): Defra and the Forestry Commission have funded research into the diseases caused by *Phytophthora ramorum* and *Phytophthora kernoviae* since 2002 and 2003 respectively. This has included research into managing the pathogens in woodlands, heritage gardens, heathlands and plant nurseries. A policy review and public consultation was held in 2008 on these two pathogens; this was supported by an impact assessment of the policy and management options, and by pest risk analyses. It concluded that increased effort was required to protect woodlands, heathlands, heritage gardens, and nurseries, thereby reducing impacts on the environment and rural economies.

As a result, a new five-year disease management programme was established on 1 April 2009, led by the Food and Environment Research Agency (Fera). The programme includes three elements: disease control; awareness and behavioural change; and research. The research (£1,500,000 over five years) will directly support the other elements of the programme, especially disease control. A mid-term review of progress on all elements of the programme will be carried out in 2012 and again in 2014.

Visas

Question

*Asked by **Baroness Neville-Jones***

To ask Her Majesty's Government how many student visa applications have been (a) received, and (b) granted, in each year since 1997, broken down by country of origin. [HL421]

The Parliamentary Under-Secretary of State, Home Office (Lord West of Spithead): Tables have been placed in the Library showing, for each nationality, the number of (a) student visa applications received and (b) student visas issued in each of the financial years from 2004-05 to 2008-09. This information is not available for previous years.

Waterways

Question

*Asked by **Lord Bradshaw***

To ask Her Majesty's Government further to the Written Answer by Lord Davies of Oldham on 7 December 2009 (*WA 104*), whether any assessment

has been made of the prospects of disposing of substantial assets of British Waterways; and, if so, whether the results of such an assessment will be made available for public comment. [HL1167]

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Davies of Oldham): The Government's position on British Waterways' (BW) non-operational property assets is set out in the Government's asset portfolio. This was published on 7 December 2009 alongside the Smarter Government White Paper. The Government currently have no plans to dispose of BWs' non-operational assets. However, the Government recognise that there may be benefits in considering alternative structures for BW's business as a whole, including its property portfolio, such as mutual or third sector structures. Under any scenario, ensuring the continued maintenance and protection of the waterways will continue to be an important objective for the Government.

Thursday 14 January 2010

ALPHABETICAL INDEX TO WRITTEN STATEMENTS

Armed Forces: Typhoon	<i>Col. No.</i> 25	Regional Development Agencies: East of England	<i>Col. No.</i> 27
Data Protection	25		
Race Inequality.....	26	Urban Development Corporations	28

Thursday 14 January 2010

ALPHABETICAL INDEX TO WRITTEN ANSWERS

Alcohol.....	<i>Col. No.</i> 167	Government: Office Equipment	<i>Col. No.</i> 179
Chief of the General Staff	167	Government: Scottish Ministers.....	179
Climate Change: Copenhagen Conference.....	167	Health: Bilateral Agreements	180
Constable of the Tower of London.....	168	Health: Vaccinations.....	180
Control Orders.....	168	Health: Voluntary Groups	181
Democratic Republic of Congo	169	Houses of Parliament: Mail	181
Embryology	170	Interpal.....	182
Energy: Electricity Generation.....	171	Isle of Man	182
Energy: Supply Forecast	171	Kazakhstan.....	182
Environment: Areas of Outstanding Beauty	172	Nigeria.....	183
Environment: Uplands.....	172	Overseas Territories Consultative Committee	183
EU: UK Resident Citizens.....	173	Planning	184
Food: Breast Milk.....	173	Rainforests.....	185
Food: Imports.....	174	Rights of Way: Maps	186
Government: Correspondence	177	Trees: Sudden Oak Death Syndrome.....	186
Government Departments: Bonuses	175	Visas	187
Government: Ministerial Visits	178	Waterways.....	187

NUMERICAL INDEX TO WRITTEN ANSWERS

[HL34].....	<i>Col. No.</i> 175	[HL822].....	<i>Col. No.</i> 168
[HL35].....	176	[HL932].....	174
[HL186].....	185	[HL949].....	178
[HL421].....	187	[HL951].....	167
[HL546].....	171	[HL952].....	182
[HL654].....	171	[HL953].....	168

	<i>Col. No.</i>		<i>Col. No.</i>
[HL954]	168	[HL1065]	182
[HL956]	167	[HL1089]	173
[HL959]	172	[HL1093]	180
[HL969]	170	[HL1094]	180
[HL970]	170	[HL1095]	181
[HL971]	170	[HL1132]	183
[HL978]	173	[HL1135]	167
[HL979]	174	[HL1136]	177
[HL980]	174	[HL1139]	181
[HL988]	182	[HL1146]	179
[HL989]	183	[HL1151]	169
[HL1001]	183	[HL1152]	169
[HL1010]	180	[HL1167]	188
[HL1024]	179	[HL1215]	172
[HL1032]	179	[HL1216]	172
[HL1045]	186	[HL1217]	184
[HL1051]	186	[HL1218]	184
[HL1057]	181	[HL1219]	185
		[HL1220]	185

CONTENTS

Thursday 14 January 2010

Questions	
Transport: Mobile Telephones	601
Intercept Evidence	604
Honour-related Violence	605
Universities: Finance	609
Questions to the Secretary of State for Transport	
Buses	611
Aviation: Climate Change	613
Railways: Passenger Satisfaction	615
Business of the House	
<i>Timing of Debates</i>	617
Business of the House	
<i>Motion on Standing Orders</i>	617
Child Poverty Bill	
<i>Order of Consideration Motion</i>	617
Climate Change: Copenhagen Conference	
<i>Debate</i>	617
UK: Tolerance, Democracy and Openness	
<i>Debate</i>	665
Marriage (Wales) Bill [HL]	
<i>Order of Commitment Discharged</i>	691
Co-operative and Community Benefit Societies and Credit Unions Bill [HL]	
<i>Third Reading</i>	691
General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010	
<i>Motion to Approve</i>	692
Written Statements	WS 25
Written Answers	WA 167
