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**Tuesday**  
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**PARLIAMENTARY DEBATES**  
**(HANSARD)**

# **HOUSE OF LORDS**

## **WRITTEN STATEMENTS AND WRITTEN ANSWERS**

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[I] indicates that the member concerned has a relevant registered interest. The full register of interests can be found at <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

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<i>Minister</i>	<i>Responsibilities</i>
<b>Baroness Evans of Bowes Park</b>	Leader of the House of Lords and Lord Privy Seal
<b>Earl Howe</b>	Deputy Leader of the House of Lords
<b>Lord Agnew of Oulton</b>	Minister of State, Treasury and Cabinet Office
<b>Lord Ahmad of Wimbledon</b>	Minister of State, Foreign, Commonwealth and Development Office
<b>Lord Ashton of Hyde</b>	Chief Whip
<b>Baroness Barran</b>	Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport
<b>Lord Benyon</b>	Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs
<b>Baroness Berridge</b>	Parliamentary Under-Secretary of State, Department for Education and Department for International Trade
<b>Lord Bethell</b>	Parliamentary Under-Secretary of State, Department of Health and Social Care
<b>Baroness Bloomfield of Hinton Waldrist</b>	Whip
<b>Lord Callanan</b>	Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy
<b>Earl of Courtown</b>	Deputy Chief Whip
<b>Lord Frost</b>	Minister of State, Cabinet Office
<b>Baroness Goldie</b>	Minister of State, Ministry of Defence
<b>Lord Goldsmith of Richmond Park</b>	Minister of State, Department for Environment, Food and Rural Affairs and Foreign, Commonwealth and Development Office
<b>Lord Greenhalgh</b>	Minister of State, Home Office and Ministry of Housing, Communities and Local Government
<b>Lord Grimstone of Boscobel</b>	Minister of State, Department of Business, Energy and Industrial Strategy and Department for International Trade
<b>Lord Parkinson of Whitley Bay</b>	Whip
<b>Baroness Penn</b>	Whip
<b>Baroness Scott of Bybrook</b>	Whip
<b>Baroness Stedman-Scott</b>	Parliamentary Under-Secretary of State, Department for Work and Pensions
<b>Lord Stewart of Dirleton</b>	Advocate-General for Scotland
<b>Lord True</b>	Minister of State, Cabinet Office
<b>Baroness Vere of Norbiton</b>	Parliamentary Under-Secretary of State, Department for Transport
<b>Baroness Williams of Trafford</b>	Minister of State, Home Office
<b>Lord Wolfson of Tredegar</b>	Parliamentary Under-Secretary of State, Ministry of Justice
<b>Viscount Younger of Leckie</b>	Whip

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# Written Statements

Tuesday, 7 September 2021

## Acquisition of Sheffield Forgemasters

[HLWS259]

**Baroness Goldie:** My right hon. Friend the Secretary of State for Defence (The Rt Hon Ben Wallace MP) has made the following Written Ministerial Statement:

The Ministry of Defence (MOD) has acquired Sheffield Forgemasters International Limited (SFIL), allowing HM Government to refinance the company and secure the supply of components for critical current and future UK defence programmes.

The MOD also intends to invest up to £400 million into SFIL over the next 10 years for defence critical plant, equipment and infrastructure to support defence outputs. The acquisition has been assessed as the best value for money for the taxpayer due to SFIL's unique capabilities and circumstances. The immediate cost of the acquisition is £2.56 million for the entire share capital of the company, plus debt assumed.

SFIL is the only available manufacturer with the skills and capability to produce certain large scale high-integrity castings and forgings from specialist steels in an integrated facility to the highest standards required for specific defence programmes. SFIL's ownership by the Government will not prevent other UK based manufacturers bidding for MOD contracts, which will continue to be run in an open and fair competition.

The MOD has already started working closely with the company to implement best practice governance that will ensure appropriate financial oversight to secure the company's future success, with the aim eventually to return the business to the private sector.

## Adoption Provision

[HLWS258]

**Baroness Berridge:** My right honourable friend the Secretary of State for Education (Gavin Williamson), has today made the following statement:

Every child should have the opportunity to fulfil their potential. Children thrive in loving, stable families. However, some face challenges which most of us can only imagine. They will often have experienced abuse and neglect. Where a child cannot live with their birth parents the best alternative home will often be with other family members or within loving foster families. For some children, adoption is the best alternative.

We cannot overestimate how important a new family is to an adopted child. Their security comes from knowing that they are safe and cared for, that they will get the love and support they need and will be supported to make the most of life's opportunities. That is why we published our new adoption strategy "Achieving Excellence

Everywhere". A copy of the strategy can be found at [gov.uk](https://www.gov.uk).

In 2015 the adoption system was highly fragmented, with around 180 agencies recruiting and matching adopters; most of these were operating at a very small scale. This caused delays in the recruitment of adopters and in the matching of children with approved adopters. Since then, we have moved successfully to a regionalised approach with 31 regional adoption agencies covering 145 local authorities across the country. Regional adoption agencies are delivering adoption services more effectively at a greater scale with the regional leaders collaborating to improve services and address challenges.

In 2015 we introduced the Adoption Support Fund to help children who have experienced abuse and neglect to get the therapeutic support they need. Since then, over 36,000 individual children have been supported and had their lives transformed.

We have reduced the number of children waiting from 5,000 in 2010 to 2,600 now, and children are moving in with adoptive families faster, with more families now getting the adoption support they need. This is good progress, but we need to do more. 2,600 children waiting is still too many. 1,000 children are still waiting over 18 months to be matched; this is too long. This typically includes older children, children from ethnic minorities, sibling groups and children with additional needs. This is unacceptable.

Our strategy sets out a bold and ambitious vision which will see regional adoption agencies building on their collaborative approach to deliver a framework of national standards and working with other agencies across health, education, and justice so that high-quality provision is available everywhere across the country. This will help to ensure that adopted children and their families can access the services and support they need to flourish wherever they live.

A new framework of national standards will mean services delivered to the same high quality across the country. It means that best practice will drive services as part of a culture of continuous improvement.

The strategy will see us recruiting adopters from all communities and from all walks of life so that we recruit all those who are able to provide loving homes to the children who are waiting to be adopted. A service where children are matched seamlessly across organisational boundaries with families that can provide a loving home without unnecessary delay.

Our strategy sets out how we will radically improve adoption support from the moment a match with a family has been approved. This includes not only direct support in the home, but also by schools and local health services, and support which continues throughout their childhood whenever it is required.

Sector leaders will build on their collaborative approach to ensure that all services are delivered to the same high standards across the country—developing the new national standards. Where it is most effective, we will look to

deliver services on a national scale, for example on adopter recruitment or some elements of support.

To ensure that the needs of adoptive families become a high priority for all, sector leaders will develop strong partnerships with local authority children's services, Voluntary Adoption Agencies, education, health, the Children and Family Court Advisory and Support Service, the judiciary and voluntary and community groups.

We are making significant investment in 2021-22 as part of the strategy:

- £1m for regional adoption agency leaders to collectively improve recruitment and the adopter approval process;
- £500k to increase early permanence arrangements (whereby a child is placed with prospective adopters when first removed from their birth family);
- £46m to continue post adoption support for families through the Adoption Support Fund;
- £500k to employ a National regional adoption agency strategic leader and a support team of two project workers to progress collaborative working on agreed priority areas; and
- £100k funding to commission research on outcomes of children who left care on an adoption or Special Guardianship Order.

Our ambition is to deliver adoption swiftly and effectively when adoption is the right path for the child. They and their families deserve the very best services we can offer to help them thrive and to achieve the best possible outcomes. Our strategy will help them to do so.

A copy of the strategy will be placed in the Libraries of both Houses.

## Economy Update

[HLWS263]

**Lord Agnew of Oulton:** My right honourable friend the Chancellor of the Exchequer (Rishi Sunak) has today made the following Written Ministerial Statement:

Today I can inform the House that I have launched Spending Review 2021 (SR21) to set departmental Resource and Capital DEL budgets from 2022-23 to 2024-25 and the devolved administrations' block grants for the same period. SR21 will be presented to Parliament alongside Autumn Budget 2021 and the economic and fiscal forecast from the Office for Budget Responsibility (OBR) on 27 October 2021.

## Establishment of the Office for Environmental Protection

[HLWS261]

**Lord Goldsmith of Richmond Park:** My Hon Friend Parliamentary Under Secretary of State (Minister for

Domestic Environment) (Rebecca Pow) has made the following Statement:

As the Environment Bill starts Report stage in the House of Lords today, I am making this statement on the actions taken and commitments made to establish the Office for Environmental Protection (OEP) as an independent body, given the significant interest from members of both Houses.

This government was elected on a manifesto that committed to setting up a new independent environmental body in the OEP, which will help ensure that our high environmental standards are upheld.

### *OEP independence*

The Environment Bill includes several provisions to enshrine the OEP's independence in law. These include a specific duty on the Secretary of State when exercising his or her functions to have regard to the need to protect the OEP's independence.

The Bill also states that the OEP must prepare its own strategy that sets out how it intends to exercise its functions. The OEP is required to lay this strategy before Parliament to allow for proper scrutiny and transparency. The Bill also requires the OEP to act objectively and impartially. In addition to the protections that the Bill provides, the government has made several commitments to ensure the OEP's operational independence.

### *OEP appointments*

The Office for Environmental Protection will be included in the Schedule to the Public Appointments Order in Council and non-executive members will be independently regulated by Her Majesty's Commissioner for Public Appointments. The Bill also requires that the OEP Chair be consulted on all non-executive appointments.

The Equality and Human Rights Commission took a similar approach as its board members are appointed by Ministers. The Commission has had an 'A' rating as a National Human Rights Institution from the United Nations since 2009, based partly on its independence and autonomy from government.

The appointments of the OEP Chair Designate and non-executive members designate have already been made, following a regulated public appointments process, which will also be followed for future appointments.

The government took the necessary steps to ensure that the role of Chair was listed as a significant appointment with the Commissioner for Public Appointments, providing an added level of scrutiny and independence in the recruitment process. The Environment, Food and Rural Affairs and Environmental Audit Committees conducted a pre-appointment scrutiny hearing before the appointment of Dame Glenys Stacey as OEP Chair Designate. I am happy to confirm our intention that future Chair appointments should follow a similar process, ensuring fairness, accountability and independence in the future.

The appointments that have already been made demonstrate that the OEP will have the relevant expertise it needs to operate as an effective independent body. As a further safeguard, Parliament can choose to call any member of the OEP board to provide evidence in relation to their suitability for appointment once they have taken up their post. The Bill also requires that the OEP Chair be consulted on all non-executive appointments, and that the executive members be appointed by the OEP board alone, with the Chief Executive appointed by the non-executive members (or the Chair in the case of the first Chief Executive) after consultation with the Secretary of State.

#### *OEP finance*

To give the OEP robust financial certainty over the coming years, the government has committed to provide it with an indicative five-year budget which will be ringfenced within each spending review period. This approach follows the model of the Office for Budget Responsibility and is consistent with international best practice, strengthening institutional independence through delegated budgetary autonomy.

I have agreed with HM Treasury the budget for the OEP's first year of operation. This will be reviewed after the first 18 months of operation, which will ensure an evidence-based approach to the future OEP budget. The OEP must also include an annual assessment in its annual report and statement of accounts whether it has received sufficient sums to carry out its functions, which must be laid before Parliament.

#### *OEP guidance*

The OEP has an unprecedented remit: its principal objective will be to contribute to environmental protection and the improvement of the natural environment, and it will be able to take enforcement action against all public authorities, including local authorities, regulators and central government departments. It is for this reason that the government feels that a guidance power is necessary - the OEP must be impartial and independent, but not unaccountable.

This guidance power will not be used - indeed, it cannot be used - to intervene or direct the OEP in decision-making about specific cases. Furthermore, recognising the strength of feeling from Parliament on this issue, we have introduced an amendment for Lords Report to enable additional parliamentary scrutiny of any draft guidance. Under the new amendment, the Secretary of State will be required to lay a draft of any guidance before Parliament and respond to any resolutions or recommendations made by either House and Parliamentary Committees before producing the final guidance. This would supersede and strengthen the provision in clause 25(4), which currently requires the Secretary of State to lay before Parliament and publish any guidance.

This government is committed to establishing the OEP as an independent body to contribute to environmental protection and hold public authorities to account. It will be a body built on international best practice and tailored

to our domestic context, and we are committed to ensuring it can be legally established as soon as possible following Royal Assent, to begin delivering benefits for people and the environment.

## Motorway Safety

[HLWS265]

**Baroness Vere of Norbiton:** My Right Honourable friend, the Secretary of State for Transport (Grant Shapps), has made the following Ministerial Statement:

I have on several occasions announced to this House the importance of road safety to me and my Department. After hearing the public's concerns about smart motorway safety, I commissioned an evidence stocktake and set out recommendations to raise the bar on safety. This was one of my first acts as Secretary of State.

The subsequent evidence stocktake was published in March 2020 and showed that ALR motorways are in most ways as safe as, or safer than, conventional ones. I was determined to make sure they were the safest roads in Britain and to this end, I announced a package of 18 measures, costing £500million, which includes the faster rollout of a radar-based stopped vehicle detection (SVD) across the ALR network, including an additional £5million on national and targeted communications campaigns to ensure drivers receive the right advice to help them keep safe.

Other actions included an update to The Highway Code to include new information about driving on high-speed roads, which has been achieved this year, six months earlier than scheduled. We have also changed the law to enable automatic detection of vehicles driving in closed lanes, known as red 'X' violations and National Highways are upgrading specialist cameras to help better identify violations so those drivers can be prosecuted.

A year on, I commissioned a Progress Report from National Highways to set out progress on those 18 actions, and to develop proposals about how several of them can be accelerated, going above and beyond what was originally committed to. The Progress Report was also an opportunity to review updated data since the 2020 Stocktake. Crucially, the data contained in the National Highways Progress Report published in April 2021 continues to show that fatal casualties are less likely on all lane running motorways than on conventional ones.

The National Highways Progress Report drew its evidence from data and analysis of the 2019 STATS19 official statistics and produced by National Highways. I know that there has been considerable public and media interest in understanding motorway accident and fatality data and in March 2021 I commissioned the Office of Rail and Road to independently review the data to provide further analytical assurance and ensure that the conclusions arrived at are robust.

The ORR's report, *Quality Assurance of All Lane Running motorway data*, is published today. I welcome the ORR's review and their conclusion that they found no errors in the underlying calculations, and all the products

and processes reviewed are in line with established practice. This was a thorough undertaking; the ORR drew on its expertise as the monitor of England's strategic road network. The ORR analysed detailed information, interviewed relevant staff at both National Highways and the Department for Transport, and reviewed the evidence submitted to the Transport Select Committee inquiry, which commenced in February 2021. To provide additional expertise and challenge, ORR took independent analytical advice from a specialist consultancy and involved the non-executive chair of its National Highways Committee. This was done to ensure the conclusions and recommendations arrived at are as robust and comprehensive as possible. The report supports National Highway's findings that smart motorways are the safest roads in the country in terms of fatalities.

The ORR's report contains several recommendations for improvement that will strengthen our understanding of road safety. National Highways have agreed to all its recommendations and developed an action plan in response which is already underway.

My commission for assurance into smart motorway safety data by the ORR is another step towards improving road safety and instilling public confidence in the safety of our roads, which make a crucial contribution to economic and social development in this country.

### **Pilot No-Interest Loans Scheme: Contingent Liability**

[HLWS262]

**Lord Agnew of Oulton:** My honourable friend the Economic Secretary to the Treasury (John Glen) has today made the following Written Ministerial Statement:

It is normal practice when a government department proposes to undertake a contingent liability in excess of £300,000 and for which there is no statutory authority, for the Minister concerned to present a departmental Minute to parliament, giving particulars of the liability created and explaining the circumstances.

I wish to notify Parliament of a contingent liability that has been created by the government from the introduction of the pilot No-Interest Loans Scheme. The pilot No-Interest Loans Scheme was announced at the Budget on 3 March 2021. The loans will support consumers in vulnerable circumstances who would benefit from affordable credit to meet unexpected costs and will provide an alternative to relying on high-cost credit. Fair4All Finance, who were founded to support the financial wellbeing of people in vulnerable circumstances, have been appointed to run the pilot and will enter contracts with lenders to deliver the loans, including to provide a partial guarantee against default losses. To facilitate the lending to consumers in vulnerable circumstances, HM Treasury will reimburse Fair4All Finance for eligible default losses they incur under eligible guarantees.

HM Treasury will reimburse Fair4All Finance for up to 80% of eligible default losses incurred as part of the pilot.

HM Treasury will reimburse losses on loans made from 22 September 2021, but the liability will not be incurred until Fair4All Finance enter guarantees with eligible lenders and defaults occur, which is not expected until financial year 2022-23.

The maximum amount to be paid under the contingent liability is £10 million, with expected payments totalling £1.8 million. HM Treasury will reimburse Fair4All Finance for eligible default losses on loans initiated after 22 September 2021 and will stop reimbursing costs by 31 March 2026. If the liability is called, provision for any payment will be sought through the normal Supply procedure.

It is normal that any contingent liabilities should not be incurred until 14 sitting days after Parliament has been notified of the government's intention to incur a contingent liability. There is an exception in cases of special urgency. This is one such occasion.

In order to make timely progress with this policy, it is important that lenders have the certainty of the HM Treasury's funding commitment to the pilot in good time before the November and December periods, which for many social lenders is the busiest time of the year. As such HM Treasury's grant agreement with Fair4All Finance has been signed to enable contract negotiations with lenders to commence.

I note that HM Treasury's intention to develop such a pilot has been in the public domain for some time, and that the pilot has received broad support from across both Houses of Parliament since the Government funding was announced at Budget 2021. Given this support I hope the House is in agreement with my assessment that to delay signing the aforementioned agreement until the House returned would have been inappropriate and to the detriment of the beneficiaries under this scheme.

I will also lay a minute today on this matter.

### **Protecting the Public and Justice for Victims**

[HLWS260]

**Lord Wolfson of Tredegar:** My right honourable friend the Lord Chancellor and Secretary of State for Justice (Robert Buckland) has made the following Written Statement:

"Today I would like to update the House on how the government is protecting the public and providing justice for victims following the Opposition day debate of 9 June 2021.

#### *Impact of Covid-19*

The Covid-19 pandemic has had a truly unprecedented effect on our courts system. Bringing people safely into buildings for trials and hearings – especially jury trials – has been challenging. That is why we have done so much to keep delivering justice in these difficult times.

The government is committed to getting justice firing on all cylinders by ramping up our work to enable judges to safely hold as many hearings as possible over the coming year. In the Crown Court, disposals continue to

exceed receipts and we have seen the outstanding caseload stabilise at around 60k, and hopefully turn a corner, while our outstanding cases in the magistrates' court are now at the lowest level since the pandemic began.

We will continue to maximise capacity across the system, reopening 60 courtrooms by September 2021, extending 32 Nightingale courtrooms until March 2022, giving judges the option to open courtrooms for longer – sitting a session in the morning and another in the afternoon – and the flexibility to conduct non-trial work, like pre-trial preparation hearings, remotely. We have lifted the limit on sitting days in the Crown Court this year, enabling us to maximise the use of the courts estate, and every available judge. All this activity taken together will help get more cases heard, more quickly, so that there is timely access to justice.

#### *How we supported victims over the last year and through the pandemic*

While the impacts of Covid-19 on the courts have been profound, supporting victims to seek justice remains a top priority. We are acutely aware of the risk of victims dropping out of the justice process and are monitoring the impact of Covid-19. In recognition of the impact of Covid-19 on victims, the Ministry of Justice established the Victim and Witness Silver Command Group in March 2020 in order to identify and assess developing risks and issues that may have an impact on victims of crime, including in their journey through the criminal justice system. This group continues to meet on a fortnightly basis and its comprehensive membership consists of representatives from across government, criminal justice agencies, external stakeholders, and the third sector.

This year has seen record investment across government of over £300 million in specialist victim services and we have made over £92 million available since the start of the pandemic to ensure victims had access to critical support services, including counselling and advice. Independent Sexual and Domestic Violence Advisers are a key component in support through the criminal justice system, which is why we have made a £27 million investment over two years resulting in the recruitment of nearly 700 new posts, an increase of 44% on existing provision.

Earlier this year we also published a new Victims' Code focussed on 12 key rights for all victims of crime. The new Code is the culmination of two years of extensive work, including hearing from victims and the groups that support them, to ensure that we have a clear and comprehensive framework for victims' rights. This vital work has laid the necessary foundations for effective legislation in this area, and it is our intention to proceed without delay.

Alongside this, the government has demonstrated its continued commitment to tackling Violence Against Women and Girls (VAWG) and domestic abuse. We have published new VAWG and domestic abuse strategies this year to help drive a step-change in the response to these

crimes, and we have committed to undertaking a review of sentencing in domestic homicide cases to understand sentencing practice and consider whether there is a need for change. These build on our landmark Domestic Abuse Act, which received Royal Assent in April, and is being brought into force as soon as possible. Measures brought into force since the debate on 9 June include the offence of threatening to disclose private sexual photographs and films; extending the extra-territorial jurisdiction of England and Wales in relation to certain violent and sexual offences; ensuring those homeless as a result of domestic abuse and are eligible for local authority accommodation have priority need status; and also to enable a pilot using polygraph tests to protect domestic abuse victims. The vast majority of the remaining measures in the Act will be in force by spring 2022.

#### *How the government has dealt with rape and serious sexual violence cases through the pandemic*

While criminal justice agencies and the judiciary are prioritising serious cases, including rape, to provide certainty to victims and defendants, reducing the outstanding caseload will take several years. We are working to ensure that these cases will continue to be prioritised by all involved while dealing with the impact of the pandemic.

The government has long recognised that far too few victims of rape are seeing justice and that more must be done to support them to take their case through the criminal justice system. The recently published Rape Review sets out a robust programme of work to improve how the criminal justice system responds to rape – increasing the number of cases reaching court to 2016 levels, reducing the number of victims withdrawing from the process and ultimately putting more rapists behind bars.

Last year we passed legislation to ensure that serious sexual and violent offenders sentenced to a standard determinate sentence (SDS) of over 7 years serve at least two thirds of their sentence in custody. The Police, Crime, Sentencing and Courts (PCSC) Bill will extend this change to more offenders. Those sentenced to a SDS between 4 – 7 years for certain serious sexual or violent offences (where that offence attracts a maximum penalty of life), which includes rape, will serve two thirds of their sentence in custody instead of half. The government is committed to driving this agenda to give victims confidence in the system.

#### *Wider support for victims*

We want to continue transforming the experience of victims in the criminal justice system today. That's why the government has committed to passing a Victims' Law – to put the rights in the Victims' Code into statute. This will help to guarantee victims they will be seen, heard, and helped at every point in the justice process.

We will consult not only on the rights of victims, but also on the provision of community-based domestic abuse and sexual violence services, as well as a statutory underpinning for the roles of independent sexual and

domestic violence advisers to ensure that victims receive a high standard of care.

I look forward to setting out a timetable for bringing the Victims' Law onto the statute books and working with victims, campaigners, and Members of Parliament from across the political divide to make a success of this landmark piece of legislation.

We know there is further to go, and we should not underestimate the scale of the challenge ahead of us. Victims, witnesses and defendants are still waiting too long and we need to take action to address this.

This year has been incredibly difficult in the courts as it has in so many areas. But through a monumental collective effort the system is recovering."

### **Role of Speaker's Committee on the Electoral Commission**

[HLWS264]

**Lord True:** My Hon. Friend, the Minister of State for the Constitution and Devolution (Chloe Smith MP), has today made the following written statement:

As set out in a previous statement to this House (HCWS100), the Government has proposed a series of measures in the Elections Bill that seek to maintain public confidence in the effective and independent regulation of the electoral system by empowering the UK Parliament to hold the Electoral Commission more effectively accountable. As the independent regulatory body charged with upholding the integrity of free and fair elections, it is right for the public to expect that the Electoral Commission should be more fully and duly accountable to the UK Parliament for the way they discharge their functions.

The Electoral Commission are the independent body which oversee elections and regulate political finance in the UK. The Commission are made up of Electoral Commissioners, including a Chair, who are appointed by Her Majesty via an Address in Parliament. The Electoral Commissioners govern the work of the Electoral Commission.

The Commission are already accountable, but to a limited extent, to Parliament via the Speaker's Committee on the Electoral Commission. The Speaker's Committee is a cross-party, statutory committee chaired by the Speaker of the House of Commons. The Speaker's Committee is responsible for:

- determining and overseeing the procedures for selecting candidates to be put forward for appointment or reappointment as Electoral Commissioners;
- examining the Electoral Commission's five-year plan and annual financial estimates (considering the report of the Comptroller and Auditor General and advice from the Treasury) to decide whether they are consistent with the economical, efficient and effective discharge by the Commission of their functions. Following this, the Speaker's Committee lay the documents before the

House of Commons, with or without any modifications as necessary; and

- reporting to the House of Commons at least once a year on the exercise of its functions.

It is important to note that the measures in the Elections Bill do not amend the Speaker's Committee's current duties nor do they alter the other existing accountability arrangements of the Electoral Commission: the Commission will remain accountable to the Llywydd's Committee and the Scottish Parliamentary Corporate Body in relation to financial matters and their Business Plan where it relates to devolved functions. Our proposals will also maintain the statutory role of the Comptroller and Auditor General in his examination of the Commission. The Government's measures will build on these current arrangements to enhance the Commission's accountability to Parliament. This is primarily being done in two ways.

#### *Strategy and Policy Statement*

We will make provisions within the Elections Bill for the introduction of a Strategy and Policy Statement. The Statement, if approved by the UK Parliament, will set out guidance and principles to which the Commission will have a legal duty to have regard in exercising their reserved and devolved functions. However, that legal duty does not replace or undermine their other statutory duties. It is commonplace for the Government to set a policy framework, as approved by Parliament, which independent regulators should consider.

An illustrative example of a Statement and Policy Statement for the Electoral Commission will be published during the passage of the Elections Bill to aid parliamentarians. We will also be engaging with the Parliamentary Parties Panel and other interested parties on how a draft Statement might be framed.

#### *The role of the Speaker's Committee on the Electoral Commission*

We will expand the functions of the Speaker's Committee to give it the power to examine the Commission's compliance with the duty to have regard to the Strategy and Policy Statement. The Government intends:

- to enable the Speaker's Committee to perform a scrutiny function similar to that of parliamentary select committees, in that it will be able to retrospectively examine the Electoral Commission's activities in light of the regulator's duty to have regard to the Strategy and Policy Statement;
- that as part of its existing yearly reporting requirements on the discharge of its functions, the Speaker's Committee will be able to draw to the attention of the House any matter of interest relating to the Electoral Commission's compliance with their duty with regards to the Strategy and Policy Statement;
- that the Speaker's Committee will also be able to set out its own procedures to outline, if it wishes to do so, its workings under its expanded remit in any way it sees fit;

- that the Speaker's Committee will have the ability to request information (for instance via a public evidence session) from the Electoral Commission that the Speaker's Committee may require to discharge its scrutiny function; and
- that the Speaker's Committee will not be expected to examine individual complaints from members of the public and others against the Electoral Commission. Members of the public can already complain to the Commission and the Parliamentary and Health Service Ombudsman.

It is right that the Commission remain fully operationally independent and that they continue to be governed by their Electoral Commissioners. Therefore, with this new power the Speaker's Committee will not be able to proactively direct the Commission's decision-making. Our measures will not affect either the

governance structure nor statutory provisions for the Electoral Commission's Board and Commissioners.

With these two measures the Government will empower the UK Parliament to hold the Electoral Commission effectively accountable - crucial in maintaining public confidence in our electoral system - whilst also respecting the Commission's investigative, enforcement and operational independence.

I have placed the infographic attached to this statement in the libraries of both Houses.

The Statement includes the following attached material:

Electoral Commission Accountability Framework [Electoral Commission Infographic - Accountability Framework.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Lords/2021-09-07/HLWS264/>

## Written Answers

*Tuesday, 7 September 2021*

### **High Speed 2 Railway Line**

*Asked by Lord Berkeley*

To ask the Senior Deputy Speaker what are the terms of reference of the proposed independent assessor to be appointed to compile the responses to a consultation on the environmental aspects of a bill for Phase 2b of HS2 between Crewe and Manchester; and what changes are being proposed to the hybrid bill process to incorporate this new role. [[HL2342](#)]

**Lord Gardiner of Kimble:** The role of the Independent Assessor in hybrid bill procedure is to

summarise the issues raised in comments received on the environmental statement (and any supplementary environmental information subsequently deposited) relating to a hybrid bill and to make a report (or reports). The second reading of a hybrid bill cannot be moved until at least 14 days after the report relating to the environmental statement has been submitted.

The procedure in relation to the Independent Assessor is well-established. It is set out in detail in House of Lords Private Business Standing Order 83A. HL SO 83A was agreed by the House of Lords on 25 July 2013, following a recommendation by the Procedure Committee (2<sup>nd</sup> Report, Session 2013-14, HL Paper 33). An Independent Assessor was appointed in relation to the High Speed Rail (London – West Midlands) Bill and the High Speed Rail (West Midlands – Crewe) Bill.

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