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PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS

WRITTEN STATEMENTS AND WRITTEN ANSWERS

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<i>Minister</i>	<i>Responsibilities</i>
Baroness Evans of Bowes Park	Leader of the House of Lords and Lord Privy Seal
Earl Howe	Minister of State, Ministry of Defence and Deputy Leader of the House of Lords
Lord Agnew of Oulton	Parliamentary Under-Secretary of State, Department for Education
Lord Ahmad of Wimbledon	Minister of State, Foreign and Commonwealth Office
Lord Ashton of Hyde	Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport
Baroness Barran	Whip
Lord Bates	Minister of State, Department for International Development
Lord Bourne of Aberystwyth	Parliamentary Under-Secretary of State, Ministry of Housing, Communities and Local Government and Wales Office
Baroness Buscombe	Parliamentary Under-Secretary of State, Department for Work and Pensions
Lord Callanan	Minister of State, Department for Exiting the European Union
Earl of Courtown	Deputy Chief Whip
Lord Duncan of Springbank	Parliamentary Under-Secretary of State, Northern Ireland Office and Scotland Office
Baroness Fairhead	Minister of State, Department for International Trade
Lord Gardiner of Kimble	Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs
Baroness Goldie	Whip
Lord Henley	Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy
Lord Keen of Elie	Advocate-General for Scotland and Ministry of Justice Spokesperson
Baroness Manzoor	Whip
Lord O'Shaughnessy	Parliamentary Under-Secretary of State, Department of Health and Social Care
Baroness Stedman-Scott	Whip
Baroness Sugg	Parliamentary Under-Secretary of State, Department for Transport
Lord Taylor of Holbeach	Chief Whip
Baroness Vere of Norbiton	Whip
Baroness Williams of Trafford	Minister of State, Home Office and Parliamentary Under-Secretary of State for International Development
Lord Young of Cookham	Cabinet Office Spokesperson and Whip
Viscount Younger of Leckie	Whip

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Written Statements

Thursday, 6 December 2018

Energy Capacity Market

[HLWS1123]

Lord Henley: My Rt hon friend the Minister of State for Energy and Clean Growth (Claire Perry) has today made the following statement:

Following the decision on 15 November 2018 by the European Court to annul the European Commission's approval for the UK Capacity Market, the Government is updating the House on the process that will be followed to ensure that the Capacity Market can be reinstated as speedily as possible.

As National Grid has already confirmed, the court ruling will not impact security of supply this winter. The ruling does not change the UK Government's view that the Capacity Market is the right mechanism to deliver secure electricity supplies at least cost.

The Commission has confirmed that it will be conducting an investigation into the original State aid notification for the Capacity Market. This investigation covers the Capacity Market agreements already entered into including those for 2018/19 and 2019/20.

A positive final State aid decision would allow payments to be made to those agreement holders that have met their obligations during the standstill period. The Commission expects to make its Opening Decision on the issues covered in the investigation by early 2019.

To support this, National Grid will continue to operate the Capacity Market as normal but without payments being made to agreement holders. This will ensure that market participants can operate as normal and will also aid the calculation of future Capacity Market payments.

The Government has also confirmed an intention to hold a T-1 top-up auction during the summer of 2019, for delivery in 2019/20. Agreements secured through this auction will be conditional on the outcome of the Commission's formal investigation.

The Government is also considering the viability of the Capacity Market supplier charge continuing to be collected under the expectation that payments will be passed on to agreement holders at the appropriate time.

A technical statement is being published which provides further detail to market participants on the next steps as agreed with the Commission. This can be found on the BEIS website.

We will continue to update market participants.

Citizens' Rights

[HLWS1118]

Lord Callanan: My Rt Hon Friend the Secretary of State for Exiting the European Union, Stephen Barclay, has made the following statement:

Citizens have always been our priority in the negotiations for our departure from the EU. The Withdrawal Agreement will provide certainty to around three million EU citizens in the UK and almost one million UK nationals in the EU, enshrining their rights in international law. The Government is clear that the reciprocal deal with the EU as set out in the Withdrawal Agreement is the only way to fully protect the rights of both UK nationals in the EU and EU citizens in the UK. The Withdrawal Agreement gives these citizens certainty that they can go on living their lives broadly as now.

Today, the UK Government is demonstrating its continued commitment to put citizens first. The Citizens' Rights - EU citizens in the UK and UK nationals in the EU policy paper sets out the details of our offer to EU citizens in the UK in the unlikely event of a no deal scenario; removing any ambiguity over their future.

Without the Withdrawal Agreement, the UK Government cannot guarantee the rights of the one million UK nationals living in the EU. I am therefore urging the EU and Member States to reciprocate this offer and protect the rights of UK nationals resident in the EU in a 'no-deal' scenario. I am pleased that some countries are already taking steps to do so. I have instructed Ambassadors and Heads of Missions to raise this with their host governments.

In an unlikely no deal scenario the Government is committing to protect the rights of EU citizens and their family members resident in the UK by 29 March 2019, so that they can continue to work, study and access benefits and services on the same basis as now.

As there would be no agreed implementation period, EU citizens and their family members resident here by 29 March 2019 would have until 31 December 2020 to apply for a status under the EU Settlement Scheme. The process will be simple and streamlined.

Without the reciprocity provided for by the Withdrawal Agreement, we have decided in a small number of important areas that it is appropriate that the rights of EU citizens are brought in line with those of UK nationals, to bring fairness back into our immigration system. For example, in respect of rights to family reunification, we plan that EU citizens resident here by exit day would be able to be joined in the UK by their existing close family members, such as a spouse, under existing EU law, until 29 March 2022, after which point the future UK Immigration Rules would apply to such family reunion.

The Government recognises the uncertainty UK nationals in the EU will face in a no deal scenario. The UK cannot act unilaterally to protect all of the rights of UK nationals in the EU, which is why we have always prioritised reaching a reciprocal agreement with the EU and why the deal we have negotiated is the best way forward. However, where it is in our control, we will support UK nationals through this unlikely outcome, such as through bilateral arrangements on healthcare, as reflected in the recently introduced Healthcare (International Arrangements) Bill.

If UK nationals in the EU were unable to continue to live their lives in the EU as they do now in a no deal scenario and returned to the UK to live, there are a number of steps the Government would consider to address concerns that they have raised. This includes access to healthcare, education, benefits, and housing. We recognise that these would be an important part of a transition back to life in the UK.

We will continue to provide updates to UK nationals in the EU on gov.uk and through our network of Embassies, Consulates and High Commissions. The Government will continue to press the EU and Member States to reciprocate this offer and secure these rights as soon as possible for all UK nationals in the EU.

Let me reiterate that the Withdrawal Agreement is in the mutual interest of all our citizens. It is the only way for the Government to guarantee the rights of UK nationals in the EU.

I will be depositing the policy paper Citizens' Rights - EU citizens in the UK and UK nationals in the EU in the Libraries of both Houses.

Clinical Negligence Indemnity Cover

[HLWS1120]

Lord O'Shaughnessy: My hon. Friend the Parliamentary Under Secretary of State for Public Health and Primary Care (Steve Brine) has made the following written statement:

Today, the Department of Health and Social Care is launching a consultation seeking the public's views on the regulation of clinical negligence indemnity cover. All regulated healthcare professionals are required to hold appropriate clinical negligence cover for the risks of their practice, covering the costs of defending clinical negligence claims and damages awarded to patients. This is a condition of registration in the UK for all regulated healthcare professionals, and in the case of medical practitioners, a condition of licence under s.44C of the Medical Act 1983.

The current state-backed Clinical Negligence Scheme for Trusts provides cover for professionals working in NHS Trusts, and it is anticipated that a future state-backed scheme will provide clinical negligence indemnity cover for NHS general practice in England. The Secretary of State announced his intention to develop the scheme in a Written Ministerial Statement on 12 October 2017. The Welsh government is also planning to introduce a state-backed scheme for general practice indemnity.

Regulated healthcare professionals who are not covered by state-backed indemnity schemes are indemnified either through membership of a discretionary indemnity provider, such as a Medical Defence Organisation, or by holding contracts of insurance with commercial insurers. Discretionary indemnity providers are not subject to financial conduct or prudential regulation.

The consultation will consider whether regulated healthcare professionals who will not be covered by any

state-backed scheme should continue to be permitted to hold unregulated discretionary indemnity cover.

The Government's objectives are to ensure patients' access to appropriate compensation in the unfortunate event of them suffering physical injury as a result of clinical negligence, and that healthcare professionals hold stable and sufficient cover enabling the costs of legitimate claims to be met. This will provide regulated healthcare professionals with greater clarity and confidence about the security and terms of their cover.

The consultation will be open for twelve weeks. Following consideration of responses to this consultation, if the Government is minded to introduce regulation, the Department will consult on the options for such regulation. I will inform the House of the Government's response to the consultation when it is completed.

Foreign Affairs Council

[HLWS1122]

Lord Ahmad of Wimbledon: My Right Honourable Friend, the Minister of State for Foreign and Commonwealth Affairs (Sir Alan Duncan), has made the following written Ministerial statement:

My Right Honourable Friend the Secretary of State for Foreign and Commonwealth Affairs will attend the Foreign Affairs Council (FAC) on 10 December. It will be chaired by the High Representative of the European Union (EU) for Foreign Affairs and Security Policy (HRVP), Federica Mogherini and will take place in Brussels.

Venezuela

Ministers will discuss the European External Action Service (EEAS) proposal for an International Contact Group (ICG) on Venezuela. The ICG would aim to act as a catalyst for an international process towards a solution to the ongoing Venezuelan crisis. The Council will also seek to agree a joint EU response to President Maduro's re-inauguration on 10 January; the EU strongly criticised the conduct of the presidential elections that were held in May 2018.

Western Balkans

Ministers will discuss the political situation in the Western Balkans, focussing on progress towards implementation of the Prespa Agreement on Macedonia's Name deal, the EU-facilitated dialogue on Serbia-Kosovo and post-election government formation in Bosnia and Herzegovina.

EU-African Union cooperation

Ministers will discuss EU-African Union Cooperation ahead of an EU-AU ministerial meeting that will take place in January; the recently announced EU-Africa Alliance will be the main focus of this meeting. The Alliance has ambitious goals, including on investment and job creation. The UK will support the EU's ambition to develop the partnership with Africa as this is in line with UK's strategic approach to the continent.

Ukraine

The Ukrainian Foreign Minister will join EU Ministers to discuss the recent Russian aggression in the Black Sea and the support he might expect from the EU. The UK will reiterate the need for collective messaging to Russia and for the urgent release of the detained crew and vessels. Russian action is a further example of its ongoing violation of Ukraine's sovereignty and territorial integrity. The UK will reaffirm its support to Ukraine, for the right of free passage in the Kerch Strait, and will welcome assurances from President Poroshenko that the Martial Law imposed across 10 regions will not be used to restrict individual rights.

Iran

We are expecting a wide ranging, strategic discussion, covering the Joint Comprehensive Plan of Action (JCPOA), regional issues, ballistic missiles, and hostile Iranian activity in Europe. We will continue to emphasise that we remain committed to the JCPOA, including continued sanctions relief through the Special Purpose Vehicle, for as long as Iran remains in compliance with its nuclear commitments under the deal. We will also underline that this commitment will not prevent us from taking action on other areas of concern such as Iran's destabilising regional and ballistic missile activity. The discussion may also focus on the need to tackle the shared challenge of recent threats to European security.

Council Conclusions

The Council is expected to adopt Conclusions on the EU Strategy on India, Burma, Women Peace and Security and Libya.

General Affairs Council: Cohesion Policy

[HLWS1119]

Lord Henley: I attended the General Affairs Council (Cohesion) on 30 November 2018. The meeting was held in Brussels and chaired by the Austrian Presidency.

The meeting was dedicated to deliberations around the legislative package for post-2020 Cohesion Policy.

A provisional report of the meeting and the conclusions adopted can be found on the Council of the European Union's website at:

<https://www.consilium.europa.eu/en/meetings/gac/2018/11/30/>

The General Affairs Council discussed the future direction of cohesion policy in the next Multiannual Financial Framework. Ministers and their representatives from Member States presented their positions on the legislative proposals for post-2020, with a view to influencing the Commission's proposals and commenting on the views from the Austrian Presidency.

Member States particularly focussed on efforts for simplification, harmonisation, the strategic framework for future cohesion policy, and intervened on the partnership agreement and mid-term review. I intervened to support a link to the European Semester, for further simplification

and harmonisation, as well as outlining the UK position on the partnership agreement, the mid-term review and the proposals on European Territorial Cooperation.

The Austrian Presidency provided an update on non-legislative and legislative items.

Heritage Statement: One Year On

[HLWS1127]

Lord Ashton of Hyde: My Hon Friend the Parliamentary Under Secretary of State for Arts, Heritage and Tourism, Michael Ellis has made the following Statement:

I am today publishing a Heritage Statement: One Year On. This document seeks to provide an update to the Heritage Statement of December 2017, and also builds on the 2016 Culture White Paper.

The Heritage Statement was created with the aim of linking the heritage agenda to our wider agendas and strategies for industry, for regeneration and placemaking, for skills, for the environment, and for an internationalist, outward-looking Britain. It applies to England only, except where it relates to international issues and UK-wide policies and programmes.

The One Year On Statement outlines the progress we have made since the Heritage Statement was published in 2017. In the last year, the heritage sector has gone from strength to strength, and we in Government recognise our shared heritage is the inheritance of all UK subjects.

This update seeks to outline the progress we have made, and areas where we will seek to deliver further change over the months to come.

The Heritage Statement: One Year On is available on GOV.UK.

Industrial Strategy: Aerospace Sector

[HLWS1117]

Lord Henley: My Rt hon Friend the Secretary of State for Business, Energy and Industrial Strategy (Greg Clark), has today made the following statement:

As part of the Industrial Strategy, the Government committed to making the most of the UK's strengths, so we can be at the forefront of emerging technologies and industries in the years ahead.

The Aerospace sector is a leading industrial sector for the UK with particular strengths in the design, manufacture and support of wings, engine as well as advanced systems such as landing gear and cockpit technologies. These activities are an undoubted strength of our economy; indeed, they are at the heart of the nation's competitive advantage.

Sector Deals are an extension of the Government's close partnership with sectors such as aerospace and we are building on this through the Aerospace Growth Partnership with this Sector Deal to ensure the UK maintains its leading position in the global market. This

Sector Deal signals a joint intention to position the UK at the forefront of valuable emerging markets. It will do this by:

- boosting innovation through a joint industry and government investment in the Future Flight challenge, with up to £125m of funding from the Industrial Strategy Challenge Fund, which industry will match. This programme will invest in developing demonstrators of new aircraft (such as drones and other electric aircraft), new models of airspace management, new approaches to ground support infrastructure and new markets for aircraft in local areas.
- expanding the successful National Aerospace Technology Exploitation Programme with joint funding from government and industry to boost research and development projects led by small and medium sized enterprises (SMEs).
- supporting SMEs in the UK aerospace supply chain to boost their competitiveness through a new productivity improvement programme.
- committing the industry to embed a Women in Aviation and Aerospace Charter to increase diversity and inclusion in the sector.
- enhancing the joint working between the aerospace industry and education providers to ensure a strong future pipeline of talented people are available to ensure the UK aerospace sector remains globally competitive.

The Aerospace Growth Partnership has seen us work with industry to tackle barriers to growth, boost exports, and sustain high value jobs across the breadth of the UK. Together we have taken action to develop and implement initiatives to drive innovation, develop new product and manufacturing technologies, and to increase productivity. The Sector Deal is a key milestone in this relationship. It will position the industry for the future by developing new capability in exciting developments in air transportation for people and goods through the introduction of more electric and autonomous systems.

The aerospace sector has a turnover of £34.9 billion, directly employing 120,000 people, with productivity growth rates of 5% year on year. But we are not complacent. This Deal will build on our strengths and set the industry on course for future success.

I will be placing a copy of the document in the Libraries of the House.

Judicial Conduct Investigations Office

[HLWS1126]

Lord Keen of Elie: My right honourable friend the Lord Chancellor and Secretary of State for Justice (David Gauke) has made the following Written Statement.

"With the concurrence of the Lord Chief Justice, I will today publish the twelfth annual report of the Judicial Conduct Investigations Office (JCIO), formerly known as the Office for Judicial Complaints.

The JCIO supports the Lord Chief Justice and the Lord Chancellor in our joint statutory responsibility for judicial discipline.

The judiciary comprises approximately 23,000 individuals serving across a range of jurisdictions. Over the past year, the JCIO received 2,147 complaints against judicial office holders. 39 investigations resulted in disciplinary action. The JCIO did not meet two of its three key performance indicators, which was attributable to the challenges faced by a high turnover of staff.

I have placed copies of the report into the libraries of both Houses, the Vote Office and the Printed Paper Office. Copies are also available online at: <https://judicialconduct.judiciary.gov.uk/reports-publications/>

Mental Health Act: Independent Review (Final Report)

[HLWS1121]

Lord O'Shaughnessy: My Rt. hon. Friend the Secretary of State for Health and Social Care (Matt Hancock) has made the following written statement:

Modernising the Mental Health Act Increasing choice, reducing compulsion, the final report of the Independent Review of the Mental Health Act, has been published today.

The Government committed in its Manifesto to reform mental health legislation. As a first step towards this, the Prime Minister asked Professor Sir Simon Wessely to chair a full and independent review of the Mental Health Act 1983. We welcome this report, and would like to thank Sir Simon and his vice chairs for their achievement in setting out a set of recommendations that have the overall purpose of increasing patient rights and improving the way the Act works for people.

I can confirm that the Government will consider the report and its recommendations in detail, and will respond in due course. Our intention remains to reform mental health law and so the Government will develop and bring forward legislation when Parliamentary time allows.

I can today accept two of the report's recommendations, which both highlight the Review's focus on increasing the rights and autonomy of patients –

- The establishment of new statutory advance choice documents (ACDs), so that people's wishes and preferences can carry far more legal weight. These would enable people to express preferences on their care and treatment, to help ensure that these preferences are considered by clinicians, even when the person may be too ill to express themselves.
- Ensuring that people have a say in which relative has power to act for them, through the creation of a new role of Nominated Person, to be chosen by the patient, rather than allocated to them from a list of relatives. This person would have enhanced powers in their role; both to be informed about the person's detention in

hospital and to be involved in decisions made about their care.

The report is available at:

<https://www.gov.uk/government/groups/independent-review-of-the-mental-health-act>

I have deposited a copy of the report in both Libraries.

Personal Injury Discount Rate

[HLWS1125]

Lord Keen of Elie: My right honourable friend the Lord Chancellor and Secretary of State for Justice (David Gauke) has made the following Written Statement.

"The Ministry of Justice is today publishing *Setting the Personal Injury Discount Rate: A Call for Evidence*. This call for evidence is intended to obtain evidence to inform the first review of the personal injury discount rate under the Civil Liability Bill. The call will remain open for eight weeks.

I have placed a copy of the call for evidence in the libraries of both Houses."

Rail Sector Deal

[HLWS1124]

Baroness Sugg: My Honourable Friend, the Parliamentary Under Secretary for Transport (Andrew Jones) has made the following Ministerial Statement.

As part of the Industrial Strategy, the Government committed to making the most of the UK's strengths and to develop the infrastructure necessary to support this. The UK's rail network supports people getting to work and training opportunities every day, enables businesses to access the talent they need to grow, and moves goods across the country and to our ports and airports.

The aim of this sector deal is to develop new, digital capabilities to support the railway in becoming an even stronger driver of economic growth and opportunity.

Sector Deals bring the industry and the Government together in partnership to boost the productivity and earning power of specific sectors. The Rail Sector Deal struck today follows ambitious sector deals with the life sciences, automotive, construction and artificial intelligence sectors.

The Government and rail industry have come together to agree a plan to increase efficiency, improve journeys and increase the sector's capability to trade internationally. The deal was developed through close engagement with the UK's world class consulting engineering sector and wider rail supply chain, and with backing from the major train manufacturers in the UK. This engagement from the industry has been led by the

Rail Supply and Delivery Groups, both of whom will be fundamental to delivering these ambitions.

The Deal contains mutual commitments that will encourage innovation to improve passenger experience, provide the confidence necessary for investment in capital and skills, while reducing the cost to the taxpayer of state-of-the art digital rail control systems. Furthermore, the Deal, through collaboration between train manufacturers and those providing services and running the network, will provide a common data platform. This will enable businesses to access highly useful data held within the industry in order to develop services and products to meet passengers' needs. This Deal also includes a pilot programme in the Midlands to attract further diversity and skills into our growing railway, supported by the Midlands Engine, LEPs and other regional partners.

This Deal will support the rail industry into the next phase of its development as a world leading industry. I will place a copy of the document in the libraries of both Houses.

Wales Regional Government

[HLWS1128]

Lord Bourne of Aberystwyth: My Right honourable friend the Secretary of State for Wales (Alun Cairns) has made the following Written Ministerial Statement:

On March 2017, the Government reached agreement with the Welsh Government and the four local authorities on a Heads of Terms City Deal for the Swansea Bay City Region to bring almost £1.3bn of investment to the region, which is expected to create in excess of 9,000 jobs.

Since this time good progress has been made on developing a number of the projects within the overall deal programme. However, with no individual business cases yet approved I have today commissioned a joint independent review with the Welsh Government which will underpin the next phase of delivery.

This review will be independently led and will report to both the UK and Welsh Governments. It will consider a range of factors to provide a stocktake on progress to date as well as assurance that all elements of the Deal are on track to deliver the full economic benefits of this ambitious programme. It will also consider matters of due diligence and governance, to ensure that oversight and compliance are robust. Its recommendations will inform future decisions on the release of Government funding as well as providing potential private investors with additional confidence across the deal as a whole.

Work on further developing individual projects will continue in parallel with the review.

Written Answers

Thursday, 6 December 2018

Arts

Asked by Lord Jones of Cheltenham

To ask Her Majesty's Government what consideration, if any, they have given to preserving freedom of movement for the performance and production of creative works after Brexit. [HL11623]

Lord Callanan: The Prime Minister has been clear that free movement of people will end as we leave the EU.

In future it will be for the UK Government and Parliament to determine the domestic immigration rules that will apply. We are carefully considering a range of options for the future immigration system and we will make decisions based on evidence and engagement. This will help us design a new immigration system that works in the national interest. We will publish a White Paper on the future border and immigration system later this year.

But we recognise that mobility is a key element of economic, cultural and scientific cooperation. That is why we want to agree a reciprocal mobility framework with the EU that will support businesses to provide services and allow people to travel without a visa for temporary business activity.

Arts: EU Grants and Loans

Asked by Lord Jones of Cheltenham

To ask Her Majesty's Government whether they plan to remain part of Creative Europe after the current funding period concludes in 2020. [HL11624]

Lord Callanan: The Cooperative Accord on Culture and Education proposed in the White Paper demonstrates our undiminished commitment to supporting European culture. The Political Declaration is a significant step towards delivering on this proposal, setting out that the UK and EU will establish terms for UK participation in EU programmes in areas of shared interest, including culture and education, and wider dialogue and exchanges with a view to identify opportunities to cooperate, share best practice and act together.

The next generation of EU programmes are currently under negotiation in the EU. The Government will make decisions on participation in specific programmes in light of these negotiations and wider UK priorities. Where the UK does participate, the Political Declaration sets out that it should do so on the basis of a set of agreed terms and conditions. These terms ensure that the UK will make a fair and appropriate financial contribution, UK participants will be treated fairly, and that the UK will be included in management and consultation of the programme reflecting the level of UK involvement. Both sides will be able to ensure that programme funding is managed properly.

Brexit: Gibraltar

Asked by Lord Wigley

To ask Her Majesty's Government, further to the Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, published on 14 November, what steps they have taken to discuss with the Gibraltar authorities their representation on the proposed specialised committee on issues related to the protocol on Gibraltar under Article 165(e). [HL11741]

Lord Callanan: As the Prime Minister has said, we will always negotiate on behalf of the whole UK family, including Gibraltar, at the Joint Committee including any consultation as set out in Article 169. Decisions on representation to the specialised committees will be taken in accordance with Article 165(3) of the Withdrawal Agreement. As the Chief Minister of Gibraltar told the House of Lords EU Committee on 23rd October, the UK has worked "hand in glove" with Gibraltar to ensure the Prime Minister's commitment to fully involve Gibraltar "became a reality".

Asylum

Asked by Lord Hylton

To ask Her Majesty's Government what consideration they have given to charging the costs of assessing asylum claims and resettling refugees in the UK against their commitment to spent 0.7 per cent of GDP on aid and development. [HL11718]

Asked by Lord Hylton

To ask Her Majesty's Government what consideration they have given to charging the costs of education and language training for child and adult asylum seekers and refugees in the UK against their commitment to spent 0.7 per cent of GDP on aid and development. [HL11719]

Baroness Williams of Trafford: Official Development Assistance (ODA), often referred to as overseas aid, is the internationally agreed criteria for funds provided to promote economic development and welfare.

The first twelve months of certain costs for refugees' and asylum seekers are reported as ODA, helping us protect vulnerable people here in the UK who are escaping conflict and persecution.

The rules governing what expenditure is classified as ODA are set by the Development Assistance Committee of the Organisation for Economic Cooperation and Development and not by the UK government.

Brexit: Northern Ireland

Asked by Lord Truscott

To ask Her Majesty's Government how they intend to ensure that the protocol on Northern Ireland included in

the draft agreement on the withdrawal of the UK from the EU will “apply only temporarily” as set out in article 1(4) of that protocol; and under what circumstances they anticipate the protocol might be extended as noted in the preamble to the protocol. [HL11736]

Lord Callanan: The agreement preserves the economic and constitutional integrity of the United Kingdom, upholds the Belfast (Good Friday) Agreement, and ensures people and businesses that rely on an open border between the Northern Ireland and Ireland can continue living their lives and operating as they do now. It does so through a temporary single UK-EU customs territory or through an option to extend the implementation period for a short period of time until the new economic relationship is in place.

The Government is clear the backstop is an insurance policy that no-one ever wants to come into effect. Both the UK and the EU are fully committed to having our future relationship in place by 1st January 2021 and the Withdrawal Agreement has a legal duty on both sides to use best endeavours to avoid the backstop ever coming into force. Despite this, if the future relationship is not ready by the end of 2020, the UK would not be forced to use the backstop. The UK would have a clear choice between the backstop or a short extension to the Implementation Period. If the backstop was entered into, the legal text is clear that it should be temporary and that the Article 50 legal base cannot provide for a permanent relationship. There is also a termination clause, which allows the backstop to be turned off when we have fulfilled our commitments on the Northern Ireland border, and there is a unilateral right to trigger a review through the Joint Committee and the ability to seek independent arbitration if the EU does not use good faith in this process.

Asked by Lord Wigley

To ask Her Majesty's Government, further to the Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, published on 14 November, what steps they have taken to provide representation for both political communities in Northern Ireland on the proposed specialised committee on issues related to the implementation of the protocol on the Republic of Ireland and Northern Ireland under Article 165(c). [HL11740]

Lord Callanan: The Withdrawal Agreement establishes a number of forums in which the Protocol will be considered or overseen: a Joint Committee, a Specialised Committee on the Northern Ireland Protocol, and a Joint Consultative Working Group.

The Joint Committee, the Specialised Committee and the Joint Consultative Working Group will be comprised of representatives of the UK and the EU. Their detailed rules of procedure have not yet been finalised. While the formal representation of the UK in international forums is

and will continue to be a matter for the UK Government, we fully recognise the importance of reflecting the interests of the whole of the Northern Ireland community on issues relating to the Northern Ireland Protocol.

Cameroon: Politics and Government

Asked by The Marquess of Lothian

To ask Her Majesty's Government what assessment they have made of the political situation in Cameroon and the violence following the re-election of President Paul Biya. [HL11795]

Lord Ahmad of Wimbledon: The UK is deeply concerned about the situation in Cameroon and the deteriorating security situation in the Anglophone regions of the country. In her statement following elections in Cameroon, the Minister for Africa called for all parties to engage in a peaceful and structured process leading to constitutional reforms, as previously set out by the President, and to bring an end to the violence. The UK will continue to work alongside the international community to encourage and support efforts to resolve the Anglophone crisis.

Cancer: Screening

Asked by Lord Freyberg

To ask Her Majesty's Government, further to the Written Answer by Lord O'Shaughnessy on 27 November (HL11452), what was the average turnaround time from sample collection to clinical report for Genomic England's somatic whole genome sequencing for cancer patients in the last six months; what is the most clinically useful timeframe from sample collection to clinical report for such genome sequencing; and how many cancer patients in Genomic England's programme have died to date without receiving their clinical report. [HL11900]

Lord O'Shaughnessy: Following reengineering of tumour provision to fresh tissue supply and creating 300 pathways for tumour supply across the 13 NHS Genomic Medicine Centres (GMCs), Genomics England has continued to work with the National Health Service to improve throughput over the life of the programme.

Over the past six months, the average (median) turnaround time for cancer cases from enrolment to return of analysis was 39 working days. For fast-tracked and clinically urgent cases, this average over the last six months is 25 working days. By September 2018, Genomics England were returning samples at scale in 20 days or less demonstrating the improvements in the majority of cases received.

The most clinically useful timeframe depends on each individual patient's clinical circumstances. As the 100,000 Genomes Project is a research programme, patients were all offered the NHS standard of care for their condition, in addition to Whole Genome Sequencing, so their therapy could proceed as rapidly as

needed. During the 100,000 Genomes Project about half of the cancer cases in the Project contained actionable findings identifying a potential targeted therapy or clinical trial opportunity.

To date, 5,801 participants results have been returned to NHS GMCs (some participants have multiple reports). In total, 506 participants in the 100,000 Genomes Project, many of whom had advanced disease at the time of enrolment, died before Genomics England returned a whole genome analysis to the NHS. Of these, 176 were participants who died before their DNA samples were received by Genomics England. In many cases the deceased cancer participants became part of the Project via consent by a nominated representative, relative or friend because of the value for research to help others even though it was too late for the individual concerned.

Asked by Lord Freyberg

To ask Her Majesty's Government what economic modelling NHS England has carried out on the net budgetary impact of introducing a national molecular pathology service in cancer; what estimate they have made of the direct annual cost of such a service; whether they have considered switching off any legacy services to help fund its introduction; and if so, which. [HL11901]

Lord O'Shaughnessy: NHS England is developing a National Genomic Medicine service and this will bring together both existing clinical genetics services, and new genomic laboratory infrastructure to provide seamless service delivery for patients with rare and inherited disease and cancer. However, NHS England is not introducing a national molecular pathology service in cancer and therefore has not carried out economic modelling or an estimate of cost for such a service.

A key element of the Genomic Medicine Service is the National Genomic Test Directory which outlines the entire repertoire of genomic tests – from existing tests for single genes and molecular markers Whole Genomic Sequencing to Whole Genome Sequencing – that are available as part of the National Health Service clinical service. This includes cancer genomic tests.

As part of the NHS Genomic Medicine Service, a National Genomics Informatics System (NGIS) is being developed by Genomics England, on behalf of NHS England. When fully operational NGIS will enable NHS England to monitor the number of genomic tests being carried out across the country and benchmark activity.

DeepMind

Asked by Lord Scriven

To ask Her Majesty's Government what representations they have made to Google about the abolition of DeepMind Health's independent review committee following the integration of DeepMind Health into Google; and what assessment they have made of the impact on the confidentiality of NHS

patients' data of DeepMind Health no longer being a separate subsidiary of Google. [HL11728]

Lord O'Shaughnessy: We will seek a full explanation from Google about its plans, including why they have halted the independent review panel and how they intend to replace this function.

We will work with regulators, including the Information Commissioner's Office, and the Centre for Data Ethics and Innovation to ensure anything that happens as a result of the transfer of Streams respects patients' privacy and complies fully with the law.

I met with DeepMind recently and raised this issue with them.

Asked by Lord Scriven

To ask Her Majesty's Government what information was provided to NHS patients whose data are held by DeepMind Health before that company was integrated into Google rather than being a separate subsidiary; and whether patients gave informed consent for the handling of their data to be changed. [HL11729]

Lord O'Shaughnessy: At this moment in time no contracts have been signed or amended, or other arrangements put in place, and the Streams team have been open with us at the Department about their plans for the transition.

National Health Service trusts are the data controller and retain the responsibility for how the data is used and for gaining patient consent for any change of use.

We have received assurances from DeepMind that no Personally Identifiable Data has been transferred as a result of this corporate restructure.

Dental Health: Antibiotics

Asked by Lord Colwyn

To ask Her Majesty's Government how many patients presented to GPs in England with dental problems in each of the last five years; and, in each year, how many of them were prescribed antibiotics. [HL11705]

Lord O'Shaughnessy: We do not hold this information.

EU Budget: Contributions

Asked by Lord Wigley

To ask Her Majesty's Government, further to the Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, published on 14 November, what are the estimated payments to be made by the UK to the EU as reimbursements of the costs of facilitating access for the UK to relevant networks, information systems and databases under the provision of Articles 50 and 53, for the years 2019–20 and 2020–21. [HL11738]

Lord Bates: The UK recognises that access to any IT system does not come without cost, and it is right that we pay those costs that the rest of the EU would necessarily incur in providing for access to those systems. The Withdrawal Agreement sets out that the UK will pay the actual costs of providing access to those systems and therefore the amount that the UK will pay will depend on the amount that the systems are used.

Asked by Viscount Waverley

To ask Her Majesty's Government whether any final financial settlement with the EU resulting from Brexit will represent the UK's accumulated obligations; and if so, how much the accumulated obligations represent; and whether they will publish a breakdown of those obligations. [HL11763]

Lord Callanan: We have agreed a fair financial settlement with the EU as part of the draft Withdrawal Agreement which reflects the UK paying its share of the outstanding EU commitments made during the period of our membership. Our estimate, based on reasonable assumptions and publically available data, falls within the range of £35bn-£39bn, and the National Audit Office confirmed in April 2018 that these assumptions were reasonable.

Details of the basis on which that figure was reached can be found in the draft Withdrawal Agreement, published on November 14th, 2018. The Chancellor of the Exchequer also provided details to the Treasury Select Committee in January 2018, including a breakdown of the components of the settlement.

EU Defence Policy

Asked by Lord Stoddart of Swindon

To ask Her Majesty's Government what is their estimate of the cost of UK participation in EU defence proposals; whether such costs will be met from the UK's defence budget; and whether they will ensure that NATO will remain the military defence organisation for the defence of Europe. [HL11912]

Earl Howe: As NATO's leading European ally, we remain fully committed to NATO as the cornerstone of European defence and security. As set out in the Political Declaration on the future relationship between the UK and EU, the Government has offered to cooperate closely on defence and security, as part of an ambitious Security Partnership, on a case-by-case basis, where of mutual benefit. The terms and costs of such cooperation will be subject to future negotiations.

Forced Marriage

Asked by Baroness Berridge

To ask Her Majesty's Government what assessment they have made of the case for enacting legislation to provide financial relief under the Matrimonial Causes Act 1973 to victims of forced marriages whose

religious marriages are not binding under UK law as outlined in section 121(4) of the Anti-Social Behaviour, Crime and Policing Act 2014. [HL11773]

Lord Keen of Elie: The Government is clear that forced marriage is a terrible form of abuse and that we will not allow political or cultural sensitivities to get in the way of tackling it.

However, the purpose of Part II of the Matrimonial Causes Act 1973 is to set out how the Court orders financial provision on the legal ending of marriage.

Since forced marriage was made a criminal offence in England and Wales in 2014, the Government has continued to introduce measures to protect victims, including lifelong anonymity in 2017. Last month, the Home Secretary launched a consultation to seek views on whether it is necessary to introduce a new legal mandatory reporting duty relating to cases of forced marriage. That consultation also seeks views on how the current guidance on forced marriage could be improved and strengthened.

The Government is committed to keeping this area of family justice under review.

Global Compact for Safe, Orderly and Regular Migration

Asked by Lord Pearson of Rannoch

To ask Her Majesty's Government whether they intend to sign the Global Compact for Safe, Orderly and Regular Migration in Morocco on 10 and 11 December; and if so, what effect they have calculated signing the Compact will have on UK immigration. [HL11725]

Lord Bates: The UK Government is supportive of the UN's Global Compact for Safe, Orderly and Regular Migration, both as a step forward in international co-operation to tackle irregular migration and as a framework to help us deliver our commitments under the Sustainable Development Goals.

Our participation in the Global Compact will not affect our continued ability to determine and implement our own migration policy in the national interest. The Compact is a 'non-legally binding, cooperative framework', which reaffirms the sovereign right of States to determine their national migration policy.

Gold and Foreign Exchange Reserves: Venezuela

Asked by Viscount Waverley

To ask Her Majesty's Government whether they will consider a moratorium on any repatriation of gold held by the Bank of England to the government or Central Bank of Venezuela until such time as they are satisfied that any repatriation meets the best interests of the people of that country. [HL11737]

Lord Bates: Holding gold reserves on behalf of any foreign central bank is a matter for the Bank of England.

The Bank of England does not share information on which central banks it holds gold reserves on behalf of or the value of that gold as this would contradict their customer confidentiality obligations. Repatriation of any gold held at the Bank of England is ultimately a matter for the Bank of England. HM Treasury only has direct control over Government holdings of gold within its official reserves, which are held at the Bank of England.

The UK fully implements UN, EU and UK domestic sanctions law. The EU sanctions regime on Venezuela, introduced in November 2017, includes targeted asset freezes applied to a number of senior Government officials in the Maduro regime.

Hate Crime

Asked by Lord Pearson of Rannoch

To ask Her Majesty's Government, further to the Written Answer by Baroness Williams of Trafford on 19 November (HL11282), whether the police and Crown Prosecution Service definition of hate crime includes hate speech; and if so, what is the basis in statute for that offence. [HL11724]

Baroness Williams of Trafford: The term 'hate speech' does not have any legal meaning. For any example of hate speech to be treated as a hate crime it would need to meet the police and Crown Prosecution Service definition of a hate crime.

Health Services: EU Nationals

Asked by Lord Wigley

To ask Her Majesty's Government, further to the Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, published on 14 November, whether, under the provision of Article 18(k)(ii), it is their policy to refuse economically inactive persons who become residents of the UK access to the NHS. [HL11875]

Asked by Lord Wigley

To ask Her Majesty's Government, further to the Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, published on 14 November, whether, under the provisions of Article 18(k)(iii), it is their policy to refuse access to the NHS to students from EU countries pursuing courses at accredited higher education establishments in the UK unless they have personal insurance policies to cover the cost of treatments. [HL11876]

Lord O'Shaughnessy: All people in the United Kingdom are able to access the National Health Service. However, since the UK has a residency based healthcare system, charges for most non-primary care services will apply to those people that are neither ordinarily resident

in the UK, nor exempt from charge under the NHS (Charges to Overseas Visitors) Regulations 2015, as amended.

European Union citizens who are currently ordinarily resident in the UK are treated in the same way as ordinarily resident UK nationals for the purpose of receiving NHS-funded healthcare. There is no requirement for European Economic Area nationals to have a 'right to reside' in the UK under the Free Movement Directive, nor to exercise treaty rights or hold Comprehensive Sickness Insurance, in order to meet the ordinary residence definition.

For EU citizens resident in the UK by the end of the implementation period and in scope of the Withdrawal Agreement, their entitlement to free NHS services will not change, as long as they continue to be ordinarily resident in the UK.

When EU citizens living in the UK apply to the EU settlement scheme for UK immigration status, they will not be required to demonstrate they have held comprehensive sickness insurance as a qualifying criteria. The settlement scheme will be open to all EU citizens resident in the UK by 31 December 2020, including EU citizens studying in the UK. Those granted pre- or settled status under the settlement scheme will continue to have access to the NHS as long as they are ordinarily resident in the UK and therefore be able to access care as a UK national would.

EU students in the UK at the end of the implementation period will also have a European Health Insurance Card. Under the Withdrawal Agreement they can continue to use this during their stay to access needs arising healthcare.

Hebron: Ambulance Services

Asked by Baroness Tonge

To ask Her Majesty's Government what representations they are making to the government of Israel about allegations of an attack by Jewish settlers in the Old City of Hebron on Red Crescent ambulances trying to transfer Palestinian patients to hospital. [HL11818]

Lord Ahmad of Wimbledon: While we have not made representations on this specific issue, officials from our Embassy in Tel Aviv raised the issue of settler violence and the importance of accountability with the Israeli Ministry of Justice on 29 October. The British Government condemns any violence by settlers against Palestinians. We are clear that medical staff should have the protection that allows them to do their jobs in safety.

Home Care Services: Living Wage

Asked by Lord Wills

To ask Her Majesty's Government what steps they are taking to ensure that (1) home care workers receive the National Living Wage, and (2) travel time between

clients for such workers is treated as working time for the purpose of the National Living Wage. [HL11744]

Lord O'Shaughnessy: The 2015 Spending Review settlement factored in the need for local authorities to increase fees paid to providers to cover the additional costs of paying the National Living Wage to their workers. The Government has continued to monitor and listen to the social care sector, and provided an additional £2 billion of new money to social care in March 2017 to manage a number of pressures including the National Living Wage.

In the guidance to the Care Act 2014 we have set out local government's responsibility to facilitate local markets that offer a range of high quality services, underpinned by an effective workforce. Local authorities should assure themselves and have evidence that service providers remunerate staff with a view to retain an effective workforce. Remuneration must comply with national minimum wage and national living wage legislation and this includes remuneration for any time spent travelling between appointments.

Hospitals: Facilities

Asked by Baroness Masham of Ilton

To ask Her Majesty's Government what assessment they have made of findings from the Royal College of Anaesthetists that one in ten anaesthetists are being charged to use rest facilities in hospitals. [HL11800]

Asked by Baroness Masham of Ilton

To ask Her Majesty's Government what assessment they have made of the impact of a lack of facilities, such as dedicated rest areas and canteens serving hot food, on the morale and wellbeing of NHS staff regularly working evening or overnight shifts. [HL11801]

Lord O'Shaughnessy: Employers are responsible for ensuring they only charge anaesthetists and other doctors for using rest facilities in hospitals in accordance with relevant terms and conditions of service.

The doctors in training contract states: "Where a doctor is rostered to work on a non-resident on-call working pattern and the doctor elects voluntarily, subject to the availability of accommodation, to be resident during the on-call duty period, a charge for any such accommodation shall be made and, provided that prior consent has been given, deducted from the doctor's salary. Where a doctor is required to work overnight on a resident on-call working pattern, the doctor shall be provided with overnight accommodation for the resident on-call duty period without charge".

The consultant contract requires agreement with their employer on those occasions when they would be resident for night duties so they should not be charged where such agreement has been reached. Generally, employers do not require doctors to be resident on call, as all time resident

on call is classified as working hours following the Jaeger judgement. It is a matter for employers to consider what rest facilities they wish to provide when a doctor has been called into the hospital and wishes to rest before going home.

Employers are also responsible for the morale and wellbeing of their staff so it is vital they deliver on their responsibility for the provision of dedicated rest areas and either hot food and/or facilities for preparing hot food for staff rostered to work night shifts as enshrined in staff terms and conditions of service and the NHS Constitution.

Insolvency

Asked by Baroness McDonagh

To ask Her Majesty's Government, further to the announcement that HMRC will become a preferred creditor in UK insolvencies, what (1) calculations were used, and (2) issues were considered when they concluded that the policy would create an additional £605 million in tax revenue between 2019–20 and 2023–24. [HL11720]

Lord Bates: The tax base for this measure consists of company insolvencies with gains resulting from tax avoidance, evasion and phoenixism, in addition to the amount HMRC currently writes off every year due to insolvencies.

This is estimated from HMRC operational and administrative data and is grown in line with the Budget 2018 OBR determinant for Gross Domestic Product (GDP) at market prices deflator.

The costing is the tax recovered from insolvencies that HMRC would not otherwise have collected before the policy was implemented. Adjustments are made for tax and payment timing.

The costing accounts for a behavioural response whereby the measure has a deterrent effect on future insolvency as some taxpayers become compliant.

At Budget 2018, the Government published a full assessment of the exchequer impacts which is attached.

The Answer includes the following attached material:

Budget2018 policy costings
[Budget_2018_policy_costings_PDF.pdf]

The material can be viewed online at:
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-11-22/HL11720>

Israel: Gaza

Asked by Baroness Tonge

To ask Her Majesty's Government what representations they are making to the government of Israel about the rights of Palestinian shepherds and farmers to graze sheep on and farm land in Gaza adjacent to the border. [HL11813]

Lord Ahmad of Wimbledon: We have not raised this specific issue with the Israeli authorities.

Israel: Politics and Government

Asked by Baroness Tonge

To ask Her Majesty's Government what assessment they have made of the letter sent to the government of Israel by four UN Special Rapporteurs which stated that those Rapporteurs held "deep concerns" about the nature of Nation State Law. [[HL11814](#)]

Lord Ahmad of Wimbledon: We have not made an assessment of the letter. Israel's vibrant civil society and long standing commitment to equality for all its citizens are some of its great strengths as a fellow democracy. But as a friend of Israel, we are concerned about any development which would undermine this commitment, including the Nation State Bill which removes Arabic as an official language.

Medical Records

Asked by Lord Freyberg

To ask Her Majesty's Government who owns the (1) information contained in patients' health records, and (2) health records themselves; and who is responsible for (a) the use of information contained in patients' health records, and (b) access to the health records themselves. [[HL11843](#)]

Lord O'Shaughnessy: The Data Protection Act 2018 gives effect to The General Data Protection Regulation (GDPR) introduced in May 2018. The GDPR provides rights in relation to the control of data, rather than referring to ownership.

The organisation that creates a health record is responsible for the use of information in the record and determines who has access to it and that any access is lawful. In addition, under the national data opt-out an individual has the right to opt out of their data being shared beyond their direct care, and under Article 21 of the GDPR, an individual has the right to object to the processing of their personal data under certain circumstances.

Every organisation is required by law to maintain the original medical record of patients and must safeguard it from loss, damage, alteration and unauthorised use. Every organisation handling personal data must comply with the GDPR when processing patients' personal data and is accountable for its own compliance and risk management strategies and decisions.

Multiple Births

Asked by Lord Jones of Cheltenham

To ask Her Majesty's Government, further to the Written Answer by Lord O'Shaughnessy on 14

November (HL11167), how they intend to ensure that the findings from the interim report of the Twins and Multiple Births Association Maternity Engagement Project are delivered in practice. [[HL11850](#)]

Lord O'Shaughnessy: In 2017, the Department funded the Twins and Multiple Births Association Maternity Engagement Project. The results from the interim report suggest that increased adherence to relevant National Institute for Health and Care Excellence (NICE) guidance gave better outcomes for multiple births. This further reinforces the Department's expectation that all health professionals working with multiple pregnancies adhere to the relevant NICE guidance.

To reduce variance in the levels of maternity care across trusts, all maternity services now have one obstetrician, one midwife and one board level Maternity Safety Champion jointly responsible for championing maternity safety, spreading learning and encouraging best practice within their organisations. This includes adherence to NICE guidelines on issues such as antenatal care for multiple pregnancies.

We look forward to reviewing the final project report, which we understand is due for publication in mid-2019.

Asked by Lord Jones of Cheltenham

To ask Her Majesty's Government, further to the Written Answer by Lord O'Shaughnessy on 13 November (HL11168) relating to the findings of the Twins and Multiple Births Association Maternity Engagement Project, what assessment they have made of the likely impact on reducing twin stillbirths, neonatal death and neonatal admissions of using Maternity Safety Champions to embed this work. [[HL11851](#)]

Lord O'Shaughnessy: As outlined in the *Safer Maternity Care* action plan in 2016, networks such as Maternity Clinical Networks, are most effective when built on supportive multi-professional relationships and collaborative working with a focus on specific initiatives to improve care quality.

Maternity Safety Champions at every level – trust, regional and national – are working across regional, organisational and service boundaries to develop strong partnerships and to create the professional culture and leadership needed to deliver better care. They play a central role in ensuring that mothers and babies, including in cases of multiple pregnancy, receive the safest care possible.

Findings in the recent *MBRRACE-UK Perinatal Mortality Surveillance Report*, released earlier this year, showed the stillbirth rate for United Kingdom twins almost halving between 2014-16, a fall of 44%. In addition, neonatal deaths among UK twins has dropped 30%. NHS England collects neonatal unit admission data. However, this data cannot be disaggregated to identify admissions of twins.

Nazanin Zaghari-Ratcliffe

Asked by The Marquess of Lothian

To ask Her Majesty's Government what progress has been made in securing the release of Nazanin Zaghari-Ratcliffe. [[HL11799](#)]

Lord Ahmad of Wimbledon: We remain deeply concerned about all our dual nationals detained in Iran, including Mrs Zaghari-Ratcliffe. We raise these cases with the Iranian government at every opportunity, including during the Foreign Secretary's visit to Tehran on 19 November. We will continue to raise Mrs Zaghari-Ratcliffe's case, as well as our other consular cases, with the Iranian government at every opportunity, including requesting consular access, and will continue to take action in line with what we believe will produce the best outcomes in their cases.

NHS: Staff

Asked by Baroness Masham of Ilton

To ask Her Majesty's Government whether a long-term strategy to improve the welfare, wellbeing and morale of NHS staff is currently in development. [[HL11802](#)]

Lord O'Shaughnessy: The hard work and dedication of National Health Service staff is appreciated, and ensuring their welfare, wellbeing and morale are at high levels is essential. While employers across the NHS are responsible for their staff welfare, wellbeing and morale, the Government supports employers to do this by funding high quality development and training for all leaders, with a view to driving positive, open and supportive organisational cultures. Staff morale will be measured in the NHS Staff Survey from 2018 for the first time.

It is anticipated that issues of staff welfare, wellbeing and morale will be reflected in the long term plan the NHS is currently developing.

We have introduced a new contract for NHS staff on Agenda for Change pay, terms and conditions which will provide a pay increase of at least 6.5% over the next three years, continue to support the NHS in implementing the 2016 contract for doctors in training and are working with the British Medical Association to ensure other medical contracts are fit for purpose and affordable.

We are also tackling bullying and harassment through the Ministerially chaired national Social Partnership Forum's 'Collective Call to Action' and working with the royal colleges and health unions to reflect kindness and respect in recruitment and subsequent staff training and development; tackling violence against and abuse of NHS staff via the NHS Violence Reduction Strategy which has been drawn up by NHS Improvement and NHS England and announced by Secretary of State on 31 October.

We are improving staff opportunities for flexible working through better use of technology such as apps, e-rostering and e-job planning which will help trusts make

best use of their permanent and temporary staff resources so they can do more to support staff who ask for flexible working.

We are improving staff physical and mental health and wellbeing through NHS Improvement's collaborative of 73 trusts which is developing 10 high impact actions to spread across the NHS including quicker access to accredited occupational health services. NHS England's NHS staff health and wellbeing framework offers trusts diagnostic and intervention options to help them provide services staff need locally and their 2017/19 Commissioning for Quality and Innovation incentive programme encourages trusts to provide services to improve staff health and wellbeing. Health Education England's commission on the mental wellbeing of NHS staff and learners announced in their draft Health and Care Workforce Strategy for England to 2027, *Facing the Facts, Shaping the Future*, is due to publish its final report next month. This will make recommendations for change and highlight good practice that could be adopted more widely.

Pharmacy

Asked by Baroness Jolly

To ask Her Majesty's Government what plans they have to use community pharmacies as the first port of call for patients with minor ailments. [[HL11785](#)]

Asked by Baroness Jolly

To ask Her Majesty's Government what consideration they have given to using community pharmacies as part of a national self-care strategy. [[HL11786](#)]

Asked by Baroness Jolly

To ask Her Majesty's Government what consideration they have given to the role that community pharmacies could play in supporting the delivery of the NHS Long Term Plan. [[HL11787](#)]

Lord O'Shaughnessy: National Health Service leaders, clinicians and experts are working to develop the NHS long-term plan to ensure that the NHS, including community pharmacy, can cope with the serious demand and cost pressures it faces in the future. The Government has been clear that prevention of ill-health is one of the six principles it expects to underpin the long-term plan.

Community pharmacies have an important contribution to make in preventing ill health and supporting self-care. The Government is already encouraging local pharmacies to play a more significant role in helping people stay well in the community and in keeping pressure off general practitioners and secondary care. We want to encourage people to use pharmacies more and think 'pharmacy first', as advocated by our Help Us Help You campaign. Part of this involves an important shift in emphasis towards dispensing health and wellbeing advice, not just prescriptions.

Prisons: Overcrowding

Asked by **Lord Stevens of Kirkwhelpington**

To ask Her Majesty's Government what plans they have made to address the issue of overcrowding in prisons. [HL11934]

Lord Keen of Elie: As part of prison reform, the long-term goal is to reduce crowding, while maintaining sufficient capacity in the prison estate to manage the demands of the courts and the sentenced population as efficiently as possible. This level is kept under constant review, considering fluctuations in the prison population and useable capacity across the estate. Prison governors ensure that the level of operational capacity is set to reflect the provision of safe and decent accommodation and the operation of suitable regimes and that levels of crowding in prisons are carefully managed.

The Government is committed to delivering up to 10,000 decent uncrowded prison places providing the physical conditions for Governors to achieve better educational, training and rehabilitative outcomes. We will reform and modernise our prison estate, starting with the construction of two new 1,680-place prisons at the former HM Prison and Young Offender Institution Glen Parva and former HM Prison Wellingborough as well as a new houseblock at HM Prison Stocken which will create 206 modern prison places and is expected to open in early 2019. In July 2018, The Verne, a former HM Prison and Probation Service operated immigration removal centre in Dorset, reopened as a prison and can hold up to 580 offenders.

Public Libraries

Asked by **Lord Shipley**

To ask Her Majesty's Government whether spending on public libraries has fallen for a fifth successive year in 2017–18. [HL11731]

Lord Bourne of Aberystwyth: The latest data on the total net current expenditure on library services by local authorities across England is shown in the table:

<i>Library Service Net Current Expenditure, England 2012-13 to 2017-18</i>						
	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Net current expenditure (£m)	824	804	762	733	671	641
Number of authorities' data from which the total is calculated *	150	150	151	152	150	151

Source: Local authorities' Revenue Outturn returns to the Ministry of Housing, Communities and Local Government

* 152 local authorities in England are responsible for delivering library services. Five did not provide a valid figure in one or more of these years.

Schools: Finance

Asked by **Lord Storey**

To ask Her Majesty's Government how much was the education services grant to local authorities in (1) 2013–14, (2) 2014–15, (3) 2015–16, and (4) 2016–17. [HL11733]

Lord Agnew of Oulton: The table below shows the education services grants (ESG) allocated to local authorities in each financial year from 2013-2014 to 2016-2017:

<i>Education services grant allocated to local authorities in England</i>	
Financial Year	Allocation (£ millions)
2013-2014	799.46
2014-2015	717.12
2015-2016	563.10
2016-2017	496.94

The removal of the ESG as of September 2017 was announced at the 2015 Spending Review – there was a note to this effect in the attached document (attachment 1).

The note states that the rationale for the removal was “making around £600 million savings from the ESG and supporting schools to realise efficiencies” and “Savings of around £600 million will be made on the ESG, including phasing out the additional funding schools receive through the ESG.”

Data sources:

2013-14

<https://www.gov.uk/government/publications/education-services-grant>.

2014-15

<https://www.gov.uk/government/publications/education-services-grant-2014-to-2015>.

2015-16

<https://www.gov.uk/government/publications/education-services-grant-2015-to-2016>.

2016-17

<https://www.gov.uk/government/publications/education-services-grant-esg-2016-to-2017>.

The Answer includes the following attached material:

Attachment 1 for HL11733 [HL11733 attachment 1 doc..pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-11-22/HL11733>

Syria: Chemical Weapons

Asked by **Lord Truscott**

To ask Her Majesty's Government what information they have on who was responsible for the alleged chemical attack on Aleppo on 25 November; and what

action they intend to take if that attack is proved to be a chemical attack. [[HL11819](#)]

Lord Ahmad of Wimbledon: We are aware of reports of rockets allegedly containing a toxic substance being fired in Aleppo and are seeking further information. No fatalities have been reported. We call on all parties to support the experts of the Organisation for the Prevention of Chemical Weapons (OPCW) as they look into these allegations. As a result of UK-led action, the OPCW is putting in place attribution arrangements to identify the perpetrators of the use of chemical weapons in Syria. If the OPCW was to determine that a chemical weapon was used in this instance, it would be able to examine who was responsible. We condemn the use of chemical weapons in all circumstances and will continue to work with partners, including through the UN and OPCW, to ensure that the international norm against the use of chemical weapons is upheld.

Universal Credit

*Asked by **Baroness Meacher***

To ask Her Majesty's Government whether people moving from legacy benefits to Universal Credit will be subject to a hard stop to their benefit payments. [[HL11723](#)]

Baroness Buscombe: The Universal Credit (Managed Migration) 2018 regulations which have been laid before Parliament for approval contain our proposed measures for the managed migration of claimants on legacy benefits to Universal Credit. These include:

- Notifying claimants that they need to move to Universal Credit, and giving them a minimum of three months to make their claim. They can submit their application at any point during this period and will receive reminders if they have not done so, as the end of this period approaches;
- Having unlimited flexibility to extend the period of time a claimant has to make a Universal Credit claim if there is a good reason;
- The automatic backdating of all claims made once the above period has ended, if a Universal Credit claim is made within one calendar month after this. Transitional protection will also be applied to the Universal Credit award.

Our objective is to ensure that all legacy benefit claimants migrate safely across to Universal Credit and to that end we will also:

- have a lengthy period of careful and robust testing before we move to scale;
- work closely with a large and diverse group of stakeholders to design the process so that we can draw on their insight and experience;
- be producing guidance for work coaches and case managers to identify and protect vulnerable claimants.

VAT: Electronic Government

*Asked by **Lord Harrison***

To ask Her Majesty's Government what guidance they intend to provide to small and medium-sized enterprises about the move to the online VAT returns system. [[HL11710](#)]

*Asked by **Lord Harrison***

To ask Her Majesty's Government what assessment they have made of the impact on small and medium-sized enterprises of the move to the online VAT returns system. [[HL11711](#)]

Lord Bates: There is a range of advice and support available to help businesses of all sizes prepare for Making Tax Digital (MTD) for VAT in April 2019. HM Revenue and Customs (HMRC) is working very closely with software providers, businesses, representative bodies and the accountancy profession to raise awareness of MTD and ensure the right support and training is in place to help businesses adapt.

HMRC's customer support model, which guides businesses to the most appropriate help, includes technical support, webchat, YouTube training videos, webinars, a helpline, and relevant guides. HMRC also publishes a list of MTD for VAT compatible products on GOV.UK to help businesses make an informed choice of software to meet their needs. HMRC is writing to customers that it expects to be mandated for MTD for VAT, explaining what the business needs to do.

HMRC's Impact Assessment for MTD was published on 1 December 2017. There is no separate Impact Assessment relating to small and medium-sized enterprises.

Yemen: Conflict Resolution

*Asked by **The Marquess of Lothian***

To ask Her Majesty's Government what progress is being made towards encouraging peace talks to end the conflict in Yemen; and when they anticipate such talks to begin. [[HL11794](#)]

Lord Ahmad of Wimbledon: The UN Special Envoy for Yemen, Martin Griffiths, has announced that he is bringing the Yemeni parties together for consultations in Stockholm. These talks are expected to take place in early December. Supporting peace talks is a top priority for Her Majesty's Government. There can be no military solution to the conflict. The UK is playing a leading role in diplomatic efforts aimed at reaching an inclusive political settlement to end the conflict, and is in close touch with the Special Envoy and his team on how to best support his work. We have made clear that all sides must engage constructively in the Stockholm talks.

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