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Thursday
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PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS

WRITTEN STATEMENTS AND WRITTEN ANSWERS

Written Statements1

Written Answers.....3

[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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Ministers and others who make Statements or answer Questions are referred to only by name, not their ministerial or other title. The current list of ministerial and other responsibilities is as follows.

<i>Minister</i>	<i>Responsibilities</i>
Lord True	Leader of the House of Lords and Lord Privy Seal
Earl Howe	Deputy Leader of the House of Lords
Lord Ahmad of Wimbledon	Minister of State, Foreign, Commonwealth and Development Office
Baroness Barran	Parliamentary Under-Secretary of State, Department for Education
Lord Bellamy	Parliamentary Under-Secretary of State, Ministry of Justice
Lord Benyon	Minister of State, Department for Environment, Food and Rural Affairs
Baroness Bloomfield of Hinton Waldrist	Spokesperson, Wales Office, Whip
Lord Caine	Parliamentary Under-Secretary of State, Northern Ireland Office
Lord Callanan	Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy
Earl of Courtown	Deputy Chief Whip
Lord Davies of Gower	Whip
Baroness Goldie	Minister of State, Ministry of Defence
Lord Goldsmith of Richmond Park	Minister of State, Foreign, Commonwealth and Development Office
Lord Harlech	Whip
Lord Markham	Parliamentary Under-Secretary of State, Department of Health and Social Care
Lord Murray of Blidworth	Parliamentary Under-Secretary of State, Home Office
Baroness Neville-Rolfe	Minister of State, Cabinet Office
Lord Offord of Garvel	Parliamentary Under-Secretary of State, Scotland Office
Lord Parkinson of Whitley Bay	Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport
Baroness Penn	Parliamentary Secretary, HM Treasury
Baroness Scott of Bybrook	Parliamentary Under-Secretary of State, Department for Levelling Up, Housing and Communities
Lord Sharpe of Epsom	Parliamentary Under-Secretary of State, Home Office
Baroness Stedman-Scott	Parliamentary Under-Secretary, Department for Work and Pensions
Lord Stewart of Dirleton	Advocate-General for Scotland
Baroness Vere of Norbiton	Parliamentary Under-Secretary of State, Department for Transport
Baroness Williams of Trafford	Chief Whip
Viscount Younger of Leckie	Whip

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Written Statements

Thursday, 1 December 2022

Finance Bill

[HLWS394]

Baroness Penn: I have considered the Finance Bill in relation to Section 19(1)(a) of the Human Rights Act 1998. In my view, all its provisions are compatible with the convention rights.

Fuller Inquiry Update

[HLWS396]

Lord Markham: My Hon friend the Parliamentary Under Secretary of State (Minister for Mental Health and Women's Health Strategy) has made the following Written Statement:

Following my statement on 16 December 2021, I am pleased to inform the House that a compensation scheme to facilitate compensation payments to the family members of David Fuller's victims has been established today.

The scheme, which will be administered by NHS Resolution on behalf of Maidstone and Tunbridge Wells NHS Trust, will ensure that compensation is paid to relatives as soon as practicable. The scheme will operate on a tiered approach. All qualifying family members will receive a fixed amount of compensation. Increased payments will then be made for psychiatric trauma and/or financial loss, subject to evidence. Entry into the scheme is entirely voluntary and the scheme will be advertised nationally to help ensure all eligible family members are aware of it.

The scheme represents a highly co-operative effort between NHS Resolution, Maidstone and Tunbridge Wells NHS Trust and the families' representatives and I would like to thank all those involved for their work in developing this compensation scheme for families.

I would also like to take the opportunity to update the House on the timescales of the inquiry. The inquiry is progressing well and due to the significant amount of evidence being received, the report on matters relating to Maidstone and Tunbridge Wells NHS Trust is now planned for the first half of 2023.

Project Gigabit Autumn Update

[HLWS395]

Lord Parkinson of Whitley Bay: I am repeating the following Written Ministerial Statement made today in the other place by my Honourable Friend, the Minister for Media, Data, and Digital Infrastructure, Julia Lopez MP:

Today we have published Building Digital UK's (BDUK) latest Project Gigabit delivery update. We continue to make excellent progress with Project Gigabit, the government's £5 billion mission to deliver lightning-fast, reliable broadband across the UK.

In this Project Gigabit Autumn Update, we report on the awarding of a £108 million contract in Cumbria that will bring gigabit-capable connectivity to up to 60,000 homes and businesses across the region. This is the first regional contract awarded under Project Gigabit, and follows local contracts awarded in Teesdale and North Northumberland in the past two months.

We also report on the boost we are giving to the Gigabit Broadband Voucher Scheme, increasing the value of vouchers to £4,500 for all beneficiaries, up from £1,500 and £3,500 for homes and businesses respectively. To date, over 111,000 vouchers have been through the scheme and its previous iterations, with more than 77,000 vouchers used to connect premises to gigabit-capable broadband.

The report also provides an update on the progress of the Project Gigabit procurement pipeline. BDUK has now undertaken market engagement exercises across the whole of England, and has launched procurements with a total value over £780 million, to connect up to 545,000 premises. The publication also reports on the completion of a Public Review by Highland and Islands Enterprise, working with BDUK and the Scottish Government, ahead of a first potential local procurement in Scotland.

A copy of the Project Gigabit Delivery Plan Autumn Update will be placed in the Libraries of both Houses.

Railway Infrastructure: England and Wales

[HLWS398]

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

Settlement for the next five-year funding period for railway infrastructure in England and Wales

Maintaining and renewing our country's rail infrastructure is critical to delivering the railway that passengers and freight countries expect, and for supporting economic growth. Every five years the Government is required to set out what we wish to achieve from the operations, maintenance and renewal of the railway. This is done through a document known as a High-Level Output Specification, and the funding available is set out through a Statement of Funds Available.

I am today (December 1) publishing the objectives and funds available for operational railway infrastructure in England and Wales for the next Control Period - Control Period 7. This covers the period April 2024 to March 2029.

The Government fully recognises the critical role rail services played for business, key workers and our society during the COVID-19 pandemic, and the vital role they play in connecting communities and supporting economic growth.

The High-Level Output Specification makes it clear that the Government will press ahead with rail reform, addressing the challenges facing the sector, such as

fragmentation and outdated working practices, with a strong continued focus on operations, maintenance and renewal. This strong continued focus is important in supporting a safe, efficient and reliable railway for passengers and freight customers.

Achieving these objectives will be facilitated by significant Government investment as set out in the Statement of Funds Available, with Network Rail spending around £44 billion over the period April 2024 to March 2029. The Government now expects Network Rail to develop detailed plans to deliver on these objectives, working closely with its customers. These will then be subject to strong and effective scrutiny by the Office of Rail and Road, as independent regulator, to develop robust, credible, value for money plans for the next Control Period.

Sandwell Metropolitan Borough Council: Commissioners' First Report

[HLWS397]

Baroness Scott of Bybrook: My Hon. Friend the Minister for Local Government and Building Safety (Lee Rowley MP) has made the following Written Ministerial Statement:

On 22 March 2022, the then Minister for Local Government, my Rt Hon. Friend, the Member for Saffron Walden, updated the House that the Secretary of State had decided to intervene in Sandwell Metropolitan Borough Council (“the Authority”) and had appointed two Commissioners. Those Commissioners submitted their first report to the Secretary of State on 20 June 2022 as part of the objective of ensuring that the residents of Sandwell have, as the Rt Hon. Member for Saffron Walden’s statement indicated, what they need from their local council, including confidence in its governance and service delivery.

The first report provides an update on the work underway to make the Authority functional again. The Commissioners confirm that *“there are a lot of very*

tangible changes that need to be made in the council in the immediate term” and that they *“are still at the early stages of this intervention”* with a recognition that *“there are many challenges ahead”*. To do that, the report primarily focuses on two elements – firstly, the single improvement plan being implemented to address the issues raised in the reviews undertaken by Grant Thornton, Chartered Institute of Public Finance and Accountancy and the Local Government Association. Secondly, it provides a broader overview of the Commissioners’ focus and early activities being undertaken as part of the long journey back from the unacceptable position into which the Authority had fallen.

The report confirms that the Authority have now adopted a single improvement plan which encompasses actions in relation to all of the recommendations in the aforementioned reviews. The Commissioners have also provided the Secretary of State and me with a copy of that improvement plan. It has aggregated the many recommendations of those reviews, including a number which are serious and statutory. The Commissioners have also developed twelve *“proxies for success”* which the Commissioners intend to use to evaluate progress during this intervention period. Evaluation of those proxies will commence in future reports from the Commissioners. In the meantime, the Commissioners did point to a number of early indicators of welcome progress including the arrival of new officers, the willingness of Sandwell’s Cabinet and Councillors to start to respond to the recommendations from the reviews and some very early signs of culture change. It is clear, however, that there is much more work to do, and any early indicators of progress must be sustained for a long period to give confidence of a real change in culture, behaviour, processes and governance.

The Commissioners’ next report to the Secretary of State is expected in December 2022. A copy of the Commissioners’ first report will be deposited in the Libraries of both Houses.

Written Answers

Thursday, 1 December 2022

Algeria: Refugees

Asked by *Lord Hylton*

To ask His Majesty's Government what discussions they have had with the government of Algeria following reports of the expulsion of more than 60 Syrian and Palestinian refugees from Algeria into a desert region of Niger. [HL3421]

Lord Ahmad of Wimbledon: We are aware of reports regarding the deportation of refugees of multiple nationalities to Niger by the Algerian authorities. We hold regular discussions with the Algerian Government on human rights, judicial, and home affairs issues.

Anush Apetyan

Asked by *Baroness Cox*

To ask His Majesty's Government what representations they have made to the government of Azerbaijan following allegations about the torture and murder of Anush Apetyan by Azerbaijani forces. [HL3493]

Lord Ahmad of Wimbledon: The UK government continue to raise our concerns regarding alleged atrocities committed during the conflict directly with the relevant authorities. During a meeting with the Azerbaijani Ambassador on 9 November, the Minister for Europe raised allegations that atrocities had been committed during fighting along the international border in September. On 3 October the British Embassy in Baku issued a statement regarding allegations of mistreatment and abuses following fighting in September. On 6 October, the UK Permanent Representative to the Organization for Security and Co-operation in Europe highlighted UK concerns over the reports and noted that the Azerbaijani Prosecutor General's office have launched an investigation.

Asylum: Applications

Asked by *Lord Roberts of Llandudno*

To ask His Majesty's Government how many asylum seekers were waiting for a decision on their application in each of the last five years [HL3518]

Lord Murray of Blidworth: The Home Office publishes data on asylum in the 'Immigration Statistics Quarterly Release' on gov.uk. Data on asylum applications awaiting a decision can be found in table Asy_D03 of the 'asylum and resettlement detailed datasets'. Information on how to use the dataset can be found in the 'Notes' page of the workbook.

At the end of September 2022, there were 117,400 cases awaiting an initial decision.

Asked by *The Lord Bishop of Southwark*

To ask His Majesty's Government, following the publication of figures by the Refugee Council on 14 October, how many applications for asylum have not had an initial decision reached for more than five years; and what factors have led to delays of that length. [HL3526]

Lord Murray of Blidworth: The Home Office is unable to state how many applications for asylum have not had an initial decision reached for more than five years because the Home Office does not publish this information.

However, the Home Office does publish data on the number asylum applications awaiting an initial decision by duration, for main applicants only. This data can be found at Asy_04 of the published Immigration Statistics: List of tables - GOV.UK (www.gov.uk).

The Home Office also publish data on the percentage of asylum applications processed within 6 months of the date of claim. Data showing the number of asylum claims received from 2014 – 2022 that were processed within 6 months can be found at Asy_01 of the Asylum Transparency Data: Migration transparency data - GOV.UK (www.gov.uk).

The asylum system has been under mounting pressure for several years. Increased and sustained intake and a growing number of people awaiting a decision has led to significant delays in concluding asylum claims.

However, there are many factors that can delay and contribute to the length of time to process asylum claims; some applications have complex needs, safeguarding issues, are extremely vulnerable or where they have had a modern slavery claim attached to their claim. We therefore take full consideration of these facts when prioritising and progressing outstanding asylum claims and that can lead to longer waiting times for some.

Aviation: Carbon Emissions

Asked by *Baroness Scott of Needham Market*

To ask His Majesty's Government what financial assistance they have given to (1) businesses, or (2) academic institutions, in connection with low carbon aviation in the form of (a) grants, (b) loans, (c) guarantees or indemnities, (d) acquisitions of shares or securities, (e) undertakings or assets, or (f) incurring expenditure, for the benefit of the body assisted in the creation of (i) hydrogen fuel cells, (ii) other electric battery technologies, (iii) hydrogen combustion, (iv) synthetic liquid fuels, and (v) biofuels. [HL3482]

Lord Callanan: The Government co-invests in mid-stage R&D, with industry, to develop new ultra-efficient and zero-carbon aircraft technologies through the Aerospace Technology Institute (ATI) Programme. Since 2013, the ATI Programme has committed R&D grants to 29 industry-led collaborative projects on new forms of propulsion or fuels totalling £194m. Industry will co-

invest £178m alongside these grants. The R&D projects cover a range of technologies but are primarily focused on aircraft propulsion systems involving hydrogen fuel cells, batteries, and electric motors and machines. Each project involves a range of collaborators including industry partners, universities and research organisations. Grants through the ATI Programme have also been provided to develop aircraft gas turbine engines, which have included work packages to test synthetic fuels or biofuels. We have not been able to isolate the cost of this element of research within large projects, so have not included it in the figures set out above.

In order to explore the potential for zero-carbon emission flight, the Government also provided a £15m grant to the ATI-led FlyZero project. This in-depth research study, which was completed in March 2022, found green liquid hydrogen offers the greatest potential to power future zero-carbon emission aircraft.

To kickstart a domestic sustainable aviation fuel (SAF) industry, the Government has made £227m available, since 2014, to support the development of advanced fuel plants. This includes investing in 8 SAF plants through the Green Fuels, Green Skies competition and more recently launching the £165m Advanced Fuels Fund. The Government has separately committed £12m to establish a UK SAF Clearing House to support the testing and certification of new SAF and £1m to run the first-ever passenger aircraft flight powered by 100% SAF, between the UK and the US, through the Net Zero Transatlantic Flight Fund. These investments are coupled with the £400m UK Government partnership with Breakthrough Energy Catalyst into emerging climate technologies, including SAF.

Bahrain: Capital Punishment

Asked by Lord Scriven

To ask His Majesty's Government, further to the Overseas Security and Justice Assistance Guidance, published on 26 January 2017, on what dates in (1) 2021, and (2) 2022, they sought an assurance from the government of Bahrain that the practice of the death penalty would no longer be carried out; and why they continue to provide funding to the government of Bahrain despite the death penalty still being in place in that country. [HL3384]

Lord Ahmad of Wimbledon: I refer the noble Lord to my replies to HL2553 of 26 October and HL2983 of 10 November. The UK's long-standing policy is to oppose the death penalty in all circumstances, in all countries, as a matter of principle, which we have made clear on a regular basis to the Government of Bahrain.

BBC Board: Northern Ireland

Asked by Baroness Hoey

To ask His Majesty's Government when they expect the BBC Member for Northern Ireland to be appointed to the BBC Board. [HL3544]

Lord Parkinson of Whitley Bay: Interviews for this campaign were held on 31 October, and an appointment will be made in due course, in line with the Code of Governance for Public Appointments and the BBC Royal Charter.

Brazil: Foreign Relations

Asked by The Marquess of Lothian

To ask His Majesty's Government what steps they intend to take to strengthen bilateral relations with Brazil, particularly regarding climate change; and what discussions they (1) are having, or (2) plan to have, with the government of that country. [HL3502]

Lord Goldsmith of Richmond Park: The UK welcomed Brazil's commitments at COP26 to eliminate illegal deforestation by 2028 and restore 18 million hectares of forest by 2030. We look forward to working with the current and incoming Brazilian Government to protect Earth's natural resources. At COP27, I, Climate Envoy John Murton, DEFRA Secretary of State Therese Coffey and BEIS Minister Stuart met current and incoming ministerial and Congress representatives from Brazil. They discussed potential cooperation with the UK, including on trade policies that reflect climate and nature. We are keen to develop a partnership with Brazil to implement commitments made in Glasgow that deliver green growth for both countries.

Carers: Finance

Asked by Lord Taylor of Warwick

To ask His Majesty's Government what plans they have to provide financial support to unpaid carers in response to the impact of the increased cost of living. [HL3623]

Baroness Stedman-Scott: The Government recognises and values the vital contribution made by carers every day in providing significant care and continuity of support to family and friends, including pensioners and those with disabilities.

Depending on personal circumstances, carers may be eligible for means-tested benefits, including Universal Credit and Pension Credit. Means-tested benefits can be paid to carers at a higher rate than those without caring responsibilities through the Carer Element and the additional amount for carers respectively.

Nearly 60% of carers on low incomes who are of working age and on Carer's Allowance, also claim a means-tested benefit through which they may be entitled to receive a Cost of Living Payment. We would encourage anyone who is providing unpaid care, and who is not already in receipt of a means-tested benefit, to check on Gov.UK to confirm whether there are other benefits they may be entitled to. Advice can also be sought from organisations such as Carers UK and Citizen's Advice. Means tested benefits can provide extra

weekly income and trigger extra support with the cost of living.

To ensure stability and certainty for households, in the Autumn Statement the Government has announced £26 billion in cost of living support for 2023/24. This includes Cost of Living Payments for the most vulnerable households, an additional £1 billion to help with the cost of household essentials next year and the amended Energy Price Guarantee, which will save the average UK household £500 in 2023-24. In addition, we are uprating benefits for working age households and disabled people, as well as the basic and new State Pensions, all by 10.1%.

Other cost of living support available to unpaid carers includes a non-repayable £400 discount on energy bills available for all domestic electricity customers in Great Britain.

For those who require additional support with the cost of household essentials, we have provided an extension to the Household Support Fund in England backed by £421 million, running from 1 October 2022 to 31 March 2023. Devolved administrations will receive £79 million through the Barnett formula.

China: Uyghurs

Asked by The Marquess of Lothian

To ask His Majesty's Government, in the light of the United Nations Human Rights Office of the High Commissioner report OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China, published on 31 August, which found that human rights violations against the Uyghur population "may constitute international crimes, in particular crimes against humanity", what steps they are taking in response to that finding. [HL3499]

Lord Ahmad of Wimbledon: The report by the UN High Commissioner for Human Rights provides new evidence of the extent of China's efforts to silence and repress Uyghurs and other minorities in Xinjiang. It includes a broad range of evidence, including first-hand accounts from victims.

The UK has led international efforts to pressure China to change its behaviour. We have imposed sanctions, led joint statements at the UN, taken action to tackle forced labour in supply chains, funded research to expose China's actions, and consistently raised China's human rights violations at the highest levels in Beijing. Most recently, the Foreign Secretary did so in a meeting with his Chinese counterpart on 20 September.

Given the seriousness of the report's findings, on 6 October we supported formal action at the UN Human Rights Council that requested a Council Debate on the situation in Xinjiang. While this vote didn't pass, China's attempts to stifle debate and hide the truth will not succeed. We will continue to work with our partners to hold the Chinese authorities to account and continue to shine a spotlight on China's human rights violations.

Criminal Legal Aid Independent Review

Asked by Lord Macdonald of River Glaven

To ask His Majesty's Government when they will respond to the remainder of the Independent Review of Criminal Legal Aid, published on 29 November 2021; and in particular, the recommendation to raise the rates of pay for prison law work. [HL3504]

Lord Stewart of Dirleton: The Government published its full response to the consultation on the Criminal Legal Aid Independent Review on 30 November; this included the recommendation to raise the rates of pay for prison law work. The response can be found here: [Response to Independent Review of Criminal Legal Aid - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/independent-review-of-criminal-legal-aid).

Data Protection: Codes of Practice

Asked by Lord Clement-Jones

To ask His Majesty's Government whether the report by the Information Commissioner's Office, Anonymisation: managing data protection risk code of practice, published in November 2012, (1) is still a statutory code of practice, and (2) if anonymising data only in line with the 2012 code, removes all of a data controller's obligations under the Data Protection Act 2018. [HL3537]

Lord Parkinson of Whitley Bay: The ICO Code of Practice on Anonymisation published in November 2012 was issued under the Data Protection Act 1998. That legislation was repealed and replaced by the GDPR and the Data Protection Act 2018 in May 2018. The 2012 report is therefore no longer a valid code of practice, although information which is anonymous continues to fall outside the scope of the UK's data protection legislation.

The ICO is currently carrying out a [call for views](#) on its new, draft guidance on anonymisation, pseudonymisation, and privacy-enhancing technologies, due to finish on 31 December 2022. This new guidance includes key considerations organisations should undertake when determining whether information can be safely considered anonymous, and therefore outside the scope of data protection legislation.

Doctors: Labour Turnover and Recruitment

Asked by Lord Warner

To ask His Majesty's Government how many registered medical practitioners have (1) left, and (2) joined, NHS employment, in each year since 2015. [HL3677]

Lord Markham: The following table shows the number of Hospital and Community Health Service doctors which have joined and left active service in the National Health Service hospital trusts and commissioning bodies in June of each year since 2014.

<i>Period</i>	<i>Number of leavers</i>	<i>Number of joiners</i>
June 2014 to June 2015	15,507	17,963
June 2015 to June 2016	17,222	17,950
June 2016 to June 2017	16,109	19,164
June 2017 to June 2018	16,580	19,524
June 2018 to June 2019	18,413	21,670
June 2019 to June 2020	17,114	26,243
June 2020 to June 2021	17,806	20,915
June 2021 to June 2022	19,846	24,207

Source: NHS Digital workforce statistics

This includes those staff moving to or joining from settings such as primary care and general practice. This movement is commonplace with the rotations of placements undertaken by doctors in training grades. It will also include staff who choose to take breaks from active service such as career breaks and maternity or paternity leave.

Electronic Cigarettes and Tobacco: Young People

Asked by Baroness Redfern

To ask His Majesty's Government what plans they have, if any, to tackle illicit (1) tobacco, and (2) vape, sales to underage young people. [HL3718]

Lord Markham: *Tackling illicit tobacco: From leaf to light The HMRC and Border Force strategy to tackle tobacco smuggling* was published in May 2015. This strategy implements an approach to address illicit tobacco across the Government through agencies such as the Border Force, HM Revenue and Customs, local Trading Standards and working with other enforcement agencies in the United Kingdom and overseas to disrupt, deter and punish those involved. A copy of the strategy is attached.

In 2019, HM Revenue and Customs introduced the UK system for the tracking and tracing of legitimate cigarettes and hand rolling tobacco manufactured in or imported into the UK and through the supply chain to retail. There are plans to legislate to introduce greater sanctions for non-compliance, which includes a civil penalty of up to £10,000 for serious breaches. In 2020, the Government introduced funding for HM Revenue and Customs and National Trading Standards to address the trade in illicit tobacco through Project CeCe and support regional co-operation.

We have a strong regulatory framework to deter the appeal of vaping to children by restricting product advertising, limits on nicotine strength, labelling and safety requirements, a duty to notify products to the Medicines and Healthcare products Regulatory Agency and making it illegal to sell vapes and tobacco to those aged under 18 years old. The Department continues to work with enforcement agencies to ensure these regulations are enforced in England. The Government is currently considering recommendations on illicit tobacco and measures to deter children from vaping and further information will be available in due course.

The Answer includes the following attached material:

Tackling illicit tobacco: From leaf to light
[Tackling_illicit_tobacco_-_From_leaf_to_light__2015_.pdf]

The material can be viewed online at:
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2022-11-23/HL3718>

English National Opera: Finance

Asked by Lord Freyberg

To ask His Majesty's Government with whom Arts Council England consulted prior to their decision to withdraw all national programme funding from English National Opera. [HL3494]

Asked by Lord Freyberg

To ask His Majesty's Government whether Arts Council England discussed with English National Opera a plan of transition from their base in London, prior to their decision to withdraw all national programme funding from the organisation. [HL3495]

Asked by Lord Freyberg

To ask His Majesty's Government whether the London Coliseum is under public (1) ownership, or (2) control; and if so, (a) what is its legal status, and (b) whether Arts Council England or any other public body retain any residual control or ownership rights, including the power to sell the venue. [HL3496]

Lord Parkinson of Whitley Bay: Decisions about which organisations to fund, and by how much, through its Investment Programme are taken by Arts Council England at arm's length from His Majesty's Government.

Arts Council England has a robust process to determine how funding decisions are made. The decisions were made in line with its published guidance and in response to its ten-year strategy, 'Let's Create'. Assessments were carried out by Arts Council England, and decisions were made by its Area and National Councils, which include both local representatives and people who work in the sector.

The London Coliseum is owned freehold by English National Opera and is not under public ownership or control. The property can be used according to the terms as set out in agreements between English National Opera

and each of its funders. This includes Arts Council England.

Energy Charter Treaty

Asked by Baroness Ritchie of Downpatrick

To ask His Majesty's Government whether they plan to leave the Energy Charter Treaty; and if so, when. [HL3509]

Lord Callanan: The Government is closely monitoring developments in the Energy Charter Treaty as part of its engagement with the Treaty's modernisation process.

Folic Acid

Asked by Lord Rooker

To ask His Majesty's Government whether all measures of (1) whole blood folate, and (2) serum folate, in the UK are conducted by mass spectrometry-based methods. [HL3669]

Lord Markham: The information is not collected centrally.

Football Governance Fan-led Review

Asked by Lord Pendry

To ask His Majesty's Government, further to their response to the Fan-Led Review of Football Governance which concluded there is a significant risk of financial failure at football clubs, what steps they are taking to address this risk pending the publication of their White Paper. [HL3508]

Lord Parkinson of Whitley Bay: His Majesty's Government published its response to the recommendations made by the Independent Fan-Led Review of Football Governance in April 2022. We fully recognise the need for football to be reformed to ensure the game's long-term sustainability. We are now taking the time to consider the policy response, and are continuing to engage with the football authorities and fan groups in the development of this policy. We remain committed to publishing a White Paper, setting out our detailed response to the fan-led review of football governance, and will set this out in due course. In the meantime, football authorities can take forward some of the reforms themselves, including financial redistribution, which we continue to urge them to do.

Gambling: Rehabilitation

Asked by The Lord Bishop of St Albans

To ask His Majesty's Government, further to the Written Answers by Lord Markham on 16 November (HL3261) and 17 November (HL3260), why they do not have the data requested; and what plans they have to collect such data. [HL3670]

Lord Markham: The information requested is currently collected by service rather than by clinic. In 2023/24, NHS England plans to report data from all National Health Service gambling services through the Mental Health Services Dataset.

Asked by The Lord Bishop of St Albans

To ask His Majesty's Government, further to the Written Answers by Lord Markham on 16 November (HL3261) and 17 November (HL3260), what data they can provide on patient numbers at (1) NHS gambling clinics, and (2) the NHS national children and young person's pilot gambling clinic. [HL3671]

Lord Markham: While the information requested is not held by clinic, the following table shows the number of referrals to the NHS London Gambling Service via the National Problem Gambling Clinic and Children and Young Person's Clinic and the Northern Gambling Service in Leeds, Manchester and Sunderland in each year since 2020/21.

2020/21	775
2021/22	1,013
April to September 2022	599

Data from the Children and Young Person's Clinic includes referrals for gaming.

Health Services: Prisoners

Asked by Lord Hylton

To ask His Majesty's Government what plans they have to ensure that prisoners in England and Wales have access to healthcare of equivalent quality to that received by the general public. [HL3703]

Lord Markham: As a signatory to the National Partnership Agreement for Prison Healthcare, the Department of Health and Social Care is committed to working with the Ministry of Justice, HM Prison and Probation Service, NHS England and the Office for Health Improvement and Disparities to ensure safe, legal, decent and effective care which improves health outcomes and reduces health inequalities for prisoners.

As of October 2022, 96% of new arrivals in the adult custodial estate, excluding Immigration Removal Centres and short-term holding facilities, received an initial health screening and 83% received a further health assessment within seven days.

Health: Disadvantaged

Asked by Baroness Redfern

To ask His Majesty's Government what plans they have, if any, to commission further research into smoking related health disparities. [HL3717]

Lord Markham: While there are no specific plans to do so, we continue to work with researchers on smoking related health disparities. The Office for Health

Improvement and Disparities is a partner in the SPECTRUM research consortium, which undertakes research on unhealthy products such as tobacco, alcohol and food and health disparities.

Heart Diseases: Health Education

Asked by *Baroness Masham of Ilton*

To ask His Majesty's Government, further to the Written Answer by Lord Kamall on 11 July (HL1645), what steps they are taking to raise awareness of heart failure, particularly among those most at risk. [HL3609]

Lord Markham: The Office for Health Improvement and Disparities is addressing the factors which increase the risk of a heart attack or stroke, including working with local government to modernise the NHS Health Check programme and delivering social marketing and behavioural interventions.

Heart Diseases: Primary Health Care

Asked by *Baroness Masham of Ilton*

To ask His Majesty's Government, further to the Written Answer by Lord Kamall on 11 July (HL1644), what steps they are taking to roll out the 'Managing Heart Failure @home' scheme across the NHS following its successful pilot in July. [HL3610]

Lord Markham: NHS England is selecting early adopter sites to trial a 'Managing Heart Failure@home' approach and is working with clinical cardiac networks on local plans for systems to support patients with managing heart failure and raising awareness.

Large Goods Vehicle Drivers: Tachographs

Asked by *Lord Berkeley*

To ask His Majesty's Government, further to the letter from Baroness Vere of Norbiton to all members of the House of Lords on 24 November regarding smart 2 tachographs, when their installation will become mandatory in (1) new, and (2) existing, vehicles, for use in (a) the UK, or (b) the EU. [HL3746]

Baroness Vere of Norbiton: A smart 2 tachograph will need to be installed and used in vehicles (in-scope of the retained EU drivers' hours regulations) registered for the first time on or after 21st August 2023. This applies to UK and EU registered vehicles used in the UK and the EU.

For vehicles registered before 21 August 2023 and used for international journeys between the UK and EU, a smart 2 tachograph will need to be installed in three cases. All cases apply to vehicles registered in the UK and also the EU. These are:

- on or after 31st December 2024, for vehicles equipped with an analogue tachograph or a digital tachograph;
- on or after 19th August 2025, for vehicles equipped with a smart tachograph 1; and,

- on or after 1st July 2026, for vehicles with a maximum permissible mass, including any trailer or semi-trailer, between 2.5 and 3.5 tonnes, used for hire or reward transport.

Libya: Politics and Government

Asked by *The Marquess of Lothian*

To ask His Majesty's Government what assessment they have made of the current (1) political, and (2) security, situation in Libya; and what steps they are taking, together with international partners, to improve the current political situation and prevent a return to civil war. [HL3500]

Lord Ahmad of Wimbledon: Almost a year since failed elections in Libya, the political impasse continues without a clear route to elections and with an on-going risk of increased violence and insecurity. The UK is committed to supporting Special Representative of the Secretary-General (SRSG) Bathily's efforts to reinvigorate the UN-facilitated, Libyan-led and owned political process, including parliamentary and presidential elections, in order to secure peace, stability and prosperity in Libya. In October, we hosted senior officials from Egypt, France, Germany, Italy, Turkey, and the US to discuss supporting UN efforts to get Libya back on a credible electoral footing.

Listed Buildings: Energy Performance Certificates

Asked by *Lord Truscott*

To ask His Majesty's Government in which circumstances, and under what conditions, listed properties will be exempt from Energy Performance Certificates requirements; and whether they will issue guidelines to that effect. [HL3532]

Baroness Scott of Bybrook: In setting the regulations that mandate Energy Performance Certificates, the government recognised that not all owners of listed buildings should be required to obtain an Energy Performance Certificates and an exemption is available where compliance with minimum energy performance requirements would unacceptably alter their character or appearance.

The government has issued guidelines to that effect in the published guidance, '[A guide to Energy Performance Certificates for the marketing, sale and let of dwellings](#)'

The Answer includes the following attached material:

Energy Performance Certificates [HL3532 - A guide to Energy Performance Certificates for the marketing, sale and let of dwellings - GOV.UK.pdf]

The material can be viewed online at:
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2022-11-17/HL3532>

Medicine: Education

Asked by **Lord Warner**

To ask His Majesty's Government how many British applicants trained as medical students in each year from 2015 to 2021; and how many of those applicants were accepted to train as doctors in each of those years. [HL3675]

Lord Markham: The information requested on the nationality of students on medical courses in England or the United Kingdom is not held centrally. However, the Office for Students (OFS) reports the intake of medical students at UK medical schools by 'home fees' and 'other fees' status. 'Home' fee status refers to students eligible to pay the 'home' level of tuition fees, where individuals must be resident and 'settled' in the UK on 'the first day of the first academic year' of their course. With some exceptions, they must also have been 'ordinarily resident' in the UK for the three years prior to that date. The following table shows the number of starters in English medical schools by 'home' fees status in each year since 2015/16.

2015/16	5,445
2016/17	5,495
2017/18	5,460
2018/19	6,120
2019/20	6,885
2020/21	7,570
2021/22	7,780

Source: OFS medical and dental intakes

The information requested on the number of British nationals or the number of 'home fees' students who subsequently join the Foundation Programme of training in UK hospitals is not held centrally.

Asked by **Lord Warner**

To ask His Majesty's Government how many British citizens trained as doctors in Eastern European medical schools, including in countries outside the EU, in each year from 2015 to date; and how many have registered as medical practitioners with the General Medical Council. [HL3676]

Lord Markham: The information requested is not held centrally.

Midwives: Apprentices

Asked by **Baroness Merron**

To ask His Majesty's Government which institutions in England offer midwifery apprenticeships. [HL3659]

Lord Markham: The following table shows the sites of nine approved midwifery degree apprenticeship programmes in England.

Location	Description
University of Bedfordshire	This is a shortened programme
University of Birmingham	This is a shortened programme which is approved but not currently running
Buckingham New University	This is a three year programme which is approved but not currently running
University of Cumbria	This is a three year programme which is integrated with the fee paying programme and runs in September each year
University of Greenwich	This is a three year programme which is integrated with the fee paying programme and runs in September and January each year
Huddersfield University	This is a three year programme which is approved but not currently running
University of West of England	This is a three year programme which is approved but not currently running
University of West London	This is a three year programme which is integrated with the fee paying programme and runs in September and April each year
Wolverhampton University	This is a three year programme which is integrated with the fee paying programme and runs in September each year

Asked by **Baroness Merron**

To ask His Majesty's Government what assessment they have made of the extent to which midwifery apprenticeships are an effective route into the profession in England. [HL3661]

Lord Markham: Health Education England has commissioned the Royal College of Midwives to undertake an evaluation of midwifery degree apprenticeship programmes. This will undertake a cost/benefit analysis of the programme and evaluate the experience of delivery. The outcomes are expected in April 2023.

Mohammed Ramadhan

Asked by **Lord Scriven**

To ask His Majesty's Government, further to the Written Answer from Lord Ahmad of Wimbledon on 9 November (HL2934), when were the last five occasions they raised the case of Mohammed Ramadhan with the government of Bahrain; what was the job title of the UK representative who raised the case; and what was the job title of the Bahraini representative or authority with whom the case was raised. [HL3383]

Lord Ahmad of Wimbledon: I refer the noble Lord to my answers to HL2556 of 26 October and HL2934 of 9

November. The UK's long-standing policy is to oppose the death penalty in all circumstances, in all countries, as a matter of principle, which we have made clear on a regular basis to the Government of Bahrain. This includes regarding the case of Mohammed Ramadhan and others.

Musicians: EU Countries

Asked by Lord Kamall

To ask His Majesty's Government what progress they have made in their work to help UK musicians to tour EU countries after the UK's departure from the EU. [HL3497]

Lord Parkinson of Whitley Bay: His Majesty's Government is committed to supporting the UK's world-class creative industries to adapt to new arrangements following our departure from the European Union.

We have worked extensively with the sector and directly with EU Member States, and have clarified arrangements on the movement of people, goods, and haulage. We have taken steps to support specialist concert hauliers, and have worked across Government and with the sector to develop guidance including 'landing pages' on GOV.UK specifically for touring musicians and other professionals from the creative sectors.

Through this work, we have confirmed that:

- nearly all EU Member States offer visa- and work-permit-free routes for musicians and creative performers. This includes – following extensive engagement by the Government and the creative sector – Spain and, most recently, Greece, which announced a visa- and work-permit-free route in June 2022;
- portable musical instruments, carried or in a vehicle, can be transported cost-free and should not require ATA Carnets; and
- small 'splitter vans' are not subject to the Trade and Cooperation Agreement limits on 'haulage for the creative sectors' and 'cross trade'. In addition, the Government has introduced dual registration to support specialist hauliers, meaning they can benefit from more generous market access arrangements in Great Britain and the EU.

We continue to work closely with the sector to support musicians and other creative professionals to tour internationally, both in the European Union and more widely.

Neural Tube Defects

Asked by Lord Rooker

To ask His Majesty's Government how many births there have been in each of the last five years that were classed as (1) spina bifida, (2) hydrocephalus, and (3) anencephaly, caused by neural tube defects. [HL3521]

Lord Markham: The following table shows the number of births and birth prevalence for spina bifida, hydrocephalus and anencephaly caused by neural tube

defects in 2018 and 2019. Data prior to 2018 is not available in the format requested. Data for 2020 will be published in December.

	<i>Number of births in 2019</i>	<i>Prevalence per 10,000 total births and 95% confidence interval in 2019</i>	<i>Number of births in 2018</i>	<i>Prevalence per 10,000 total births and 95% confidence interval in 2018</i>
Spina bifida	335	5.4 (4.9-6.1)	336	5.3 (4.8-6)
Hydrocephalus	266	4.3 (3.8-4.9)	242	3.9 (3.4-4.4)
Anencephalus and similar	317	5.2 (4.6-5.8)	277	4.4 (3.9-5)

Source: The National Congenital Anomaly and Rare Disease Registration Service

Note:

The denominator used to calculate prevalence is obtained from the Office for National Statistics and reflects all live and still births in 2018 and 2019. These figures are for England and the crown dependencies.

Asked by Lord Rooker

To ask His Majesty's Government how many pregnancies affected by neural tube defects were second or subsequent pregnancies, in each of the last five years. [HL3567]

Lord Markham: The information is not collected in the format requested.

Neural Tube Defects: Blood Tests

Asked by Lord Rooker

To ask His Majesty's Government how many blood samples connected to neural tube defects have been sent for analysis to the Centre for Disease Control in the United States in each of the last five years. [HL3720]

Lord Markham: The NHS Fetal Anomaly Screening Programme aims to detect neural tube defects through the 20-week screening scan rather than a blood sample.

NHS: Pay

Asked by Lord Warner

To ask His Majesty's Government, what was the annual pay increase provided to (1) medical consultants, (2) GPs, (3) nurses, (4) porters, and (5) NHS Chief Executives, for each year since 2009; and how this compared to the RPI rate in each of those years. [HL3398]

Lord Markham: The Pay Review Body process is the established mechanism for determining pay increases in the public sector, outside of negotiating multi-year pay and contract reform deals.

A table showing annual increases to basic pay for National Health Service consultants, salaried general

practitioners (GPs) and GP partners, nurses and health visitors and NHS Chief Executives in each year from 2009/10 to 2022/23 compared with the average Retail Price Index inflation is attached, due to the size of the data.

Information on pay increases for porters is not held in the format requested.

The Answer includes the following attached material:

NHS annual pay increases [HL3398 Annual Pay Increases.docx]

The material can be viewed online at:
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2022-11-14/HL3398>

NHS: Protective Clothing

Asked by *Lord Alton of Liverpool*

To ask His Majesty's Government, further to the remarks by Lord Ahmad of Wimbledon on 17 November (HL Deb cols 207GC to 215GC), who took the decision to spend £770,000 a day to store 120 million items of PPE in China. [HL3629]

Lord Markham: The Government is not spending £770,000 a day to store personal protective equipment (PPE) in China. The average daily cost of storing PPE in China is £106,000 and we are working to further reduce this cost. The business case for this storage was approved in October 2020 by the Department's relevant accounting officer and was consistent with the governance routes for expenditure on PPE.

Ophthalmic Services: Special Educational Needs

Asked by *Lord Blunkett*

To ask His Majesty's Government what plans they have to renew the NHS contract for the Special Schools Eye Care service; and what timetable has been laid out for a decision on the future of this service. [HL3634]

Lord Markham: The NHS Long Term Plan committed to ensure that children and young people with a learning disability and/or autism in special residential schools have access to eyesight, hearing and dental checks. In 2021, NHS England commenced a proof of concept programme to pilot and evaluate a potential sight testing service model in residential schools. The pilot is currently being evaluated and we expect this to conclude early in 2023.

NHS England has confirmed that existing contracts in day schools will continue until 31 March 2023. The evaluation of the proof of concept pilot will also inform whether this service should continue.

Patient Choice Schemes

Asked by *Lord Warner*

To ask His Majesty's Government, what assessment they have made of the proportion of patients who were

offered a choice of where they received their NHS consultant-led treatment in each year since 2015. [HL3395]

Lord Markham: This information is not held in the format requested. However, NHS Digital has collected data on the proportion of patients offered a choice of provider for elective referrals from those who responded to the Manage Your Referral (MYR) NHS e-Referral Service (e-RS) Survey. The MYR e-RS Survey enables patients who have used e-RS for elective referrals for directly bookable services to record their experience of being offered a choice of elective care provider. These results are available to integrated care boards and NHS England to review, assure and improve in order to meet its responsibilities related to patient choice.

The following table shows the responses received to the question "When you agreed to be referred to a specialist, did you talk about the different hospitals or services you could go to?" in each year since 2018.

Year	Yes	No	Don't know	Sample size
2018	39%	59%	2%	6,962
2019	38%	60%	3%	4,722
2020	35%	62%	3%	8,099
2021	32%	65%	2%	6,158
2022	31%	66%	3%	5,045

The following table shows the responses received to the question "Did you feel that you were able to make choices that met your needs?" in each year since 2018.

Year	Yes	No	Don't know	Sample size
2018	39%	59%	2%	6,962
2019	77%	15%	9%	4,722
2020	77%	14%	9%	8,099
2021	74%	16%	10%	6,158
2022	71%	18%	11%	5,045

Physician Associates

Asked by *Lord Warner*

To ask His Majesty's Government what estimate they have made of the number of physician assistants currently employed in the NHS; and what plans they have to expand the number of physician assistants in England. [HL3679]

Lord Markham: As of June 2022, there were 1,261 full time equivalent (FTE) physician associates (PAs) employed in National Health Service hospital trusts and commissioning bodies. This is an increase of 18% from the previous year. In September 2002, there were also 1,362 FTE PAs employed in general practice and Primary Care Networks, an increase of 51% from the previous year.

There are approximately 1,800 students on a PA programme. Health Education England offers a £5,000 preceptorship allowance paid to employers to support the supervision and educational needs for newly qualified PAs working in primary care.

Prescription Drugs

Asked by Lord Warner

To ask His Majesty's Government how many (1) pharmacists, (2) registered nurses, (3) physiotherapists, (4) occupational therapists, (5) radiographers, (6) and paramedics, are registered to prescribe medicines; what proportion of each of those professions are licensed; and what plans they have to expand the numbers of each of those groups registered and the range of medicines covered. [HL3680]

Lord Markham: This information is not held centrally. Pharmacists, registered nurses, physiotherapists, occupational therapists, radiographers and paramedics are subject to statutory regulation and must be registered with the relevant healthcare regulatory body to practise in the United Kingdom. Pharmacists are regulated by the General Pharmaceutical Council, registered nurses are regulated by the Nursing and Midwifery Council and physiotherapists, occupational therapists, radiographers and paramedics are regulated by the Health and Care Professions Council.

Pharmacists, registered nurses, physiotherapists, therapeutic radiographers and paramedics are legally entitled to be independent prescribers. Diagnostic radiographers are legally entitled to be supplementary prescribers. Individuals must have completed an approved post-registration training course and have an annotation placed against their name in the professional register to state that they have completed this course before this entitlement can be utilised. Occupational therapists are currently able to supply and/or administer medicines under a Patient-Specific Direction or Patient Group Direction within local clinical governance arrangements.

The Department is responsible for providing the legal framework for allowing registered health professionals to train as independent prescribers. Healthcare providers are responsible for utilising the legal framework to increase local capacity according to clinical need and the desired service configuration. The medicines which may be prescribed is dependent on the individual's clinical competence and scope of practice. Where any controlled drugs are to be prescribed, there must be specific provision in the Misuse of Drugs Regulations 2001.

Refugee Convention

Asked by Lord Green of Deddington

To ask His Majesty's Government what plans they have to withdraw from (1) the 1951 Convention relating to the Status of Refugees, and (2) the 1966 Protocol relating to the Status of Refugees; and if they have any

such plans, what assessment they have made of the need for parliament to have a role in such withdrawals. [HL3461]

Lord Ahmad of Wimbledon: The Government does not have plans to withdraw from the Refugee Convention and its Protocol.

Social Services: Finance

Asked by Lord Blunkett

To ask His Majesty's Government, following the Chancellor of the Exchequer's autumn statement on 17 November, whether they will provide a breakdown of the funding available for social care in England in the years (1) 2023, (2) 2024, and (3) 2025, and how much of this funding will be provided by (a) central government, and (b) local authorities from council tax. [HL3582]

Lord Markham: Up to an additional £2.8 billion will be available for social care in 2023/24 and £4.7 billion in 2024/25. This is further to previous grant funding agreed at the Spending Review 2021. We are also providing £500 million in winter 2022/23 to support local areas to accelerate safe discharge from hospital. Funding available for social care in England beyond 2024/25 will be determined at a future Spending Review.

Ukraine: Electricity

Asked by Lord Blencathra

To ask His Majesty's Government what plans they have to work with NATO allies to send all available (1) volunteer electrical engineers, and (2) electrical generators, to Ukraine. [HL3453]

Lord Ahmad of Wimbledon: Under NATO's Comprehensive Assistance Package (CAP) for Ukraine, the UK and NATO Allies are working to provide urgent non-lethal support to Ukraine to meet specific requests, including practical support for the winter months. The UK recently announced a £10 million contribution to the CAP to ensure it has the resources required to respond to requests. Bilaterally, the UK has provided £22 million of support: £7 million for 856 generators to reconnect vital facilities; £10 million to the Energy Community's support fund to repair infrastructure; and £5 million for safety equipment for the civil nuclear sector. We work in close coordination with NATO Allies on support.

Vladimir Kara-Murza

Asked by Lord Alton of Liverpool

To ask His Majesty's Government what representations they have made to the government of Russia concerning the imprisonment of British citizen, Vladimir Kara-Murza, in Russia. [HL3489]

Asked by Lord Alton of Liverpool

To ask His Majesty's Government whether they plan to impose the Magnitsky sanctions on those responsible for the arrest of Vladimir Kara-Murza. [HL3490]

Lord Ahmad of Wimbledon: British Embassy officials have attended Vladimir Kara-Murza's court hearings with other international partners, the last hearing being 24 October. We remain vigilant to attempts by the Russian Government to exclude diplomats from future court hearings following Mr Kara-Murza's additional

treason charge. Our Ambassador in Moscow raised the issue of consular access with the Russian Ministry of Foreign Affairs. In May, the Foreign Secretary met Mr Kara-Murza's wife, in his previous role as Minister for Europe, and emphasised his determination to continue raising Mr Kara-Murza's case at multilateral fora, including the OSCE. We note the Canadian Government's sanctions relating to Mr Kara-Murza. We do not comment on future sanctions designations.

Index to Statements and Answers

Written Statements.....1	
Finance Bill1	Midwives: Apprentices..... 9
Fuller Inquiry Update1	Mohammed Ramadhan..... 9
Project Gigabit Autumn Update1	Musicians: EU Countries..... 10
Railway Infrastructure: England and Wales.....1	Neural Tube Defects..... 10
Sandwell Metropolitan Borough Council: Commissioners' First Report.....2	Neural Tube Defects: Blood Tests..... 10
Written Answers.....3	NHS: Pay 10
Algeria: Refugees3	NHS: Protective Clothing 11
Anush Apetyan3	Ophthalmic Services: Special Educational Needs 11
Asylum: Applications3	Patient Choice Schemes..... 11
Aviation: Carbon Emissions.....3	Physician Associates..... 11
Bahrain: Capital Punishment.....4	Prescription Drugs 12
BBC Board: Northern Ireland4	Refugee Convention 12
Brazil: Foreign Relations.....4	Social Services: Finance..... 12
Carers: Finance.....4	Ukraine: Electricity..... 12
China: Uyghurs.....5	Vladimir Kara-Murza 12
Criminal Legal Aid Independent Review5	
Data Protection: Codes of Practice.....5	
Doctors: Labour Turnover and Recruitment5	
Electronic Cigarettes and Tobacco: Young People6	
English National Opera: Finance.....6	
Energy Charter Treaty7	
Folic Acid.....7	
Football Governance Fan-led Review7	
Gambling: Rehabilitation7	
Health Services: Prisoners.....7	
Health: Disadvantaged.....7	
Heart Diseases: Health Education8	
Heart Diseases: Primary Health Care8	
Large Goods Vehicle Drivers: Tachographs8	
Libya: Politics and Government.....8	
Listed Buildings: Energy Performance Certificates.....8	
Medicine: Education.....9	