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

# **HOUSE OF LORDS**

## **WRITTEN STATEMENTS AND WRITTEN ANSWERS**

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

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# Written Statements

Thursday, 13 December 2018

## Agriculture and Fisheries Council

[HLWS1143]

**Lord Gardiner of Kimble:** My Hon Friend Minister of State for Agriculture, Fisheries and Food (George Eustice) has today made the following statement:

As the provisional agenda stands, the only item for fisheries will be a Council Regulation on Atlantic and North Sea TACs and Quotas for 2019, for which a political agreement is sought.

The primary focus for agriculture will be on the Post 2020 Common Agriculture Policy (CAP) reform package. Council will consider a progress report, covering three regulations: one on CAP strategic plans; a second on financing, management and monitoring of the CAP; and a third on common market organisation (CMO) of agriculture products.

Council will also hold an exchange of views on the updated EU Bioeconomy Strategy.

There are currently six items scheduled for discussion under 'any other business':

- information from the Croatian delegation on the interparliamentary conference "The role of Parliaments in shaping the future of food and farming" (Zagreb, 22-23 November 2018)
- information from the Commission on the current legislative proposal on a Regulation amending Regulations (EU) No 1305/2013 and (EU) No 1307/2013 as regards certain rules on direct payments and support for rural development in respect of the years 2019 and 2020
- information from the Presidency on the conference "The development of Plant Proteins in the European Union – Opportunities and Challenges" (Vienna, 22-23 November 2018)
- information from the Presidency on massive forest damage in Europe
- information from the Commission on the follow-up to the fipronil incident: state of play of implementation
- information from the Danish delegation on the establishment of an International Centre for Antimicrobial Resistance Solutions (ICARS) to strengthen the fight against AMR internationally and especially in low- and middle-income countries

## Chemical Weapons Convention

[HLWS1144]

**Lord Ahmad of Wimbledon:** My Right Honourable Friend, the Secretary of State for Foreign and Commonwealth Affairs (Jeremy Hunt), has made the following written Ministerial statement:

On 19-20 November 2018, 160 States Parties to the Chemical Weapons Convention (CWC) met for the annual conference of States Parties (CSP) to discuss implementation of the CWC and agree the annual budget for the Organisation for the Prohibition of Chemical Weapons (OPCW). This was the first CSP since the UK and international partners called a special session in June 2018 to address the threat from chemical weapons use following recent use in Syria and Salisbury.

The former Secretary of State for Foreign and Commonwealth Affairs updated the House on the June special session on 9 July 2018 [HCWS835 / HLWS809]. The November CSP was vital to consolidating the success achieved in June and implementing the decision to enable the OPCW to attribute responsibility for chemical weapons attacks in Syria, and potentially more widely at the request of an affected State Party.

On 20 November, States Parties overwhelmingly rejected attempts by Russia, Iran, China and Syria to reverse the June Decision. Equally importantly, the CSP voted by 99 votes to 27 to adopt the budget proposed by the OPCW Director General for 2019. This included a 2.4% increase to the budget specifically to fund part of the Syria attribution work and to improve cyber security. The vote sent a clear signal of broad-based commitment to upholding and strengthening the CWC and the ban on development, production, stockpiling and use of chemical weapons.

The UK is proud to have been at the forefront of diplomatic efforts to secure this positive outcome. We look forward to supporting the OPCW Technical Secretariat and fellow States Parties to enable Syria attribution arrangements to become operational as quickly as possible, and to further discussion of the Director General's proposals on verification and technical assistance work, including attribution work beyond Syria.

The five yearly Review Conference, designed to review the operation of the Convention, immediately followed the CSP. This year consensus on a final report from the Review Conference was not possible. This was in part due to Syrian and Russian refusal to include references to Syrian regime responsibility for chemical weapons use, including the findings by the OPCW-UN Joint Investigative Mechanism. A lack of a formal report is not unprecedented and will neither affect continuing implementation of the Convention nor prevent implementation of the CSP decisions, including the UK-led June Decision.

The UK will continue to work with states around the world to support progress towards universal and effective national implementation of the CWC and to uphold the global ban on chemical weapons, including through the provision of £1.1m of funding to the OPCW to assist the implementation of the June Decision and the OPCW's work more broadly.

## Chief Coroner's Fifth Annual Report

[HLWS1151]

**Lord Keen of Elie:** My honourable friend the Parliamentary Under-Secretary of State for Justice, (Edward Argar) has made the following Written Ministerial Statement.

"I am pleased to lay and publish the Chief Coroner's fifth annual report to the Lord Chancellor on the operation of coroner services under section 36 of the Coroners and Justice Act 2009 ('the 2009 Act'). The report covers the period 1 July 2017 to 30 June 2018.

In particular the Chief Coroner's report sets out:

- The continuing work to promote consistency in the resourcing of and practices in coroner offices across England and Wales;
- The training and guidance that coroners and their officers have received and the engagement with a wide range of stakeholders;
- Recommendations to improve coroner services further.

I am very grateful to His Honour Judge Mark Lucraft QC for building so effectively on his first year's achievements.

I am grateful too to all coroners and their officers and other staff, for having supported the Chief Coroner to improve services for bereaved people and for their valued and continuing frontline work.

Copies of the report will be available in the Vote Office and in the Printed Paper Office. The document will also be available online, at <https://www.gov.uk/government/publications/chief-coroners-annual-report-2017-to-2018>"

## Employment, Social Policy, Health and Consumer Affairs Council

[HLWS1147]

**Baroness Buscombe:** My honourable Friend the Minister of State for Employment (Alok Sharma MP) has made the following Written Statement.

The Employment, Social Policy, Health and Consumer Affairs Council met on 6<sup>th</sup> December 2018 in Brussels. The Deputy Permanent Representative to the European Union, Katrina Williams, represented the UK.

Two legislative proposals achieved General Approach at the Council. These were the proposed Regulation establishing a European Labour Agency and a third batch of amendments to the worker protection Directive on carcinogens and mutagens.

The Council reached Political Agreement on a Recommendation on access to social protection for workers and self-employed and there were Presidency Conclusions on gender equality, youth and digitalisation.

The Council also discussed the European Semester. As part of this agenda item, the Council approved a contribution to the draft Recommendation on the

economic policy of the euro area made jointly by the Employment Committee (EMCO) and the Social Protection Committee (SPC); endorsed their joint messages on aspects of digitalisation and robotisation; and endorsed EMCO's key messages on the latest biennial assessment of Member States' progress tackling long-term unemployment.

There were a number of progress reports and information items during the Council. These included an update on progress in negotiations regarding a Regulation on the European Globalisation Adjustment Fund (EGF); a proposal from 2008 for a Directive on Equal Treatment; and a presentation from the Commission on its 2019 "Autumn Package" of Annual Growth Survey, Alert Mechanism Report, and draft Joint Employment Report.

The Council closed with updates on the status of other legislative files, broader developments in the field of employment and social policy, and an overview of the priorities of the incoming Romanian Presidency.

## Immigration

[HLWS1149]

**Baroness Williams of Trafford:** My rt hon Friend the Minister of State for Immigration (Caroline Nokes) has today made the following Written Ministerial Statement:

The Government is committed to making it easier for lawful residents to demonstrate their right to work in the UK, and to strengthening the support we provide to employers when complying with the provisions in the Immigration Asylum and Nationality Act 2006 to avoid employing illegal workers.

In April this year, the Home Office launched a new online checking service. This service enables UK employers to check the current right to work, in real time, of a person who holds either a biometric residence permit or a biometric residence card, and to see whether they are subject to any restrictions.

The system works on the basis of the individual first viewing their own Home Office right to work record. They may then share this information with an employer if they wish, by providing their employer with a 'share code', which can be used to access the record. This authorisation represents an important safeguard and means employers will only view an individual's information having received their consent and the share code allowing their access.

We have worked closely with UK employers and with users of the service in developing this new system, which has been operating effectively to provide employers and migrants with additional assurance where used to support right to work checks.

In order for employers to actually rely on the new online service to discharge their legal responsibilities under illegal working legislation, it is necessary to amend the Immigration (Restrictions on Employment) Order 2007 to properly integrate the service into Home Office legislation which stipulates the checks employers should

conduct to avoid a penalty for employing an illegal worker. These checks are currently largely predicated on a face value examination of a physical document.

Today we have laid before Parliament the ‘Immigration (Restrictions on Employment) (Code of Practice and Miscellaneous Amendments) Order 2018, in accordance with the 2006 Act, together with a revised Code of practice, which provides that employers will be able to rely on an online check from the end of January 2019, where a prospective employee has an immigration status that is compatible with the online checking service (holders of biometric residence permits or cards, and those with online immigration status).

From the end of January 2019, employers will be able to request either the online check or the existing document-based check; online checks will therefore be a voluntary option whilst migrants and employers develop familiarity with the new service and take up becomes more prevalent.

The online checking service has also been developed to enable EU migrants granted leave to remain under the EU Settlement Scheme to view their status and to share it with employers and other service providers where appropriate. Current arrangements, under which EU citizens can demonstrate their right to work in the UK by producing their national passport or identity card, will continue after the UK leaves the European Union and for the entire duration of any implementation period. However, with the latest development, EU nationals may alternatively choose to rely on online status issued following a successful application to the EU Settlement Scheme, by using the online service to share their right to work with their employer. Further detail on the future immigration system will be set out in a White Paper shortly.

The Immigration (Restrictions on Employment) (Code of Practice and Miscellaneous Amendments) Order 2018 also seeks to amend the list of documents which demonstrate a right to work, to remove the requirement that a British birth or adoption certificate must be the full certificate for these purposes. The intention is to make it easier for British citizens who do not hold a passport to demonstrate their right to work, using a short birth or adoption certificate with a National Insurance number.

In addition to the Order, we have also laid the ‘Licensing Act 2003 (Personal and Premises Licences) (Forms) (Amendment) Regulations 2018’. The regulations make consequential amendments to prescribed licence application forms to reflect changes to the Order.

Successive UK Governments have introduced measures to tackle illegal working which represents the principal pull factor for illegal immigration to the UK, and the 2018 Order underscores our commitment to improve the necessary system of checks for employers and workers alike. I would be happy to arrange a demonstration of the new online service for hon Members.

## Independent Breast Screening Review

[HLWS1145]

**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:

The Independent Breast Screening Review was announced on 2 May to look into a serious incident in the Breast Screening Programme in England, which resulted in hundreds of thousands of women aged between 68 and 71 not being invited to their final breast screening. I would like to apologise for the distress and suffering caused by this incident.

The review concluded that the policy on the upper age limit for breast screening had been ambiguous since the outset of the programme in 1988. A new specification, issued in November 2013 by the Department of Health and NHS England (NHSE), attempted to clarify how the upper age limit should be defined. However, the specification inadvertently changed the policy, which resulted in a discrepancy between the specification and the IT systems in use, and was not consistently implemented by the breast screening units. This was the source of the incident, which first became apparent in January 2018. The impact of the change in policy was not fully understood at this time.

Whilst subsequent advice provided to the then Secretary of State (Jeremy Hunt) was based on an incomplete understanding of what had happened, we welcome the review’s conclusions that the former Secretary of State was correct, based on the information provided, to inform the House of the breast screening incident. The review makes clear that the number of women affected by this incident is significantly lower than previously estimated. Based on the review’s conclusions, Public Health England’s (PHE) current estimate of the number of women who may have had their lives shortened is zero to 34. We agree with the recommendation that PHE progresses as quickly and as sensitively as possible the clinical review with the NHS of all women who may have suffered harm.

The protection of the public’s health has been, and remains, the paramount consideration when responding to this incident. Although PHE was slow to develop a clear understanding of the incident and its causes, we reiterate the review’s praise of the operational response. We would like to put on the record our tremendous gratitude to PHE and the dedicated NHS staff in breast screening centres across England who worked tirelessly to manage significant additional demand and pool capacity across centres to ensure that additional appointments were made available and offered to all women who wanted one.

We agree that there is an urgent need to clarify how we define the upper age limit for breast screening. We will commission the UK National Screening Committee (UKNSC) to provide advice as soon as possible on the scientific evidence to support a precise definition of age. On the basis of the Committee’s advice, we will ensure

that a new, fit-for-purpose specification for our national breast screening service is agreed and is reflected in the programme's delivery. DHSC will work with NHSE and PHE to ensure that the management of local breast screening units, quality assurance of the service they provide, and the National Breast Screening Programme performance indicator are consistent with the new service specification.

We agree it is vital to ensure clarity in roles and responsibilities within each of the national cancer screening programmes, and in accountability arrangements for how these services are commissioned and delivered. We welcome the report's reference to the comprehensive review of cancer screening programmes by Professor Sir Mike Richards that was recently announced by NHSE. Terms of reference will be published once we have had an opportunity to fully reflect on the review's recommendations.

We also need to ensure that our current systems adequately support effective delivery and we acknowledge the review's criticisms that the current National Breast Screening System (NBSS) is outdated. We welcome the review's conclusion that the introduction of Breast Screening Select by PHE in 2016 was a step forward. I can confirm that Government has already committed an initial £1.8m to design a replacement for NBSS.

We will continue to monitor closely all screening IT systems to ensure they are robust and operating as they should. A series of fail-safes to ensure the monitoring of the use of 'call and recall' systems within breast screening offices has already been put in place, together with additional national assurance to ensure that these fail-safes are being used effectively.

The AgeX trial will continue as planned. The trial will provide significant new evidence on screening women under 50 and over 70 that simply is not available now, providing the evidence needed to make decisions about the age range for breast screening.

It is essential that we take all necessary actions to learn from the mistakes made. We will consider the review's report and its recommendations in detail over the coming weeks and will provide a substantive response in the new year. I would like to record my thanks to the co-chairs of the review for their thorough report.

## Reserve Forces and Cadets Associations

[HLWS1146]

**Earl Howe:** My right hon. Friend the Secretary of State for Defence (The Rt Hon Gavin Williamson CBE MP) has made the following Written Ministerial Statement.

I have today placed in the Library of the House a copy of the Reserve Forces' and Cadets' Associations (RFCAs) combined Annual Report and Accounts for 2017-18. I am very grateful to the RFCAs for their valuable work in support of the Reserve Forces and the Cadet organisations. I should also like to thank Lieutenant General (Retd.) Robin Brims for all he has done as

Chairman of the Council of RFCAs, as he prepares to step down from the role at the end of the year.

## Supreme Court Judgment on the UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill

[HLWS1148]

**Lord Duncan of Springbank:** My Right honourable friend the Secretary of State for Scotland (David Mundell) has made the following Written Ministerial Statement:

Today the Supreme Court handed down its judgment on the UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill. The bill was passed by the Scottish Parliament in March of this year. In April the UK Government's Law Officers referred the legislation to the Supreme Court for a ruling on whether it is within devolved legislative competence.

As I stated when the Bill was referred to the Supreme Court, given the view of the Presiding Officer that the Continuity Bill was not within the legal competence of the Scottish Parliament, it was right to seek clarity. The reference was simply in line with the processes provided for in the Scotland Act 1998, which anticipated such situations occurring.

And so I am grateful to the Supreme Court for examining the issues here and for providing greater clarity. This is not simply a question of where constitutional powers lie, important as those questions are. Greater clarity was needed to ensure that our statute book functions properly and that the law is clear for businesses and individuals.

The UK Government thanks the Court for its time in considering this case.

The Court's judgment that significant parts of the Bill are outside the competence of the Scottish Parliament shows that the UK Government was right to refer the Bill to the Supreme Court. We will now carefully review the Court's judgment.

We want to continue to work with the Scottish Government to provide much needed clarity for businesses and individuals in Scotland. This has been our aim throughout this process.

I have always been clear that it is in the best interests of the people of Scotland for the UK and Scottish Governments' to work together as we leave the EU.

This remains my commitment and this will continue following this judgment.

## Telecommunications Council

[HLWS1150]

**Lord Ashton of Hyde:** My Hon Friend the Minister of State for Digital and Creative Industries, Margot James, has made the following Statement:

The Telecommunications formation of the Transport, Telecommunications and Energy Council took place in Brussels on 4 December 2018. The Deputy Permanent

Representative to the EU, Katrina Williams, represented the UK.

The Council began with the formal adoption of legislative “A” points, during which the Council adopted the European Electronic Communications Code (EECC) and Body of European Regulators of Electronic Communications (BEREC) proposals. The Austrian Presidency then secured a partial General Approach on the Digital Europe programme, which the UK supported. A progress report and policy debate then took place on the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres proposal. Following this, a

progress report and exchange of views took place on the ePrivacy Regulation

Afterwards, the Austrian Presidency provided information on the progress of current legislative proposals, namely: the recast Public Sector Information Directive; the .eu Top Level Domain Regulation; and the Cybersecurity Act. The Austrian Presidency also provided an update on the state of play of the Digital Single Market. The Council ended with a presentation from the incoming Romanian presidency on their work programme for the first half of 2019 and their priorities for the Digital Single Market. These were: innovation; cybersecurity; skills; and women in tech.

## Written Answers

Thursday, 13 December 2018

### 5G

Asked by **Lord Taylor of Warwick**

To ask Her Majesty's Government what plans, if any, they have to invest in the development of 5G network infrastructure. [[HL12093](#)]

**Lord Ashton of Hyde:** We are committed to becoming a world leader in 5G, and for the majority of the population to have access to a 5G signal by 2027. Government recognises that 5G will require substantial industry investment, and that the vast majority of capital investment required to rollout 5G will need to come from the private sector.

However, the government can help foster the development of the ecosystem and is doing so through its 5G Testbeds and Trials Programme. Government has so far allocated £200 million from the National Productivity Investment Fund to the Programme to help establish new business models and revenue streams which in turn could lead to accelerated private sector investment.

### Brexit

Asked by **Lord Wigley**

To ask Her Majesty's Government, further to the Draft Political Declaration setting out the framework for the future relationship between the United Kingdom and the European Union, published on 22 November, what is the intention of paragraph 40 regarding "unjustified data localisation requirements"; and what range of subjects may be included under the provisions for "appropriate protection for... geographical indications" in paragraph 45. [[HL11822](#)]

**Lord Callanan:** The Political Declaration on the future relationship between the EU and the UK says "the Parties should establish provisions to facilitate electronic commerce, address unjustified barriers to trade by electronic means, and ensure an open, secure and trustworthy online environment for businesses and consumers". This means that the UK and EU agree to work together to address unjustified barriers to the free flow of non-personal data, where they could disrupt businesses, such as rules restricting where data must be stored and processed. As for the 'appropriate protection for...geographical indications', the Political Declaration reaffirms that GI's should be dealt with in the context of our future economic partnership; but it is also true that UK GIs such as Scotch whisky, Welsh lamb and Cornish Pasties will continue to be protected by the EU.

The detail of how this will apply under the future relationship will be for further negotiation with the EU after our exit in March 2019.

Asked by **Lord Wigley**

To ask Her Majesty's Government, further to the Explainer for the agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union, published on 14 November, on what basis it was determined that (1) Crown Dependencies will be required to pass their own legislation to ensure that the withdrawal agreement is fully implemented, and (2) such legislation will not be required from the devolved legislatures of Wales and Scotland. [[HL11872](#)]

**Lord Callanan:** It is long-standing constitutional convention that Acts of Parliament do not extend to the Crown Dependencies automatically, as they are not part of the United Kingdom but are self-governing jurisdictions with their own democratically-elected legislative assemblies. They are not represented in this Parliament. Therefore, although the United Kingdom Government is responsible for the Crown Dependencies' international relations, each of the Crown Dependencies is responsible for passing its own Exit legislation. This includes legislation which may be required to implement the Withdrawal Agreement in their jurisdictions. As the Prime Minister has made clear, the longstanding constitutional relationships between the UK and the Crown Dependencies will not change as a result of the UK's decision to leave the EU.

For the UK, the EU (Withdrawal Agreement) Bill will implement our international commitments - set out in the Withdrawal Agreement - into UK law. We will seek the consent of the devolved legislatures where provisions of the Bill engage the conventions and practices under which the UK Government will normally seek legislative consent.

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, why provision is made in Article 183 for the text of the agreement to be equally authentic in the Irish language, but not in the Welsh language. [[HL12004](#)]

**Lord Callanan:** Article 183 of the Withdrawal Agreement provides for the text to be equally authentic in the official languages of the European Union, which includes the Irish language. Welsh is not an official language of the European Union.

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 is the precise date or dates implied in Article 184 for a "political declaration of [DD/MM/2018]"; and in the



event of that declaration not being achieved before 31 December, what provision has been agreed for the amendment of the document. [HL12005]

**Lord Callanan:** The Political Declaration setting out the framework for the future relationship between the EU and the UK was published on the 25th November 2018. Article 184 of the Withdrawal Agreement published on the 25th November 2018 refers to “the political declaration of 25/11/2018”.

### **Brexit: Northern Ireland**

*Asked by Lord Green of Deddington*

To ask Her Majesty's Government whether EU agreement to lift the Northern Irish backstop would require unanimity among remaining EU member states. [HL11958]

**Lord Callanan:** The means by which the EU would establish its position in the Joint Committee is a matter for the EU and its internal processes. However, recent EU case law (Case C-244/17) suggests it would be done by means of a qualified majority vote in the Council.

### **Brexit: Parliamentary Scrutiny**

*Asked by Lord Myners*

To ask Her Majesty's Government under what circumstances they would seek a second vote in the House of Commons on their Brexit proposals if they lose the meaningful vote. [HL11862]

**Lord Callanan:** If the House of Commons votes against the withdrawal agreement and future framework, the provisions of section 13(4) of the European Union (Withdrawal) Act 2018 will apply. This would require a Minister of the Crown, within the period of 21 calendar days beginning with the day on which the House of Commons decides not to pass the resolution, to make a statement setting out how Her Majesty's Government proposed to proceed in relation to negotiations for the United Kingdom's withdrawal from the EU under Article 50(2) of the Treaty on European Union.

### **Brexit: Referendums**

*Asked by Lord Myners*

To ask Her Majesty's Government whether they support a second referendum on Brexit. [HL11861]

**Lord Callanan:** After a period of sustained public debate, a clear majority of the electorate voted to leave the EU in June 2016 with the highest number of votes cast for anything in UK electoral history. We must respect both the will of the British people, and the democratic process which delivered this result. As such, it is a matter of Government policy that there will not be a second referendum on our exit from the EU.

### **Cameroon: Armed Conflict**

*Asked by Viscount Waverley*

To ask Her Majesty's Government what assessment they have made of whether genocide is being perpetrated in southern Cameroon; and if so what action, if any, they plan to take in response. [HL12050]

**Lord Ahmad of Wimbledon:** Government policy is that any judgment on whether war crimes or crimes against humanity or genocide has occurred is a matter for judicial decision, rather than for governments or non-judicial bodies. The UK is deeply concerned about the situation in Cameroon and the deteriorating security situation in the Anglophone regions of the country. We continue to call for all parties in Cameroon to engage in a peaceful and structured process leading to constitutional reforms, as previously set out by the President, and to avoid excessive use of force. The UK will continue to work alongside the international community to encourage and support efforts to resolve the worsening Anglophone crisis.

### **Clinical Trials: EU Law**

*Asked by Lord Taylor of Warwick*

To ask Her Majesty's Government whether the EU Clinical Trials Regulation, due to come into effect in 2019, will apply to clinical trials in the UK after Brexit. [HL12041]

**Lord O'Shaughnessy:** The Government values the strong collaborative partnerships that we have across the European Union in the areas of science, research and innovation, and as part of Exit negotiations is working to ensure that we have the best possible environment in which to support clinical trials and new medicines after we leave the EU.

Regarding the EU's new Clinical Trials Regulation (CTR), the CTR is expected to be implemented during 2020 and would therefore apply to the United Kingdom under the terms of the time-limited implementation period. If the new regulation does not come into force during the implementation period, or in the unlikely event that the UK leaves the EU without a deal, the Government has confirmed that UK law will remain aligned with parts of the EU's CTR legislation that are within the UK's control.

### **Digital Mapping**

*Asked by Lord Fox*

To ask Her Majesty's Government whether they place any restrictions on which companies are permitted to develop high definition mapping databases of UK cities and countryside; whether there are particular restrictions depending on which country a company is registered in; and if so, to which countries such particular restrictions apply. [HL11898]

*Asked by Lord Fox*

To ask Her Majesty's Government whether they monitor commercial mapping projects undertaken in the UK. [HL11899]

**Lord Young of Cookham:** There are no restrictions on the creation of mapping databases of the UK and the government does not formally monitor such projects.

## Driving

*Asked by Lord Bowness*

To ask Her Majesty's Government whether their objectives contained in the Draft Political Declaration setting out the framework for the future relationship between the United Kingdom and the European Union include continued mutual recognition of (1) driving licences, and (2) the disabled persons Blue Badge scheme. [HL11884]

**Lord Callanan:** We have now agreed in principle a draft Withdrawal Agreement with the other 27 EU nations. To ensure that citizens and businesses in the UK and across the EU can plan for life after our withdrawal with confidence, this sets out the terms of an implementation period during which EU citizens and UK nationals will be able to continue to drive in each territory as they do now.

The Political Declaration on the Framework for the Future Relationship between the EU and the UK Government was published on 22 November. It sets out that the UK and EU should consider arrangements to address travel by private motorists in our future negotiations. We intend that this will cover the both the recognition of driving licences as well as the Blue Badge scheme. We believe it is in the interests of both sides to conclude an agreement covering these arrangements.

## Drugs: Counterfeit Manufacturing

*Asked by Baroness Jolly*

To ask Her Majesty's Government what plans they have to protect patients from counterfeit medicines if the Falsified Medicines Directive ceases to apply in the UK after Brexit. [HL11970]

**Lord O'Shaughnessy:** In the United Kingdom, strict regulatory controls govern the sale, supply, manufacture, distribution and advertising of medicinal products. Although no fatalities in the UK have been attributed to a falsified medicine sourced from the UK regulated supply chain, the potential threat to patient health is recognised and taken seriously across Government.

The European Union Falsified Medicines Directive (FMD) was adopted in 2011 and introduced new harmonised measures to ensure that medicines in the EU are safe and that trade in medicines is properly controlled.

The parts of the Directive that have already been implemented – including tougher rules on the control and inspection of producers of active pharmaceutical

ingredients – would be converted into UK law through the Withdrawal Act and therefore remain in place after exit.

The final element of the Directive – the Delegated Regulation for new safety features – is due to come into force in February 2019, including the creation of a central EU data hub. The UK will still be a Member State in February 2019 and will therefore implement the FMD Delegated Regulation in line with our existing obligations.

In terms of what would happen after the UK exits the EU, during an implementation period the UK would maintain the new safety features and retain access to the EU central data hub, with arrangements beyond the implementation period still subject to negotiation. In the unlikely event the UK leaves the EU in March 2019 with no deal in place, then as stated in the Medicines and Healthcare products Regulatory Agency recent No Deal consultation, we expect the UK would not have access to the EU central data hub, and therefore the proposal is that legal obligations related to this would be removed for actors in the UK supply chain. In the interests of public safety, we would then evaluate the options around a future national falsified medicines framework.

Whatever the exit scenario, we will continue to ensure that UK patients are able to access the best and most innovative medicines and that their safety is protected.

## Drugs: Manufacturing Industries

*Asked by Baroness Jolly*

To ask Her Majesty's Government how many pharmaceutical manufacturers have guaranteed to hold six weeks' supply of their medicines for the next six months on top of their buffer stocks; and what proportion of pharmaceutical medicines used in the UK are now covered by that guarantee. [HL11971]

**Lord O'Shaughnessy:** The Government has agreed the terms of our exit from the European Union, as set out in the Withdrawal Agreement. The Withdrawal Agreement offers a time-limited implementation period that provides a bridge to the future relationship, allowing business, including the life sciences industry, to continue trading as now until the end of 2020. The supply of medicines and medical supplies would remain unchanged during the implementation period.

As a responsible Government, however, we continue to prepare proportionately for all scenarios, including the unlikely outcome that we leave the EU without any deal in March 2019.

On 23 August 2018, the Department asked suppliers of all prescription-only and pharmacy medicines with an EU/European Economic Area touch point to confirm their contingency arrangements for continued supply to United Kingdom patients beyond 29 March 2019 in the event of a no-deal Brexit and possible delays at the border in the following period.

To date we have received very good engagement from industry, who share our aims of ensuring continuity of

medicines supply for patients is maintained and able to cope with any potential delays at the border that may arise in the short term in the event of a no-deal Brexit. However, as our engagement exercise is still on-going we do not yet have final figures to report.

### Drugs: Refrigeration

*Asked by Baroness Jolly*

To ask Her Majesty's Government how many contracts they have signed for additional cold chain capacity for medicines after the UK leaves the EU. [HL12033]

**Lord O'Shaughnessy:** In October, the Department invited wholesalers and pre-wholesalers of pharmaceutical warehouse space to bid for Government funding to secure the additional capacity needed for stockpiled medicines covering ambient, cold chain and controlled drug storage. We had a good response to that invitation and funding for selected organisations has now been agreed. Contracts will be signed shortly.

### Energy Drinks: Labelling

*Asked by Lord Taylor of Warwick*

To ask Her Majesty's Government whether they have any plans to introduce statutory requirements on companies who produce energy drinks to use more prominent labelling on such products after Brexit. [HL12042]

**Lord O'Shaughnessy:** We are considering the opportunities offered by exiting the European Union, which include giving us greater flexibility to determine what information should be presented on packaged food and how it should be displayed, and we will work alongside industry and other stakeholders to decide what will be next for labelling. We want to build on the success of our current labelling scheme and ensure we are using the most effective ways to communicate information to families.

### EU Institutions

*Asked by Lord Bowness*

To ask Her Majesty's Government what is the annual cost of the UK's participation in (1) the European Medicines Agency, (2) the European Chemicals Agency, and (3) the European Aviation Safety Agency; and how much they estimate setting up and running replacement agencies would cost in the event of continued participation not being possible after Brexit. [HL11887]

**Lord Callanan:** Currently, Member States do not contribute to individual agencies, but to EU budgets as a whole. It is therefore not possible to use the UK's financing share of the whole budget to calculate our contribution to specific EU Agencies.

As set out in the Political Declaration on the Framework of the Future Relationship between the EU and the UK, we are exploring the possibility of cooperation of United Kingdom authorities with Union agencies such as the European Medicines Agency (EMA), the European Chemicals Agency (ECHA), and the European Aviation Safety Agency (EASA). We will carry on working with the European Union to see on what basis and under what conditions UK participation can take place. The exact arrangements will be a matter for the next phase of negotiations.

### European Defence Agency

*Asked by Lord Bowness*

To ask Her Majesty's Government whether their objectives contained in the Draft Political Declaration setting out the framework for the future relationship between the United Kingdom and the European Union include continued participation in the European Defence Agency. [HL11883]

**Lord Callanan:** The UK and the EU will continue to work together closely on foreign and security policy issues as part of an ambitious new security partnership. This partnership will be based on the UK and the EU's shared values, and commitment to work together to respond quickly and effectively to changing threats.

The Political Declaration provides for the UK and the EU to collaborate on capability development to ensure armed forces remain capable and interoperable. The UK and the EU have agreed that UK participation in relevant European Defence Agency (EDA) projects and initiatives, now and in the future, will be beneficial for both parties. Through the negotiation of an Administrative Arrangement — which is the formal agreement through which third countries can participate in EDA projects — the UK and the EDA can continue to work together on projects of mutual interest.

### Fisheries

*Asked by Lord Wigley*

To ask Her Majesty's Government, further to the Draft Political Declaration setting out the framework for the future relationship between the United Kingdom and the European Union, published on 22 November, what are the implications of the agreement of the "rational management and regulation of fisheries in a non-discriminatory manner" in relation to "Fishing Opportunities" when applied to fishing within UK territorial waters. [HL12007]

**Lord Callanan:** The full Political Declaration reaffirms that, when we leave the EU, the UK will become an independent coastal state in control of its waters. As outlined in the Withdrawal Agreement, the UK and the EU shall use their best endeavours to conclude and ratify a new fisheries agreement before 1 July 2020. Specific arrangements will be a matter for discussions, as part of

the next stage of negotiations, including access by non-UK vessels to fish in UK waters. Any non-UK registered vessels granted access to UK waters will need to meet the same requirements as our fleet across all UK fishing zones, including adherence to sustainable practices.

The Fisheries Bill creates the powers necessary to build a sustainable and profitable fishing industry, one which is in the best interests of the whole UK and future generations. We have also recently announced an amendment to the Fisheries Bill that would place a legal obligation on the government, when negotiating a fisheries agreement with the EU, to pursue a fairer share of fishing opportunities than the UK currently receives under the Common Fisheries Policy

### Galileo System

*Asked by Lord Taylor of Warwick*

To ask Her Majesty's Government what assessment they have made of the impact of the UK's withdrawal from the Galileo project on security and defence co-operation with the EU after Brexit. [HL12040]

**Earl Howe:** The UK has made an unconditional commitment to maintain Europe's security, which is why we are seeking a new, ambitious future security partnership with the EU to tackle the common threats we face and safeguard our citizens. The Political Declaration sets out a comprehensive future security partnership, which provides for close, flexible and scalable cooperation that will allow UK and EU efforts to be combined, when it is in our mutual interests. This includes UK participation in EU missions on a case by case basis, consideration of how best the UK and the EU might cooperate on international development, consultation on sanctions, and the voluntary and timely exchange of intelligence. The deal ensures that cooperation can be scaled up in the event of a crisis.

The UK has made clear that it could only justify continued participation in the Galileo programme on a basis that would enable us to rely on Galileo for our national security. The offer on the table from the European Commission does not meet our stated security or industrial requirements and, on this basis, the Prime Minister has confirmed the UK will not use Galileo for defence or critical national infrastructure after we leave the EU.

Non-participation in Galileo will not have any immediate impact on UK defence and security capabilities. The encrypted Galileo service is not due to be active until the mid-2020s, and the UK will retain access to US GPS services as it does at present. We are working on options for a national alternative to Galileo to guarantee our satellite positioning, navigation and timing needs are met in the future. The Government has invested £92 million of Brexit readiness money for the design and development of the UK programme.

### Gibraltar: Spain

*Asked by Lord Hoyle*

To ask Her Majesty's Government whether they have offered any (1) assurances, and (2) concessions to Spain in relation to Gibraltar as part of the Brexit negotiations; and if so, what. [HL11903]

**Lord Callanan:** The Government has negotiated the withdrawal agreement for the whole UK family. There were some circumstances which were specific to Gibraltar which meant we also held talks between the UK Government, Government of Gibraltar and Spain. This led to positive agreement on issues such as [cooperation on policing, environmental matters, tobacco and citizens' rights](#). These agreements underpin the Gibraltar Protocol to the Withdrawal Agreement.

In concluding the Withdrawal Agreement, the UK wrote to confirm the position we had always held, that Article 184 is without prejudice to the territorial scope and form of future agreements with the EU. However, as a matter of firm UK policy, we will only agree a deal on the future which works for the whole UK and we will negotiate a deal that works for Gibraltar as part of future negotiations.

The Prime Minister said on 26 November, 'the Government stood by Gibraltar and resisted changes to the Withdrawal Agreement that the Spanish Government wished to make. We are clear that Gibraltar's sovereignty will not change. It has not changed and will not change. We are proud that Gibraltar is British'.

### Global Positioning System

*Asked by Lord Birt*

To ask Her Majesty's Government, further to the Written Answer by Lord Ashton of Hyde on 27 November (HL11428), what steps they are taking to ensure the relevant enforcement agencies are taking action to prevent the open sale of low-cost GPS jammers on services such as eBay. [HL11924]

**Lord Ashton of Hyde:** Ofcom has an arrangement with services such as eBay to have listings for jammers of all types to be removed and is in regular contact with vendors to remove listings that are placed.

### Government Assistance: Northern Ireland

*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 the regulation of state aid will be on the same basis in Northern Ireland as in Wales, Scotland and England during the transition period. [HL12006]

**Lord Callanan:** Yes. During the transition or implementation period the EU State aid rules will remain in place throughout the UK, and the EU Commission will be the Regulator as at present.

### Great Western Railway: Subsidies

*Asked by Lord Bradshaw*

To ask Her Majesty's Government whether they are providing a subsidy to Great Western Railway; if so, why; and what lessons they have learned. [HL11927]

**Baroness Sugg:** Premium and subsidy payments, together with key components of those payments, are reported for each train operating company in the Office of Rail and Road's Data Portal entry 'Government subsidy per passenger kilometre by train operating company'. This can be found at: <http://orr.gov.uk/statistics/data-portal>.

Directly awarded franchise agreements such as the Great Western Railway are awarded under the terms of procurement regulations. These require the Department to assure itself that the costs and revenues agreed with franchisees, and recorded in the franchise agreement as net premiums or subsidy, are correct. The Department continues to review its procurement processes to ensure that this requirement continues to be met in any new directly awarded franchises granted.

### Haematological Cancer

*Asked by Lord Mendelsohn*

To ask Her Majesty's Government, further to the Written Answer by Lord O'Shaughnessy on 5 November (HL10893), what is the average cost to the NHS of treating patients with (1) leukaemia, (2) non-hodgkin lymphoma, (3) hodgkin lymphoma, and (4) myeloma. [HL11979]

**Lord O'Shaughnessy:** The data is not collected in the format requested.

### Housing: Construction

*Asked by Lord Horam*

To ask Her Majesty's Government what impact permitted development rights have had on the number of affordable homes built. [HL12061]

*Asked by Lord Horam*

To ask Her Majesty's Government what information they hold about the housing tenure being delivered through permitted development rights. [HL12064]

**Lord Bourne of Aberystwyth:** National permitted development rights make an important contribution to housing delivery, with over 32,000 homes delivered under such rights in the two years to March 2018. Information on the tenure of these additional homes is not collected centrally.

*Asked by Lord Horam*

To ask Her Majesty's Government what steps they are taking to ensure local support for homes built through permitted development rights. [HL12062]

*Asked by Lord Horam*

To ask Her Majesty's Government what assessment they have made of opposition to developments built through permitted development rights. [HL12063]

**Lord Bourne of Aberystwyth:** The introduction of new permitted development rights is considered through public consultation. Views shared are considered when deciding whether to bring forward a new right and how it would apply. Alongside there is regular engagement with key stakeholders. Where a permitted development right requires the prior approval of the local planning authority on specific planning matters adjoining owners and occupiers would usually be notified and the local community would have an opportunity to comment.

### Immigrants: Detainees

*Asked by Baroness Barker*

To ask Her Majesty's Government, further to the statement made by the Home Secretary on 24 July (HC Deb, col 908), whether they plan to publish more data on the number of LGBTQI+ immigration detainees. [HL11922]

**Baroness Williams of Trafford:** On the 29th November the Government published additional information on those held within the Immigration Detention Estate in direct response to the statement made by the Home Secretary in July and committed to a review of our published data to further improve transparency.

However, we are unable to publish data on LGBTQI detainees. The identification of an LGBTQI individual detained under immigration powers, is entirely at the discretion of the individual. Consequently, even a manual trawl of cases of individuals detained will not necessarily be representative of the true number of LGBTQI individuals detained during any period.

The fact that an individual detained under immigration powers within an IRC or prison is transsexual will always be recorded in a manner sensitive to the needs of that individual, not for statistical purposes. As it is rare for the detention of a trans or intersex person to occur, any reporting would risk the identification of individuals.

*Asked by Lord Stevens of Kirkwhelpington*

To ask Her Majesty's Government what steps they are taking to address the conditions of immigration detainees who are being detained for indeterminate lengths of time due to a lack of appropriate alternative accommodation. [HL11939]

**Baroness Williams of Trafford:** The Government treats detainee welfare as a matter of the utmost seriousness and expects the highest standards from those

who manage the detention estate on its behalf. Conditions at all detention facilities, are kept under regular review. Independent scrutiny is a vital part of assurance that our removal centres are secure and humane. We will continue to implement actions in response to recommendations made by Her Majesty's Inspectorate of Prisons and by the individual centre's Independent Monitoring Board (IMB) in their published reports

Any asylum seeker, including foreign national offenders released from de-tention on bail, can apply for accommodation and other support if they would otherwise be destitute.

Asylum seekers who require support are housed where there is appropriate accommodation available. Agreements between the Government and participating local authorities are voluntary and our dispersal policy ensures a reasonable spread amongst UK local authorities

Decisions about accommodation and detention are made on a case by case basis. We work closely with the Police, HM Prison and Probation service to source and offer suitable accommodation as quickly as possible when it is required.

We are aware of some cases that are waiting for accommodation to be allocated and we are working closely with the accommodation providers, Police and HM Prison and Probation Service to source suitable accommodation. These are complex cases, as they relate mostly to Foreign National Offenders who have specific accommodation needs and restrictions that must be met before they can be released safely from detention.

Detention and removal of those with no lawful basis to stay in the UK are essential parts of effective immigration controls. However, we do not detain individuals indefinitely when people are detained, it is for the minimum time possible and detention is reviewed on a regular basis.

### Immigration Controls

*Asked by Lord Wigley*

To ask Her Majesty's Government, further to the Draft Political Declaration setting out the framework for the future relationship between the United Kingdom and the European Union, published on 22 November, how will "legitimate travel" in paragraph 55 be defined. [HL11826]

**Lord Callanan:** The Political Declaration setting out the framework for the future relationship between the EU and the UK is clear that both side will explore the possibility to facilitate the crossing of their respective borders for legitimate travel. This would ensure smooth passage for UK nationals when they travel to the EU, for example on business or on holiday, and vice versa for EU citizens. The detail of how these mobility provisions will apply under the future relationship will be for further negotiation with the EU.

### Mental Health Services: Greater Manchester

*Asked by Lord Bradley*

To ask Her Majesty's Government how much of the additional funding for the NHS announced in the budget has been allocated to mental health services in Greater Manchester. [HL12015]

**Lord O'Shaughnessy:** The Government announced its long term financial settlement for the National Health Service in June. This will represent an increase of £20.5 billion in real terms by 2023/24. The Government has asked the NHS to develop a long-term plan which will set out a vision for the health service. The Government has been clear that better access to mental health services, to help achieve the Government's commitment to parity of esteem between mental and physical health, is one of the principles which must underpin the plan.

The 2018 Budget set out some aspects of what the long-term plan will contain, and further details on how the long-term plan will be applied in specific areas will follow when the plan is published in due course.

### Ministry of Defence: Dogs

*Asked by Baroness Boycott*

To ask Her Majesty's Government how many working dogs there are in (1) the army, (2) the Royal Air Force, (3) the Royal Navy, and (4) the Ministry of Defence; and for each of those organisations, what is the total daily cost of the food for those dogs. [HL12107]

**Earl Howe:** As at 1 November 2018, the Ministry of Defence (MOD) had 884 Military Working Dogs (MWD). This number will vary slightly each month as MWD enter and leave the service. All dogs are owned by the Defence Animal Training Regiment and the Department does not hold information on their exact breakdown by single Service.

Through the contract with Leidos, the MOD's logistic specialist partner, the MOD spent around £227,000 on dog food between 1 October 2017 to 30 September 2018. This includes food for Regimental mascots but does not cover, specialist dog food (e.g for dogs with sensitive stomachs), dental chews, training aids and treats.

An annual breakdown of food costs by service is shown below:

Army	£105,000
Navy	£5,000
RAF	£33,000
MOD	£84,000
Total	£227,000

Note: All figures are rounded to the nearest £1000 for presentational purposes

## Mobile Phones: Fees and Charges

*Asked by Lord Bowness*

To ask Her Majesty's Government whether they intend to (1) replace EU legislation about mobile telephone roaming charges, and (2) ensure that UK subscribers are protected from excessive charges after the UK leaves the EU. [HL11956]

**Lord Ashton of Hyde:** In the event of a deal, surcharge-free roaming would continue to be guaranteed during the Implementation Period. Following the Implementation Period the arrangements for roaming, including surcharges, would depend on the outcome of the negotiations on the Future Economic Partnership. The Political Declaration on the UK's Future Economic Partnership proposes a framework for negotiations with the EU, including for services and digital sectors. That approach would not preclude discussions with the EU on arrangements for consumers, for example in the area of mobile roaming.

In the event of no deal, the government has published a technical notice on mobile roaming. This is available here:

<https://www.gov.uk/government/publications/mobile-roaming-if-theres-no-brexite-deal/mobile-roaming-if-theres-no-brexite-deal>

## NHS: Negligence

*Asked by Lord Storey*

To ask Her Majesty's Government, further to the Written Answer by Lord O'Shaughnessy on 5 November (HL10962), whether the figures for the total government spend on clinical negligence in 2016–17 and 2018–19 include legal costs. [HL12091]

**Lord O'Shaughnessy:** NHS Resolution handles clinical negligence claims on behalf of National Health Service organisations and independent sector providers of NHS care in England.

As stated in my answer of 5 November, the total Government spend on clinical negligence was £1.7 billion in the financial year 2016-17 and £2.2 billion in the financial year 2017-18. These figures did include legal costs and NHS Resolution has provided the following information about legal costs in these two financial years.

Legal costs for 2016-17 were:

- Claimant costs: £498 million
- Defence costs: £126 million

Legal costs for 2017-18 were:

- Claimant costs: £467 million
- Defence costs: £129 million

Note:

Claimant costs are legal costs incurred by the claimant in bringing a claim for compensation.

Defence costs are legal costs incurred by NHS Resolution in dealing with the claim received.

## Nutrition (Amendment) (EU Exit) Regulations 2018

*Asked by Baroness Jolly*

To ask Her Majesty's Government what factors they took into consideration when deciding that 11 days was an appropriate consultation period for the Nutrition (Amendment) (EU Exit) Regulations 2018. [HL12072]

*Asked by Baroness Jolly*

To ask Her Majesty's Government whether they intend to consider extending the consultation period on proposed amendments to the Nutrition (Amendment) (EU Exit) Regulations 2018 to allow sufficient time for stakeholders to provide meaningful feedback. [HL12073]

**Lord O'Shaughnessy:** Proposals addressed by the Nutrition (Amendment) (EU Exit) Regulations 2018 public consultation are predominantly technical in nature, simply changing European Union-specific references so that relevant legislation remains effective when the United Kingdom is no longer a member state.

Plans outlined in the consultation would therefore provide continuity and assurance for business and consumers, as they seek to mirror existing European systems domestically as far as is practically possible.

As the duration of a consultation is informed by the nature and impact of the proposals we consider a relatively short consultation period appropriate, and therefore have no plans to extend its length.

## Physical Education

*Asked by Lord Hunt of Kings Heath*

To ask Her Majesty's Government what assessment they have made of the role that physical education and school sport can play in tackling childhood obesity. [HL12066]

*Asked by Lord Hunt of Kings Heath*

To ask Her Majesty's Government what assessment they have made of the benefits to children of participation in physical education and school sport. [HL12067]

**Lord Agnew of Oulton:** The government is clear that physical education (PE) and school sport is important as it teaches pupils the importance of developing healthy habits from an early age that can have positive impacts on pupil health, mental wellbeing, character and childhood obesity. The first ever Active Lives Children and Young People Survey published by Sport England on 6 December showed a positive association between engagement in sport and physical activity and levels of mental wellbeing. The survey is attached.

In October my right hon. Friend, the Secretary of State for Education announced a new School Sport and Activity Action Plan to be published in spring 2019 which will

help get more young people active and enjoying the benefits of sport.

Through the Childhood Obesity Plan, attached, the government is supporting the delivery of the Chief Medical Officer's guidelines that every primary age child should get at least 60 minutes of moderate to physical activity a day, of which 30 minutes should be delivered in school. The Childhood Obesity Plan Chapter 2 update, attached, sets out that the government will promote a national ambition for every primary school to embrace an active mile, such as the Daily Mile into the school day.

Through the primary PE and sport premium, the government has invested over £1 billion of ring-fenced funding to primary schools to improve PE and sport since 2013. A further £100 million of revenue generated from the Soft Drinks Industry Levy has been used for the Healthy Pupils Capital Fund in 2018-19, which can be used to improve children's access to facilities for physical activity.

The Answer includes the following attached material:

Active\_Lives\_Children\_&\_Young\_People\_Survey [active-lives-children-survey-academic-year-17-18.pdf]

Childhood\_Obesity\_Plan [Childhood\_obesity\_2016\_\_2\_\_acc.pdf]

Childhood\_Obesity\_Plan\_Chapter\_2 [childhood-obesity-a-plan-for-action-chapter-2.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-12-05/HL12066>

## Public Transport

*Asked by Lord Wigley*

To ask Her Majesty's Government, further to the Draft Political Declaration setting out the framework for the future relationship between the UK and the EU, why they decided to include an intention to make bilateral agreements for cross-border rail services; why no similar intention was included for cross-border bus services; whether they carried out a consultation on such arrangements; and if so, what were the results. [HL11921]

**Lord Callanan:** As outlined in the Future Relationship White Paper in July and the Political Declaration on the Framework for the Future Relationship between the EU and the UK Government, published on 22 November, the EU and the UK have agreed that the UK will pursue bilateral agreements. These will be undertaken with France, Belgium and the Netherlands to ensure the continued smooth functioning and operation of services through the Channel Tunnel, and with Ireland to do the same for the Belfast-Dublin Enterprise line.

Outside of these cross-border services, the UK will have the flexibility to shape its own domestic railway legislation to meet the needs of its passengers and freight shippers, and reflect the unique characteristics of the rail network within the UK.

Continued market access for transport between the UK and the EU, including for bus and coach travel, is in our mutual interests. We will seek to agree cross-border bus services as part of the future relationship with the EU. In the event of no deal, as set out in the Department for Transport Technical Notice 'Operating bus or coach services abroad if there's no Brexit deal', the UK would seek to put in place bilateral agreement with EU countries.

Consultations with industry have been ongoing, and we will continue to take on board the views of stakeholders.

## Railways: Freight

*Asked by Lord Bradshaw*

To ask Her Majesty's Government what is the present status of the proposal to build a new freight terminal south of Northampton adjacent to the West Coast Railway Line. [HL12017]

**Baroness Sugg:** There are two proposals for freight terminals south of Northampton – Northampton Gateway, and Rail Central. Both are within the Planning Inspectorate's Development Consent Order process.

The examination in public for Northampton Gateway began on 9<sup>th</sup> October 2018 and is expected to conclude on or before 9<sup>th</sup> April 2019. Rail Central was accepted for examination on 15<sup>th</sup> November 2018. The Planning Inspectorate have three months from this date to prepare for examination. No timetable has yet been published.

## Railways: North of England

*Asked by Lord Bradshaw*

To ask Her Majesty's Government what assessment have they made of whether the proposals from Transport for the North for a rail route across the Pennines makes adequate provision for the movement of freight. [HL12018]

**Baroness Sugg:** The Department has received a number of proposals to support freight capacity across the Pennines including the Trans Pennine route and Skipton to Colne. Officials continue to work closely with TfN and Network Rail on these proposals. We are currently considering next steps on the provision of additional rail freight capacity and capability across the Pennines and expect to make an announcement shortly.

## Sentencing

*Asked by Lord Stevens of Kirkwhelpington*

To ask Her Majesty's Government what steps they are taking to ensure sentencing of offenders is cost-effective and provides value for money for taxpayers. [HL11935]

*Asked by Lord Stevens of Kirkwhelpington*

To ask Her Majesty's Government, further to their response to the House of Commons Justice Committee



report, *Cutting crime: the case for justice reinvestment*, published in March 2010 (Cm 7819), what steps they have taken to make sentencing more evidence-based and non-partisan. [HL11936]

**Lord Keen of Elie:** Sentencing in individual cases is a matter for our independent courts. When deciding what sentence to impose the courts take into account the circumstances of each case in line with any relevant sentencing guidelines issued by the independent Sentencing Council. The Council has a statutory duty to produce resource assessments when it publishes its draft guidelines, as well as an assessment each year of the impact of sentencing practice on the resources required for the provision of prison places, probation and youth justice services.

There is persuasive evidence that community sentences, in certain circumstances, are more effective in reducing reoffending than short custodial sentences. In the event that a community order is imposed, courts have the flexibility to select requirements that provide opportunities to address the specific issues which contribute to a risk of re-offending. For example, treatment requirements enable access to specialist help with mental health or substance misuse problems, whilst electronically monitored curfews can provide stability and structure in offenders' lives while maintaining family ties, accommodation or employment.

Prior to sentencing, the National Probation Service will conduct an assessment of the offender, covering their circumstances and the reasons for their offending. NPS staff will then advise the court on the sentencing options which are likely to be most effective in managing risk and tackling the problems which are leading to offending. The NPS are taking steps to improve the quality of this advice by rolling out the Effective Proposal Tool, which helps NPS staff identify the interventions that match the assessed risks and rehabilitative needs in each case, and aims to be supported by detailed information on the range of locally available interventions and services. We recently consulted on what more we can do to improve the effectiveness of pre-sentence advice as part of the 'Strengthening Probation, Improving Confidence' consultation. The Government will publish its response in due course.

### Silver Jubilee Bridge

*Asked by Lord Storey*

To ask Her Majesty's Government when the Silver Jubilee Bridge between Runcorn and Widnes will re-open. [HL11987]

**Baroness Sugg:** Halton Borough Council, who are responsible for the Silver Jubilee Bridge, have said that it is likely that pedestrians and cyclists will be able to cross the bridge in late summer 2019, with access to vehicular traffic from spring / summer 2020 once all the necessary maintenance and upgrade work is complete.

### South Sudan: Arms Trade

*Asked by Lord Alton of Liverpool*

To ask Her Majesty's Government what assessment they have made of the report by Conflict Armament Research, *Weapon Supplies into South Sudan's Civil War*, published on 11 November, which states that (1) weapons from EU countries have been supplied to South Sudan despite an EU embargo, (2) such weapons are in use in South Sudan, and (3) the government of Uganda has acted as a conduit for the supply of weapons. [HL12009]

**Lord Ahmad of Wimbledon:** The UK is deeply concerned by reports of alleged breaches by regional powers of the arms embargo imposed on South Sudan by the EU in 2011. We welcome the report by Conflict Armament Research as an important insight into the movement of arms that have such a devastating effect in perpetuating the suffering of the South Sudanese people. We strongly condemn any actions that could undermine or obstruct the path to peace in South Sudan, including enabling or facilitating the supply of weapons, equipment, or ammunition to parties of the conflict.

In addition to the 2011 EU arms embargo, we urge the region and the international community to fully uphold their obligation to rigorously enforce the UN arms embargo on South Sudan, as agreed in July by the UN Security Council.

### TripAdvisor

*Asked by Lord Campbell-Savours*

To ask Her Majesty's Government what meetings, if any, ministers have had with organisations concerned about the operation of TripAdvisor in the UK. [HL12022]

**Lord Ashton of Hyde:** The Minister for Arts, Heritage and Tourism meets regularly with a range of stakeholders to discuss a range of issues relating to UK Tourism.

*Asked by Lord Campbell-Savours*

To ask Her Majesty's Government what meetings, if any, have taken place between UK or United States representatives of TripAdvisor and ministers or officials at which issues relating to damaging or malicious online comments about hotel or catering services have been discussed. [HL12024]

**Lord Ashton of Hyde:** The Minister for the Arts, Heritage and Tourism met with TripAdvisor in July this year. DCMS Tourism officials have also held a number of meetings with TripAdvisor to discuss a range of issues.

### World Encephalitis Day

*Asked by Lord Kennedy of Southwark*

To ask Her Majesty's Government what plans they have to support World Encephalitis Day on 22 February 2019. [HL12037]

**Lord O'Shaughnessy:** There are currently no specific plans.

NHS England works with partners such as voluntary sector organisations to synchronise communications

activity in line with many annual awareness days. The NHS England communications team may also provide support to maximise the reach of established campaigns.

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