

**Vol. 772**  
**No. 12**



**Tuesday**  
**14 June 2016**

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

# **HOUSE OF LORDS**

## **WRITTEN STATEMENTS AND WRITTEN ANSWERS**

**Written Statements ..... 1**

**Written Answers.....2**

[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/>

Members who want a printed copy of Written Answers and Written Statements should notify the Printed Paper Office.

This printed edition is a reproduction of the original text of Answers and Statements, which can be found on the internet at <http://www.parliament.uk/writtenanswers/>.

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>
<b>Baroness Stowell of Beeston</b>	Leader of the House of Lords and Lord Privy Seal
<b>Earl Howe</b>	Minister of State, Ministry of Defence and Deputy Leader of the House of Lords
<b>Lord Ahmad of Wimbledon</b>	Parliamentary Under-Secretary of State, Home Office and Department for Transport
<b>Baroness Anelay of St Johns</b>	Minister of State, Foreign and Commonwealth Office
<b>Baroness Altmann</b>	Minister of State, Department for Work and Pensions
<b>Lord Ashton of Hyde</b>	Whip
<b>Lord Bridges of Headley</b>	Parliamentary Secretary, Cabinet Office
<b>Lord Bourne of Aberystwyth</b>	Parliamentary Under-Secretary of State, Department of Energy and Climate Change, Wales Office and Whip
<b>Baroness Chisholm of Owlpen</b>	Whip
<b>Earl of Courtown</b>	Whip
<b>Lord Dunlop</b>	Parliamentary Under-Secretary of State, Scotland Office
<b>Baroness Evans of Bowes Park</b>	Whip
<b>Lord Faulks</b>	Minister of State, Ministry of Justice
<b>Lord Freud</b>	Minister of State, Department for Work and Pensions
<b>Lord Gardiner of Kimble</b>	Deputy Chief Whip and Spokesman for Department for Environment, Food and Rural Affairs
<b>Lord Keen of Elie</b>	Advocate-General for Scotland
<b>Lord Nash</b>	Parliamentary Under-Secretary of State, Department for Education
<b>Baroness Neville-Rolfe</b>	Parliamentary Under-Secretary of State, Department for Business, Innovation and Skills and Department for Culture, Media and Sport
<b>Lord O'Neill of Gatley</b>	Commercial Secretary to the Treasury
<b>Lord Price</b>	Minister of State, Department for Business, Innovation and Skills, and Foreign and Commonwealth Office
<b>Lord Prior of Brampton</b>	Parliamentary Under-Secretary of State, Department of Health
<b>Baroness Shields</b>	Parliamentary Under-Secretary of State, Department for Culture Media and Sport and Home Office
<b>Lord Taylor of Holbeach</b>	Chief Whip
<b>Baroness Verma</b>	Parliamentary Under-Secretary of State, Department for International Development
<b>Baroness Williams of Trafford</b>	Parliamentary Under-Secretary of State, Department for Communities and Local Government
<b>Viscount Younger of Leckie</b>	Whip

© Parliamentary Copyright House of Lords 2016

This publication may be reproduced under the terms of the Open Parliament licence, which is published at [www.parliament.uk/site-information/copyright/](http://www.parliament.uk/site-information/copyright/)

# Written Statements

*Tuesday, 14 June 2016*

## **Employment, Social Policy, Health and Consumer Affairs Council: June 2016**

[HLWS43]

**Lord Prior of Brampton:** My hon. Friend the Parliamentary Under Secretary of State, Department of Health (Jane Ellison) has made the following written ministerial statement.

The Employment, Social Policy, Health and Consumer Affairs Council will meet on 16 and 17 June in Luxembourg. The health part of the Council will take place on 17 June in the morning.

The main agenda items will be the adoption of Council conclusions on:

- Food products improvement;
- The next steps under a one health approach to combat antimicrobial resistance;
- Strengthening the balance in the pharmaceutical systems of the European Union and its Member States.

Under *Any Other Business* there will also be:

Information from the Dutch Presidency on:

- The state of play of negotiations concerning the Regulations on medical devices and in vitro diagnostic medical devices

- Public Health Conferences that were organised and held by the Presidency

Information from the Commission on:

- The European Fund for Strategic Investments and the Investment Plan for Europe
- The EU response to Zika
- Health systems performance assessment (HSPA)
- Proposed new analytical products to support better knowledge and stronger evidence-based policy making, under the banner of the “State of Health in the EU”

Information from the French delegation on the election of the WHO Director-General

Information from the Polish delegation on the European Committee for Standardisation’s (CEN) Work Programme for 2016 with regards to health-related activities

Information from the Slovak delegation on the priorities for their forthcoming Presidency, which will run from July until December 2016

For information, I attach a draft copy of the latest agenda.

The Statement includes the following attached material:

Draft Agenda [Health Council Agenda - 17 June.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Lords/2016-06-14/HLWS43/>

## Written Answers

*Tuesday, 14 June 2016*

### **A1: Nottinghamshire**

*Asked by Lord Jopling*

To ask Her Majesty's Government, further to the Written Answer by Lord Ahmad of Wimbledon on 4 February (HL5525), whether they are now able to publish the conclusions of the "lessons learned" review of the recent roadworks to the A1 road close to Gamston Airport, during which the £7.4 million target cost escalated to a forecast £13.6 million. [HL500]

**Lord Ahmad of Wimbledon:** The report should be available by the end of July 2016.

### **Azerbaijan: Political Prisoners**

*Asked by Baroness Suttie*

To ask Her Majesty's Government, further to the Written Answer by Baroness Anelay of St Johns on 11 May (HL8207), what representations they have made about the conditions under which political prisoners are held in Azerbaijan, particularly in the light of the reported assault of Ilgar Mammadov by prison guards in October 2015, and the June 2016 judgment by the European Court of Human Rights that the Azerbaijani authorities failed to provide adequate medical care to Leila and Arif Yunus during their imprisonment on political grounds. [HL483]

**Baroness Anelay of St Johns:** The UK raises concerns about the conditions under which political prisoners are held in Azerbaijan at every appropriate opportunity. Our Embassy in Baku has requested to visit a number of prisoners, but the authorities have not yet granted permission. In the Council of Europe, we regularly call for more information on Ilgar Mammadov's condition.

### **Blue Badge Scheme**

*Asked by The Countess of Mar*

To ask Her Majesty's Government whether they plan to amend Section 4:4 of The Blue Badge Scheme Local Authority Guidance (England) to exclude the first sentence that specifies certain medical conditions in order to ensure that eligibility is based on disability or ill health regardless of diagnosis. [HL582]

**Lord Ahmad of Wimbledon:** The Government has no current plans to amend the non-statutory guidance to local authorities about the Blue Badge scheme. As the guidance makes clear "Each application should be considered on its merits – not on a "one size fits all" basis. The final decision about whether an applicant meets the criterion is for the issuing authority to make."

## **Care Homes and Hospitals: Migrant Workers**

*Asked by Lord Roberts of Llandudno*

To ask Her Majesty's Government how many overseas citizens work in the UK in (1) hospitals, and (2) care homes. [HL587]

**Lord Prior of Brampton:** The number of overseas citizens working in the United Kingdom in hospitals and care homes is not collected centrally.

The Health and Social Care Information Centre (HSCIC) publishes data on the number of staff working in National Health Service hospital and community health services in England. The HSCIC also publishes data on the nationality of NHS staff, which is a self-reported field within the NHS human resources and payroll system, the electronic staff record (ESR). The nationality information entered by an individual employee onto ESR may reflect their cultural heritage rather than their country of birth.

From the 1,151,138 headcount number of staff working in NHS trusts and clinical commissioning groups as at September 2015, 1,056,773 have self-declared their nationality. Of these, 217,063 (21%) have declared as having nationalities other than British.

Skills for Care, the partner in the Sector Skills Council for social care, collects information on the nationality of the adult social care workforce in England.

Skills for Care estimates that there were on average 135,000 residential care job roles filled by non-British adult social care workers in England in 2015.

### **Colombia: Overseas Aid**

*Asked by Baroness Hooper*

To ask Her Majesty's Government what assistance they have given to the government of Colombia to help it develop its national business and human rights action plan, and whether further assistance will be given to aid its implementation. [HL416]

**Baroness Anelay of St Johns:** We supported Colombia in the development of their National Action Plan (NAP) to implement the UN Guiding Principles on Business and Human Rights. The NAP, which is the first of its kind outside of Europe, was launched in December. It allows Colombia to meet its existing human rights obligations and increase business awareness.

The Minister of State for Trade and Investment, my noble Friend, the Lord Price of Sturminster Newton, launched a campaign for British businesses to support peace, primarily through the respect for human rights, during his visit to Colombia last month. Twenty of the largest British companies operating in Colombia subsequently agreed to align themselves to the Colombian National Action Plan for business and human rights.

## Crimea: Tartars

*Asked by Lord Hylton*

To ask Her Majesty's Government what information they have received about the present situation of the Tartar population of the Crimea, and in particular, how many of them have been arrested or sentenced, how many exiles have been banned from returning, and whether their mosques have been damaged or destroyed. [HL451]

**Baroness Anelay of St Johns:** In March I met Refat Chubarov, the Crimean Tatar leader, to discuss the continuing deterioration of human rights on the peninsula since Russia's illegal annexation, and how this is impacting the Crimean Tatar community. The Crimea Tatars continue to face regular harassment including arrests, detentions, disappearances and restrictions on their rights of worship, assembly and expression. Many also face pressure to take up Russian Citizenship to re-enter Crimea.

International human rights organisations such as the UN and the Organisation for Security and Co-operation in Europe (OSCE) are currently barred from entering Crimea. The UK continues to call on Russia to use their influence with the 'de-facto' Crimean authorities to grant access to international organisations. Nevertheless, we are aware of reports that 18 Crimean Tatars are currently held in Russian-run prisons, while several more are under arrest. We are also aware of seven Crimean Tatars who are banned from entering Crimea. We are not aware of reports of mosques being destroyed, however there are reports that mosques and homes have been raided and those inside questioned by Russian security services. The recent banning of the Mejlis, the highest representative body for the Crimean Tatar community, by the Russian de-facto authorities is another example of the continuing erosion of civil liberties and human rights in Crimea.

## Diplomatic Service: Labour Turnover

*Asked by The Marquess of Lothian*

To ask Her Majesty's Government what have been the retention rates of Civil Service Fast Streamers in the Diplomatic Service since 2000. [HL556]

**Baroness Anelay of St Johns:** Our records before 2010 do not show whether an officer joined the Diplomatic Service as a Fast Streamer. However, we have confirmed that all but eight of the 165 Fast Streamers who have joined the Diplomatic Service since 2010, are either still working in the Foreign and Commonwealth Office (FCO); are on loan to another department; or are currently on special unpaid leave and are expected to return to the FCO in due course.

This would be equivalent to an attrition rate of around 5 per cent over five years.

## Health Services: North East

*Asked by Lord Beecham*

To ask Her Majesty's Government why the North East Commissioning Service has not accepted an offer from Newcastle City Council's Director of Public Health to place a contract to modify data systems to facilitate analysis at council ward level. [HL574]

**Lord Prior of Brampton:** This is an operational matter for the Commissioning Support Unit and the local Council.

The North of England Commissioning Support Unit advises that it has held discussions with the Director of Public Health but is not aware of any offer to place a contract with the organisation.

## Human Papillomavirus: Vaccination

*Asked by The Countess of Mar*

To ask Her Majesty's Government what is their assessment of the Nordic Cochrane Centre complaint to the European Medicines Agency (EMA) over maladministration at the EMA dated 26 May in relation to the EMA report on the safety of human papilloma virus vaccine. [HL504]

**Lord Prior of Brampton:** Whilst the issues raised in the Nordic Cochrane Centre document are a matter for the European Medicines Agency (EMA), we are satisfied that the EMA has adequate processes in place to manage any potential conflicts of interest of its scientific experts and to uphold the integrity and impartiality of its decision-making. There was consensus agreement amongst European Union Member States on the conclusions of the recent human papilloma virus vaccine safety review, and we have confidence in the outcome of this review.

The Answer includes the following attached material:

Complaint to the EMA over maladministration [Complaint to the EMA over maladministration.pdf]

The material can be viewed online at:  
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2016-06-07/HL504>

## Kevin Vickers

*Asked by Lord Blencathra*

To ask Her Majesty's Government whether they will consider nominating Mr Kevin Vickers, the Canadian Ambassador to Ireland, for an honour to mark his action in tackling terrorists in the Canadian Parliament and a protestor at the ceremony marking the Easter Rising of 2016. [HL472]

**Baroness Anelay of St Johns:** We do not comment on honours nominations in order to maintain the integrity of the honours system and the privacy of the individuals concerned.

## Laxmanananda Saraswati

*Asked by Lord Hylton*

To ask Her Majesty's Government whether they have made an assessment of the events surrounding the murder in August 2008 of the Swami Laxmanananda Saraswati and the convictions of seven men for that crime. [\[HL452\]](#)

**Baroness Anelay of St Johns:** India's constitution provides for an independent judiciary. The court case and conviction are a matter for the Indian courts.

## Midwives

*Asked by Baroness Tonge*

To ask Her Majesty's Government whether Clinical Commissioning Groups' midwifery workforce planning has taken into consideration the impact on the workload of midwives of an increase in the number of older mothers. [\[HL439\]](#)

*Asked by Baroness Tonge*

To ask Her Majesty's Government whether Clinical Commissioning Groups' midwifery workforce planning has taken into consideration the impact on the workload of midwives of the rise in non-communicable diseases. [\[HL440\]](#)

**Lord Prior of Brampton:** At a national level, it is Health Education England's (HEE) responsibility to ensure that there is sufficient future supply of staff, including midwives, to meet the workforce requirements of the English health system taking in to account issues such as demographic changes, for example, increases in older mothers.

The Workforce Plan is built upon the needs of local employers, providers, commissioners and other stakeholders who, as members of its Local Education Training Boards (LETBs), shape the 13 local plans.

The Workforce Plan is predominately an aggregate of the local LETB plans, but the final national plan is only agreed with the advice and input of its clinical advisory groups and Patients' Advisory Forum, as well as the royal colleges and other stakeholders.

At a local level, it is ultimately the responsibility of National Health Service trusts, working with their clinical commissioning groups, to ensure they have sufficient staff on their wards with the right skills to treat patients in their care and this would include taking account of changes in patient condition profile, for example, any rise in non-communicable diseases, in their workforce planning.

## NHS: Negligence

*Asked by Lord Storey*

To ask Her Majesty's Government what is the total cost to the NHS of insurance premiums for clinical negligence; which Foundation Trust pays the highest

amount as a percentage of its budget; and what percentage of its budget that cost represents. [\[HL588\]](#)

**Lord Prior of Brampton:** The question has been interpreted to mean contributions to the Clinical Negligence Scheme for Trusts (CNST) which provides indemnity for National Health Service bodies. These are not insurance premiums.

The total cost for 2014-15, which is the last available published figure, is £1,037,742,810.

The information as to which NHS Foundation Trust pays the highest amount as a percentage of its budget is not held centrally.

## Nigeria: Human Rights

*Asked by Baroness Kinnock of Holyhead*

To ask Her Majesty's Government what is their assessment of the scale and frequency of human rights violations by Nigeria's security forces in their actions against Boko Haram. [\[HL453\]](#)

*Asked by Baroness Kinnock of Holyhead*

To ask Her Majesty's Government what is their assessment of the credibility of investigations conducted in Nigeria into allegations of human rights violations committed by the Nigerian security forces. [\[HL454\]](#)

**Baroness Anelay of St Johns:** There are credible reports that human rights violations have been committed by Nigerian security forces during its operations against Boko Haram. We welcome President Buhari's commitment to overhaul the Nigerian armed force's rules of engagement, to investigate credible allegations of human rights violations and to take appropriate action. We understand that there are a number of investigations currently underway. It is important that these investigations are comprehensive and credible, and we are monitoring these closely.

We regularly stress to the Nigerian authorities the importance of protecting civilians in conflict and detention, and that, whilst we support their fight against terrorism, this fight should be in full compliance with human rights standards and international law. Any member of the Nigerian security forces found to have been involved in human rights violations must be held accountable.

*Asked by Baroness Kinnock of Holyhead*

To ask Her Majesty's Government what is their assessment of the scale and frequency of extrajudicial killings in Nigeria. [\[HL456\]](#)

**Baroness Anelay of St Johns:** There are credible reports that human rights violations, including extrajudicial killings, have been committed by Nigerian security forces during its operations against Boko Haram. We welcome President Buhari's commitment to overhaul the Nigerian armed force's rules of engagement, to



investigate credible allegations of human rights violations and to take appropriate action. We regularly stress to the Nigerian authorities the importance of protecting civilians in conflict and detention, and that, whilst we support their fight against terrorism, any action taken by the Nigerian Security Forces should fully comply with human rights standards and international law. Any member of the Nigerian security forces found to have been involved in human rights violations must be held accountable.

### **Nigeria: LGBT People**

*Asked by **Baroness Kinnock of Holyhead***

To ask Her Majesty's Government what representations they have made to the government of Nigeria regarding the rights of lesbian, gay, bisexual and transgender people. [[HL455](#)]

**Baroness Anelay of St Johns:** We have made clear to the Nigerian authorities that the UK opposes any form of discrimination on the grounds of sexuality and any form of legislation that persecutes people on the basis of their sexuality. This has included opposition to Nigeria's Same Sex Marriage Bill which we believe infringes on the fundamental rights of expression and association, guaranteed by the Nigerian Constitution and by Nigeria's international treaty obligations. Along with other EU Member States, opposition to this Bill has formed part of our dialogue with the Nigerian authorities. Where we have been made aware of specific arrests or harassment founded on the basis of the Same Sex Marriage Bill, we have made representations to the authorities on behalf of those who have been subject to discrimination.

### **Nigeria: Schools**

*Asked by **Baroness Kinnock of Holyhead***

To ask Her Majesty's Government what representations they have made to the government of Nigeria about the use of schools by its military and security forces, given that Nigeria has endorsed the Safe Schools Declaration, which explicitly prohibits such use. [[HL484](#)]

**Baroness Anelay of St Johns:** We are concerned by reports that the Nigerian military are using schools in north east Nigeria for military purposes. The UK fully supports UN Security Council Resolution 1998 which

urges all parties involved in armed conflict to refrain from actions that impede children's safe access to education.

We regularly stress to the Nigerian authorities the importance of protecting civilians in conflict and continue to call on Nigeria to ensure that its security forces respect and act in accordance with International Humanitarian Law.

### **Students: Loans**

*Asked by **Lord Storey***

To ask Her Majesty's Government what safeguards they have put in place to ensure that, if the student loan book is sold on, students are not faced with increased rates of interest on their student loans. [[HL434](#)]

**Baroness Evans of Bowes Park:** As stated in the March 2016 Budget, the Government is continuing to prepare for the sale of the pre-2012 income contingent repayment student loan book, with a first sale expected in 2016-17.

Purchasers would have no direct relationship with borrowers, and would have no power to amend the terms of repayment. Government would still finance student loans and continue to collect repayments.

### **Territorial Waters: Security**

*Asked by **Lord West of Spithead***

To ask Her Majesty's Government which government department is responsible for surveillance, production of a reorganised surface picture, and security, of the UK territorial seas. [[HL325](#)]

**Lord Ahmad of Wimbledon:** The responsibility for the security and surveillance of the UK territorial seas is shared across a number of Government departments and agencies including the Department for Transport, Border Force, and Ministry of Defence.

The National Maritime Information Centre provides the platform for the cross-government understanding of maritime activity. It brings together information and intelligence provided by the various Government departments and agencies and supported by international partnerships provides the UK with unified situational awareness of maritime activity in the UK and international waters.

## Index to Statements and Answers

### **Written Statements.....1**

Employment, Social Policy, Health and Consumer  
Affairs Council: June 2016.....1

### **Written Answers.....2**

A1: Nottinghamshire .....2

Azerbaijan: Political Prisoners .....2

Blue Badge Scheme.....2

Care Homes and Hospitals: Migrant Workers.....2

Colombia: Overseas Aid.....2

Crimea: Tartars.....3

Diplomatic Service: Labour Turnover.....3

Health Services: North East.....3

Human Papillomavirus: Vaccination.....3

Kevin Vickers.....3

Laxmanananda Saraswati .....4

Midwives .....4

NHS: Negligence.....4

Nigeria: Human Rights.....4

Nigeria: LGBT People.....5

Nigeria: Schools .....5

Students: Loans .....5

Territorial Waters: Security .....5