

267

24 March 1986
Marriage [LORDS]

Bill [H.L.]

4731

1268

[BARONESS SEEAR.]

I echo the noble Baroness, Lady Ewart-Biggs, in saying that I hope that time will be found for this Bill in the House of Commons. It is necessary that these changes should be made, and it would be a great pity if, after all the work that has been done, the Bill did not ultimately reach the statute book.

Viscount Davidson: My Lords, I should not like this Bill to pass without saying a few words on behalf of the Government. I have no doubt wearied your Lordships with repeating constantly that the Government remain neutral on the substantive issues which we have discussed during the passage of this Bill. If we have taken sides, as it were, it has been only for the purpose of suggesting drafting amendments. We have not sought to recommend any destination but only the best way to get there.

I should nevertheless like to say that the Government are happy with the outcome, and I trust that the noble Lord's Bill will have a fair passage through another place. If enacted, the Bill would, I think, remove from Parliament the great majority of those cases where a couple, in order to marry, have to promote a personal Bill in Parliament. It is costly to them; it takes up a lot of parliamentary time and, perhaps more seriously, it can be highly embarrassing to the couple concerned to hear intimate details of their lives discussed on the Floor of the House.

Many of your Lordships have described the personal Bills procedure as inappropriate. The noble Baroness, Lady Wootton of Abinger, and the noble Lord, Lord Lloyd of Kilgerran, have promoted general marriage enabling Bills. The noble Lord, Lord Lloyd of Kilgerran, withdrew his Bill in the knowledge of the group being set up by the most reverend Primate the Archbishop of Canterbury. The report of the group, *No Just Cause*, has provided the background to the debates in this House at all its stages. The minority report formed the basis of the original Bill, but the amended Bill has some features of the majority report, in that it makes some relaxation of restrictions on marriage between parents and children-in-law.

The Bill, if enacted, would remove most impediments to marriages between affines, those themselves related by marriage. This result is achieved by a Bill which is, one must admit, already of considerable complexity, but this is perhaps only to be expected when one considers the complications introduced by the various types of relationship, the need to balance the interests of the couple with the interests of society at large and the two legal systems. I should like to end, and I know that my noble and learned friend Lord Cameron of Lochbroom joins me in this, by congratulating the noble Lord, Lord Meston, on his foresight and tenacity in introducing the Bill and on successfully piloting it through your Lordships' House.

Lord Meston: My Lords, may I briefly thank all noble Lords who have spoken both this evening and throughout the passage of the Bill? It is, I hope, a useful Bill, with its origin in the report *No Just Cause*. I join in paying tribute to my noble friend Lady Seear for the excellence of that report, which has proved to be of great assistance to us in understanding the issues

involved in this sometimes complex area. I suggest that it has become a better Bill in its passage through your Lordships' House. It has been extended to Scotland. It has been extended, with qualification, to in-laws and it now has the additional safeguard of a minimum age of 21 years for marriage. It is a Bill which has enjoyed, I am grateful to say, constructive help and support and comment from all sides, not least from the Bench of Bishops, who added their considerable weight and authority to this Bill.

I am also grateful for the Government's stance on the matter. They have been benevolent, neutral and helpful. I am particularly grateful. I hope that that attitude will continue, if not improve.

The noble and learned Lord, Lord Denning, touched very sensibly upon the practicalities of how this Bill, if enacted, will work in practice. As I have already stressed several times in the passage of the Bill, there are safeguards written into it. There will nevertheless be difficult and borderline cases. They must be inherent in the deliberately vague definition of the "child of the family". But like the noble and learned Lord, I share the view that when these difficult cases arise it should be a matter for decision by the most senior judges who sit at first instance in this area of the law.

This is not a party matter. It is a Bill which will benefit people at all levels and all strata of society. I certainly hope this is a Bill which will have a fair wind and some of the Government's precious time in another place.

On Question, Bill passed, and sent to the Commons.

Yorkshire Water Authority Bill

Reported from the Unopposed Bill Committee, with amendments.

House adjourned at ten minutes past ten o'clock.

Written Answers

BLOOD DONATIONS FROM PRISONERS

Lord Avebury asked Her Majesty's Government:

Whether they are aware that the National Blood Transfusion Service policy is not to take blood from prisoners, on the grounds that there is a much higher proportion of prisoners who carry the virus responsible for transmitting jaundice than of the general population; what information they have about the proportion of these carriers among inmates and the general population respectively, and whether they will ask the NBTS to consider accepting prisoner donors subject to screening.

The Parliamentary Under-Secretary of State, Department of Health and Social Security (Baroness Trumpington): Regional Transfusion Directors (RTDs) have clinical responsibility for the acceptance of blood donors. They do not collect blood from groups known to be at risk from certain diseases.

I am advised that RTDs in England started to phase out collecting blood from prisoners in 1980. Among the factors which they took into account was the large number of donations from prisoners which routine screening for hepatitis showed could not be used. The available tests are not able to screen for all types of hepatitis virus or the presence of the virus in the early stages of the disease. The primary concern of the National Blood Transfusion Service must be to protect recipients of donated blood.

As collections from prisons have ceased, RTDs no longer have information on the relative proportion of blood donations from the general and prison population which could transmit hepatitis.

BLIND AND PARTIALLY SIGHTED PERSONS: COLLECTION OF DATA

Baroness Fisher of Rednal asked Her Majesty's Government:

Why the collection of data, now undertaken triennially, which includes the statistics of registered blind and partially sighted people in England and Wales, has not yet been produced for registrations as at 31st March 1985.

Baroness Trumpington: Statistics on the number of people registered as blind and partially sighted in England are normally collected from local authorities triennially and data on registrations at 31st March 1985 were due to be collected last year. This collection was deferred, exceptionally, until March 1986 in order to provide a check on a separate return due at that date, on form BD8, giving details of the causes of blindness and partial sight for new cases. We plan to publish the statistics this autumn. The normal three-yearly cycle of registration returns for blind and partially sighted people will be restored with the return relating to the position at 31st March 1988.

NORTHERN IRELAND: HEALTH CARE EXPENDITURE

Lord Blease asked Her Majesty's Government:

What was the percentage of the Northern Ireland gross domestic product spent on health care, for each of the last three years for which figures are available; and, for the same period, what was the actual estimated proportion spent under the publicly financed National Health Service.

The Parliamentary Under-Secretary of State, Northern Ireland Office (Lord Lyell): The information is not available in the form requested. Public expenditure on health and personal social services for 1982, 1983 and 1984 represented approximately 12.0 per cent., 11.9 per cent. and 11.7 per cent. of Northern Ireland's gross domestic product in those years.

NORTHERN IRELAND: SCHOOL BUS PASSES

Lord Melchett asked Her Majesty's Government:

Whether they can confirm that the Belfast Education and Library Board is withdrawing bus

passes from a large number of pupils in its area, and whether they will take steps to ensure that

- (i) existing parental choice is not restricted by withdrawing bus passes from those who choose a school more than three miles from their home; and
- (ii) existing comprehensive schools in Northern Ireland are treated in the same way as integrated schools, so that parents who cannot afford to pay for their children's transport remain free to choose comprehensive education for their children where it is available.

Lord Lyell: Bus passes are not being withdrawn. However, from the beginning of the 1986-87 school year there will be a change in the arrangements relating to secondary pupils which will generally restrict payment for school transport to the cost to the nearest appropriate school, being a school which can provide an education appropriate to age, abilities and aptitudes of the pupil, provided that it is more than 3 miles from the pupil's home; a parent may select a school other than the nearest on grounds of religious conscience.

Where a pupil living outside statutory walking distance of the school attended is deemed to be ineligible for the full payment of school transport costs, financial assistance not exceeding the cost of travel to the nearest appropriate school will be paid provided that school is outside the statutory walking distance from the pupil's home. Pupils presently enrolled will continue to receive school transport under the existing arrangements until they complete their school courses. When assessing applications for school transport made on grounds of religious conscience, boards have been asked to have regard to schools which have been specifically established to provide integrated education; this arrangement will not extend to comprehensive schools.

THE BUILDING INDUSTRY: SKILLS

Lord Graham of Edmonton asked Her Majesty's Government:

What are their views on the special survey by the Federation of Master Builders entitled *Manpower in the Building Industry, Shortages, Recruitment and Training*; and

Whether they accept the findings of a survey carried out by the Federation of Master Builders that 50 per cent. of labour shortages in the construction industry are due to a lack of training, and whether they will draw this to the attention of the Construction Industry Training Board; and

Whether they have noted that in a recent survey carried out by the Federation of Master Builders 59 per cent. of firms contacted reported a shortage of carpenters and 47 per cent. reported a shortage of bricklayers; and whether they intend to review training facilities for these trades; and

Whether their attention has been drawn to a survey carried out by the Federation of Master Builders which shows that 60 per cent. of firms contacted experiencing a shortage of labour stated that this was affecting their workload.