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(FORMED BY THE RT HON. THERESA MAY, MP, JUNE 2017)

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5 September 2017
House of Commons

Tuesday 5 September 2017

The House met at half-past Two o’clock

[Mr Speaker in the Chair]

PRAYERS

BUSINESS BEFORE QUESTIONS

Middle Level Bill

Motion made,

That the promoters of the Middle Level Bill, which originated in this House in the previous Session on 24 January 2017, may have leave to proceed with the Bill in the current Session according to the provisions of Standing Order 188B (Revival of bills).—(The Chairman of Ways and Means.)

Hon. Members: Object.

To be considered on Tuesday 12 September.

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Legal Aid: Access

1. Thelma Walker (Colne Valley) (Lab): What steps his Department is taking to ensure that people in each region of England and Wales have adequate access to legal aid providers.

The Lord Chancellor and Secretary of State for Justice (Mr David Lidington): The Legal Aid Agency regularly reviews the capacity of the legal aid market to cope with demand for legal aid and takes urgent action where any regional shortfall develops. I intend to look more widely at the impact of recent policy changes on access to legal aid as part of a forthcoming post-implementation review, about which I hope to be able to say more shortly.

Thelma Walker: The latest report from the Children’s Society, “Cut off from Justice”, found that in Yorkshire we saw a 56% drop in the availability of free immigration advice between 2012 and 2016. Given the acute vulnerabilities of unaccompanied children who need to access legal advice, will the Secretary of State commit to consider those children in the upcoming review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012?

Mr Lidington: There will certainly be an opportunity, as the hon. Lady wishes, for representations to be made and consideration to be given to that sort of change. While the most recent legislation did indeed exclude non-asylum immigration matters, much family law, including cases involving vulnerable children who might be taken into local authority care, is still eligible for legal aid.

Mr Philip Hollobone (Kettering) (Con): While it is undoubtedly true that fewer people have access to legal aid than was the case before the reforms, it is also true that lots of people who are entitled to legal aid are not getting it. What can the Justice Secretary do to make sure that those people receive the finance that they need to get the access to justice that they require?

Mr Lidington: If people believe that they are entitled to legal aid, I would strongly encourage them to apply to the relevant authorities and to one of the legal aid providers that are contracted to provide that kind of advice. Even after the exclusion of certain categories in the most recent legislative reform, last year’s legal aid expenditure still amounted to £1.6 billion, which is nearly a quarter of my Department’s entire expenditure.
Laura Pidcock (North West Durham) (Lab): Does the Minister believe that a greater number of people who have to represent themselves in court—so-called litigants in person—helps justice to be done in this country?

Mr Lidington: What is important is that we manage legal aid in a way that directs finite taxpayer resources to those cases where there is greatest need, and that we look actively for ways to simplify access to justice, including through the use of digital technology, so that people do not feel the need always to have that kind of professional representation.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Barely a third of immigration detainees even know that they are entitled to 30 minutes of free legal advice in England and Wales, and only half have ever been able to access it. Given the horror show in Brook House that we saw on last night’s “Panorama”, will the Government act urgently to ensure that all detainees get access to the free legal aid that they urgently require?

Mr Lidington: As the hon. Gentleman knows, the centre that was the subject of last night’s programme is accountable to the Home Office. My right hon. Friend the Home Secretary is concerned about the allegations and appropriate action is being taken.

On the hon. Gentleman’s broader point, legal aid is still available for asylum cases. I would certainly hope that appropriate measures are taken in every relevant establishment to bring those rights to the attention of anyone who is detained and might qualify for legal aid.

Gloria De Piero (Ashfield) (Lab): May I press the Secretary of State on a publication date for the legal aid review? Will he tell me how many people have been denied legal aid since the Government changed the criteria the Government have heard from?

Mr Lidington: I would hope to be able to give Parliament details in the relatively near future. I am conscious that this work has been promised. We have not yet been able to make an announcement, but the hon. Lady will appreciate that matters such as a general election and a change of Ministers have intervened. I want to press ahead with this as soon as possible.

Employment Tribunals: Rebates

2. Ronnie Cowan (Inverclyde) (SNP): When the Government plan to announce how rebate arrangements will work for people who have paid employment tribunal fees.

The Minister of State, Ministry of Justice (Dominic Raab): Following the Supreme Court judgment on employment tribunal fees of the end of July, we immediately stopped charging them. We are putting in place arrangements to refund those who have paid the fees in the past, and we will announce the practical, detailed arrangements shortly.

Ronnie Cowan: I have been contacted by a constituent who highlighted the stress and financial burden that was placed on them while going through an employment tribunal case that they ultimately won. Will the Minister ensure that those who are entitled to claim back employment tribunal fees are made aware of the process and reunited with their money in a timely fashion?

Dominic Raab: The hon. Gentleman is absolutely right that it can be quite an ordeal to go to an employment tribunal—or any tribunal—which is why I pay tribute to the conciliation work of ACAS. We will set out practical arrangements for the reimbursement of those fees. We want to ensure that all the points—particularly about people’s awareness—are properly thought through before we do that.

Robert Neill (Bromley and Chislehurst) (Con): The Women and Equalities Committee also called for changes in tribunal fees, particularly because they affect pregnant women and new mums, who have experienced significant increases in discrimination at work in the past 10 years. Will the Minister undertake to look at the other part of our recommendation, which is to increase the time limit from three months to six months for pregnant women and new mums to bring cases to court?

Mrs Maria Miller (Basingstoke) (Con): The Women and Equalities Committee also called for changes in tribunal fees, particularly because they affect pregnant women and new mums, who have experienced significant increases in discrimination at work in the past 10 years. Will the Minister undertake to look at the other part of our recommendation, which is to increase the time limit from three months to six months for pregnant women and new mums to bring cases to court?
Dominic Raab: We will certainly look into all aspects of the various Select Committee reports when charting the way forward.

Joanna Cherry (Edinburgh South West) (SNP): May I start by welcoming the Minister to his place?

The Supreme Court ruled that the secondary legislation that brought in the employment tribunal fees interfered with access to justice and employment rights, and that it discriminated unlawfully. Does the Minister accept that the Supreme Court’s judgment illustrates that fundamental rights such as equality and access to justice should not be changed or undermined by secondary legislation that receives little or no parliamentary scrutiny?

Dominic Raab: The hon. and learned Lady makes her point in a typically powerful way. The Supreme Court also recognised that fees can have a role to play. Of course, they do help to secure justice and access to justice by making the necessary resources available. Equally, we recognise that we got the balance wrong. That is why we have taken immediate action to end the fees. We will be coming up with proposals on the practical arrangements for reimbursement shortly.

Joanna Cherry: In 2015, the Scottish Government said that as soon as the power to do so was devolved—and that is pending—they would abolish employment tribunal fees. Does the Minister agree that the fact that the Scottish Government chose to do that voluntarily—the UK Government were forced to do so by the Supreme Court—shows that the case for the devolution of employment law to Scotland is strong so that the Scottish Government may protect the interests of Scottish workers and access to justice?

Dominic Raab: We are fully in favour of the principle of devolution. A whole range of justice matters have been devolved, and we will look very carefully at how we get the balance right.

Robert Jenrick (Newark) (Con): In the Supreme Court, Baroness Hale was very concerned about meritorious claims being put off by the fees. She also acknowledged that there are some unmeritorious claims, and those are the ones that damage relations in the workplace. Will the Minister consider fairer ways of sifting out unmeritorious claims, such as having a sift before the application is made into a full case?

Dominic Raab: My hon. Friend makes a strong point and that is certainly something we can look at. Equally, it is fair to say we got the balance wrong on the specific issue of fees. One of the strong elements we are looking to reinforce is the role of ACAS. We have seen that conciliation and the number of cases referred to conciliation have had a strong impact on reducing the number of cases that need to go to court or a tribunal.

Richard Burgon (Leeds East) (Lab): I wrote to the Secretary of State back in July to call on him to issue a full and unequivocal apology to working people for deliberately and unlawfully blocking their access to justice through employment tribunal fees. Last week, I received a wholly inadequate reply, which I have here. Will the Minister apologise today for the suffering that this policy has caused hundreds of thousands of working people?

Dominic Raab: We have conceded that we got the balance wrong. I am happy to say that I am very sorry for any frustration or deleterious impact that this has caused anyone who has been affected. That is why we are acting so quickly to end the charges and to make sure there are practical arrangements for the reimbursement of anyone affected by these fees.

Cyber-crime

3. Ms Marie Rimmer (St Helens South and Whiston) (Lab): How Government investment in (a) cyber-security and (b) the National Cyber Security Centre will support victims of cyber-crime; and if he will make a statement. [900666]

The Parliamentary Under-Secretary of State for Justice (Dr Phillip Lee): The Government are investing £1.9 billion to transform our ability to respond to the cyber-threats we face. This includes continuing to develop our support to victims of cyber-crime. I am committed to making sure that victims get the support they need to cope with and, as far as possible, recover from the effects of crime.

Ms Rimmer: Given that it is Government policy that victim support is commissioned locally by individual police and crime commissioners, is the Minister content that there is sufficient resource for victim support? Given the year-on-year increase in cyber-crime, and considering the national and international nature and background of cyber-criminals, does he not agree that a single, national approach to victim support would act as a better deterrent and a better support structure for victims, rather than allowing criminals to cherry-pick among the 43 police forces?

Dr Lee: As I made clear in my initial response, cyber-security policy does not sit with this Department—in fact, it sits with the Cabinet Office. Victim support funding has gone up from £51 million in 2010-11, and I was pleased to announce that it is going up to £96 million in 2017-18. Most of that is spent via PCCs. Importantly, I have put in place an audit of the performance of PCCs with regard to funding for victims’ services.

20. [900684] Alex Norris (Nottingham North) (Lab/Co-op): As crime changes and the focus on cyber-crime grows, what assurances can the Minister give us that police budgets will match that changed focus and that we will not see a loss of bobbies on the beat as resources are inevitably shifted?

Dr Lee: Unfortunately, I am not a Minister at the Home Office, so I cannot really respond in detail to that question. I would encourage the hon. Gentleman to write to the relevant Minister.

Mike Penning (Hemel Hempstead) (Con): When will we see the draft of the victims’ Bill, which was committed to by the Government and Her Majesty’s Opposition?
Dr Lee: I thank my right hon. Friend for his question. We committed to the victims’ Bill in the last manifesto. We are up against it in terms of parliamentary time, as I am sure he understands, but work continues on the legislation most likely to underpin the victims’ code.

Sir Edward Davey (Kingston and Surbiton) (LD): The Minister will recognise how vital international co-operation is in tackling cyber-crime. I hope he is aware of the excellent work done by Europol, with, for example, the UK sending over 400,000 malware files to its malware analysis service since its inception just two years ago. Have the Government decided whether the UK will stay part of that EU mechanism to fight cyber-crime?

Dr Lee: I hate to repeat myself, but the two policy areas to which the right hon. Gentleman refers do not sit within the Ministry of Justice. Cyber-security sits with the Cabinet Office and our membership of Europol sits with the Home Office.

Child Sex Abuse: Compensation

4. Sarah Champion (Rotherham) (Lab): What assessment his Department has made of the adequacy of compensation paid by the Criminal Injuries Compensation Authority in child sex abuse cases.

The Lord Chancellor and Secretary of State for Justice (Mr David Lidington): Child sexual abuse is abhorrent. The taxpayer-funded criminal injuries compensation scheme provides an important avenue of redress for victims and is accessible to victims of violent crimes, including physical and sexual assaults. The Criminal Injuries Compensation Authority administers the scheme and decides all claims individually, independently of Ministers and Parliament.

Sarah Champion: Will the Secretary of State commit to updating the guidance in three specific areas? First, children cannot be complicit in their own abuse. Secondly, as part of a grooming process, children are coerced into carrying out criminal activities. Thirdly, will he look at compensation for victims of family abuse under the same roof before 1979? At the moment, CICA is denying compensation on those grounds.

Mr Lidington: I am happy to look further at all three issues. Following some of the concerns expressed earlier this year, CICA decided to mount an urgent re-examination of its own internal guidelines—in particular, to make sure that there is no risk that a child could be disqualified from compensation because they had given consent when that consent had, in effect, been forced from them by a subtle process of grooming. The Department is also aware of concerns that have been raised about how the rules of the scheme work more generally in relation to cases of child sexual abuse. We are talking to organisations such as Barnardo’s and Victim Support in detail about those concerns and the reforms that they propose to deal with them.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): If it is a criminal offence to have sex with a child, how is such an offence anything but a crime of violence? To say that child victims cannot receive compensation for their abuse is simply victim blaming. The definition of a crime of violence was last reviewed five years ago. When will this be reassessed to ensure that sexually abused children are not denied compensation?

Mr Lidington: As I have said, we are discussing with the various charities the concerns that they have expressed. If the hon. Lady’s point was about the distinction that CICA makes between consent in law and consent in fact, this has been written into the law since it was first introduced by the previous Labour Government, I believe, and administered during their time in office. Its purpose was to ensure that we did not end up in a situation where, for example, two 15-year-olds engaging in sexual intercourse automatically led to a claim for compensation—it would be left to the authority to look at the facts of the case. I am very willing to look at, and CICA is already looking at, the guidance that applies to individual cases, but we should not lose sight of the fact that there was a reasonable motive behind the law as it was originally drafted.

James Gray (North Wiltshire) (Con): No one will deny the absolute right and need of victims to receive proper compensation from CICA under these conditions, but does not the Secretary of State agree that there may be occasions—as in, for example, the very grave allegations made against the late Sir Edward Heath—when the informant is incentivised in one way or another to make the allegation by the likelihood of getting some kind of compensation? Should not the compensation wait so that the outcome of the investigation is known before the person making the allegations is paid?

Mr Lidington: The scheme operates to provide compensation for people who are victims of crime. Probably all of us, as constituency Members, can think of cases when somebody has been the victim of an assault, but it has been impossible to successfully prosecute the person or people responsible. A direct link to a trial and conviction is therefore not in the scheme. However, I do agree with my hon. Friend that if there is evidence that compensation has been sought fraudulently, the authority ought to seek the necessary legal action to recover those funds.

Offenders: Education and Employment

5. Rebecca Pow (Taunton Deane) (Con): What steps the Government are taking to improve offenders’ access to education and employment.

16. Matt Warman (Boston and Skegness) (Con): What steps the Government are taking to improve offenders’ access to education and employment.

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): Education and employment opportunities are crucial to help offenders to turn around their lives. In line with our reforms, every prisoner will have a personal learning plan linked to their sentence plan. To make this reform effective, we are giving governors control over their education budgets to organise courses that fit prisoners’ needs.

Rebecca Pow: Gardening and horticultural schemes for growing edible crops are increasingly being incorporated into prison programmes and programmes for those on remand up and down the country, giving offenders transferrable skills and offering them future employment.
opportunities, as well as encouraging self-confidence and, quite often, transforming unattractive concrete yards into much more pleasant green spaces. Has a formal assessment been made of some of those programmes, with a view to rolling out the best of the models even more widely?

Mr Gyimah: My hon. Friend is right. I remember visiting Rye Hill prison near Daventry and seeing the pride with which prisoners tended their gardens; they spent hours doing so. She may be aware of the Royal Horticultural Society Windlesham trophy award, which is judged by an independent panel that looks at the best gardening schemes across the prison estate. If she does not mind, I should be delighted to put her name forward to be a judge.

Matt Warman: Category D prisons often have the very best examples of rehabilitation as they prepare to let their prisoners back into the community. North Sea Camp in my constituency has worked with the council not only on that rehabilitative work to prepare prisoners for work but, for example, on fly-tipping, saving the taxpayer £300,000. Does the Minister agree that the other prisons in the sector can learn from category D’s rehabilitative practices, and will he come to North Sea Camp and have a look at how well they can work?

Mr Gyimah: My hon. Friend has lighted on an important principle. Work in prison is vital to preparing prisoners for life after release—North Sea Camp has an excellent example—which is why I am supporting the New Futures Network to develop relationships between employers, governors and the world of work. I would be delighted to visit North Sea Camp in due course.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I have never heard such complacency from the Government. The Prison Service is a shambles, and at the heart of that shambles is the lack of education, the lack of literacy, the lack of numeracy and the lack of apprenticeships—services that, as they are for our Scandinavian brethren, should be in every prison. When is the Minister going to wake up?

Mr Gyimah: The hon. Gentleman has come back from his summer holiday with his customary passion. I agree that if prisons are to work properly we need to give people the opportunity to turn their lives around. Prison reform is important to this Government. That is why we are giving governors more control of their budgets and more freedom to implement the plans that are necessary for offenders to turn their lives around. I share his concern and his passion, and such work is a priority for this Government.

Kate Green (Stretford and Urmston) (Lab): How will the personal learning plans of which the Minister has just spoken operate when a prisoner is transferred from one prison to another, so that there is progression on all the courses. I completely agree with her, but we are looking at it.

21. [90065] David Warburton (Somerton and Frome) (Con): If prison is to achieve anything, it must change lives. It has the best chance of doing that if we offer people both education and assisted places in work on release. Given that three fifths of offenders still leave prison without identified education or any employment opportunities, will my right hon. Friend the Secretary of State or my hon. Friend assure us that these programmes will be at the centre of the prison system and describe how these policies are being adjusted for greater success?

Mr Gyimah: My hon. Friend is right. About 50% of prisoners have the reading age and numeracy skills of an 11-year-old. If we are to give them a chance in life, we need to sort out education, but we also need to give them employment skills that are valued in the workplace. That is why prison reform, which is at the heart of the White Paper that the Government published last November, is carrying on at pace.

Imran Hussain (Bradford East) (Lab): The chief inspectors of prisons and of probation recently issued a devastating report on the Government’s flagship community rehabilitation companies, which stated: “None of the prisoners had been helped into employment by through-the-gate services.” Will the Minister commit to an urgent review of the role of CRCs, including their delivery of education and employment services, and will he guarantee that no extra money will be passed on to those private companies until they can be proven to be fit for purpose?

Mr Gyimah: The probation reforms that the previous Conservative Government rolled out mean that 45,000 offenders who previously would not have been supervised, because they had been in prison for less than 12 months, are now being supervised. The hon. Gentleman is right that there are challenges with what is a first-generation outsourcing programme. We have an ongoing probation review and extra funds have been invested in the CRCs, but we are still within the funding envelope that was decided at the start of the programme. We are carrying out the review to make sure that through-the-gate and other services operate as envisaged in the original vision.

Prisons: Extremism and Radicalisation

6. Michael Tomlinson (Mid Dorset and North Poole) (Con): What steps the Government are taking to counter extremism and radicalisation in prisons. [900669]

13. James Cleverly (Braintree) (Con): What steps the Government are taking to counter extremism and radicalisation in prisons. [900676]

The Lord Chancellor and Secretary of State for Justice (Mr David Lidington): We have established a new extremism unit, between Her Majesty’s Prison and Probation Service and the Home Office, to strengthen our approach to
tackling the threat of extremism in prisons and probation. Prison governors and frontline staff in prisons and the probation service are being given the training, skills and authority needed to challenge extremist views and take action against them. The first separation centre at HMP Frankland in County Durham was opened in June 2017, and the first prisoners are now being held there. Those facilities will hold the most subversive extremist prisoners, protecting the more vulnerable from their poisonous ideology.

Michael Tomlinson: I am grateful to the Secretary of State for that answer, and it is right to say that extremists target and manipulate the prisoners who they think will be most susceptible. Given his answer, what impact does he anticipate the removal of such individuals will have on the prison population as a whole?

Mr Lidington: The decision to proceed with the separation centre was taken only after very careful thought. We judged that it would be beneficial for the general prison population, and in particular for vulnerable and impressionable prisoners, if we could take out of association with them those who pose the greatest risk. Those who are going to be in separation centres will be assessed by experts regularly, and they will be returned to the mainstream prison population only if it is judged that the risk they present has reduced to a level that can be effectively managed there.

James Cleverly: Many young men start their journey towards radicalisation by seeking out in prison the strong male role models they so often lack in their lives outside. What is the Department doing to ensure that there are more better role models within the prison estate to guide them on to a better path?

Mr Lidington: My hon. Friend makes a powerful point, which I think has relevance not just to matters of penal policy but to social policy more generally. Many charitable and voluntary organisations are helping—for example, by bringing sport into prisons—to provide the adult male role models of whom he wants more. In the context of extremism, it is also important to pay tribute to the work of the imams in the prison chaplaincy service who are arguing, from a basis of scholarship and expertise, to rebut the extremist ideology that some are espousing.

Keith Vaz (Leicester East) (Lab): Figures from the right hon. Gentleman’s own Department show that there are approximately 1,000 prisoners who have either been radicalised or are vulnerable to being radicalised. When they leave prison, those such as Khalid Masood, the Westminster terrorist, need to be effectively monitored. Is the Lord Chancellor satisfied that there is a sufficiently robust relationship between the police and the prison authorities to make sure that when such people come out of prison we know where they are and what they are doing?

Mr Lidington: The information we have is that only one of those involved in the recent attacks in London and Manchester had spent time in prison. That dated back to 2003 and there was no evidence to suggest that that man had been radicalised in prison. We clearly want the strongest possible joint work between the police, the Prison Service and the probation service. I believe that what we have at the moment is strong, but there are always lessons that can be learned and improvements that can be sought. We are committed not to be complacent but to continue with vigilance and determination.

Susan Elan Jones (Clwyd South) (Lab): The Secretary of State spoke in his initial answer of a new initiative. Does that come with new money and, if so, is it adequate?

Mr Lidington: It is part of the duty of the Prison Service appropriately to look after all those whom the courts have sent into custody. We have found the money for the separation centres from within Ministry of Justice budgets—a sensible prioritisation of expenditure that will bring benefits to the management of the prison population more generally by separating those who pose a particular risk through extremist ideology.

Child Sexual Exploitation: Sentencing

7. Lucy Allan (Telford) (Con): What assessment the Department has made of the adequacy of sentencing for crimes involving child sexual exploitation.

The Minister of State, Ministry of Justice (Dominic Raab): We have a robust sentencing framework for all crimes involving child sexual exploitation. The changes made in the Criminal Justice and Courts Act 2015 reinforced those punishments, giving the Parole Board a greater role to make sure that serious offenders are released only when it is safe.

Lucy Allan: Mubarek Ali will be released from prison on 1 November, five years after receiving a sentence of 22 years for child sexual exploitation in Telford. As the Minister just said, legislation was passed in 2015 to ensure that most serious offenders cannot be released until they have served two thirds of their sentence and satisfied the Parole Board that they are not a risk. What can he do to ensure that that legislation applies in this case?

Dominic Raab: I am aware of the case my hon. Friend raises, and of the heinous crimes that were committed and the appalling impact they had on the victims. She will know that the overhaul of the sentencing framework between 2012 and 2015 means that that type of sentence would not now be passed in that type of case. She will also appreciate that I cannot intervene in individual cases and that changes to legislation to strengthen sentences cannot be passed retrospectively. That is the problem and challenge in this case.

Jim Shannon (Strangford) (DUP): Bearing in mind that 56% of all victims of sexual offences in Northern Ireland in 2011 were under the age of 18, will the Minister outline the multi-regional approach that will be taken to deal with the aftermath of the sexual exploitation of children in the transition to adulthood?

Dominic Raab: That is a detailed and complex area, and I would be happy to write to the hon. Gentleman on its impact in Northern Ireland.
Lisa Nandy (Wigan) (Lab): One barrier to successful prosecutions in child sexual exploitation cases is the fact that, too often, victims are wrongly thought to be complicit in their own exploitation. That highlights the importance of the issue my hon. Friend the Member for Rotherham (Sarah Champion) just raised. There must be absolutely no suggestion in any Government guidance that children can be complicit in their own exploitation. That is why the guidance from the Criminal Injuries Compensation Authority needs to be changed—and needs to be changed now.

Dominic Raab: The hon. Lady makes a powerful point. No one wants to lay the blame at the door of any victim, let alone the most vulnerable—in this case children. She heard what the Secretary of State said about CICA: it will be looked at in the context of the issues that have arisen recently. It operates in a different context from the criminal justice system, in that it can apply when there has not been a criminal conviction.

**Drones**

8. Wendy Morton (Aldridge-Brownhills) (Con): What steps the Government are taking to prevent the use of drones over prisons.

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): Drones are a serious threat to order and stability in our prisons, given the contraband that they are used to smuggle. Our intelligence work tells us that a lot of this activity is backed up by organised crime gangs. That is why we have invested in our intelligence teams. There is also a specialist unit between the Prison Service and the police service to track down and prosecute such offenders. In the last year alone, there have been 40 arrests and 11 convictions of criminals involved in drone activity, resulting in those convicted serving a total of 40 years in jail.

Wendy Morton: With offenders being more than twice as likely to be reconvicted within 12 months of release from custody if they are known drug users, what work is being done to tackle the supply—potentially using drones—of drugs into our prisons?

Mr Gyimah: Drones are one way in which drugs are smuggled into our prisons, but we are looking at all possible ways. For example, paper is sometimes impregnated with new psychoactive substances, which makes them very difficult to detect. The way to tackle the supply is to get intelligence not just from each establishment but from different parts of the Prison Service so that we can respond appropriately. We are investing heavily in doing so to combat the drugs problem in our prisons.

Mr Speaker: We are now substantially better informed.

David Hanson (Delyn) (Lab): The escape in February of a convicted murderer serving a 30-year sentence was linked to the dropping of a mobile phone into a prison in Liverpool using a drone so that he could liaise with villains outside to effect his escape. What steps is the Minister taking to enhance and expand the scheme that he has put in place to disrupt drones over prisons? In passing, has he found the prisoner yet?

9. Ellie Reeves (Lewisham West and Penge) (Lab): What assessment his Department has made of the reasons for recent trends in the number of employment tribunal cases.

The Minister of State, Ministry of Justice (Dominic Raab): In 2014, the Government introduced a requirement for potential claimants to consider conciliation before starting proceedings at the employment tribunal. The number of cases going to conciliation quadrupled, rising to 92,000 in 2015-16.

Ellie Reeves: In the year after employment tribunal fees were introduced, sex discrimination claims fell by 67% and pregnancy discrimination claims by 37%. The Supreme Court made it clear in its recent judgment that fees disproportionately affected women. The Minister has outlined plans to reimburse those who have submitted claims, but what steps will be taken to compensate people who were denied access to justice because they could not afford to pursue a claim in the first place?

Dominic Raab: The hon. Lady is right to refer to the ending of the fees and the proposals for reimbursement that we will bring forward shortly. If there were potential claims that should have been made but were not, anyone who was unable to bring a claim can submit to the employment tribunal to have their case heard outside the usual time limits. The judiciary will consider those applications case by case.

**European Court of Justice**

10. Carol Monaghan (Glasgow North West) (SNP): What his Department’s policy is on the jurisdiction of the European Court of Justice in the UK after the UK leaves the EU.

The Lord Chancellor and Secretary of State for Justice (Mr David Lidington): The Government have been clear that in leaving the EU we will bring about an end to the direct jurisdiction of the Court of Justice of the European Union in the United Kingdom.

Carol Monaghan: As you know, Mr Speaker, Scotland has its own distinct legal system. Brexit will have a direct impact on that system, on justice agencies in Scotland and on a range of devolved issues. Will the Secretary of State confirm that that distinction will be given serious consideration as the Brexit negotiations progress?
Mr Lidington: Yes. Indeed, when I spoke to the Scottish Justice Minister Michael Matheson last month I emphasised to him that one of our key objectives in the official and ministerial-level meetings between my Department and his would be to ensure that the interests and features of the Scottish justice system are properly reflected in the UK’s work, particularly on future civil judicial co-operation with the European Union.

Brendan O’Hara: In January, the Prime Minister boldly and unambiguously asserted that Brexit would allow the UK to take back control of its laws and bring to an end the jurisdiction of the European Court of Justice in Britain. Last month, however, the official Government document on the ECJ said something entirely different: Britain would be willing to work with the EU on arrangements for judicial supervision. Given that remarkable change, how did the Prime Minister get it so wrong in January?

Mr Lidington: The hon. Gentleman is misreading the Government’s position. The Prime Minister was very clear in her Lancaster House speech, as the Government have been, that this country’s exit from the European Union means that the EU’s treaties will cease to apply to the United Kingdom and that therefore the direct effect that decisions of the Court of Justice of the European Union have in the United Kingdom will cease from that point. What is also the case, as spelled out in the Government paper on dispute resolution, is that there are many international examples of arbitration mechanisms that involve different jurisdictions coming together to agree how to take account of their different courts’ views in coming to a settlement when a dispute arises. We are approaching these negotiations in a constructive fashion.

Courts: Victims and Witnesses

11. Edward Argar (Charnwood) (Con): What steps the Government are taking to improve the court experience for victims and witnesses.

Mr George Howarth (Knowsley) (Lab): The Minister will be aware that decisions on the support received by police and crime commissioners to work with victims or defendants—or the extent of expected savings—into the effects of virtual justice reforms on witnesses—victims or defendants—or the extent of expected savings. Will the Minister guarantee that research into these key areas will be done and published in advance of the Bill being brought back to the House?

Yasmin Qureshi (Bolton South East) (Lab): Prior to the introduction of the Prisons and Courts Bill in the previous Parliament, no research had been carried out into the effects of virtual justice reforms on witnesses—victims or defendants—or the extent of expected savings. Will the Minister guarantee that research into these key areas will be done and published in advance of the Bill being brought back to the House?

Mr Lidington: We are consulting a variety of different agencies and the Victims’ Commissioner on the work to which the hon. Lady alludes. We are in the process of testing pre-recorded cross-examination at a number of centres across the country.

Several hon. Members rose—

Mr Speaker: I would not want the hon. Member for Yeovil (Mr Fysh) to feel that he was out of the water in some way. I call Mr Marcus Fysh.

22. Mr Marcus Fysh (Yeovil) (Con): Justice delayed can be justice denied. It can also be very distressing for victims and witnesses, such as constituents of mine, to suffer repeated delays in the scheduling and notification...
of hearing dates and the notification of verdicts, which in some cases have even been learnt from the opposing parties. What can be done to improve court processes and timeframes, and their communication?

Dr Lee: All criminal justice agencies are committed to keeping victims and witnesses informed about their cases. The outcomes of cases involving vulnerable victims and witnesses are available in court systems within 24 hours. Professionals who are involved in a case and are present on the day will know the outcome immediately. If my hon. Friend is aware of details of any other cases in which that may not be happening, will he please write to me? I will then respond.

Prison Officers: Recruitment

12. Alex Cunningham (Stockton North) (Lab): How many additional prison officers have been newly recruited since January 2017.

[900675]

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): Between the start of January and the end of June 2017, there has been a net increase of 868 new prison officers. That puts us well on track to recruit 2,500 new officers by December 2018.

Alex Cunningham: The Minister will be aware of the major drug finds and related problems at Holme House prison in my constituency, where experienced officers have left and have been replaced by 18-year-old recruits. Does he really think that recruiting youngsters is the answer when it comes to meeting the needs of our increasing prison population, tackling drugs, and solving the crisis in the Prison Service?

Mr Gyimah: I take issue with the implication behind the hon. Gentleman’s question. We are recruiting new prison officers. We were all inexperienced once, but that did not mean that we were not capable of doing our jobs. I have been to the Newbold Revel training centre; I know that many of our recruits are of the highest calibre, and that the recruitment methods are those that have been used over a number of years. The Opposition did not believe that we could deliver these numbers, but we are delivering them, and I think that the Opposition should be supporting the Government.

Mr Peter Bone (Wellingborough) (Con): As a result of the Government’s excellent policy, a new, modern prison has been built in Wellingborough. Can the Minister tell me how many of the new prison officers will be available in Wellingborough?

Mr Gyimah: I will certainly write to my hon. Friend. The staffing arrangements at Wellingborough have not been decided yet, but we are very keen to be progressive in opening the prison.

Richard Burgon (Leeds East) (Lab): The Minister is boasting about the number of prison officers who have been recruited this year, but the Ministry’s own figures show that 35 prisons—a third of the total—have suffered a fall in frontline officer numbers since January this year. Is this another example of what the former director-general of the Prison Service now describes as Ministers “doing nothing except issue cheery press releases…which suggest all is going precisely to plan”?

Mr Gyimah: It has nothing to do with “cheery press releases”. There are 868 people on the payroll, who have started work in our prisons and are doing a heroic and brave job. We promised to invest £100 million to recruit 2,500 new officers by the end of 2013, and we are on track to deliver that target. Of course there are wider issues in our prison system, such as the retention of officers, but we are working on those. We are also going beyond that, recruiting smart graduates to work on the frontline, and we have exceeded our targets for the Unlocked programme.

Those are not boasts. It was the Opposition who talked prison officers down and said that no one would want to work in our prisons. It is good to see people stepping up to do what is a brave and challenging job.

Topical Questions

T1. [900704] Mr Philip Hollobone (Kettering) (Con): If he will make a statement on his departmental responsibilities.

The Lord Chancellor and Secretary of State for Justice (Mr David Lidington): My priorities as Lord Chancellor and Secretary of State are to uphold and defend the rule of law and the independence of the judiciary, and to ensure that our prisons are safe and secure places that also work effectively, and with the probation service, to rehabilitate offenders. That means strengthening the frontline in the way described by the Under-Secretary of State for Justice, my hon. Friend the Member for East Surrey (Mr Gyimah), but it also means that we need to respond better to reports from prison inspectors. I am therefore setting up a new unit, ultimately accountable to Ministers, to ensure that we respond to, and follow up, inspectors’ reports swiftly and effectively.

Mr Hollobone: How many foreign-national offenders are there in our prisons, and why is not more being done to send them to secure detention in their own countries?

Mr Lidington: As of 30 June this year, there were 6,792 convicted foreign-national offenders serving sentences in our prisons. In 2016-17, we removed 6,177 such offenders from the United Kingdom—that is including prisoner transfers—and that is the highest number since records began.

Mr Speaker: I hope the hon. Member for Kettering (Mr Hollobone) will shortly reissue his textbook for colleagues on succinct questions.

Richard Burgon (Leeds East) (Lab): This summer I was proud to sign up to the campaign launched by Gina Martin to change the law so that the disgraceful practice of so-called upskirting is made a specific sexual offence. So will the Minister finally join with us today in backing this call for a change in the law?

Mr Lidington: I have taken very seriously the representations made not only by Gina Martin, but by some of the police and crime commissioners around the country. I have asked for detailed advice on this, but I hope the hon. Gentleman will understand that, before proceeding to a commitment to legislation, I want to be absolutely certain that this would be the right course to take.
Dominic Raab: What the public expect is for those fines to be collected in the most efficient and effective way possible.

T9. [900712] Paul Scully (Sutton and Cheam) (Con): Can the Minister update me on when the revised version of practice direction 12J will be adopted and how the Government will ensure that judges and magistrates are aware of the change in order to improve guidance for judges overseeing child contact cases with allegations of domestic abuse?

Dominic Raab: We are absolutely committed to doing everything we can to improve the treatment of victims in the justice system. In relation to the practice direction to which my hon. Friend refers, we expect to receive the revised version from the president of the family division for ministerial agreement by the end of this month.

T6. [900709] Ellie Reeves (Lewisham West and Penge) (Lab): Since the election, hundreds of constituents have contacted me about our current animal cruelty laws, which are not fit for purpose. A maximum prison sentence of six months for some of the most appalling crimes, including torturing a dog to death, is completely unacceptable. What steps will the Minister take to ensure that the sentencing guidelines are rigorously reviewed and strengthened?

Dominic Raab: I share the hon. Lady's desire to see the most robust sentences for animal cruelty. The Government keep the sentencing framework under regular review, and I am not sure whether she is aware that in January the Sentencing Council published new guidelines on relevant aggravating factors in animal cruelty cases.

Alex Chalk (Cheltenham) (Con): In the past 18 months, three of my constituents have died in HMP Bristol, which has one of the highest numbers of self-inflicted deaths in custody. What reassurance can be provided that that prison is being given the scrutiny and support that it needs to get those figures down?

Mr Gyimah: Every death in custody is a tragedy, and I offer my condolences to the families of my hon. Friend's constituents. We have increased the staffing level at HMP Bristol by 31 prison officers in the past year. I chair a weekly safer custody meeting with officials to drive forward improvements, and I review the details of every self-inflicted death to see how we might prevent others. We have also launched an internal review of our approach to safer custody, specifically in relation to mental health patients, and I would be willing to visit my hon. Friend's prison in order to deal with this further.

T7. [900710] Carol Monaghan (Glasgow North West) (SNP): Last week, a Tory peer said that Brexit was a good thing because our young people would be able to work longer hours. Can the Minister confirm that his Government will continue to guarantee protections for workers in accordance with the European working time directive?

Mr Lidington: The Prime Minister could not have been clearer: we are committed to the best possible employment conditions for all British workers. We have
a fine record of achievement on that, and we will ensure that when we leave the European Union, there is no diminution in workers’ rights.

Henry Smith (Crawley) (Con): In January last year, an Afghan national who had previously served time for murder in the Netherlands attacked two Crawley police officers with a claw hammer. Recently, the Court of Appeal has reduced his sentence. Can my right hon. Friend assure me that the Sussex Police Federation’s requests to the Home Office will ensure that he is deported at the earliest opportunity?

Mr Lidington: I can give my hon. Friend an assurance that the views of the Police Federation and others in his constituency will be conveyed fully to the Home Office. It remains the Government’s collective will to ensure that those foreign national offenders who merit deportation are deported as soon as possible after serving their sentence.

Dominic Raab: I am always bewildered by the approach of the Opposition to the charter. When Labour was in power, it claimed, rather fraudulently, that it was seeking an opt-out, but now that it is out of office and we are leaving the EU, it wants to opt back in. We have the strongest protections for human rights in this country, and they have been reinforced. We are going to see no diminution in those protections, but the charter adds uncertainty and is frankly surplus to requirements.

Mr John Whittingdale (Maldon) (Con): Does my hon. Friend agree that the pilot scheme that allowed the filming of judges’ sentencing remarks in criminal courts has been a success? Will he now consider going further in allowing the broadcasting of court proceedings, so that justice is not just done but seen to be done?

Dominic Raab: We have made considerable progress in the Supreme Court and the Court of Appeal, and my right hon. Friend is right to say that one of the areas under review is the broadcasting of judges’ sentencing remarks in the Crown court. Last year, we conducted not-for-broadcast tests in eight Crown court centres, and we are looking at the experience from those trials with the judiciary in order to see how best to proceed.

T8. [90071] David Linden (Glasgow East) (SNP): Is the Minister aware that the Equality and Human Rights Commission has recommended that the protections afforded by the EU charter of fundamental rights be retained in the UK? What is he going to do about that?

Ms Esther McVey (Tatton) (Con): Having recently met the governor of Styal prison in my constituency, I know that drones are an increasing problem in prisons, as is the illegal use of mobile phones. The two are linked because mobile phones allow for greater frequency and accuracy of drone activity. Does the Minister agree that the way to curb drone activity and stop illegal mobile phone use is to block phone signals in prison? Will he support my private Member’s Bill to do that? The Second Reading is on 1 December.

Stephen Kinnock (Aberavon) (Lab): The Minister’s plans to build a prison on the Baglan industrial park in my constituency are causing a huge amount of concern and disquiet within the community. May I urge the Minister to come to the public meeting that I have organised on 20 September in Baglan to explain the position to the community?

Mr Gyimah: The hon. Gentleman is aware that Ministers do not attend public consultation events about obtaining planning permission for new prisons. He is also aware that the Port Talbot site was proposed alongside several other sites by the Welsh Government, who continue to support us in redeveloping the site for the purpose of the new prison. I have received his representations on behalf of his constituents—he is diligent and persistent—and we also had a meeting on 12 July. Subject to the two-day consultation, which is more than would ordinarily happen, I am willing to engage further with him on what could be done to ameliorate his constituents’ concerns.
Several hon. Members rose—

Mr Speaker: Order. We often have time for the questions but rather less time for the answers, which tend to take up rather more time.

Andrew Selous (South West Bedfordshire) (Con): Will the Secretary of State look at how families are treated by the insurance industry when a householder gets a criminal conviction? The Salvation Army recently highlighted several cases in which insurance had either been denied or made prohibitively expensive in a way that seems to me, as a former chartered insurer, to be neither reasonable nor necessary.

Mr Liddington: I am happy to look at that and would welcome a conversation with my hon. Friend to examine the matter further.

Mr Speaker: With exemplary brevity, Ann Clwyd.

Ann Clwyd (Cynon Valley) (Lab): Thank you, Mr Speaker. Given the historical child abuse in north Wales, will Ministers now place in the Library the unredacted copy of Lady Macur’s report on the Waterhouse inquiry, which relates to many of the children involved?

Mr Liddington: The honest answer is that I am not familiar with the detail as to why an unredacted copy has not been published, but I will undertake to ask for urgent advice on that and will write to the right hon. Lady.

Mr Speaker: I will call the hon. Member for Bromley and Chislehurst (Robert Neill) if he confines himself to a short sentence.

Robert Neill (Bromley and Chislehurst) (Con): Will my right hon. Friend join me in paying tribute to the work of Lord Thomas of Cwmgiedd, the Lord Chief Justice, who will have retired by the next Justice questions, and his exemplary leader of the professional judiciary. What has struck me in the short time that I have held my office is the enormous respect and affection in which Lord Thomas is held by his colleagues on the judicial bench. I am sure the entire House will want to wish him all the best.

Mr Liddington: I am happy to join my hon. Friend in paying tribute to the work as head of the judiciary in England and Wales? What is the barrier of fees has been removed, will the Minister look seriously at the report’s recommendations and work with other Departments to ensure that women are aware of their access to justice?

Dominic Raab: As I explained earlier, we will take into account all the recommendations and findings of the Select Committee report as we chart the way forward.

Dr Julian Lewis (New Forest East) (Con): Did the Secretary of State read the letter in the press by the widow of our late colleague, Ian Gow, contrasting the fact that the two IRA murderers suspected of killing him have no fear of arrest with the recent revelation that hundreds, if not thousands, of letters are being sent out to veterans of the troubles with a view to further prosecutions? Will he support the policy of a statute of limitations to put an end to this grotesque inequality of treatment?

Mr Liddington: The answer to my right hon. Friend’s question is that, yes, I did read the letter to which he refers. Those matters, as he knows, are the responsibility of my right hon. Friend, the Secretary of State for Northern Ireland, who is very concerned to ensure that a proper examination of the past, and a search for the truth about the past, does not lead to the unfair and disproportionate arraignment of British soldiers who stood firmly for democracy and human rights in Northern Ireland.

Several hon. Members rose—

Mr Speaker: Order. I am afraid that we are well out of time, but we will hear Shabana Mahmood.

Shabana Mahmood (Birmingham, Ladywood) (Lab): As I explained earlier, we will take into account all the recommendations and findings of the Select Committee report as we chart the way forward.

Dr Julian Lewis (New Forest East) (Con): Did the Secretary of State read the letter in the press by the widow of our late colleague, Ian Gow, contrasting the fact that the two IRA murderers suspected of killing him have no fear of arrest with the recent revelation that hundreds, if not thousands, of letters are being sent out to veterans of the troubles with a view to further prosecutions? Will he support the policy of a statute of limitations to put an end to this grotesque inequality of treatment?

Mr Liddington: The answer to my right hon. Friend’s question is that, yes, I did read the letter to which he refers. Those matters, as he knows, are the responsibility of my right hon. Friend, the Secretary of State for Northern Ireland, who is very concerned to ensure that a proper examination of the past, and a search for the truth about the past, does not lead to the unfair and disproportionate arraignment of British soldiers who stood firmly for democracy and human rights in Northern Ireland.

Several hon. Members rose—

Mr Speaker: Order. I am afraid that we are well out of time, but we will hear Shabana Mahmood.

Shabana Mahmood (Birmingham, Ladywood) (Lab): The Minister will be aware of the serious disorder at HMP Birmingham in my constituency on Sunday, which follows the very serious riot in December 2016 and serious incidents at other prisons across the country over the summer months. Clearly our prisons are in absolute crisis. Is it not time that we had an independent inquiry into the state of our prisons?

Mr Gyimah: We have already said that the level of violence in our prisons is too high. I spoke to the Gold Commander at HMP Birmingham on Sunday night, and we should first praise the professionalism of the Prison Service in dealing with what are very difficult and very challenging situations in our prisons. Of course, a key part of dealing with the stability and security problem in our prisons is increasing the staffing levels, on which there has been a number of questions today, and we are doing so. A wider part of the reforms is dealing with drones, mobile phones and illegal drugs, and it will take time to do that, but I praise our prison officers for their brave work in containing these disturbances.
Violence in Rakhine State

3.42 pm

Yasmin Qureshi (Bolton South East) (Lab) (Urgent Question): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent violence in the Rakhine state of Myanmar.

The Minister for Asia and the Pacific (Mark Field): I am grateful to the hon. Member for Bolton South East (Yasmin Qureshi) for raising this matter and giving the Government the opportunity to detail the significant action we have taken. Overnight on 24 August, members of the Rohingya militant group the Arakan Rohingya Salvation Army—the ARSA—attacked numerous police posts in northern Rakhine. Even in the days prior to that escalation of hostilities, our embassy in Rangoon had been monitoring the situation very carefully, including travelling to the Rakhine state capital, Sittwe. We understand that tens of thousands of people have crossed the border into Bangladesh.

Kofi Annan’s Rakhine advisory commission report was published immediately prior to the attacks. The Minister of State, Department for International Development, my right hon. Friend the Member for North East Bedfordshire (Alistair Burt), and I issued a joint statement at that time welcoming the report, but also condemning the attacks by Rohingya militants on Burmese security forces. At the same time, the UK strongly urged the security forces in Rakhine to show restraint and called for all parties to de-escalate the tensions.

On 30 August, at the UK’s request, the UN Security Council discussed the situation in Rakhine. Our UK representative in New York led the condemnation of attacks by Rohingya militants, and urged a measured and proportionate response from the security forces. We also called for humanitarian aid to reach those in need as soon as possible and offered UK support for the Rakhine advisory commission, encouraging the international community to do likewise. The recent violence serves to underline how important it is to address the long-term issues in Rakhine and deliver for all communities; it should not deflect the Burmese Government from the key task of addressing the underlying issues that have caused people to flee. As my right hon. Friend the Foreign Secretary has said, it is vital that the civilian Government of Burma receive the support of the Burmese military, and that Aung San Suu Kyi is not thwarted in her attempts to stabilise the situation.

Along with de-escalating the fighting, our immediate priority is how urgent food and medical assistance can be provided to displaced citizens from all communities. Our ambassador in Rangoon has rightly been lobbying the Burmese Government on that, and they have confirmed that they are trying to get humanitarian aid through to communities most in need. As many will know, that is being hampered by the security situation and by inter-communal tensions.

Our high commissioner in Dhaka, Bangladesh, has also discussed the increasingly acute humanitarian situation with the Government there, and I discussed the situation with the Bangladeshi high commissioner last week. I look forward to discussing these issues further tomorrow at a meeting arranged some weeks ago with my hon. Friend the Member for Sutton and Cheam (Paul Scully), the co-chair of the all-party group on Burma, as well as to paying a ministerial visit to Burma in the near future.

Yasmin Qureshi: Thank you for granting this urgent question, Mr Speaker. I am a little disappointed by the Minister’s response, as he started by suggesting that somehow the Rohingya Muslims and these people had caused this to occur. He must be aware that for a number of years there has been the systematic rape, murder, burning and beheading of people from the Rohingya community. If it is suggested that there may have been some attacks on the police stations, that is not a sufficient reason to attempt almost to explain away what the Burmese Government are now doing to these people. Everyone knows that for years now that the Government, the security forces and the Buddhist monks have been ransacking and killing people—murdering and raping women and children. This is only a climax to the brutality that the Burmese have been carrying out against these people.

Is the Minister aware that because of what has happened recently, many young children have been beheaded and civilians have been burned alive by the military forces? Is he aware that 120,000 Rohingya have fled for their lives to Bangladesh? Will he actually condemn this campaign of ethnic cleansing of the Rohingya Muslims? Is he aware that Human Rights Watch has satellite imagery showing the destruction of entire Rohingya villages, and that there are reports of people there being rounded up into huts and burned alive? Recent reports also show a massive cover-up by the soldiers who have carried out massacres of Rohingyas, by gathering their bodies up and burning them.

This is one of the worst outbreaks of violence in decades, yet the international community is, in effect, remaining silent as we watch another Srebrenica and Rwanda unfold before our eyes. Does the Minister agree that the situation requires urgent intervention? What concrete action have the Government and the Prime Minister taken to date to deal with it? Is he aware that UN aid and monitors have not been allowed in? Will the Government make further representations to the UN Security Council about the ethnic cleansing now taking place? Can consideration be given to an immediate intervention by the UN Security Council to deal with this situation? As journalist Peter Oborne said in this morning’s Daily Mail:

“The Rohingya people were loyal allies of Britain in World War II. Now they face their darkest hour.”

We must take immediate action to help them, and I am very sorry about, and disappointed in, the Minister’s starting response.

Mark Field: I am sorry that the hon. Lady is so disappointed; had she heard what I had to say, it would have been clear that we have been monitoring this situation for some time. Indeed, through diplomatic sources, we have made sure that our heartfelt concerns have been heard. It was thanks to a British lead that the issue was discussed at the UN over the past week. One has to remember that obviously a huge amount of attention has been given to issues relating to the Democratic People’s Republic of Korea, which the House will discuss later.

The hon. Lady asked precisely what we are now doing. It is worth pointing out some aspects of the humanitarian aid we are arranging to put in place. As she is well aware, the UK has rightly and proudly been one of the largest development and humanitarian donors to Burma, and particularly to the Rakhine state, over many years.
Since 2012, the Department for International Development has provided more than £30 million in humanitarian assistance, including for food and sanitation, for more than 126,000 people. More important, given the unfolding situation, the UK is the largest single bilateral donor supporting displaced Rohingya refugees and the vulnerable communities that host them in Bangladesh. DFID has allocated some £20.9 million for humanitarian aid responses between 2017 and 2022.

Because of the acute nature of the problems, to which the hon. Lady referred, we will keep an eye on exactly what happens. Please rest assured that the Government will do all they can to condemn when condemnation is the right way forward, but she is well aware that the politics of Burma are incredibly tense and difficult. We have hopefully moved away from a 55-year period of military rule. As far as we can, the international community should support civilian rule under Aung San Suu Kyi.

**Several hon. Members rose**

**Mr Speaker:** Order. There is substantial interest in this question, which I am keen—up to a point—to accommodate, but colleagues will be aware that there are three ministerial statements to follow, in which there can be expected to be substantial interest. Colleagues from Back and Front Benches alike need to help me to help them. There will be a premium upon brevity, now to be brilliantly exemplified by Mr Tom Tugendhat.

**Tom Tugendhat** (Tonbridge and Malling) (Con): How is my right hon. Friend’s relationship with China going? As we all remember, the Chinese influence in the seeking of a peace agreement in some of the northern areas of Burma was instrumental in delivering humanitarian effects like those we wish to achieve in the Rakhine state. Will he say a little more about the Bangladeshi Government, and perhaps praise them for their extraordinary work in welcoming so many Muslim Rohingya people? I welcome the Foreign Office’s efforts in supporting that work.

**Mark Field:** I thank my hon. Friend for his kind words. I was in Beijing only 10 days ago; he will appreciate that attention was focused largely on the DPRK and, to an extent, issues relating to Afghanistan and Pakistan. I suspect we will have a chance before too long to discuss the issues relating to Burma with counterparts in China. I echo my hon. Friend’s words about the Bangladeshi authorities, with whom I had a strong relationship as a member and officer of the all-party group on Bangladesh for some seven years before I took up ministerial office. He is absolutely right that a terrific amount of work has been taken place, and it will continue to take place in what is a fraught situation.

**Liz McInnes** (Heywood and Middleton) (Lab): The vast majority of Rohingyas want nothing but peace, but it is they who have suffered most as a result of the violence committed, supposedly in their name, by a small number of armed militants. Because of so-called collective punishment for such attacks, more than 100,000 innocent Rohingya men, women and children have been forced to flee their homes in a campaign that UN officials say may amount to ethnic cleansing. Many displaced Rohingyas have ended up in squalid camps, and, according to UN figures published today, some 35,000 have fled across the border to Bangladesh in the past 24 hours alone. There, and in Myanmar itself, these families are in desperate need of our aid.

I am sure the Minister will share the deep disappointment of many Members of this House at the failure of Aung San Suu Kyi, the de facto leader of Myanmar’s civilian Government, to speak out more forcefully against human rights abuses in Rakhine. It is, though, General Min Aung Hlaing, commander-in-chief of Myanmar’s armed forces, who of course bears ultimate responsibility for the army’s atrocities. It is he who ultimately must be held to account.

The Minister must do more than express disappointment, important though that is. The Government must do everything they can to help bring an end to this senseless violence. Ministers must set clear and unambiguous red lines for Myanmar’s authorities—civilian and military—when it comes to respecting human rights. If those red lines are crossed, there should be consequences. For instance, in the light of recent events, it seems wholly inappropriate that in the past three years this Government have sold weapons worth more than half a million pounds to the Government of Myanmar.

Will the Minister now accept that his colleagues in the Ministry of Defence demonstrated shockingly poor judgment in spending a quarter of a million pounds—from the aid budget no less—on training members of Myanmar’s army? Will he also accept that it was a serious error of judgment for the Minister of State for Defence, the hon. Member for Milton Keynes North (Mark Lancaster), to say by way of explanation that such programmes ensure that other countries learn about British values and human rights?

Does the Minister agree that it simply cannot be right for Britain to continue to provide military aid to a country where human rights abuses are so rampant? If he accepts that, will he demonstrate his Government’s commitment to the Rohingya people by immediately suspending military aid until Myanmar’s army can demonstrate that it is both able and willing to protect the rights of all the country’s citizens?

**Mark Field:** I thank the hon. Lady for her heartfelt comments. Those issues, which are clearly for the Ministry of Defence, will be under review, and I will ensure that her comments are passed on and that she is kept up to date. Contrary to some of the press reports, I think it is important to clarify precisely what the UK does provide. We do not provide any form of combat training to the Burmese military. The UK provides vocational courses, focused on language training, governance, accountability, ethics, human rights and international law. The UK rightly believes in using elements of our DFID money on programmes of real and lasting change. Such change will only come about from engaging with the Burmese military. Exposing them to how modern militaries operate in a democracy is more effective than isolating them. The content of the educational courses that we provide—the hon. Lady referred to a quarter of a million pounds—complies entirely with the UK’s commitments under the EU arms embargo.

**Sir Hugo Swire** (East Devon) (Con): There is more that the Government can do as a convening force, bringing together the countries that are involved with...
the Rohingya. There are problems not just in Rakhine or in Cox’s Bazar in Bangladesh, but with the hideous trafficking of the Rohingya people down through Thailand and in the Malay Peninsula.Given that we have Bangladesh and Burma and, to a lesser extent, in Thailand and Malaysia, will the Foreign Office consider convening a meeting to look at this issue and at how we can improve the lives of these people?

Mark Field: I thank my right hon. Friend for his words. I know that he, having held the post that I now hold, has a lot of knowledge of the area. As I pointed out in my initial comments, after the violence broke out on 25 August, the UK, as a matter of urgency, spoke out and took a lead not just in issuing statements but in ensuring that we had a UN Security Council discussion on 30 August—at a time when the UN was looking at other matters. He is absolutely right to suggest that this situation must be looked at in the context of Malaysia and of other neighbouring states in the region, and not just in the context of Bangladesh. Our ambassador has lobbied the Burmese Government, and our high commission in Dhaka has also discussed the situation with the Government of Bangladesh. We will continue to keep a close eye on developments. I hope that we can do that partly through the UN and other international bodies. My right hon. Friend’s suggestion that the UK brings things together is something that, uniquely, we have some authority to do. I hope that we shall do so if there is any escalation of the situation in the weeks ahead.

Chris Law (Dundee West) (SNP): The recent violence in Rakhine state and the long-standing persecution of the Rohingya are appalling and must end immediately. In the past two weeks alone, some 120,000 refugees have fled the violence in Rakhine state, and the two main UN camps in Bangladesh are now overflowing. We ask the Government and the military of Myanmar to remove all restrictions on entry to Rakhine state for the media, aid agencies and non-governmental organisations, as the world must be allowed to see what is happening and to help people in need.

While attacks by Rohingya militants are not to be condoned, the Government and military of Myanmar have a responsibility to protect civilians in all communities from violence and displacement, and they must begin to do so immediately. Will the Minister therefore make a commitment to work immediately with the UN and the Bangladeshi Government to provide urgent aid, food and water to refugees both inside and outside the camps?

Mark Field: I thank the hon. Gentleman for his words. He will appreciate that I have already touched on some of the issues in relation to Bangladesh.

I, too, am concerned on behalf of the UK Government that Burma has dissociated itself from elements of the fact-finding mission to which the hon. Gentleman referred. Following the last set of attacks in October 2016, the UK co-sponsored a resolution at the Human Rights Council setting up a fact-finding mission to look into the human rights situation in Burma. We will continue forcefully to urge Burma to co-operate with the mission and its mandate, and as the hon. Gentleman rightly said, the more the world sees what is going on, particularly on the border of Bangladesh and Burma, the more urgent attention we can give to the Burmese authorities to ensure that this terrible humanitarian crisis comes to a close at the earliest opportunity.

Paul Scully (Sutton and Cheam) (Con): We must acknowledge the wrongdoings of the minority armed group, the Arakan Rohingya Salvation Army, but the disproportionate response has escalated violence and inflamed a long-running human rights problem. It has also left other states such as Bangladesh, as we have heard, to carry a significant burden. Does the Minister agree that we should recognise the pivotal role that Aung San Suu Kyi plays in bringing democracy to what remains a fragile country, but if we are ever to get back to talking about democratic structures, trade, healthcare and education in that country we need a long-standing solution that will work to bring the human rights crisis to an end, so that the Rohingya Muslims can live peacefully? Will the Minister outline what we are doing, so that we can cope without UK aid for the increasing numbers of people who are fleeing to Bangladesh?

Mark Field: I thank my hon. Friend for all the work that he does, both as an officer of the all-party group on Burma and for Bangladesh. He will be aware that the 2008 constitution in Burma grants the military 25% of seats in Parliament as well as control of defence, border affairs and home affairs Ministries. That situation has entrenched the role of the security forces since the coup in 1962 and makes it difficult for life to have any normality as we understand it. In that context, we have to recognise the amazingly courageous behaviour of leader Aung San Suu Kyi. I can understand the disappointment of the hon. Member for Heywood and Middleton (Liz McInnes), but we have to look at this in the context of Aung San Suu Kyi trying to play a role that has made life better for many Burmese citizens—not, I accept, for the Rohingya population down in the south-west.

Imagine the situation if there were another coup d’état and Aung San Suu Kyi was removed from the scene, and we went back to fully fledged military rule. That would be a calamitous outcome for the Burmese people. We need to do all that we can to support the moves, slow as they are, towards some sort of democracy as we would understand it in Burma. As my hon. Friend the Member for Sutton and Cheam (Paul Scully) rightly said, the role of Aung San Suu Kyi and her international standing is critical in ensuring that some sort of normality comes to pass in the years to come.

Jo Swinson (East Dunbartonshire) (LD): I welcome the Minister’s remarks, because it is incongruous and incomprehensible that Aung San Suu Kyi, for so long a beacon for human rights, has not stepped in to intervene in the face of an horrendous military crackdown that has burned down 17 villages and left 250,000 people without access to food. What is his assessment of the power struggles between the Burmese Government and the military, and how can we best help those who wish to uphold human rights to gain the upper hand?

Mark Field: I thank the hon. Lady for her words. As she says, the one person many British folk with relatively little knowledge or experience of Burma remember is Aung San Suu Kyi, so they are dismayed. It is worth pointing out the sectarian complexities of Burmese society, along with the lack of democracy as we would understand it for over five decades, as that plays an important role in the concerns that the hon. Lady has expressed.
After the most recent escalation in Rakhine state, a number of statements were released by the Burmese information office. I have to say that these were not released with the consent of, or directly by, Aung San Suu Kyi. The information office is run by a former military officer. We understand that the State Counsellor, Aung San Suu Kyi, has now removed her name from that office. That gives some indication of the level of tensions and the complexity of what is going on in Burma.

**Mark Field:** I am sorry that my hon. Friend chooses to use the opportunity to grandstand in the way that he does—[Interruption.] The House has voted on that matter already, as we know. As far as this matter is concerned, we have made it very clear that we feel that Aung San Suu Kyi and her Government need to step up to the plate. We are not in any way forgiving or understanding of the terrible violence and its impact. It is worth pointing out that the entrenched security forces, including the army, police and border guard force, are responsible for the security operations that are currently under way in Rakhine state. We have made that absolutely clear. We will support Burma's ongoing transition from military dictatorship to a civilian-led democracy. This is very much an ongoing process, led by the democratically elected Aung San Suu Kyi.

**Stephen Twigg** (Liverpool, West Derby) (Lab/Co-op): The appalling persecution of the Rohingya is long standing and well documented. I concur with the remarks of the former Chair of the Select Committee on Foreign Affairs, the hon. Member for Reigate (Crispin Blunt); I was very disappointed with the statement made in response to the urgent question.

I have two questions for the Minister. On aid, reports today suggest that 30,000 Rohingyas are stranded in the mountains between Bangladesh and Burma. What is being done to address that in practical terms? There has to be a political solution in the long term. Does the Minister agree with the Nobel laureate, Malala, who yesterday appealed to Aung San Suu Kyi, saying that the citizenship of Myanmar has to be given to the Rohingya, so that they cease to be stateless people?

**Mark Field:** The hon. Gentleman will recognise just how complicated the situation with the Rohingya is. I suspect that the matter has been in his in-tray throughout his time as Chair of the Select Committee on International Development. In fairness, we are trying our best to get reliable information on the ground, which is difficult, as he will appreciate. We understand that 123,000 people have fled from Burma into Bangladesh. He may well be right that there are tens of thousands more in some halfway house, not able to make their way but desperate to do so.

I have tried to point out that we are not standing by innocently. We are doing all we can. In many ways, Britain has taken a lead at the UN, which will ultimately be the body that will have to deal, to a large extent, with elements of this humanitarian crisis. It is also worth pointing out that we have to be realistic about the manner in which the UN operates. The Security Council will require a unanimous vote or at least no veto. It is very difficult to see how, even within the P5, we would be able to get that for the reasons alluded to by my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat).

These are difficult issues. We have done all we can and will continue to do so on the ground in Rangoon and—probably even more importantly in the months and years ahead—in Dhaka. We will do our bit and more to ensure that the humanitarian aspects of this crisis are kept to an absolute minimum.

**Ms Nusrat Ghani** (Wealden) (Con): Over 120,000 Rohingyas have been displaced and 17 villages have been torched, with thousands of deaths. Does my right hon. Friend share my disappointment that Aung San Suu Kyi is yet to live up to her Nobel peace prize, call out what is fast becoming a genocide and assist Rohingyas fleeing persecution?

**Mark Field:** I thank my hon. Friend for her comments. I have tried to explain the situation as it applies to statements that were put out in Aung San Suu Kyi's name that did not reflect her views on these matters. As I have said, there is disappointment for many people; there was a sense that the moment Aung San Suu Kyi came into office—only a year ago—somehow everything would be transformed. The issues in Burma are, I am afraid, considerably more complex than that. It is vital that we do as much as we can to support Aung San Suu Kyi and the transition—slow as it may be—towards a fully fledged democracy. There remains a huge amount of good will for her work, which will be critical if we are to get any sort of resolution to these terrible events in the months ahead.

**Catherine West** (Hornsey and Wood Green) (Lab): In the Minister's last conversation with the trade envoy to Burma, did he raise the humanitarian crisis?

**Mark Field:** I thank the hon. Lady. Yes, I did. Obviously, this is a fluid situation. The trade envoy will be heading out to Burma again before too long, as well as to other parts of the world. Let us be honest about it: as far as Burma is concerned, the issues around trade are entirely secondary to the humanitarian issues to which she referred. It is perfectly legitimate for those on the Opposition Front Bench to make the statements they did about past trade in weaponry and the like, but, equally, we are now in a very different, much more critical humanitarian situation. The hon. Lady can rest assured that, as far as our diplomats on both sides of the Bangladesh-Burma border are concerned, the focus will be exclusively on humanitarian rather than trade issues.

**Rehman Chishti** (Gillingham and Rainham) (Con): I raise this as a genuine point to the Minister. Having looked at civilian transitions from military Governments in other parts of the world, will he say today whether, according to his moral conscience, Aung San Suu Kyi has done enough to challenge the mass murder of Rohingyas in Burma?
Mark Field: I thank my hon. Friend for his comments. The truth of the matter is that we do not know precisely what is going on. That is one of the difficulties about Burmese society and the complexities around the Burmese political and military situation. Just what is happening out there is difficult to gauge. I have obviously spoken to our ambassador in Rangoon. He has reassured me that representations are being made on a regular basis. My understanding from what he has said is that the concerns my hon. Friend pointed out are being felt in the very highest ranks of the Burmese Government. So there is no suggestion, to my mind at least, that Aung San Suu Kyi has been guilty of anything other than keeping a very close eye on what is a desperate situation. However, the notion that she has full control over what happens in the military, particularly down in Rakhine, is, I am afraid, a long way from the reality of the situation in Burma and Burmese politics.

Angela Smith (Penistone and Stocksbridge) (Lab): I participated in the induction programme for the new Parliament last year, and I appreciate the challenges facing Burma as it transitions towards democracy. I also appreciate the efforts made by the UK Government and Parliament—let us not overlook its role—in supporting that democratic development. Surely, though, it is vital that the UK Government and this Parliament continually restate their belief that citizenship for the Rohingya is an essential part of that transition.

Mark Field: I thank the hon. Lady for her words. Prior to taking on this role, I was vice-chairman for international affairs in the Conservative party and worked with the Westminster Foundation for Democracy, and although I did not specifically do work myself in Burma, I am well aware that a lot of work goes on in a cross-party, integrated programme. Yes, I accept that the citizenship issue is live. As the hon. Lady will be well aware, the sectarian divisions are very pronounced in that part of the world. As many will know, there was a suggestion that when Burma was formed in the aftermath of the second world war or when Bangladesh was formed in 1971, the Rohingya, as ethnic Bengalis, should have been in that part of the world. I fear that all those very live issues in Burmese politics. They are very complicated issues for us to entirely make a judgment on, but that is not to say that there will not be an open debate on them from our diplomats on the ground.

Mr Philip Hollobone (Kettering) (Con): My right hon. Friend the Minister is right to say that it must be difficult to get reliable and accurate information on the ground, in which case his offer of a ministerial visit should come sooner rather than later. When he goes, will he make sure that he visits both sides of the border, with a particular emphasis on following the DFID aid stream to satisfy himself that our aid is getting to where it is needed?

Mark Field: Yes, I am obviously keen to see on the ground what is happening throughout Burma and also Bangladesh, which is a country I know well. I should perhaps point out that the Minister of State, Department for International Development, my right hon. Friend the Member for North East Bedfordshire (Alistair Burt), is the Minister with DFID responsibilities in this regard. He visited only a matter of a few weeks ago and saw what was happening before the latest outbreak of inter-communal ethnic violence. He has been confident that there has been a positive flow of DFID money for a whole range of different projects, both in Bangladesh and in Burma. A lot of the DFID money that is spent, and will continue to be spent, in that regard is on much broader infrastructure and other projects that are going to make life better for all Burmese. That is not for one minute to say that we should not be focusing attention now on some humanitarian aid, but there is a huge amount of aid that this country can rightly be proud of in that part of the world that is making life better, and will do so for all citizens, for the decades to come.

Afzal Khan (Manchester, Gorton) (Lab): Despite the extensive support—economic, cultural and political—that we have given to the Myanmar Government, we are now seeing that the Rohingya community is in danger of genocide. Does the Minister agree that we need to ask that Government for three things? First, the Government security forces need to be brought under control. Secondly, the aid organisations need to have free access there. Thirdly, the key thing is that the Rohingya need to be recognised as full citizens of Burma.

Mary Creagh (Wakefield) (Lab): You will be aware, Mr Speaker, of the Burmese army’s six-year campaign against the Rohingya Muslims in Kachin and Rakhine provinces, during which 100,000 civilians have already been forced to flee their homes under very repressive laws and are unable to work freely. The UN has said that war crimes have been committed, yet nobody has been held accountable. This looks like the ethnic cleansing that is the precursor to genocide, with stateless citizens who cannot be counted, meaning that their bodies cannot be counted either. We need our Foreign Secretary and the Minister to say unequivocally that we want full humanitarian access, that we want the violence to end and that we want to end the culture of impunity that allows these people to be murdered and nobody brought to justice.

Mark Field: I concur with the hon. Lady. As well as the condemnation to which she refers, we will do our best to get that message across through the international community. One hopes that not just British Ministers but Ministers from across the globe will make that clear, on a bilateral basis but also at the UN. Any judgment on whether crimes under international law have occurred is evidently a matter for judicial determination rather than for Governments or non-judicial bodies. We will continue, however, to call for an end to the violence and to prevent escalation, irrespective of whether incidents fit the definition of specific international crimes to which she referred.
Tom Pursglove (Corby) (Con): I note the significant humanitarian aid that the Minister has set out, but will the Government continue to urge foreign Governments to follow suit?

**Mark Field:** We work in partnership through the UN and through other international bodies. It is worth pointing out that we should be proud of our own expenditure, particularly in that part of the world. Bangladesh is a member of the Commonwealth and Burma was at one time part of India, so there are long-standing connections between our countries. Although one hopes that the international community will also take on some of the burden, we recognise through our DFID commitments that we have particular responsibilities and connections in that part of the world. Although I hope that we will do a lot on an international basis, I do not think we should be frightened by the fact that Britain may well, initially, very much take the lead in humanitarian aid.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): We need to appreciate that the sustained discrimination against, and killing of, Rohingya Muslims has been ongoing for years. To their credit, Bangladesh and other nations have attempted to accommodate and assist Rohingya refugees. Surely, the de facto leader of Myanmar, Aung San Suu Kyi, of all people, should respect the rights of all, especially minorities. Extraordinary respect and honour were accorded to her by our Parliament for her own long struggle for democracy. Has the Minister reminded her of this, and of the urgent need to stop the ethnic cleansing of the Rohingya in her country? Will the Minister also confirm whether the Myanmar Government will be taking any positive steps openly to encourage the Rohingya back to their own country?

**Mark Field:** I thank the hon. Gentleman for his heartfelt comments. He will appreciate that the diplomatic process means that a lot of attention is being paid in process to that intellectual colossus from Newham, but there is a premium on single questions. I look for a heartfelt comments. He will appreciate that the diplomatic process means that a lot of attention is being paid in process to that intellectual colossus from Newham, but there is a premium on single questions. I look for a

Mr Speaker: I am keen to accommodate colleagues, but there is a premium on single questions. I look for a rapier inquiry to that intellectual colossus from Newham, Mr Stephen Timms.

Stephen Timms (East Ham) (Lab): Thank you, Mr Speaker. Will the Minister urge the Government of Myanmar to review—or, preferably, repeal—the 1982 citizenship law so that Rohingya Muslims can be granted citizenship of the country where they have always lived?

**Mark Field:** This is a live debate, and we will continue to make representations such as that which the right hon. Gentleman has made. He is well aware of the difficulties that face us in our relationship with Burma, which will regard this as largely an internal matter. It is not for us to dictate that on an international agenda, but his voice has been heard loud and clear, and this is not the only time that such an issue has been raised. We will do our level best to make sure that, apart from anything else, Bangladeshi citizens who live on the border are properly represented.

Jim Shannon (Strangford) (DUP): Some 90,000 Rohingya are estimated to have fled to Bangladesh. What help can the Minister give to the displaced who now live in the open and in forests, without tents or food? Bangladesh cannot afford to keep them and wishes them to leave.

**Mark Field:** The hon. Gentleman will be well aware that DFID is already the biggest single donor of bilateral aid to Bangladesh. We will continue to do as much work as we can, without in any way prejudicing important existing projects, particularly infrastructure projects, which have been under way for some time. He can rest assured that we have significant equities and significant expertise on the ground, particularly around the Cox’s Bazar area, which is the district adjacent to the Burmese border. I very much hope that those will come into play, and I suspect that that work is already going on as we speak.

Stella Creasy (Walthamstow) (Lab/Co-op): May I press the Minister further on his answer to my hon. Friend the Member for Liverpool, West Derby (Stephen Twigg)? The Minister says it is very difficult to find out what is going on in Burma, but is it so difficult or is it that we do not believe the reports? I have a report from the Burma Human Rights Network, which specifies that 30,000 Rohingya are trapped on the hillsides in Tha Win Chaung and Inn Din near Maungdaw township. These people are trapped without food, water and medicine. What is the Minister doing to find out what is going on? Frankly, if 30,000 people are trapped in such a situation, they cannot await a ministerial visit.

**Mark Field:** No one was suggesting that knowing about such a situation would be dependent on a ministerial visit. We are working on the ground, but we do need to verify the facts. I accept what the hon. Lady says and there is no sense of disbelief in what an NGO says—NGOs on the ground are working hard, including with DFID and other parts of the UK Government apparatus—but we need to verify the facts before making such statements. However, she should rest assured that a significant amount of work is going on, on both sides of the Burmese-Bangladeshi border, as we speak.

Tony Lloyd (Rochdale) (Lab): When the Minister has finally clarified the facts, will he condemn as genocide what everybody else believes to be genocide? What is the value of having a democratic dialogue if the result is the persecution and massacre of a whole group of people?

**Mark Field:** As the hon. Gentleman rightly points out, our immediate priority has been to establish the facts, but it has also been to ensure that we provide urgent food and medical assistance to as many displaced citizens as we can. As I say, we are at the forefront of that.

On making any judgment about whether crimes have occurred under international law—this goes back to the issue discussed earlier—that is really a matter for judicial determination, not something that we should condemn
here as politicians. Whether that is done through the UN—through a UN Security Council referral to the International Criminal Court, for example—lies some steps ahead. None the less, this must ultimately be a legal, rather than a political, intervention. As a P5 Member of the United Nations, we have obviously taken that particular aspect very seriously. As I pointed out in my initial comments, over a week ago we began the process of asking the UN to take seriously the issues that I fear have only deteriorated further in the past few days.

Kate Hoey (Vauxhall) (Lab): The Minister keeps repeating that the situation in Burma is very complex; I think we know that. What is really disturbing for those of us who went to listen to Aung San Suu Kyi and were so moved by her speech is that it seems that not only is she not doing anything, but she is not actually saying anything. In view of our relationship with the country and with her, does the Minister not think that someone should pick up the phone and speak to her? Has he done so? Has the Foreign Secretary spoken to her? Has anyone telephoned her and had a conversation in which they have repeated what some of us are saying in the Chamber today?

Mark Field: I believe that my right hon. Friend the Foreign Secretary has spoken to Aung San Suu Kyi in recent weeks, when the situation was obviously already beginning to deteriorate. I know that he has regular conversations with her, and I am sure he will be on the phone to her again in that regard.

I am sorry if my constituency neighbour, the hon. Member for Vauxhall (Kate Hoey)—the Thames lies between our constituencies—feels that I am repeating myself. It has to be said that there are only so many ways in which I can answer the same questions from Opposition Members. I do understand the heartfelt concerns expressed by Members on both sides of the House. As I say, I think the message will go out loud and clear to Rangoon and, indeed, to other parts of Burma.

Faisal Rashid (Warrington South) (Lab): I heard the Minister’s statement, and to be honest, I am quite disappointed. It is a really big issue, and he has mentioned a number of times that the Government are working on the ground. What exactly does he mean by “working on the ground”? What exactly has he been doing and what exactly has he done during the past few weeks? Will he please explain?

Mark Field: To be fair, the nature of diplomacy is to try to keep open lines of communication as far as possible. We obviously have connections at a ministerial level and also, and probably more importantly, through our embassy on the ground in Burma.

Above all, as I have said, there is the humanitarian aid that we are putting in place—a huge amount of work is going on—for the displaced communities that have been leaving. It is a massive humanitarian problem. At one level, it is clearly a problem for the international community, but vast amounts of DFID money—not least because of our expertise on the ground in that part of Bangladesh—are being put to good use to meet this humanitarian crisis.

I am sorry if the hon. Gentleman feels that not enough is being done. The reality, however, is that if 25,000 or 30,000 more people are pouring across the border daily, that is amazingly difficult to deal with. I do believe—I am confident and satisfied—that Britain is doing all we can in the current circumstances, and as the situation unfolds in the weeks ahead, I hope that we can redouble our work. It is unrealistic to think anything else.

Graham Jones (Hyndburn) (Lab): Over the past six years, the British public have witnessed the murderous persecution of the Rohingya in Rakhine province. At the same time, they have turned on their television screens and heard some of the Burmese Buddhists using language that suggests that the Rohingya are almost subhuman. We have seen that persecution going on. Given that we have given some £80 million a year in DFID aid over this period, the British public will want to know why the Foreign and Commonwealth Office has no influence over the situation at all.

Mark Field: I appreciate that the hon. Gentleman seems to think that we have no influence. The reality is that even in the past six years, when I accept some terrible things have gone on for the Rohingya population in Burma, there has been a move towards some sense of democracy. There was an election of some sort and Aung San Suu Kyi came into office, albeit with the constitutional constraints she is under and the difficulties brought by the civil war that is going on.

Nothing could be further from the truth than the idea that we have done nothing. There has been a huge amount of energy, particularly from the UK Government. Sometimes that has happened quietly behind the scenes. We shall continue to do that on behalf of the many tens of thousands who find themselves displaced.

Mr Mark Hendrick (Preston) (Lab/Co-op): The Minister started his statement by talking about a Rohingya attack on the Burmese military. That flies in the face of what is an emerging genocide. When will the Government take a much stronger line with the Burmese Government, which in spite of the election of Aung San Suu Kyi are allowing the military to continue as it did before?

Mark Field: As I said to the hon. Gentleman earlier, the constitution unfortunately constrains that to a certain extent. The military have essentially been in control for most of the time since the successful coup of 1962. The moves towards democracy have, by British standards, been relatively small. The constraint we are under is that the hand of the military still plays a very important role from day to day.

I started my statement with that issue simply to say that the escalation we have seen in the past 10 days came about as the result of a terror attack and the reaction of the security services to it. That is the moment at which things reached the crisis point that we have seen over the past 10 days. However, I accept what has been said by many Members of the House: this is not something that has come out of the blue sky; the persecution of the Rohingya population has been a profound issue for decades.

Mohammad Yasin (Bedford) (Lab): The Rohingya were the loyal allies of Britain in world war two and now they face their darkest hour. Will the Minister give
us a clear answer? Will the Government make representations to the UN Security Council, calling for its immediate intervention to protect the Rohingya?

Mark Field: As I pointed out, we are in touch with the UN Security Council. We led the discussions that took place last week in this regard. Clearly, as the situation unfolds, we will be happy to make further representations.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): The Newcastle in solidarity with the people of Rohingya group meets on Monday. Does the Minister recognise that many people there—and there will be many people there—will take his words as evidence that he sees the ethnic cleansing of the Rohingya people as collateral damage in the establishment of democracy in Myanmar and, therefore, that the Rohingya people have no friend in this Government?

Mark Field: I really think that that is a very partisan view of the situation. I have tried to explain the constraints that the Government in Burma find themselves under. That is not to say that the Rohingya are collateral damage. We want to see democracy and, as has been pointed out by many Members, the persecution of the Rohingya minority is not something that has come out of the blue in the last year or two; it has been going on for some considerable time. I refute the analysis that the hon. Lady has put into play. We are doing our level best to ensure that this issue is dealt with and she should feel proud, as a UK Parliamentarian, that it is the UK Government and our permanent representative in the UK who are taking a lead in raising the profile of this issue in international quarters.

Imran Hussain (Bradford East) (Lab): Over the weekend, I met members of the Rohingya community in my constituency. They told me horrific stories of some of the most grave crimes against humanity. They did not even know whether their friends and family were dead or alive. They told me horrific stories of women and children being burned and tortured. They also told me that during her time in custody, they had led some of the biggest campaigns in this country for the immediate release of Ms Suu Kyi. Now, in their hour of need, they hear a deafening silence. Why will the Minister not condemn this grave crime against humanity; why will he not condemn the persecution and ethnic cleansing; and why will he not condemn the deafening silence of Ms Suu Kyi?

Mark Field: I will not condemn an elected politician who, in my view, is doing her level best in the most incredibly difficult circumstances. I have pointed out that we condemn violence, and we have done our level best to ensure that tensions are defused as far as possible. That is the position that we will put across to all sides in Burma. We want to see the tension reduced, not raised to a higher level as the hon. Gentleman perhaps suggests, in his passionate plea, would be the right way forward. I do not think that it would be.

Naz Shah (Bradford West) (Lab): The Minister may struggle with identifying the situation as genocide, but systematic rape, massacres and the burning of buildings of a minority community amount to ethnic cleansing to try to force it out of the country, if not out of existence. That is genocide. When can we expect an appropriate response to that effect from the Minister or the Government?

Mark Field: As I have said, that is a legal issue that has to go through the United Nations. It is not for the Government to make such a condemnation or to grandstand, either in the Chamber or elsewhere. The issue will need to be dealt with through the United Nations if it is to go to an International Criminal Court action, and at the moment we judge that it would be unlikely to get through the UN because at least one of the permanent five members of the Security Council would look to impose a veto. We will do our best to make the statements that we need to make in the international community, but this is ultimately a legal rather than a political matter. It would be easy for me to say words from the Dispatch Box to satisfy the hon. Lady now, but it makes much more sense to do things in a systematic manner.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): The Department for International Development can and will do excellent work, but there are reports that authorities are restricting access to international aid. What will be done to ensure that the most vulnerable get the aid that they so desperately need? What political steps will be taken, and will the Government condemn those who will not allow access to aid in this humanitarian crisis?

Mark Field: The hon. Lady makes a fair point. Particularly on the Burmese side of the border, it is desperately difficult to get our DFID representatives the access that we would like them to have. By contrast, once people have crossed that border and are in refugee camps just inside the Bangladeshi border—I accept that that is by no means an ideal situation—we are able to do terrific work on the ground, and will continue to do so, to try to ensure that a looming humanitarian crisis is kept at bay.

Louise Haigh (Sheffield, Heeley) (Lab): One issue inhibiting the UN’s work is the almost complete absence of in-country staff of the United Nations High Commissioner for Human Rights. Will the Minister urgently raise that with his counterparts to ensure that the commissioner’s staff are granted regular visas?

Mark Field: We will raise that. The hon. Lady will know that Mark Lowcock has just taken up his role, and we will want to discuss that issue with him at the first opportunity.

Julie Cooper (Burnley) (Lab): The message that seems to be coming over loud and clear today, as it has in the Foreign Secretary’s comments in recent days, is that the British Government are most concerned about defending the de facto leader and the worthy pursuit of democracy, at the expense of the suffering of the Rohingya Muslims. We have heard talk of getting the UN to take the situation seriously, but when are we going to escalate that? Given that children are being beheaded, villages burned and people raped in huge numbers, how serious does it have to get before we escalate our action?
Mark Field: I understand the upset that the hon. Lady feels. Anyone watching the desperate scenes unfold in Burma and Bangladesh can only be moved by them. The truth is that if Aung San Suu Kyi were removed from office and Burma’s road towards democracy were closed off, it would be a calamity not just for the Rohingya but for every Burmese citizen, so we should not support that. We must work towards getting Burma on the road to democracy as much as possible rather than trading one off against the other.

I think the hon. Lady makes an unfair interpretation of the British Government’s position. We want to do our level best with what we have in place, but we recognise that things would be even worse if there were not some semblance of democracy in the Burmese Government.

Ben Lake (Ceredigion) (PC): Over the past five years, the UK Government have allocated over half a million pounds towards the provision of educational training to the Burmese security forces, which, among other things, aims to promote awareness of international humanitarian law, ethics and leadership. What assessment has the Minister made of the efficacy of such training, and, if it has been found wanting, will the Government divert such military aid towards humanitarian efforts?

Mark Field: I am not sure whether the hon. Gentleman heard my words earlier on this issue. We are providing the money for educational courses, not military training. Their content complies with the UK’s commitments under the EU arms embargo. The UK is, and will remain, a very strong supporter of continuing the EU arms embargo. We will continue to comply with it as it applies to Burma.

EU Exit Negotiations

4.41 pm

The Secretary of State for Exiting the European Union (Mr David Davis): I will now update the House on the two rounds of negotiations with the European Union which took place in July and August. While at times the negotiations have been tough, it is clear that we have made concrete progress on many important issues. I rather wondered whether Opposition Members would fall for that. I wonder how they are going to explain to their constituents that they do not care about the pensions and healthcare of 4 million people. I would like to thank all the officials who are working hard, both at home and in Brussels, to make this happen.

Colleagues will have received my letter following the July negotiation round, dated 9 August, which set out the dynamics of that round in some detail. These rounds are not at this stage about establishing jointly agreed legal text; they are about reaching a detailed understanding of each other’s position, understanding where there might be room for compromise and beginning to drill down into technical detail on a number of issues. During both rounds, discussions took place on all four areas, including specific issues relating to: the rights of citizens on both sides; Northern Ireland; the question of a financial settlement; and a number of technical separation issues. I will speak briefly about each in turn.

Making progress on citizens’ rights has been an area of focus for both negotiation rounds and we took significant steps forward in both July and August. We have published the joint technical paper, which sets out our respective positions in more detail, and this has been updated following the August round. It underlines both a significant alignment between our positions and provides clarity on areas where we have not, as yet, reached agreement. In July, we reached a high degree of convergence on: the scope of our proposals on residents and social security; the eligibility criteria for those who will benefit from residents rights under the scope of the withdrawal agreement; and a shared commitment to make the citizens’ application process as streamlined and efficient as possible. In August, we agreed: to protect the rights of frontier workers; to cover future social security contributions for those citizens covered by the withdrawal agreement; to maintain the rights of British citizens in the EU27 to set up and manage a business within their member state of residence, and vice versa; and that we should protect existing healthcare rights and arrangements for EU27 citizens in the UK and UK nationals in the EU. These are the European health insurance or “EHIC” arrangements.

These areas of agreement are good news. They may sound technical, but they matter enormously to individuals—something Opposition Members might remember when thinking about their own constituents. The agreement on healthcare rights, for example, will mean British pensioners living in the EU will continue to have their healthcare arrangements protected both where they live and when they travel to another member state, where they will still be able to use an EHIC card. On mutual recognition of qualifications, we have made progress in protecting the recognition of qualifications for British citizens resident in the EU27, and EU27 citizens resident
in the UK. In fact, each one of those areas of agreement is reciprocal, and they will work for Brits in the EU and EU27 citizens in the UK. They help to provide certainty and clarity for EU27 citizens in the UK and UK citizens in the EU27. They will make a tangible difference to those people’s lives. I hope everyone recognises the importance of that.

The outcomes of the discussions demonstrate that we have delivered on our commitment to put citizens first, and to give them as much certainty as possible as early as possible in the process. Of course there are still areas of difference, on which we continue to work. For example, we will need to have further discussions on the specified cut-off date, on future family reunion, and on the broader issue of compliance on enforcement. Progress in those areas will require flexibility and pragmatism from both sides.

During the summer negotiating rounds, a number of issues emerged in the EU offer that will need further consideration. For example, the European Union does not plan to maintain the existing voting rights for UK nationals living in the EU. We have made it clear that we will protect the rights of EU nationals living in the UK to stand and vote in municipal elections. Similarly, the EU proposals would not allow UK citizens currently resident in the EU to retain their rights if they moved within the EU.

Even in areas in which there has been progress, more is needed. While the EU has agreed to recognise the qualifications of UK citizens resident in the EU, and vice versa, we believe that that should go much further. The recognition must extend to students who are currently studying for a qualification, it must apply to onward movement by UK citizens in the EU, and it should extend more broadly to protect the livelihoods of thousands of people which depend on qualifications that will be gained before we exit the EU. In those areas, the EU’s proposals fall short of ensuring that UK citizens in the EU and EU citizens in the UK can continue to lead their lives broadly as they do now.

On separation issues—a very technical area—we established a number of sub-groups. They made progress in a number of specific areas, and drew on papers that the UK published ahead of both rounds. I am pleased to say that we are close to agreement on our approach to post-exit privileges and immunities—on which we have published a position paper—which it will benefit both the UK and the EU to maintain after we leave. We have agreed on our mutual approach to confidentiality requirements on shared information post-exit. With respect to nuclear materials, we held discussions on the need to resolve issues relating to the ownership of special fissile material, and the responsibility for radioactive waste and spent fuel held both here and there. We reiterated—this is important—a strong mutual interest in ensuring that the UK and the European Atomic Energy Community, or Euratom, continue to work closely together in the future as part of a comprehensive new partnership.

With respect to legal cases pending before the European Court of Justice, the parties discussed and made progress on the cut-off points for cases being defined as “pending”. There was also progress in discussions concerning the UK’s role before the Court while those pending cases are being heard. With respect to judicial co-operation in civil and commercial matters, and ongoing judicial co-operation in criminal matters, we made good progress on the principles of approach and the joint aim of providing legal certainty and avoiding unnecessary disruption to courts, businesses and families. With respect to goods on the market, both parties reiterated the importance of providing legal certainty for businesses and consumers across the EU and the UK at the point of departure. In that area, in particular, we emphasised that the broader principles outlined in the UK’s position paper seek to minimise the type of uncertainty and disruption for business that we are all working to avoid.

We remain committed to making as much progress as possible on the issues that are solely related to our withdrawal, but our discussions this week have demonstrated and exposed yet again that the UK’s approach is substantially more flexible and pragmatic than that of the EU, as it avoids unnecessary disruption for British businesses and consumers. I have urged the EU to be more imaginative and flexible in its approach to withdrawal on that point.

I am pleased to report that there has been significant, concrete progress in the vital area of Northern Ireland and Ireland. The negotiation co-ordinators explored a number of issues, including both the Belfast or Good Friday agreement and the common travel area. In August, the group also held detailed discussions on the basis of the UK position paper. As both Michel Barnier and I said at last week’s press conference, there is a high degree of convergence on those key issues, and we agreed to work up shared principles on the common travel area. That is a major change.

We also agreed to carry out further technical work on cross-border co-operation under the Belfast agreement. Of course, as I said all along, the key issues in relation to cross-border economic co-operation and energy will need to form an integral part of discussions on the UK’s future relationship with the EU.

Finally, on the financial settlement, we have been clear that the UK and the EU will have financial obligations to each other that will survive our exit from the European Union. In July, the Commission set out the European Union position. We have a duty to our taxpayers to interrogate that position rigorously, and that is what we did, line by line—it might have been a little bit of a shock to the Commission, but that is what we did. At the August round, we set out our analysis of the EU’s position. We also had in-depth discussions on the European Investment Bank and other off-budget issues.

It is clear that the two sides have very different legal stances. But, as we said in the article 50 letter, the settlement should be in accordance with law and in the spirit of the UK’s continuing partnership with the EU. Michel Barnier and I agreed that we do not anticipate making incremental progress on the final shape of a financial deal in every round. Generally, we should not underestimate the usefulness of the process so far, but it is also clear that there are significant differences to be bridged in this sector.

Initial discussions were also held on governance and dispute resolution. These provided an opportunity to build a better, shared understanding of the need for a reliable means of enforcing the withdrawal agreement and resolving any disputes that might arise under it.
Alongside the negotiations, we have also published a number of papers which set out our thinking regarding our future special partnership with the EU. These future partnership papers are different from our papers that set out the position for the negotiations under our withdrawal agreement. Our future partnership papers are part of a concerted effort to pragmatically drive the progress we all want to see. All along, we have argued that talks around our withdrawal cannot be treated in isolation from the future partnership that we want. We can only resolve some of these issues with an eye on how the new partnership will work in the future. For example, on Northern Ireland it would be helpful to our shared objectives on avoiding a hard border to be able to begin discussions on how future customs arrangements will work. Furthermore, if we agree the comprehensive free trade agreement we are seeking as part of our future partnership, solutions in Northern Ireland are, of course, easier to deliver.

A second example is on financial matters. As I have said, the days of making vast yearly contributions to the EU budget will end when we leave. But there may be programmes that the UK wants to consider participating in partnership of the new partnership we seek. Naturally, we need to work out which of those we want to pursue; we need to discuss them as part of our talks on withdrawal from the EU and our future as its long-standing friend and closest neighbour.

A third example is on wider separation issues. While we are happy to negotiate and make progress on the separation issues, it is our long-term aim that ultimately many of these arrangements will not be necessary. With the clock ticking—to quote Mr Barnier—it would not be in either of our interests to run aspects of the negotiations twice. Last week, we turned our consideration to the next round of talks, and my message to the Commission was: let us continue to work together constructively, but put people above process.

To that end, my team will publish further papers in the coming weeks, continuing to set out our ambition for these negotiations, and the new deep and special partnership the UK wants to build with the EU. Ultimately, businesses and citizens on both sides want us to move swiftly on to discussing our future partnership, and we want that to happen after the European Council in October if possible.

As colleagues know, at the start of these negotiations both sides agreed that the aim was to make progress on four key areas: citizens’ rights, the financial settlement, Northern Ireland and Ireland, and broader separation issues. We have been doing just that, and I have always said—[Interruption.] Nobody has ever pretended that this will be easy; I have always said that this negotiation will be tough, complex and, at times, confrontational. So it has proved, but we must not lose sight of our overarching aim: to build a deep and special new partnership with our closest neighbours and allies, while also building a truly global Britain that can forge new relationships with the fastest growing economies around the world.

4.54 pm

Keir Starmer (Holborn and St Pancras) (Lab): I thank the Secretary of State for giving me notice of his statement. I also thank him for what I hope will be his agreement to update the House in this fashion after every round of the talks. I think that he has agreed to do that, and I am grateful.

We accept that the negotiations are complex and difficult, and I understand the Secretary of State’s frustration at points with the process and sympathy with the view that some phase 1 issues cannot fully be resolved until we get to phase 2. Northern Ireland is a classic example of that. Although he will not say it, I am sure he is equally frustrated by the deeply unhelpful “go whistle” and “blackmail” comments from some of his own colleagues. I am sure that colleagues and officials in his Department are working hard in these difficult negotiations and I pay tribute to what they are doing behind the scenes. However, the current state of affairs and the slow progress are a real cause for concern. The parties appear to be getting further apart, rather than closer together. Round 3 of the five in phase 1 is gone, and we would now expect agreement to be emerging on the key issues. The last round is in October, and that should involve formal agreement. There is now huge pressure on the negotiating round in September. If phase 2 is pushed back, there will be very serious consequences for Britain, and the concept of no deal, which I hoped had died a death since the election, could yet rise from the ashes—[Interruption.] Great? The second cause for concern is that it is becoming increasingly clear that the Prime Minister’s flawed red lines on issues such as the role of the European Court of Justice or any similar body are at the heart of the problem, as is the matter of progress on EU citizens here and abroad. The Secretary of State, the Prime Minister and the Government need to be much more flexible on that issue. I fear that these examples will crop up not only in phase 1, and that these flawed red lines will bedevil the rest of the negotiations. It is a fantasy to think that we can have a deep and comprehensive trade deal without shared institutions, and the sooner we face up to that, the better.

That brings me to my third concern. We are obviously reaching the stage of the negotiations where fantasy meets brutal reality. The truth is that too many promises have been made about Brexit that cannot be kept. The Secretary of State has just said that no one pretended this would be easy, but the Government were pretending it would be easy. The International Trade Secretary promised that a deal with the EU would be “one of the easiest in human history” to negotiate. A year ago, in the heady early days of his job, the Secretary of State himself wrote that “within two years, before the negotiation with the EU is likely to be complete...we can negotiate a free trade area massively larger than the EU.”

He went on to say that “the new trade agreements will come into force at the point of exit from the EU, but they will be fully negotiated and therefore understood in detail well before then.”

Even this summer, the Government published position papers riddled with further fantasies. The “track and trace” customs idea was put forward on 15 August as an apparently serious proposition, only to be effectively removed on 1 September by the Secretary of State himself, with the admission that it was merely “blue sky thinking”.

The time for floating fantastical ideas is over. There must be no more promises that cannot be met. This is the brutal reality. We need to know how the Secretary of State intends to ensure that real progress is made in the September round. Is he intending to intensify the talks? Does he accept that it is now time to drop some of the
Prime Minister’s deeply flawed red lines, in order to create the flexibility that he says is necessary? When will we see position papers that actually set out the Government’s considered position on the key issues?

Mr Davis: I thank the right hon. and learned Gentleman for his comments at the beginning and for recognising that not only on Northern Ireland in particular, but on many other issues, the future relationship is indistinguishable from the ongoing negotiations. That is one of the problems in this negotiating exercise and it arises directly because the Commission is seeking to use keeping the first part of the negotiations going as a pressure point against Britain in the future, and I will return to that in a moment because I have a point to make.

On citizens’ rights, which the right hon. and learned Gentleman holds up as being—I have forgotten what his phrase was, but it involved something about red lines. Anyway, citizens’ rights is not the issue that is vexing the Commission. In fact, internal progress has been remarkably effective. He is quite right about the European Court of Justice, but everything else has been going pretty well. I expect that we will conclude most of those issues—in outline, not in text—quite soon. However, what does the right hon. and learned Gentleman actually want the Government to do? The Commission is saying, “Unless we give approval that sufficient progress has been made, we will not go on to the main substance of negotiation: the ongoing rights.” What is it seeking to get from that? It is seeking to obtain money. That is what this is about. Do members of the Labour party want to pay £100 billion in order to get progress in the next month? Is that what they are about? That is what they were saying. I hope that the answer is no, but what we heard from the shadow Brexit Secretary was a beautiful piece of lawyerly argument that ignored the simple fact that this is a pressure tactic to make us pay. We are going to do this the proper way. We are going to represent the interests of the British taxpayer and that means rigorously interrogating every line of the argument on funding line by line. That is the way that we are going to go.

As for the other elements that the right hon. and learned Gentleman talked about, I do not resile at all from the intention to negotiate a first-rate free trade agreement with the European Union in the course of the next two years. That is why we published all the position papers. He tried to rubbish one or two of them, but let me cite one to him: the customs paper. By the way, saying that something is blue-sky thinking is not to rubbish it; it is to say that it is imaginative and forward-thinking. The position papers were designed to make points to our European partners so that they could see what the future might look like under our vision. Let me give him the response of Xavier Bertrand, the president of Hauts-de-France, which includes Calais and Dunkirk—our nearest ports in France. He said:

“We welcome with great interest the initiatives announced by the British government...as they are likely to preserve trade between the UK and France”.

France is supposedly the country most resistant to our arguments and to free trade, but the man responsible for Calais and Dunkirk said that is the way that we should go and that is the way that we will go.

Mr Kenneth Clarke (Rushcliffe) (Con): The Secretary of State will recall that during the referendum campaign the prominent leaders of the leave campaign who dominated the media refuted any suggestion that our future trading relationships with Europe would be affected in any way. The present Foreign Secretary put great weight on the fact that the Germans need to sell us their Mercedes and that the Italians need to sell us their prosecco. Now that we are modifying our trade agreement, does the Secretary of State accept that in the modern world any trade agreement with the EU, the US, Japan or anybody else involves some pooling of sovereignty, some mutual recognition or harmonisation of regulations, some defining and easing of customs barriers and some easing of tariffs, and that they always take years to negotiate or to modify?

Will the Secretary of State therefore demonstrate the imagination and flexibility that he has been demonstrating so far and actually accept that we should remain members of the existing single market and the customs union during the interim transitional period, which will be necessary before we have our new relationship? That will greatly ease his progress in opening up the hundreds of other issues that he will have to start negotiating in a moment and will certainly ease the great uncertainty in British business that is threatening to cause so much damage to our economy at the moment.

Mr Davis: As ever, my right hon. and learned Friend—

Emily Thornberry (Islington South and Finsbury) (Lab): We’re over here.

Mr Davis: The microphone is there, and the speaker is there.

My right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) has touched on some important points. No. 1, on the ability to do this deal, we start from a position of exact identity on product regulations and other social regulation—such regulation is what worries the European Union—so we are in the same place. The issue is not one of bringing together massively different economies but of maintaining a reasonable relationship between the regulatory structures of our country and of that organisation.

My right hon. and learned Friend is quite right in one respect, which is that whenever a trade agreement is forged, it will have within it agreements on standards—the Canadian one did, for example—and not just on product standards but on, say, labour law standards. The Canadian deal has labour law commitments to stay above International Labour Organisation standards. In that respect, we are in the same place.

In terms of the implementation or transitional period—call it what you will—there is now widespread agreement across Europe that it will be beneficial to have an implementation period. How long it will be and how it will work will be decided straightforwardly on practicalities. Three things will drive an implementation period: No. 1 is this Government’s ability to put in place regulations, new customs arrangements, and so on; No. 2 is the ability of companies, corporations and sometimes people to accommodate it, which is principally the issue with financial services, for example; and No. 3 is the ability of other countries to accommodate it. That is why the quote from Xavier Bertrand is important, because it shows
a clear intent on the part of major French politicians to bring about the sort of frictionless trade that we want. I find myself largely agreeing with my right hon. and learned Friend, but this is why it is entirely possible to deliver a first-class Brexit for Britain.

**Peter Grant** (Glenrothes) (SNP): I am grateful to the Secretary of State for his statement, and for giving us an advance copy.

The Secretary of State is looking for imagination and flexibility from the European Union, but I do not think there is anyone in the European Union with the fevered imagination needed to think that the NHS would be £357 million a week better off if we left the European Union. Will he clarify exactly what flexibility the UK Government have shown? They were inflexible to the point of obstinacy in trying to avoid any parliamentary oversight on the article 50 process. They set their own inflexible deadline for triggering article 50, and they set their own inflexible red lines before the negotiations had even started, including an inflexible determination to leave the single market without any idea at all as to where we would go instead.

All this has been done over the heads of the devolved national Governments and, to a large extent, over the heads of Members of this Parliament. I welcome the fact that the Secretary of State has updated the House today, but he has not updated the Joint Ministerial Committee since six weeks before article 50 was triggered, despite a joint request from both the Welsh and Scottish Governments for such a meeting.

Can the Secretary of State confirm whether the Government will now be flexible in having proper, meaningful and constructive dialogue with the devolved nations? Will he now accept that this Government’s continued obsession with immigration is forcing him into a dangerously inflexible position on the single market, threatening 80,000 jobs in Scotland and hundreds of thousands of jobs throughout the UK? Or will the Government continue on their present course, charging blindly towards a cliff edge and relying on the Daily Mail to make us believe that it was all the foreigners’ fault when it all goes wrong?

**Mr Davis:** First, on flexibility, I have just mentioned areas that matter to individuals, such as guaranteeing their pensions, guaranteeing their healthcare and so on, and those areas did involve some flexibility on the part of the British negotiating team, which did a very good job.

On notification, I chaired a number of JMC meetings—I do not do it anymore, as the JMC is now chaired by the First Secretary of State—to keep the devolved Administrations up to speed. Indeed, yesterday I briefed in detail Mike Russell of the Scottish Government and Mark Drakeford of the Welsh Administration. Obviously, at the moment I have a bit of difficulty briefing the Northern Ireland Executive, because they do not exist any more, as the JMC is now chaired by the First Secretary of State. As he should know, given his role as past and current Chairman of the Brexit Committee, the previous Trade Commissioner, Karel De Gucht, who is no friend of Brexit and does not approve of what we are doing, has said in terms that it is not technically difficult to achieve a trade outcome—all it requires is political will. What it requires is the political will on the European side to do it. What will give that political will is the fact that it sells roughly £300 billion of product to us every year and will want to continue doing so.

**Mr Davis:** Let us start with the right hon. Gentleman’s original presumption that we cannot achieve a negotiated deal in the period. As he should know, given his role as past and current Chairman of the Brexit Committee, the previous Trade Commissioner, Karel De Gucht, who is no friend of Brexit and does not approve of what we are doing, has said in terms that it is not technically difficult to achieve a trade outcome—all it requires is political will. What it requires is the political will on the European side to do it. What will give that political will is the fact that it sells roughly £300 billion of product to us every year and will want to continue doing so.

**Sir William Cash** (Stone) (Con): Does my right hon. Friend accept that not only have the official Opposition been totally contradictory on the single market, customs union and the European Court, but they are now even defying their own manifesto and their vote on the article 50 Act, let alone the democratic outcome of the referendum itself? In other words, they have now moved from being remainers to reversers.

**Mr Davis:** On the day the shadow Brexit Secretary was on “The Andrew Marr Show” saying, if I remember his words correctly, that he was glad to have a unified party behind his current policy—policy No. 10, by the way—on that very same programme the right hon.
Mr Davis: The right hon. Gentleman has had great difficulty understanding the distinction between mandate referendums and decision referendums down the years. I suggest he goes back and reads the speech properly, because he is just wrong and he does not understand it.

Tom Brake: I have read it.

Mr Davis: If he has read it, I fear he has some other problem.

Anna Soubry (Bromsgrove) (Con): I thank my right hon. Friend for his statement. I do not know whether he heard me, but I was cheering the contribution by my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), because I agree that we should have a transition period that includes our remaining a member of the single market and the customs union. [H. MEMBERS: “Hear, hear!”] Ah, yet again we hear cheers in support of that notion from right hon. and hon. Members on the Opposition Benches, but does my right hon. Friend the Secretary of State agree that that is not the policy of the Labour party? In a radio interview yesterday, the hon. Member for Brent North (Barry Gardiner) explained that Labour’s policy would be to negotiate a customs union with the EU by way of a transitional period. Will my right hon. Friend confirm that that is exactly the Government’s policy?

Mr Davis: My right hon. Friend makes a good point, and she is right that the Labour party is incredibly confused about what its policy is. The approach we are taking is simple: we want a customs agreement that goes with a free trade agreement. Those two things together are designed to deliver frictionless free trade. We want not only to protect jobs and the economy, about which she is quite right to be concerned, but to be able to trade with the rest of the world, which is where the maximum growth is.

Chris Bryant (Rhondda) (Lab): I hope there is a deal, and that it is good both for Europe and for us. However, to implement such a deal, with clause 9 of the European Union (Withdrawal) Bill the Government are seeking to allow Ministers to introduce regulations that “may make any provision that could be made by an Act of Parliament”—any provision—“(including modifying this Act).”

In the whole history of this Parliament, no Government have ever come to Parliament to ask for that. That is not a Henry VIII clause; it is an Alice in Wonderland clause! Surely the Secretary of State, as the parliamentarian who has stood up so many times at the Dispatch Box to call for Parliament to have powers, should amend that provision before it comes to Committee stage.

Mr Davis: I will deal with that in more detail on Thursday, but I am not the one in fantasy land. This is a Bill that will work and will deliver the best deal for Britain.

Mr Jacob Rees-Mogg (North East Somerset) (Con): Has my right hon. Friend raised the thought with Monsieur Barnier that if a member state that is a net beneficiary were leaving, would he expect to pay it a large dowry? When he realises that the answer to that...
question is obvious, does it follow that the European Commission’s demand for money with menaces is ridiculous?

Mr Davis: I did raise that point in a rather jocular way about three or four months ago and all I got was laughter. The important point is this: the European Union has based its argument on legal necessity—we have to pay because that is what the law says. Our approach to that was not to make some sort of counter bid as it wanted us to do, but to go back and say, “Okay, let’s test that law.” Last week, it was given a two-and-a-half hour briefing on why we think the legal basis is flawed. To some extent, that is why the end of that negotiating round was tetchier than the one before.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): On the financial settlement, can the Secretary of State confirm that the Government will bring forward a separate and distinct vote in Parliament to authorise any billions of pounds of divorce bill from the European Union? I ask him because next Monday he is expecting the House—hon. Members will see this on the Order Paper—to vote for a money resolution, which authorises, in advance, any expenditure, and, worse, for a Ways and Means resolution, which authorises any tax. I do not think that he would accept that Parliament should be giving such a blank cheque in advance without knowing what the settlement is.

Mr Davis: I think the hon. Gentleman has got that wrong. The Bill does not cover separation payments. I ask him to bear in mind one other thing that we have said, which is that there will be a vote of this House on the final settlement. My expectation is that the money argument will go on for the full duration of the negotiation. The famous European line that nothing is agreed until everything is agreed will apply here as it will everywhere else, but there will be a vote in which the House can reflect its view on the whole deal, including on money.

Vicky Ford (Chelmsford) (Con): I thank the Secretary of State not only for this update, but for all his work over the summer. I spent a bit of the summer in Ireland and Northern Ireland with businesses trading across the border, looking at the papers and suggestions on customs and on Ireland and Northern Ireland. May I congratulate him on trying to find creative solutions to make that border crossing, and indeed crossing the channel, easier? There is interest from both sides of the border on working on those. Given the complexity, can he update us on whether we can move to continuous rather than monthly negotiations to progress discussions?

Mr Davis: First, on customs borders and frictionless trade, there was a lot of attention on my visit to Washington last week, but I went straight from there to Detroit to look at the American-Canadian border. That has always been a very open border. I have traded across it myself, so I know it well. The average clearance time for a vehicle going through that border—there is a choke point—is 53 seconds. When we clear containers from outside the European Union area, we can clear 98% of them in four to five seconds. Technology can accelerate these things enormously well, and that is what we are aiming to do.

With respect to the negotiating round, we stand ready to do anything to accelerate the process. This process was asked for by the Commission. We must bear in mind that it has a very stiff, rigid, structured mandate process: it draws up its lines, negotiates, goes back to report to the other 27, and starts the cycle again. I do not know whether it is possible to get continuous negotiation that way. If it is, we would be happy to go along with it.

Mr Pat McFadden (Wolverhampton South East) (Lab): On the financial settlement, does the Secretary of State believe that the European Union is blackmailing the UK?

Mr Davis: With the best will in the world, I choose my own words. In a negotiation there are pressure points, but that is to be expected. Anyone who imagines that 28 nations effectively negotiating together will not come to a point of pressure is living in another world—a fantasy world, someone said.

Mr Bernard Jenkin (Harwich and North Essex) (Con): May I ask my right hon. Friend to confirm that it was Michel Barnier who described the idea of a transition period without a clear agreement at the end as a bridge to nowhere, so will he dismiss some of the advice that he has received on transition periods? May I also invite him to dismiss the idea that September will be the great progress point against which the Government should be tested? Should we not wait until after the German elections when the German Chancellor will be much more fully involved in the discussions before we become really impatient for progress?

Mr Davis: I would not be harsh on Michel Barnier or others. The view of what a transition period is has gone through an enormous metamorphosis in the past six months. When we began talking about this—as and the European 27—the Europeans had in mind using the entire two years to negotiate a withdrawal agreement, and then a sort of infinite transition period in which we negotiated our departure. That is clearly something that was massively against our interest in negotiating terms.

What was my hon. Friend’s second question?

(Interruption) Germany—yes. There are other issues that play against the timetable; there is no doubt about that. The German election takes place in three weeks or so, and the formation of the German Government will take at least another couple of months—probably three months. That will have an impact, because Germany—it is no secret—is the most powerful and important nation in Europe, as well as the paymaster, and it will have a big say in the outcome. So yes, there are other things to consider. My hon. Friend is absolutely right: we should not pin ourselves to September, October or whatever, because in doing so we would be doing the job of the people negotiating against us, and we are precisely not going to do that.

Keith Vaz (Leicester East) (Lab): A record number of EU citizens resident in the United Kingdom applied for British citizenship this summer. We have 3 million EU citizens living here. Given that there is still no certainty about their status, is the right hon. Gentleman’s advice to them immediately to apply for leave to remain in this country? If so, what additional resources does he propose to give to the Home Office?
Mr Davis: My advice is almost the opposite. The simple truth is that if 3 million people applied for leave to remain the Home Office might have the odd glitch along the way. That is part of the point of saying that there will be a two-year grace period after departure in 2019 in which people can make that application. Between now and then a great deal of resource will be put in to ensure that that process is streamlined. The right hon. Gentleman will remember because of his previous eminent role that the original application document was something like 85 pages long. We got it down to 16 and now six. It will be streamlined to a very, very simple process by the time that we get to that two-year grace period.

Mr David Jones (Clwyd West) (Con): Article 50 provides in terms that the negotiations in which my right hon. Friend is engaged should take into account the framework for the future relationship between the departing member state and the European Union, but, as we have heard, the EU refuses to address that question. When he next sits down with Michel Barnier, would my right hon. Friend draw to his attention the fact that he is in dereliction of his duties under the treaty and that his stubborn refusal to discuss that future relationship is as contrary to the interests of the European Union as it is to those of the United Kingdom?

Mr Davis: My right hon. and dear Friend, who used to be in my Department not very long ago, knows full well that I have made those points more than once to Michel and other members of the Union negotiating team. This is not within the normal perspective as laid out by article 50, but we have gone along with it simply to get citizens’ rights under way. That is what we have done, but now we are getting to the point at which we will think very hard about what the next stage is.

Sammy Wilson (East Antrim) (DUP): I welcome the Secretary of State’s paper on Northern Ireland, particularly the assurances to Unionists that the border will not be drawn along the Irish sea, and equally to nationalists that there will be no hard border between Northern Ireland and the Irish Republic. I especially welcome the fact that those goals are achievable because of the practical measures suggested in the paper. Is he therefore disappointed by the Irish Government’s negative response to his paper, especially since they have so much to lose from an EU punishment beating of the UK? Has he had any assurances from the Irish Government that they will not act on the spiteful advice of Gerry Adams that they should block any agreement between the EU and the UK?

Mr Davis: The hon. Gentleman knows that I fight very shy of getting entangled in Irish politics, but I am confident that we can get a non-visible border operational between Northern Ireland and Ireland using the most up-to-date technology. That was one reason why I went to Detroit. It was not so we could replicate what is in Detroit and Buffalo, but so we could use some of the same techniques, such as authorised economic operators, pre-notification and electronic tagging of containers. All those things will make it possible for the border to be as light-touch as it is today.

Mr John Whittingdale (Maldon) (Con): Does my right hon. Friend agree that a failure to pass the European Union (Withdrawal) Bill, transferring European law into British law, would plunge this country into chaos when we leave the European Union? Does he find it extraordinary that any party claiming to respect the decision of the British people should contemplate voting against it?

Mr Davis: My right hon. Friend is exactly right. It is one of the reasons that there is tension within the Labour party now. There is very visible tension on the television screen, let alone anywhere else. My right hon. Friend is dead right that the point of the repeal Bill—now the withdrawal Bill—is to ensure that the laws we have the day before we leave the European Union are the same laws as the ones we have the day after we leave, except where there has been another piece of primary legislation to replace it, whether on immigration or whatever else. That is simply a practical matter. It should not actually be a matter of politics; it is a simple matter of national interest.

Kate Hoey (Vauxhall) (Lab): As the Secretary of State just said, the European Union (Withdrawal) Bill is a crucial piece of legislation for us to leave the EU. Would he therefore agree that, although people might have difficulties with parts of it that can be discussed in Committee, anyone who votes against the principle on Second Reading is betraying the will of the British people?

Mr Davis: The hon. Lady is exactly right. Such people will have to face their own constituents because those constituents voted to leave. This is a practical Bill designed to protect the interests of British business and British citizens. That is what it is there for—nothing else.

Antoinette Sandbach (Eddisbury) (Con): In the Secretary of State’s closing remarks at the most recent round of negotiation, he said that the UK has shown “a willingness to discuss creative solutions” on the governance of citizens’ rights. Will he outline in more detail the governance proposals?

Mr Davis: This is the area where the European Union’s start position was to have European Court of Justice direct effect in the United Kingdom. We have said that we are a country that obeys the rule of law and its international treaties, that the treaty would be passed through into the law—we would repeat it there—and that we may set up some ombudsman arrangement with a reference to it. Those are the sort of ideas that we have in play.

Stella Creasy (Walthamstow) (Lab/Co-op): The Secretary of State cautioned us to think about our constituents in response to his statement, so I am thinking about the nearly 30 million British people—I believe that is the figure—who went to Europe this summer, mainly on holiday. Will he confirm for them today that they will be able to book their European holiday when they come to do so next year, or is he thinking about blue skies, but delivering empty ones at this point?

Mr Davis: One duty we do owe our constituents is not to start scare stories.
Sir Edward Leigh (Gainsborough) (Con): During the last three or four years, there have been very high levels of migration into the EU, particularly from north Africa and the middle east. If there is to be an implementation period, existing EU citizens will no doubt have freedom of movement into our country during that period. For that reason, will my right hon. Friend ensure, first, that the implementation period is over well before the date of the scheduled next election and, secondly, that if existing EU citizens do have a right of entry during the implementation period, that right refers to people who are already citizens of the EU at the end of March 2019?

Mr Davis: My hon. Friend is introducing a whole load of hypotheticals. As I said earlier, the transition or implementation period might be an homogenous extension of what we have now, or it might be a piece-by-piece extension. We do not know at the moment; we have not yet even got into that negotiation. But the simple fact is that there are a number of things limiting how long that period can go on for. One of them is, frankly, that the Government have to deliver on departure from the European Union promptly—that is really what the British people expect. But there are also other issues, such as negotiability; if this period ran for too long, some of the Parliaments in Europe might think, “Actually, that’s a new treaty, and therefore we need to have a mixed-agreement procedure.” So there is a variety of things that will limit the extent it will go on for, and I am pretty clear it will be over before the next election.

Caroline Lucas (Brighton, Pavilion) (Green): Now that the Brexit negotiations are going so well that the Secretary of State has taken to calling his counterpart silly, will he publish the impact assessments his Department has overseen in relation to 50 sectors of the economy, or is he afraid that if he were to publish them, that might just make him look a bit silly, particularly if the leak is true from the Department of Health, which foresees a potential shortfall of 40,000 nurses by 2026?

Mr Davis: Let us start with a correction. I am sure the hon. Lady is not intending to mislead the House, but on television yesterday I corrected Mr Andrew Marr twice when he tried to say I had called Michel Barnier silly. I hope she will understand that that is not true. It does not help the negotiation to throw those bits of fiction into play.

The second thing I would say is that we are being as open as it is possible to be in terms of the information on this negotiation, subject to one thing, which is that we do not undermine the negotiation or give ammunition to the other side that is useful to them in the negotiation. That is the principle we will continue with.

Crispin Blunt (Reigate) (Con): Does the Secretary of State agree that the progress of the negotiations is entirely unsurprising, given the framework within which Michel Barnier is having to operate, as laid down by the European Council? It is only when we get to October, and it takes a decision to consider what the Opposition spokesman called phase 1 and phase 2 together, that we can begin to make real and serious progress.

Mr Davis: My hon. Friend is right that the mandate structure is rigid; it does make it difficult for Mr Barnier and his team to be as flexible as they might want to be. It will be the point at which the Council starts to take a steering role in this that indicates a change in speed. That may well be October, but it may well be dictated by other events—as my hon. Friend the Member for Harwich and North Essex (Mr Jenkin) said earlier, the German election will have an impact, and other political issues in Europe will have an impact. And the process will go at varying speeds. As I have said from the beginning, this is going to be a turbulent process: there will be times when there are ripples, there will be times when it is smooth and there will be times when it is very stormy. We must be ready for that, because this is going to be a negotiation about big issues between major states, and these things are never serene.

Stephen Kinnock (Aberavon) (Lab): The Secretary of State will have noted that the United Kingdom registered the lowest rate of economic growth in the entire European Union in the first quarter of this year. Does he think that the chaotic and shambolic way these negotiations are going may have contributed to that level of growth?

Mr Davis: I am lost for words as to where to start on the logical impossibilities. First, I do not recognise the hon. Gentleman’s economic numbers. We have a country that has had sharp increases in exports and sharp increases in manufacturing. Vast numbers of good things are happening on the economic front, including the highest employment ever and the lowest unemployment for 42 years, so I simply do not recognise his rather interesting barb.

Dr Julian Lewis (New Forest East) (Con): Have not the exchanges this afternoon shown once again that the Opposition’s position is that any agreement at all, no matter how bad for Britain and no matter how extortionate, is better than a clean break in 2019 if a good deal for Britain is not then on offer? Does it remain Government policy that a clean break in 2019 is better than a bad deal, as it may lead to more fruitful negotiations further down the line after we have actually left the European Union?

Mr Davis: The answer is yes, because the Prime Minister reiterated that just the other day.

Ms Angela Eagle (Wallasey) (Lab): Will the Secretary of State confirm that if we leave the European Union without a deal the car plant up the road from my constituency in Ellesmere Port, which currently provides 2,000 full-time jobs and a much wider supply chain, will struggle, because if we leave the customs union and the single market, that adds £125 million a year, and its supply chains are very mixed up all over Europe? Having no deal puts those jobs at risk, and it will be a disaster for my constituents in the automotive industry.

Mr Davis: I referred earlier to my visit to Detroit. One of the things I looked at in Detroit was the Ford factory. It is the original Ford factory—very historic and very big—at Dearborn. It makes the most sold car—the most popular car—in the world. The engine for that car is made in Canada, 10 miles across the border. If that border were such a problem, that factory would not be in Canada; it would be in America. That is a single demonstration—there are thousands of such demonstrations—of how borders can be made frictionless, and that is what we would do.
Robert Neill (Bromley and Chislehurst) (Con): I was grateful to the Secretary of State for referring specifically to the progress made on civil and commercial law co-operation. Does he agree, however, that it is imperative that there is early clarity on one specific area—whatever the final outcome of negotiations, there should be early clarity on reciprocal recognition and enforcement of judgments and court orders? Unless that happens, firms will not be willing to enter into contracts for any period that runs over either the date of leaving or any of the likely transition periods that have been posited so far. It would be in both sides’ interests to have that.

Mr Davis: My hon. Friend is right—that is very high on the priority list.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I should declare that my husband is a dual Irish-British national, which gives me a particular interest in the relationship we have after Brexit with our largest trading partner in the EU. The Secretary of State talked about “significant, concrete progress” in this vital area. Yet when I was in Ireland this summer, commentators universally were saying what Fintan O’Toole from The Irish Times said: “behind all of these delightful reassurances, there is sweet”—here I paraphrase—“nothing”. Will the Secretary of State please detail what that “significant, concrete progress” is, or are his descriptions of this magic border just a whim?

Mr Davis: The biggest single issue that came up at the previous negotiating round in July was concern by the European Union that our intention to continue with the common travel area would impinge on the rights of European citizens. We managed to achieve an understanding on its part that that was not the case and that the CTA was therefore well worth preserving. We currently have technical work ongoing on north-south arrangements. We will, of course, have to wait on the outcome elsewhere for things like the Irish energy market and so on, but they are all very much front and centre in our negotiation. The Northern Ireland-Ireland border is very important, but the other very important thing in respect of Ireland is, as the hon. Lady says, its sales and trade with us—a billion a week. But there are also its sales to the continent which tend to come through Britain and require a common transport area too. We are working on all those things.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): People in Middlesbrough South and East Cleveland will be appalled to hear the shadow Front-Bench team opening the prospect of Britain’s continuing in the single market and under the jurisdiction of the ECJ in perpetuity, which is, in my eyes, the very worst outcome that we could get. Does the Secretary of State agree that that would represent a comprehensive betrayal of my voters, and of very many Opposition voters?

Mr Davis: Yes. The Labour party gleaned a lot of votes in the last election because of a belief that it was willing to support the will of the people in Brexit. It plainly no longer is.

Toby Perkins (Chesterfield) (Lab): Businesses that are thinking about whether to invest here in the UK or overseas in the EU will be horrified to hear the Secretary of State glibly agreeing with the Prime Minister by saying that leaving on WTO terms would be fine. Will the Secretary of State take this opportunity to state that if we were to leave on WTO terms, the consequences for the car factory that my hon. Friend the Member for Wallasey (Ms Eagle) just referred to would be catastrophic; and doing so would be bad for us and for the EU?

Mr Davis: Let us be clear. The aim of the Government is to get a free trade agreement and associated customs agreement. That is the aim, and that is the expectation. If that does not happen, it is not a catastrophe, but I would much, much prefer a free trade area and a customs agreement. That is what all the efforts of the Government in negotiation are going into.

Mrs Anne Main (St Albans) (Con): Does my right hon. Friend agree that given that the majority of the public voted for two parties that held Brexit as part of their manifesto commitment, it would be helpful if the Labour party came to a settled view and made constructive input into the talks that he is having?

Mr Davis: Yes. One can reasonably expect some Labour Members to have different views, but for the deputy leader of the party to have a different view is really rather dramatic. The Labour party should do as my hon. Friend suggests.

Hywel Williams (Arfon) (PC): When will the Joint Ministerial Committee on EU Negotiations next meet?

Mr Davis: That is strictly a matter for the First Secretary. It has partly been delayed by the non-formation of a Northern Ireland Executive, and we will have to find other methods. My intention before the election had been to go, in the absence of the Northern Ireland Executive, to a series of bilateral arrangements in the meantime. That is why yesterday I called up the Scottish Government and the Welsh Government to brief them on the detail of the negotiation.

Mr Mark Prisk (Hertford and Stortford) (Con): As a taxpayer, I welcome the Secretary of State’s practical and cautious approach to the matter of money. May I therefore urge him to continue to press the EU for detailed and, preferably, independently audited numbers before he comes to any financial settlement?

Mr Davis: We have been pressing the EU, but it has been more of the nature of going through the legal basis for each of the claims. They are all set on various claims about what voting in certain budgets and certain financial proposals binds us to—how much of that is binding. I think, frankly, the outcome will be that we will not agree on the legal basis. As for audited numbers, I used to be the Public Accounts Committee Chairman, and my hon. Friend will remember the number of times we actually got a clear set of accounts from the European Union; I think it was nought.

Kelvin Hopkins (Luton North) (Lab): Does the Secretary of State agree that it is entirely possible to love Europe—a subcontinent of wonderful peoples of great culture—but at the same time to oppose totally the European Union on democratic and economic grounds?
Mr Davis: The hon. Gentleman makes, if I may say so, a very civilised point, and he is exactly right.

Mr Peter Bone (Wellingborough) (Con): Following on from that, it seems to me that it is the European elite’s desire to protect the institution of the European Union and not to worry about the peoples of Europe, and therefore they will delay and delay, hoping that this country will somehow change its view. Will the Secretary of State give this House an absolute undertaking that on 31 March 2019 we will leave the EU, whether a deal has been reached or not, and that there will be no case whatsoever of considering an extension to the negotiations?

Mr Davis: One point that I think is sometimes confused is the idea that a transitional or implementation period means an extension of the negotiations. We need, essentially, to have arrived at a decision by the end of March 2019, but the simple truth is that the article 50 process stops it there. That is it; that is where it goes to. So even if I did not give the promise, it would happen.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Secretary of State did not answer the question from my hon. Friend the Member for Nottingham East (Mr Leslie) regarding the money resolution and the Ways and Means motion that he is expecting the House to vote on next Monday. Will he confirm categorically that the motions will give him and other Ministers the power to cut whatever deal they like on the divorce bill without any further reference to this House in a separate, distinguishable vote?

Mr Davis: I have to say to the hon. Gentleman, first, that that is not in the Bill—I have taken advice, and I am correct on that—and secondly, that there is, because the Government have agreed it, a decision to allow a vote in both Houses on the whole deal.

Mr Shailesh Vara (North West Cambridgeshire) (Con): When the European Union says Britain is not taking the talks seriously, it in effect means that it is not happy that Britain is not accepting everything it is putting on the negotiating table. May I congratulate my right hon. Friend on not conceding, and on standing up for the British people? May I also remind him that Britain’s position is not as weak as some people would believe? It is not simply one country versus 27 countries; Britain’s population alone is significantly more than those of 15 EU countries combined, and we are also the fifth strongest economy in the world. This has to be a two-way negotiation, and the EU needs to understand that.

Mr Davis: Yes, my hon. Friend is exactly right. Sometimes, those involved have to remember that they are negotiators, not arbiters. The simple truth—[Hon. Members: “Turn around.”] There is clearly an outbreak of deafness on the other side of the House. The simple truth is that the interests of the other countries is as much engaged in having a deal as our interests are, and that is what will drive it in the end.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Liverpool’s success owes a great deal to the European Union through its investment in business and support for high-level university research. Will the Government show some urgency in addressing these issues, in contrast to the complacency exhibited in his answer to the question posed by my hon. Friend the Member for Wallasey (Ms Eagle)?

Mr Davis: First, any funding that Liverpool gets from the European Union comes, at the end of the day, from the British taxpayer, because we pay in more than we get out. That is the first thing to remember. The second point, on universities, is that we have done a great deal in encouraging universities to continue with their research applications and with bringing in students from abroad, and we have put in place various guarantees to ensure that, so I do not really see what she is driving at.

Several hon. Members rose—

Mr Speaker: Order. May I just gently point out to the House that colleagues who beetle into the Chamber after the statement started should not now be standing and expecting to be called? To put it mildly, that is bad form, and I would have thought that the person guilty of it would know it and desist.

Stephen Hammond (Wimbledon) (Con): May I thank my right hon. Friend for his statement, and for the opportunity he gave Members of this House to spend many pleasurable hours during the recess reading position papers? The position paper on customs largely fails to mention financial services in any way. Given that the sector is our biggest tax raiser and represents 45% of our exports, will my right hon. Friend confirm to the House the Government’s ambitions for customs arrangements in financial services? Have they yet been raised in the negotiations, and does he intend to publish a position paper on those arrangements?

Mr Davis: The answer to the last part of the question is: not immediately. The financial services sector is clearly an important part of the free trade agreement we want to achieve. Customs primarily apply, of course, to physical goods. We are very clear in our minds that financial services are a massively important part of the negotiation. My hon. Friend should be in absolutely no doubt about that.

Peter Kyle (Hove) (Lab): Has the Secretary of State informed his EU counterpart that he has told this House and promised the people of Britain that he will deliver the “exact same benefits” outside the EU as we currently enjoy inside it, and what was the reaction?

Mr Davis: Every time this hoary old argument is brought up by Opposition Members I say the same thing to them: I make no apologies for being ambitious on behalf of our country.

Sir Desmond Swayne (New Forest West) (Con): Are the negotiations any more convivial than the press conferences that follow them, which serve only as a powerful corrective to any illusion that we ought possibly to have remained part of that institution?

Mr Davis: All my meetings with everybody are always convivial.
Seema Malhotra (Feltham and Heston) (Lab/Co-op): The European Investment Bank is the EU’s not-for-profit, long-term lending institution, and it is symbolic of our commitment to each other’s progress. EIB funding in the UK for infrastructure spending, entrepreneurship and development has been worth €35 billion in the past six years. What specific discussions has the Secretary of State had on the EIB? Is he committed to doing all he can in seeking for the UK to remain a member of the EIB after we leave the EU, or are the Government planning for us to leave the EIB? Can he guarantee that withdrawing from it will not have a negative impact on investment in the UK and on our economy?

Mr Davis: What the hon. Lady fails to say is that the British economy has actually been more successful than most others in obtaining investment from that source. So far, the negotiations have only been about the departure arrangements—what would happen in the event of a rift—but when we get to the point of talking about the ongoing relationship, I think we will be looking to maintain that ongoing relationship.

Steve Double (St Austell and Newquay) (Con): Does the Secretary of State agree that the British people are right to expect any divorce settlement to be determined only within the context of our ongoing relationship with the EU, and that any expectation that we will agree to a figure before knowing what our future relationship will be is completely unrealistic?

Mr Davis: Politically, my hon. Friend is quite right: that is the case. It is a point of view that is resisted heavily by the Commission, but he is right.

Helen Goodman (Bishop Auckland) (Lab): The Secretary of State knows perfectly well that to keep the lights on in this country, we need the electricity interconnectors with the continent to operate—

Mr Davis indicated assent.

Helen Goodman: He is nodding, so he does know. The Secretary of State also knows that the legal base for the energy market is separate from that for the single market, so when he says in his statement that “the key issues in relation to cross-border economic co-operation and energy will need to form an integral part of discussions on the UK’s future relationship”, is he softening up his colleagues sitting behind him for the reality that we will have to stay in the European energy market?

Mr Davis: No, but a country does not have to be a member of that to sell and buy from it, just as many other countries do.

Mr Philip Hollobone (Kettering) (Con): Has it not become depressingly clear this afternoon that, with some honourable exceptions, most Opposition MPs have swallowed the EU negotiating line hook, line and sinker? They want us to transition to staying in the single market and the customs union, and if possible to staying in the whole EU, thus preventing us from regaining control of our borders, and they are displaying a catastrophic loss of nerve at the first whiff of grapeshot from the European Commission. May I commend my right hon. Friend for his cool head and his steady nerve, and may I urge him to hold the line and not to listen to the remoaners who have become reversers who would sell our country short?

Mr Davis: I thank my hon. Friend for the compliment, but all I will say is that I do not think the grapeshot has started yet.

Andy Slaughter (Hammersmith) (Lab): Yesterday, with Members from both sides of the House, I was in Calais visiting some of the refugees who have been sleeping rough around the port since the demolition of the Jungle camp. About 200 of them are minors, some of whom have the right to come to the UK under the Dublin III regulations. If we leave the EU—if—the Dublin III regulations will fall away. Will the Secretary of State guarantee to replicate them in immigration rules, and will they then apply just to EU countries or more widely?

Mr Davis: The hon. Gentleman will forgive me if I do not make an instantaneous promise on what will be in the immigration Bill, but this is precisely the sort of thing that that Bill should address. A more general point I made to the European Commission negotiators last week is that a legal requirement is not the only reason for doing things. We are a country with a strong tradition of tolerance and generosity, and if anything, I expect that to grow after we leave, not diminish.

Iain Stewart (Milton Keynes South) (Con): If it is deemed desirable to have a transition or implementation period for a fixed length of time after we leave, what reassurances can my right hon. Friend give me that during that period this country will be able to start formally conducting trade negotiations with other countries outside the EU?

Mr Davis: The basis of the limitation at the moment is the duty of sincere co-operation. That arises from membership of the European Union, and we will not be a member. I would, however, give my hon. Friend one word of caution. In the event that we have an open customs border for the duration—if there is some sort of short-term customs agreement—there will be limitations on what can be done, so the entry into force of such an agreement is unlikely unless it is parallel to the ones between, let us say, Japan and the European Union or South Korea and the European Union. There will be limitations, but he has made the point: we should be able to negotiate during that time.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): The Foreign Secretary has publicly proclaimed that the EU can “whistle” for a divorce payment and the Secretary of State for International Trade has accused the EU of blackmailing the UK. How helpful has the Secretary of State for Exiting the European Union found those comments in underlining the UK’s commitment to a “flexible and imaginative” approach, which he claims to be the basis of our approach?

Mr Davis: That just goes to show how lucky it is that I am such an amiable person.
Robert Courts (Witney) (Con): Michel Barnier has said that his “state of mind...is to reach an agreement” with the United Kingdom. In the Secretary of State’s experience, is the good will that is required to reach a negotiated settlement present?

Mr Davis: Of course it is. The simple fact is that all the negotiators on the other side want to reach a deal, not just out of generosity and altruism to us, but because it is in their own interest to do so. The second thing to say is that, as other people have pointed out, these are simply the negotiators. At the end of the day, they are not the final decision makers. That falls to the Council and it very much has every reason to do a deal.

David Linden (Glasgow East) (SNP): The Secretary of State mentioned that one reason the Joint Ministerial Committee has not met is the political situation in Northern Ireland. I appreciate that he does not want to go into hypotheticals, but if that situation is not resolved in the next few months, when will the JMC next meet?

Mr Davis: That is a question the hon. Gentleman should put to the First Secretary, who is the decision maker on that. If the situation is not resolved very soon, we will have to find another mechanism. He is exactly right.

Richard Graham (Gloucester) (Con): The vice-president of the German Mechanical Engineering Industry Association recently said that German manufacturers were concerned for the future of their businesses and that the economic price of failing to strike a trade deal with the UK “will be bad for all of us”.

Given that the implication is that businesses on both sides of the channel would benefit from a quick agreement on both the long-term future arrangements and the transition, does my right hon. Friend agree that it would be helpful if the EU started discussing what future EU programmes we might want to participate in and what might be the nature of a free trade agreement, in order to speed up everything for the benefit of all businesses across the continent?

Mr Davis: Yes, my hon. Friend is exactly right. The reason that is not happening, as I have intimated before, is that the EU sees it as a tactical advantage at the moment. The simple truth is that it is not just German mechanical engineers, but the head of the Bavarian state, the head of Flanders, the head of Hauts-de-France, as I described earlier—it is many, many people—who see their own interest at risk. That is what will help us out in the end.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Will the Secretary of State acknowledge that the delayed process of the negotiations means that universities and other educational institutions are left on tenterhooks in respect of long-term research programmes and exchange programmes? They do not know whether we will still be part of Horizon 2020 or the Erasmus Plus programme and bids have to be in for the next round at the end of this month. Will the Secretary of State give a commitment that the universities sector will be one of our top priorities and that it will get full access to Horizon 2020 and Erasmus Plus?

Mr Davis: I will say two things to the hon. Gentleman. First, the Under-Secretary of State for Exiting the European Union, my hon. Friend the Member for Worcester (Mr Walker) spends a great deal of time on this issue with research institutes and universities. Within a few days, we will publish another position paper on science and the future that we see in that area. I think that the hon. Gentleman will be pleased with its contents.

Henry Smith (Crawley) (Con): What assessment has my right hon. Friend made of the figures from the International Monetary Fund that show that the EU’s share of global GDP will fall to just 13% after Brexit and of the significant opportunity that that provides for this country in terms of forging international deals not just with, but beyond, Europe?

Mr Davis: We do not even have to look as far as the IMF. The European Commission itself has said that 90% of the growth in world trade will come from outside Europe. That is where the growth markets and the big markets are. We have the fabulous advantages of the English language, English law and all our historic contacts. The simple truth is that we can make a great future outside the European Union.

Albert Owen (Ynys Môn) (Lab): May I press the Secretary of State on the Irish question? In particular, what detailed talks are happening between his Department and the Welsh Government on trade from Welsh ports to Irish ports? My constituents are concerned and they care about what leaving the customs union will mean in terms of barriers, customs and jobs. It seems that the Irish Government and the Welsh Government are concerned—they seem to get it—but that the UK Government do not. Will he assure me that talks are taking place? Will he or one of his Ministers meet me to assure me that that problem is being looked at, as is that of the north-south border in Ireland?

Mr Davis: If the hon. Gentleman was listening earlier when I answered—

Albert Owen: I was, but I didn’t get an answer.

Mr Davis: If I can finish the sentence, perhaps he will get an answer. When I answered the question on the north-south border, I said that we were also concerned that Ireland’s access to its major market—ourselves—and to the European market through the Welsh ports would be at risk in a bad outcome, so we are absolutely dealing with that issue.

Richard Drax (South Dorset) (Con): My hon. Friend the Member for Gloucester (Richard Graham) has rather stolen my thunder, because I was going to ask a very similar question about business. What feedback is the Secretary of State getting from businesses across Europe that they want to continue trading with us? It seems to me that the bureaucrats do not and want to punish us, but the business community I speak to wants to do business and does not want tariffs. Is that the feedback he is receiving?
Mr Davis: Yes, that is it exactly. Most businesses understand the real virtues of free trade and large markets, and they understand that a frictionless arrangement is best not just for us but for them.

Ian Paisley (North Antrim) (DUP): Was the Secretary of State as horrified as I was by the comment from a senior Labour party grandee that there will be open “trench warfare” to block Brexit? I do not know whether that grandee was speaking about the conflict between colleagues on the Labour Front Bench, given the disputes over leaving or not leaving the single market, leaving or not leaving the European Court of Justice and supporting or not supporting freedom of movement, but will the Secretary of State give a strong assurance to my constituents, who voted overwhelmingly to leave the European Union, that the United Kingdom is leaving with or without the help of Her Majesty’s Opposition?

Mr Davis: I think the answer is that we will be leaving without the help of Her Majesty’s Opposition, and there is nothing new in that.

Karin Smyth (Bristol South) (Lab): The Secretary of State continues to talk about the Canadian border when referring to the Irish border, reducing the situation to a technical issue, which it is not. The situations are not analogous. He said earlier that he would do anything to progress some of the talks. Will the Prime Minister do what her predecessors have done by taking charge of the situation in Ireland and visiting Northern Ireland, perhaps with the Taoiseach, to demonstrate to the EU that this is a highly critical issue that goes beyond the technical issue of the border?

Mr Davis: The Prime Minister has done that. She spoke to the previous Taoiseach a number of times and, indeed, went to see him. It was her first visit abroad immediately after she became Prime Minister. She has had numerous conversations since. There are some telephone conversations that I am aware of. Last week, I think on Thursday, the Chancellor was in Dublin with the same mission. We take this issue very seriously. There is no doubt about that. I do not think that the Irish Government are in any doubt about the fact that we take it seriously. Indeed, I met the Irish Foreign Secretary within days of his appointment. We are on this problem and we will get it right.

Martin Whitfield (East Lothian) (Lab): The Secretary of State said in his statement that he respects the need for safeguards on nuclear materials, but he went on to comment that he looks forward to a “comprehensive new partnership”. Does he envisage Euratom continuing and us being a part of it, or will we have a new Euratom-type agreement?

Mr Davis: One problem with not being able to get on to the ongoing arrangements is that we do not have a definitive answer to that, but we do know that we are capable of creating a parallel arrangement if need be. That is not technically difficult, but we would prefer to have a closer association than that, and that is what we will play for.

Mr Speaker: I call Matt Western.

Matt Western (Warwick and Leamington) (Lab): Thank you, Mr Speaker. I have just experienced what it is like to be the last Member called and to realise that nearly all the questions have already been asked. I will try to make this one slightly fresh.

Does the right hon. Gentleman agree that exchange rates are seen across the world as the measure of confidence in a country and reinforce the decisions of businesses and others to invest there? Since the negotiations started, our currency has fallen against the euro and the dollar. What does that say about how well the negotiations are going?

Mr Davis: I will start by helping the hon. Gentleman with his view of the House of Commons; the motto of this place is, “Everything has been said, but it has not yet been said by everyone”, so he is in a good position. I thought the hon. Gentleman’s view of currencies had gone out with Harold Wilson—“the pound in your pocket” and all that. The simple truth that is a currency lands at the level that works best for the country, and that is what is happening here. We are seeing a significant increase in manufacturing and in exports and an increase in our competitiveness, so I would not worry about that. We do have to worry about inflationary effects, but so far they have been relatively minimal.
Grenfell Tower and Building Safety

6.11 pm

The Secretary of State for Communities and Local Government (Sajid Javid): With permission, Mr Speaker, I would like to make a statement on the latest progress following the tragic fire at Grenfell Tower 12 weeks ago. Over the summer the Prime Minister, the Housing Minister, the Minister for Policing and the Fire Service and myself have been meeting the people of north Kensington to make sure that their concerns are being listened to and, more importantly, acted upon. As a result, the Grenfell recovery taskforce has been appointed and started work. The process of removing control of properties from the tenant management organisation has begun; the remit of the public inquiry has been set; a temporary school has been built; and work is under way on the scaffolding that will surround the tower.

I would like to pay particular tribute to the incredible team recovering and identifying the remains of those who died. They are doing an exceptionally difficult job in the most trying of circumstances. So far, they have identified 57 victims, hopefully bringing some measure of comfort to their loved ones. Obviously we would all like to see the process completed as quickly as possible, but I am sure all hon. Members appreciate the need for both accuracy and dignity as well as speed.

My statement will focus on two areas in which the House has previously shown particular interest: the rehousing of residents and our building safety programme. However, I will be happy to answer as many questions as I can on any area that hon. Members wish to cover, as I can on any area that hon. Members wish to cover, and my door is always open to anyone who wants to discuss issues in greater detail.

First, on rehousing, 151 homes were lost to the fire. A number of the households have said that they would like to be rehoused separately, leading to 196 households that accepted offers of temporary accommodation with their preference is to stay where they are until a permanent home becomes available. Meanwhile, residents who have accepted offers of a permanent home have been given extended the expressions of interest period for permanent homes. I do not want to see anyone living in emergency accommodation for any longer than is necessary, but nor do I want to see families being forced to move or make snap decisions simply so that I have better numbers to report at the Dispatch Box.

I turn to testing and building safety. Of course, the issues raised by the Grenfell disaster extend well beyond Kensington. Across England there are 173 social housing buildings that are over 18 metres tall and clad with some form of aluminium composite material. In July, the Building Research Establishment began a series of large-scale fire safety tests on ACM cladding systems—both the visible cladding and the internal insulation. The aim was to establish whether each system, when properly fitted, complied with the relevant building regulations guidance, BR 135. Three of the seven cladding systems that were tested were found to meet the criteria set out in BR 135. The other four fell short of what is required. The cladding systems that passed the test are in use on eight social housing towers. Systems that failed are in use on 165.

The owners of affected buildings have been given detailed advice drawn up by our independent expert advisory panel, covering steps to ensure the safety of residents, including, where necessary, the removal of cladding. We have also held weekly update calls with local authorities, housing associations and other building owner groups. We have today published further advice that brings together all the results and the views of the expert panel on the implications for building owners, and we will shortly meet local authorities and housing associations to discuss further steps. That will include the process by which we will ensure that remedial work is carried out.

We have made the BRE test facilities available to all private residential building owners. Although 59 buildings in England have had their cladding tested through those facilities, I continue to urge all private sector owners of similar buildings to submit samples for testing. I have also asked housing authorities to ensure that the same steps are taken for all private sector residential tower blocks in their areas, and to collect the data so that we understand the scale of the issue and can track remedial action.

Inspections carried out since the fire have also highlighted other safety issues related to building design. For example, structural engineers studying Southwark's Ledbury estate said that strengthening work may be needed on blocks constructed using the concrete panel system that failed with devastating effect at Ronan Point in 1968. They also raised concerns about cracks that appeared cosmetic but could compromise fire safety and compartmentalisation. We have been in contact with Southwark Council and the engineers to discuss those issues and have engaged the Standing Committee on Structural Safety to advise on their implications. Meanwhile, all local authorities that own similar buildings have been advised to review their designs and check whether any strengthening work was carried out properly.
Separately, the British Board of Agrément has told us that, based on its investigations following incidents in Glasgow, some cladding systems may have been designed and installed in such a way that they could fail in strong winds. We are not aware of any injuries caused by this kind of failure. However, we are taking advice from the independent expert panel and we have written to building control bodies to draw their attention to the issues that have been raised. The wider issues of competence and certification will also feed into Dame Judith Hackitt’s review of building safety, the terms of reference of which were announced last week. Finally, I have established an industry response group, which will help the sectors required to improve building safety and to co-ordinate their efforts.

For all the work being done, nothing can match the strength and determination shown by the people of north Kensington. We saw it in their initial response, we have seen it in the dignity and the courage that has been shown by survivors, and we saw it in the deeply moving scenes at this year’s Notting Hill carnival. For me, the biggest sign that the people of Kensington will not be beaten was the amazing results achieved by local children in their GCSEs and A-levels. I am thinking particularly of a remarkable young woman named Ines Alves, just 16 years old. Her family lost their home in the fire, but she still received a string of top grades, including an A in chemistry, despite Ines’ sitting the exam just hours after the burning tower. Ines is due to start her A-levels this month and I wish her all the very best. [Hon. Members: “Hear, hear.”] Her achievement should be an inspiration to us all. If a teenage schoolgirl who has suffered unimaginable trauma can do something so incredible, we in this House have no excuse for failing to do everything possible to support the victims of Grenfell and to ensure that such a tragedy never happens again. I hope all hon. Members will join me in doing just that.

6.21 pm

John Healey (Wentworth and Dearne) (Lab): I thank the Secretary of State for his letters over the summer and for the advance copy of his statement this afternoon.

Twelve weeks on from the terrible fire at Grenfell Tower, our horror has not lessened. Our determination to support the survivors and see all those culpable called to account is undiminished. Grenfell Tower must mark a change in our country on housing, so that such a tragedy can never happen again. The Secretary of State has three overriding responsibilities, on which we have pressed him ever since the fire: first, to ensure that homes are safe, or that work is done to make them safe; secondly, to reassure everyone affected from Grenfell has the help and the set aside for financial support; and thirdly, to learn the lessons from Grenfell Tower in full.

On help and rehousing, we have been reminded today how vital this is by reports that 20 Grenfell survivors have tried to commit suicide since the fire. Twelve weeks on, how on earth can it be that only 29 households of the 196 from Grenfell Tower and Grenfell Walk have been rehoused? What is the Secretary of State doing to speed this up and when will all the survivors be offered permanent rehousing? A hotel room is no home and temporary housing is no place to rebuild shattered lives.

On the Government’s fire testing programme, 12 weeks on the Secretary of State still cannot answer the question: how many of the country’s 4,000 tower blocks are safe or not fire safe? He tells us today that 173 high-rise blocks with aluminium-based cladding have now been tested. When will the many more with non-aluminium cladding be tested, so residents will know whether their homes are safe? His testing programme is still too slow, too narrow and too confused to do the job that is needed.

Then there is the question of funding. In the Secretary of State’s last statement to the House, on 20 July, he said of councils’ funding for remedial work:

“If they cannot afford it, they should approach us”—[Official Report, 20 July 2017; Vol. 627, c. 1025]—

but that so far he was not aware of a single local authority that had done so. However, at least six councils had already done exactly that. How could the Secretary of State have been so misinformed about his Department that he so misinformed the House? Let me give him another chance. Twelve weeks on, how many councils and housing associations have asked for funding help? How many requests has he agreed? How much has he set aside for financial support?

On lessons, as the Secretary of State has said, over the summer the terms of reference have been published for the Grenfell Tower public inquiry and the independent review of building regulations. I welcome both as Sir Martin Moore-Bick and Dame Judith Hackitt begin their important work, but there are omissions in both. The regulations review fails to recognise the recommendations accepted by the Government at the time from two coroners in 2013 after the deaths in high-rise fires at Lakanal House and Shirley Towers. Four years later, will the Secretary of State act on those recommendations, start the necessary overhaul of building regulations now and incorporate later any further conclusions from the Hackitt review?

On the remit of the public inquiry, we are dismayed that the Government have closed off wider questions on social housing policy. These are exactly the “fundamental issues” the Prime Minister rightly said were raised by the Grenfell Tower fire, and exactly the failings that Grenfell residents and survivors want examined. A hard look at social housing policy is essential to a full understanding of this terrible tragedy, and to making sure it can and does never happen again.

Sajid Javid: First, may I thank the right hon. Gentleman for his questions and his remarks? He shares, I think with the whole House, a determination to do everything we can to ensure that nothing like this can ever happen again. He asked questions on three broad areas. Let me take them in turn.

On rehousing, I have to say in all seriousness that I am a bit disappointed by the right hon. Gentleman’s response. Through the letters I sent him throughout the summer, my statement and the work done for the council through Gold Command, we have tried to make it very clear that when it comes to rehousing we will be led by the needs of the residents and the victims of this tragedy. The right hon. Gentleman knows that this is about the needs of the families and not about having statistics that might sound good but may not actually lead to what those people want. I am not going to go through the statistics I shared in the statement. The most important
thing for the families affected is that we first listen to them. They said they want to separate their homes and create more households—especially as many of the homes in Grenfell Tower were overcrowded—and that they want us to deal with that now. It is also right that there is, at the request of residents, a priority system that, for example, puts bereaved families first, and disabled people and families with children second, and that each family is given the time they have asked for to select properties.

The right hon. Gentleman will know that we have already identified and acquired over 100 properties. These properties are new, and are in Kensington and Chelsea. On top of that, the conversion of temporary properties into permanent homes has been requested. All that is being done at the pace demanded by the residents. We will be led by what the residents actually require.

On the safety of other tower blocks, I will not repeat the numbers I have just shared with the House on the number of tower blocks in the social housing sector owned by either local housing authorities or housing associations. The right hon. Gentleman asked about other types of cladding. There is nothing to stop any housing provider, whether in the public or private sector, sending samples to test any type of cladding. Some have done that, but for all the right and obvious reasons the priority had to be ACM-type cladding. It is right that that was prioritised. It was also correct that we carried out the BR135 systems tests, as well as the limited combustibilities test, to make sure we had a joined-up approach.

The right hon. Gentleman asked about the public inquiry and the review. Let me start with the review, which is fully independent and is being led by Dame Judith Hackitt. Last week we set out the terms of reference of what will be a very broad review. The intention is that Dame Judith will produce an interim report by the end of this year, followed by a final report in the spring of next year. The work should not be rushed. Dame Judith will set up an advisory panel and carry out the work thoroughly so that we can properly learn the lessons, including lessons from the past and the contents of reports that have been published. We want those matters to be taken into account together, in an independent way.

In the meantime, as the right hon. Gentleman will know, soon after the tragedy we established an independent expert panel to advise on any more urgent immediate action that is required for the purposes of building safety. In the light of developments over the summer, I have decided to extend the term of the panel by at least four months. I want to add further professionals with more experience of building structural safety in the light of what has happened in Southwark, and in particular Ledbury Towers, while retaining the fire safety specialists. I have asked specific questions about structural safety—again, in the light of what we discovered in Southwark—to ensure that we are given any immediate advice that can be used.

It would, of course, be wrong for me to talk about the public inquiry in detail, given that it is rightly being led by a judge, completely independently. However, the right hon. Gentleman raised wider issues involving social housing, and he was absolutely right to do so. Such wider issues need to be addressed, as we know from the Grenfell tragedy and subsequent events, and from what the House has learnt and discussed in the past. We know about what has happened in Camden, for example, and we now know things about Southwark as well. In due course, I will set out for the House how we intend to deal with those issues.

**Amanda Milling** (Cannock Chase) (Con): The horrific and tragic events of Grenfell Tower have brought the issue of faulty white goods into even sharper focus. A recent freedom of information request revealed that more than 600 house fires in the midlands had been started by tumble dryers in the last decade. What conversations are my right hon. Friend and his ministerial team having about that issue with their counterparts in the Department for Business, Energy and Industrial Strategy?

**Sajid Javid**: My hon. Friend is right to raise the question of white goods. We have heard, and have seen from the police report on the Grenfell tragedy, how that tragic fire started. The Department for Business, Energy and Industrial Strategy is very much part of the ministerial group that meets weekly to make key decisions about, in particular, building safety. One of the issues involved is that of white goods, and we are working well with the industry and in co-ordination with BEIS.

**Angela Crawley** (Lanark and Hamilton East) (SNP): Let me again extend my deepest condolences, and those of my party, to the victims of the Grenfell Tower fire and their families. Responding to such a tragic incident is undoubtedly challenging for any Government, but it is also a test of how a Government can react to ensure that we never find ourselves in the same situation again, and I welcome the Secretary of State’s response to questions about rehousing, testing and building safety.

In Scotland, we have already moved quickly to establish a ministerial working group on building and fire safety to co-ordinate responses to the ongoing investigations. Building standards are devolved, and the cladding that is suspected of contributing to the spread of the fire at Grenfell is not permitted for use on high-rise tower blocks in Scotland. While we are confident that we have stringent building and fire safety regulations, public safety is of paramount importance, and this afternoon the Scottish Government agreed a programme of work that they will now carry out. They intend to organise a review of the current building standards and the fire safety regulatory framework and a consultation on fire and smoke alarms in Scottish homes, and to introduce a targeted fire safety campaign for residents of high-rise buildings.

The Grenfell Tower fire raised profound concerns about the way in which social housing is managed in England, and lessons must be learned. I welcome the inquiry, but I worry that, without a wider focus, it will fail to get to grips with the causes of the fire and the lack of integrity and confidence that so many of the residents want and deserve. It should have one clear objective: justice for the survivors, victims and families. Will the Secretary of State therefore look again at the terms of reference and include the wider implications of social housing policy, which would mean examining social and political conditions including the provision and state of social housing in England? Will he also note that fire safety tests have concluded that more than 200 buildings are at risk of fire? The Government must
act to ensure that people living in those buildings are adequately supported. What support does the Secretary of State plan to provide for the people in those at-risk buildings?

Reports that survivors and witnesses are suffering from mental ill health as a result of the tragedy is hugely distressing. Post-traumatic stress disorder will undoubtedly play a part in the aftermath, and I urge the Government to look again at the support mechanisms that are currently in place for those affected. The Secretary of State has said that he is open to suggestions about expert input. How will the Government help the local authority to provide counselling services for survivors and witnesses, and what additional funds have been provided for mental health support services?

We have heard that families are still living in hotels, and there are reports of consequential mental ill health, a lack of emotional support and a lack of confidence in the Government’s terms of reference. Surely the Government must deliver actions and answers to give people confidence in the system again.

Sajid Javid: The hon. Lady has raised a number of issues. Let me start with her points about Scotland and the safety of buildings. As she rightly said, building regulations are a devolved matter, but that does not prevent England and Scotland, and other devolved areas, from working together on common issues. In my statement, I mentioned some of the problems identified by the British Board of Agrément in relation to the structural safety of cladding following incidents in Glasgow. We are working together through the Ministerial Working Group on Building and Fire Safety, which meets regularly. Its meetings obviously include discussion of Scotland and other devolved areas, and will continue to do so.

The hon. Lady asked about social housing and the merits of the public inquiry. As she will know, the inquiry’s terms of reference are set independently by the judge. They were accepted in full, without amendment, by the Prime Minister, and rightly so. That said, the hon. Lady—and the right hon. Member for Wentworth and Dearne (John Healey)—raised the issue of longer-term social housing; we will report to the House on that in due course.

The hon. Lady understandably raised the issue of counselling and mental health support. In the wake of the Grenfell tragedy, that support is being led by the local NHS trust. The work is being co-ordinated through GPs, pop-up clinics and a 24-hour hotline. However, there has also been a desire to get out there and make sure that the authorities are not waiting for people to come to them, and that people know what services are available. Thousands of doors have been knocked on, including hotel doors, and facilities have been set up in hotels. That process will continue so that everyone who needs help knows that it is available, and will receive it.

Lastly, the hon. Lady mentioned at-risk buildings and the need to ensure that any remedial work is done. We are monitoring that in the case of public sector buildings, and the same process will be applied to those in the private sector when problems are identified. The work will, of course, require funds. That allows me to return to a question asked by the right hon. Member for Wentworth and Dearne about the funding of local authorities and others to ensure that they can continue to do the work that is necessary: I apologise for not addressing it earlier. As has been made clear from this Dispatch Box before, all local authorities and housing associations are expected to carry out immediately, without delay, any essential works that are required. We have said from the start that when there are funding issues they should approach us, and we will look at ways of trying to support them.

The right hon. Gentleman asked me a question earlier about the number of local authorities that have approached us. We have been approached directly or indirectly by 27 local authorities—either by the authority itself, or in some cases by their local Members of Parliament—and so far we are in more detailed discussions with six of those local authorities.

As for housing associations, we have made it clear that they should approach the social housing regulator. The regulator has written to every housing association and said that that should be the starting point of any financial discussions. As of today, the social housing regulator has told us that no housing association has approached it with financial viability concerns over fire safety.

Mike Penning: I thank the Secretary of State for his statement, not least because it gives me my first opportunity to put on record that my thoughts and prayers are with the community, those who have lost their loved ones and those who have been injured in the Grenfell disaster. I also want to put on record my admiration for the emergency services. I am a former member of the fire service; we were never trained to do this sort of tower block fire, and some of the things these people saw will be with them for the rest of their lives. I therefore ask the Secretary of State to assure me that all emergency services personnel will have the suitable support they will need, because post-traumatic stress will be with many of them for the rest of their lives.

Sajid Javid: I can assure my hon. Friend—

Mike Penning: Right hon. Friend.

Sajid Javid: My right hon. Friend, of course: I can assure him that such support is being provided to all emergency workers, and I join him in commending once again the work of the fire service workers in particular. We will continue to make sure they get all the support required, including, of course, counselling. This point allows me to highlight the work being done by voluntary sectors, including in Cornwall recently. The Cornwall Hugs Grenfell response led by Esme Page shows what communities can do, because through that response, as well as helping the victims of Grenfell, they reached out to fire service workers in London.

Emma Dent Coad (Kensington) (Lab): I acknowledge the work of the Government to date over the summer, when I was also working on this, of course. However, I have two issues of outstanding concern. It is clear that the rehousing of Grenfell survivors and evacuees has fallen disgracefully behind schedule, and we know that some of the homes offered to them within three weeks were completely unsuitable. The school year began today and students will shortly be beginning university from inadequate accommodation in hotels, with no space to study. Their grades will suffer, as will those of the young
man who was taking his GCSEs on the morning of the fire, who arrived at school in his underwear and was given clothes to wear. He did not have the fabulous good fortune of the efforts of the young woman the Secretary of State spoke about; he has had no consideration, and has lost his place at school, which I find disgraceful.

As well as hearing the Secretary of State’s response on that, I would like him to address the issue of the provision of mental health services. The so far unsubstantiated press story we have heard today about the potential number of attempted suicides is very unsettling for a community still under huge stress. While the NHS foundation trust rebuttal today stated that nearly 4,000 people have been contacted, there are still many survivors and their families who feel forgotten and neglected, and who are not getting help. What will the Secretary of State do to ensure that trust is restored among these very vulnerable people and they get the help they need?

Sajid Javid: First, may I take this opportunity from this Dispatch Box to thank the hon. Lady for the work she has been doing ever since this tragedy happened to bring comfort to her constituents? We will continue to work with her closely. She mentioned an education case and a young man who has been excluded from school; if she can bring forward any details of that to my team, we will certainly take a careful look, as that kind of thing should absolutely not be happening.

The hon. Lady asked specifically about mental health support. I talked about that just a moment ago, but she is right to highlight it, because it is one of the key things we must all work together on, through the councils, the NHS trusts and the Government, to make sure it is being provided to all who need it. I can after this statement send the hon. Lady even more details about what exactly is being done. If she wants to discuss the matter further, we are happy to do that with her, but the work the NHS trust in particular has done is important, especially by reaching out to residents through the process of knocking on doors, going to hotels and also engaging the Samaritans to provide a different avenue of support that might be more welcome by certain residents. But it is also important to continue to look for other ways to provide that support.

Mrs Anne Main (St Albans) (Con): The Building Research Establishment is in my constituency, and I know what an excellent job it does on this and many other issues to do with building safety. The Secretary of State talked in his statement about each system when he came out in recent weeks, to make sure it is in one piece. He has made a number of good points on this in the past, as has just done so again today. A huge amount of support has been put in place in terms of bereavement, such as through the family bereavement centre that has been set up. If he has any other ideas or suggestions that he thinks we could follow, we will happily look at them. In response to his request to put before the House more detail, I will happily do that.

Sajid Javid: We have not differentiated between whether or not the buildings were converted under permitted development rights; our focus is on all buildings regardless of how they came to be residential housing. As I said in my statement, it has been more straightforward to find out what residential towers there are and the types of cladding in the public sector, but less straightforward in the private sector. That was why on 1 August I wrote to all chief executives of local authorities in England asking them to immediately start working on compiling information on the private sector residential towers in their area and the type of cladding they have, and to share that information with us, and also to remind them of the enforcement powers they already have to make sure all these buildings, including in the private sector, are safe.

Ms Karen Buck (Westminster North) (Lab): There remains a real concern about the clarity regarding the testing process, including what is being tested and the relationship between the materials and the whole building in a real-world context, such as whether the impact of fire safety in respect of cladded buildings takes into account the design of windows. It does not give me a great deal of confidence that the Fire Protection Association has now started to consider doing its own tests because of its concerns about the Government’s testing. This is a real worry for residents—thousands of residents—in my tower blocks and in others.

May I ask a very specific question about the role of the fire authorities in this? Are the Secretary of State and his Department liaising with fire authorities across the country and receiving regular briefings from them,
and have there been any cases where fire authorities have recommended a change to the “stay put” policy during the process of testing, and the removal of cladding?

Sajid Javid: We have been very open in sharing information on what the testing process is and why it is important, as well as sharing the results that are coming out of the process. For example, as each of the systems tests took place over the summer, we provided an update as soon as the results were made available to us through the Building Research Establishment. We contacted each of the relevant local authorities and housing associations to ensure that we could answer any further questions they might have. As I said earlier, I have also decided to publish today a consolidated note giving details of the testing processes and the subsequent results and advice. I am also asking the expert panel to think about this further, especially in the light of some of the structural—as opposed to fire safety—issues that have emerged in recent weeks. The hon. Lady asked about fire authorities. We are working closely with them, and the head of the National Fire Chiefs Council is a member of the expert panel and of the building safety ministerial group, which I chair. We continue to get advice from those sources, and as and when any of the advice that they share with us changes, that will be published.

Eddie Hughes (Walsall North) (Con): It is impossible for us to imagine the suffering of the bereaved who lost loved ones on the night of the Grenfell Tower fire but who still do not know their fate with any certainty. Will my right hon. Friend assure the House that everything is being done to identify the victims as quickly as possible?

Sajid Javid: My hon. Friend is absolutely right to raise this point. This is one of the most challenging aspects of the tragedy, and as I said in my statement, we commend the people who are doing this work and the dignity and speed with which they are doing it.

Andy Slaughter (Hammersmith) (Lab): Will the Secretary of State admit that he has only scratched the surface of the scandal surrounding building regulations for cladding and insulation? We have allowed tall buildings to be clad with combustible materials that would not be allowed in almost any other European country. He has failed to test all classes of cladding and insulation that are more flammable than those used at Grenfell, and I think that that includes any internal wall insulation. Will he publish a full, comprehensive schedule of cladding and insulation types, detailing their combustibility and where they are being used, so that we can judge independently what still needs to be done to make tower blocks safe?

Sajid Javid: I agree with the hon. Gentleman that there is a lot still to be learned about building safety and building regulations. There are a lot of lessons to learn, and that is exactly why we have the independent review, which is being led by Dame Judith Hackitt. We have also asked the Building Research Establishment to start publishing historical data on other cladding systems, as well as testing them, to ensure that we can learn the lessons about them as well.
plans to address the question of the many empty homes in Kensington and Chelsea and elsewhere? This is unacceptable when there are so many families in need of a permanent home.

Sajid Javid: The hon. Lady will know that there are already measures in place to deal with empty homes and to provide incentives for them not to be left empty. In terms of finding the necessary homes following the Grenfell tragedy, considerable progress has been made over the summer in acquiring mostly new homes in Kensington Row, Hortensia Road and elsewhere. A considerable amount of work has also been done to convert some of the temporary homes into permanent ones, at the residents’ request.

Paul Flynn (Newport West) (Lab): The statement reports that the weaknesses discovered following the Ronan Point collapse have not been fully addressed or remedied. That collapse took place nearly 50 years ago. We also read that 165 existing tower blocks have the same combustibility and dangers that existed at Grenfell. Does not this show a continuing catastrophic failure of building regulations? Do we not need an examination not only of combustibility but of all the other structural problems that are likely to affect those who have the misfortune to live in multi-storey blocks?

Sajid Javid: The hon. Gentleman is right to raise this matter. This is precisely why I have asked for an independent review of building regulations. Also, in the light of the discovery at Ledbury Towers in Southwark, I have written to Dame Judith Hackitt and asked her to ensure that she considers those types of structural considerations. As well as building regulations, there are also wider questions. The issue at Ledbury Towers was discovered because of Grenfell Tower, but it is a structural issue. The work should have been done after the Ronan Point disaster, and there are some really big questions for the local authority to answer. The cracks that were discovered were large enough to put a human hand through or to put books in. Those cracks did not appear overnight. They had been there for some time—months, or even years. How can it be that the local authority was seemingly able to act only after the Grenfell tragedy?

Paula Sherriff (Dewsbury) (Lab): The Secretary of State has furnished us with information about the number of residential housing blocks that have failed under the safety regime, but will he tell us how many other public buildings, including hospitals, libraries, shopping centres and even schools, have failed the test and what he is doing about it?

Sajid Javid: I can tell the hon. Lady that I am aware of 16 public buildings that have failed the test so far, and other public buildings may come in for further testing. This talks to a wider problem, however, because we are seeing a huge rate of failure, as I have said, across the board in both the public and private sectors and in residential and commercial buildings.

Matt Western (Warwick and Leamington) (Lab): Twelve weeks ago, when I heard the Prime Minister try to encourage local authorities to get in touch and to put forward samples for testing, I put it to her that encouragement was not the right route to take and that we should be mandating, but it still seems that we are inviting local authorities or housing associations to submit material. The public inquiry will inform us of its findings, but I am concerned by the significant under-investment in our council properties and social housing stock, which I can speak about from experience in my constituency. I therefore suggest to the right hon. Gentleman that the right course of action would be to undertake a full independent audit of all aspects of safety in the 4,000 blocks, hospitals, student residences and other buildings, because just one item is being considered. Surely that is the least that we owe to the families.

Sajid Javid: The process of testing the buildings that have been similarly clad is not voluntary. It has not been voluntary for the public sector; it has been a requirement of all local authorities and housing associations. Clearly, not one has refused, so there is nothing voluntary about it. It is important that we keep looking at how to continue the process, in particular to capture much more of the private sector, and I am sure that the hon. Gentleman will welcome that.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): As a psychologist, I am particularly concerned by the number of residents—those who witnessed things or lost loved ones—who have tried to harm themselves. Survivor guilt will become a real issue. As chair of the all-party parliamentary group on psychology, I wonder whether the Secretary of State has spoken to the British Psychological Society. There is so much expertise around the country, and I am sure that it would be only too willing to help and lend that expertise where it is required.

Sajid Javid: I agree with the hon. Lady’s point about the importance of that type of support. Some of the reports that we have heard, including today, are worrying, so we must ensure that we are providing counselling and mental health support to all who need it. As for the experts we have spoken to, the work is being led by my colleagues in the Department of Health and they are part of the overall response group, but I will be sure to pass on her thoughts to the Secretary of State for Health.

Lady Hermon (North Down) (Ind): I commend the Secretary of State on the great compassion and sensitivity that he has shown in the aftermath of this terrible tragedy. I want to seek clarification on one particular matter from his statement: the permanent accommodation that is on offer to residents. Is the rent for the permanent accommodation so high that it is acting as a deterrent to families in accepting the offers? Bearing in mind the last sentence in his statement, which said that the House should put no obstacle in the way of helping the residents of the tower, the Government should pay those rents.

Sajid Javid: I first thank the hon. Lady for her kind comments. As for rents, we have made it clear that all properties, whether permanent or temporary, will be rent-free for the first year. Following the first year, no former tenant of Grenfell Tower or Grenfell Walk will pay a penny more than they previously paid in rent.
The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): With permission, I should like to make a statement about the situation on the Korean peninsula.

At noon on Sunday, local time, North Korea tested the most powerful nuclear device ever detonated in the history of the regime’s quest for an illegal arsenal. The underground explosion at a testing site only 60 miles from the Chinese border triggered an earthquake measuring up to 6.3 on the Richter scale—10 times more powerful than the tremor created by the last detonation. The regime claimed to have exploded a hydrogen bomb capable of being delivered on an intercontinental ballistic missile. We should treat that claim with scepticism, but the House must be under no illusion that this latest test marks another perilous advance in North Korea’s nuclear ambitions. In a country blighted by decades of communist economic failure, where in the 1990s hundreds of thousands of people died of starvation or were reduced to eating grass and leaves to survive, the regime has squandered its resources on building an illegal armoury of nuclear bombs. The House will want to join me in condemning a nuclear test that poses a grave threat to the security of every country in east Asia and the wider world.

Earlier today, the North Korean ambassador was summoned to the Foreign Office to receive a formal protest. Members will recall the steady drumbeat of provocative and dangerous actions by Kim Jong-un’s regime. Last year, North Korea tested two nuclear weapons and launched 24 missiles. So far this year, the regime has fired 18 missiles, including two of intercontinental range. Indeed, three tests have taken place since the House rose in July. On Monday last week, a missile flew over Japan, causing sirens to sound on Hokkaido and leading to an emergency session yesterday, every member, including China and Russia, denounced the latest nuclear test. Britain has been at the heart of mobilising world opinion to disarming in a complete and verifiable manner. Britain stands alongside our allies in striving to achieve that goal, and I commend this statement to the House.

Emily Thornberry (Islington South and Finsbury) (Lab): Before I respond to the Foreign Secretary, I am sure the whole House will join me in sending our thoughts to the families of all those killed over the summer in the terrorist attacks in Barcelona and across the world, including seven-year-old Julian Cadman. Given the subject we are discussing, it does us all well to remember that some 8 million children like Julian, under the age of 10, live on the Korean peninsula today.

I thank the Foreign Secretary for advance sight of his statement, and I join him in unreservedly condemning North Korea for the flagrant breaches of international law that have brought us to this sorry pass. I have three questions prompted by his statement. First, although he mentioned the new sanctions regime agreed on 5 August, he will know that we are still in the early stages of enforcing the last set of sanctions agreed last November. Indeed, only 80 countries have so far submitted implementation reports on the new sanctions regime, so how does he propose to ensure that these new sanctions are implemented quickly and effectively and given time to work?

Secondly, on the strategy outlined by the Foreign Secretary, he will have seen the article today by his predecessor, William Hague, considering whether the strategic goal will eventually shift from preventing North Korea achieving nuclear capability to accepting that capability exists and seeking, in some form, to contain it. Does the Foreign Secretary agree with his predecessor? Has the Foreign Office planned for that scenario?
Thirdly, given the threat to Japan and South Korea, the Foreign Secretary will be aware of the suggestion that they should now be allowed to develop their own nuclear weapons as a response to Pyongyang. Does he agree with me that that would be utter madness? Surely it cannot be a serious suggestion that the world’s response to North Korea breaching the non-proliferation treaty should be to encourage other countries to do the same. Surely our goal must be the denuclearisation of the entire region.

Beyond the substance of the Foreign Secretary’s statement, I welcome its careful and judicious tone. After a summer of utterly reckless rhetoric from Washington and Pyongyang, we urgently need some cool heads and calm words, especially now that we have drifted from that dangerous escalation of rhetoric into the even more dangerous escalation of actions. With every ratcheting up of words and deeds, the risk grows. That escalation will lead to miscalculation and a war will begin, not by design but by default.

Faced with that situation, we are told that all options remain under consideration and that no options have been ruled out, but if any of those options risks 10 million people in Seoul being, in the Foreign Secretary’s words, “vaporised”, or similar devastation in North Korea and Japan, we have to say that those options should be in the bin. The reality is that the only sane option is, as William Hague wrote today, dialogue and diplomacy. That means a deliberate de-escalation of rhetoric and actions, it means properly enforcing the new sanctions regime, and it means restarting the six-party talks to seek a new and lasting settlement.

Yet we have a US ambassador to the UN who says, “the time for talk is over.” We have a President who says, “talking is not the answer”.

Although in his case I would usually be inclined to agree, for the US to turn its back on diplomacy at this stage is simply irresponsible and, as its closest ally, we must be prepared to say so.

Although we welcome the Foreign Secretary’s statement, the real test is what comes next. Will Britain be a voice of calm and reason on the world stage? Will we ally ourselves with Angela Merkel? She told the German Parliament today: “there can only be a peaceful and diplomatic solution”.

If the answer is yes, and if that is the route the Government take, they will have our full support; but if they pretend that military options involving decapitation, annihilation, fire and fury belong anywhere but in the bin, and if they swear blind loyalty to Donald Trump no matter what abyss he drags us towards, they will be risking a hell of a lot more than just losing our support. I urge the Foreign Secretary and his colleagues to remain calm and judicious in their approach, to discount all so-called military solutions and to steer a course towards the only options that work: dialogue, diplomacy and peace.

Boris Johnson: I join the right hon. Lady in her sentiments. She expresses about the victims of terror across our continent over the summer months. There is a lot in her reply with which I agree, and she is certainly right to commend a measured tone in these things. In her focus on Washington and the pronouncements of Donald Trump, it is important that we do not allow anything to distract this House from the fundamental responsibility of Pyongyang for causing this crisis. It is a great shame that there should be any suggestion of any kind of equivalence in the confrontation—I am sure she did not mean to imply that—and it is important that we do not allow that to creep into our considerations.

The current situation is so grave because it is the first time in the history of nuclear weaponry that a non-P5 country seems to be on the brink of acquiring the ability to use an ICBM equipped with a nuclear warhead. This is a very grave situation, which explains why we are told, and we must agree, that theoretically no options are off the table, but it is also essential—the right hon. Lady is right about this—that we pursue the peaceful diplomatic resolution that we all want.

In the history of North Korea’s attempts to acquire a nuclear weapon over the past 30 years there have been flare-ups and crises, and then they have been managed down again. We hope that in the UN, with the help of our Chinese friends and the rest of the international community, we can once again freeze this North Korean nuclear programme and manage the crisis down again. I share the emphasis on peaceful resolution that the right hon. Lady espouses.

Tom Tugendhat: I welcome the Foreign Secretary’s statement. I associate myself very much with his hopes, but I should lay out some of my concerns.

I find myself, for the first time, talking in this House about nuclear weapons that may be used, because we are talking not about a state but about a family cult with a kingdom. This is a very different type of relationship between the leaders and the led. It is a country that is prepared to see its people starve and is perfectly happy to see them literally eat grass. We are not dealing with a rational actor. That imposes an enormous amount on Her Majesty’s Government, of course, and on partners in the region.

I particularly welcome the Foreign Secretary’s conversation with the Chinese. What indications are there that they are prepared actually to apply the sanctions to which they have agreed? At the moment, the indications are poor. As we are one of the few nations with an embassy in Pyongyang, what assistance is our ambassador there giving to other members of the Security Council? This is a time for as much openness as possible among allies, in order to manage a very dangerous situation. Perhaps I may ask a more specific question, given the proximity of our relationship with the United States: will the Foreign Secretary mention the presence, or otherwise, of British troops serving alongside American troops in South Korea and Japan? Will he discuss whether those embeds are in any way operationally involved in the American chain, and whether or not they would be?

This is a moment for the Helsinki example of the 1980s. I very much hope he can find a way for the supports to Kennedy and Khrushchev to be seen today.

Boris Johnson: I thank my hon. Friend for his compendious question. He rightly says that we are one of the few countries to have an embassy in Pyongyang—we are the only P5 country with an embassy there. As such, we are determined to keep that embassy going, and I hope the House will share our determination to keep it going, along with support for other P5 countries, and for...
other western interests in that city and in North Korea. Let me pick out his most important question; I do not wish to comment on British forces’ operational activities. I think he is really driving at the question of whether the Chinese have yet played all the cards they have in their hand. China controls 93% of North Korea’s external trade. It is a simple fact that North Korea is wholly dependent on imported oil. In the end, the Chinese do have much further to go on this. There are ways in which they can tighten the economic ligature; they can make more of a difference. The question in their minds is whether they can do that without incurring serious political convulsions within North Korea. We think there is room for further Chinese effort. We are working with our Chinese friends to persuade them to do this. To be fair to the Chinese, I must say that they have shown a much greater willingness than they have hitherto to understand the threat that North Korea poses and to take action. To that extent, the Chinese should be commended.

Chris Law (Dundee West) (SNP): It is very apparent that the international community needs to act immediately to ensure that all sides exercise restraint and return to diplomatic dialogue. The most effective means of reducing tensions would be for the North Korean regime to immediately suspend its nuclear development and testing, and we join the majority of the international community in urging it to do just that. We also take note of the numerous calls for even tougher UN sanctions to be imposed on North Korea. However, to be most effective, increased sanctions should be accompanied by reinforced six-party talks and renewed efforts to reach a peaceful diplomatic solution. Moreover, the UK Government must use their much-vaunted “special relationship” with the United States and influence their friend Donald Trump to drastically calm his rhetoric. If that relationship is worth anything—if the UK has any sort of genuine influence in the White House—the UK Government must use it now to walk President Trump back from the unacceptable threats he has made and to bring some modicum of rationality to his dialogue. If the UK Government are unable or unwilling to make a constructive intervention, that would make a mockery of the so-called “special relationship” and of the much-vaunted “global Britain”.

Finally, this crisis is a stark reminder of the danger posed by nuclear weapons and must be harnessed to intensify efforts towards multilateral disarmament and achieving global zero. The recent UN treaty on the prohibition of nuclear weapons was a major achievement. Will the UK Government therefore take this opportunity to demonstrate real leadership on the international stage, and show that to all of us, by choosing to become the first nuclear-armed state to sign the UN treaty and to commit to legally binding nuclear disarmament? It is worth reiterating that the people of Scotland live side by side with nuclear weapons every day. On their behalf, my colleagues and I in the Scottish National party urge the UK Government to sign up to the UN treaty without delay.

Boris Johnson: On the American point, let me just say that it is vital that we keep the focus of our attention on Pyongyang’s primacy of responsibility for causing this crisis; anything else is a distraction. As for nuclear disarmament, let me make a comment I might direct to those on the Opposition Benches: surely to goodness this crisis shows the folly of unilateral nuclear disarmament. That is one of their policies and it would open up this country and others to nuclear blackmail from North Korea.

Sir Hugo Swire (East Devon) (Con): It is more than 10 years since the Democratic People’s Republic of Korea tested its first nuclear weapon, and I am afraid that we have been paying the price for being caught like rabbits in the headlights; every time the DPRK has advanced its technology, we have somehow wished it was not happening and turned the other way. So we are where we are now, and I fully understand the US reluctance to reassemble the six-party talks, because previous such talks have been so thwarted by the DPRK. In all fairness, I must say that there have been some successes during those talks. If we look at the other options—containment; living with the DPRK as a de facto nuclear-armed state; or military action—we see that we owe it to the whole world to try to reassemble the six-party talks. We can empty-chair the DPRK if it does not turn up, but we must show that we are making one last huge push before other options are pursued.

Boris Johnson: My right hon. Friend is absolutely right to say that we are paying the price for previous complacency on this question. He is also absolutely right to say that we have had success in the past; we have shown that diplomacy and engagement can make a difference. We intend to pursue that path.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I urge the Foreign Secretary to carry on that quiet diplomacy. This must be one of the most frightening times in world history, as we really could be in a situation where a country such as North Korea would launch a missile. I want quiet diplomacy, but may I get the message across to the Foreign Secretary that that means working assiduously with all our allies? Yes, we must have serious conversations with the United States—that is unavoidable—but we must also work with all our friends and allies in Europe, particularly the Germans, the French and others, and particularly with NATO. We have heard very little about NATO in the recent days and weeks.

Boris Johnson: I hope the hon. Gentleman will be reassured to learn that I had long conversations last night with our Swedish friends—as he knows, they also have an embassy in Pyongyang—in addition to various other European colleagues.

Dr Julian Lewis (New Forest East) (Con): May I urge the Foreign Secretary to cheer up a bit and to cast his mind back 53 years to 1964, when red China, led by Mao Tse Tung, who was every bit as much of a murderous maniac as the current leader of North Korea, was about to acquire nuclear weapons? May I ask my right hon. Friend to face up to a couple of hard facts? First, he is clearly right to say that North Korea is determined on this path. Secondly, he is clearly right to say that China could stop it, but probably will not do so. Thirdly, if North Korea is determined to get nuclear weapons, it will get them and, what is more, we will deter it from using them. That is what happened with China, which we are now looking at as our friends, although it used to be led by exactly the same sort of regime.
**Boris Johnson:** I, of course, hugely admire the sangfroid of my right hon. Friend and his natural optimism. I hope he will forgive me if I, none the less, continue with what I think is the settled view of this House: we should pursue all diplomatic and peaceful means available to us to try to prevent North Korea from acquiring nuclear weapons.

**Sir Edward Davey** (Kingston and Surbiton) (LD): I have been talking to my many Korean constituents. May I tell the Foreign Secretary how alarmed they are and how worried they are for their families back in Korea and for their country? In rightly emphasising the case for a diplomatic solution, does he feel that the actions of President Trump are encouraging Beijing to go further, or are there other recommendations and approaches he would make to the White House to encourage China to do what only China can do?

**Boris Johnson:** As it happens, I think it is important that the United States says, as it does at the moment, that all options are on the table, but it is clearly the overwhelming desire of the US Administration to get a peaceful resolution to this crisis. I hope the right hon. Gentleman will reassure his constituents in south London—I remember them well from when I used to represent them myself—that we are doing everything we can to protect South Korea.

**Crispin Blunt** (Reigate) (Con): I commend the tone of the Foreign Secretary’s statement, and I commend to him a strategy of trying to ensure that Pyongyang pays an ongoing price for this gross breach of the non-proliferation treaty. If there is a war option, it should be pretty clear that it must be North Korea that starts it.

**Boris Johnson:** I absolutely accept that point; the alternative is deeply undesirable, and not one that I think would commend itself to anybody in this House.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): It is clear not only that North Korea has developed much of its missile and nuclear capacity domestically, but that the country has received both physical and intellectual external assistance for its missile and nuclear programmes. Is the Foreign Secretary convinced that we have done all we can to intercept such help and to prevent North Korea from receiving further assistance?

**Boris Johnson:** We need to enforce the existing sanctions, as well as put new pressure on North Korea. There is currently an investigation into exactly how the country has managed to make this leap in technological ability. We are looking at the possible role that may have been played, inadvertently or otherwise, by some current and former nuclear states.

**Mr Mark Francois** (Rayleigh and Wickford) (Con): It is clear that the House hopes overwhelmingly for a diplomatic solution to the crisis, but as the Foreign Secretary said that we stand by our allies, have we received any requests for potential military support from South Korea, Japan or, indeed, the United States? If so, what has been our response?

**Boris Johnson:** We have received no such requests so far, and our intention is to try to avoid the circumstances in which they could be made.

**Sammy Wilson** (East Antrim) (DUP): It is a great pity that some Opposition Members have chosen this occasion to attack the President of the United States, rather than those who caused the current crisis: the North Koreans.

The effect of sanctions is likely to be limited because we are dealing with a deranged, selfish leader who cares little about the suffering in his own country. Will the Secretary of State tell us what assessment has been made of who is helping the North Koreans to develop their bombs and missiles? What steps will we take against those countries if it is shown that they are helping this tyrant in his aspiration to have the means to strike other countries?

**Boris Johnson:** The hon. Gentleman asks an extremely good question. As I indicated in my answer a moment ago, we are looking into that very question. We have our suspicions, but as yet we have no hard information.

**Mr Christopher Chope** (Christchurch) (Con): The financial burden of implementing UN resolution 2371 will largely fall on China. What proposals are there, from our friends elsewhere and from within our country, to help China to meet those costs? It is easy for us to say, “They won’t do it,” but surely we can do something to say, “If you take that step, we will do something to help you.”

**Boris Johnson:** I understand my hon. Friend’s good and interesting point. At the moment we think that the cost to China is pretty minimal in comparison with the impact on North Korea, but if that is raised by our Chinese friends, we will certainly consider it.

**Mrs Madeleine Moon** (Bridgend) (Lab): The Foreign Secretary may be aware that I am due to visit South Korea in the near future, with NATO allies. Who does he see as having the major responsibility for dealing with the crisis—is it America, the United Nations, or alliances from around the world? Who will spearhead the diplomatic effort, and will he give us a clear idea of where we sit in that?

**Boris Johnson:** I wish the hon. Lady every success in her trip to South Korea. When she goes there, I am sure she will have a clear feeling of the imminence of the threat posed by North Korea, not only with nuclear weapons but with conventional weapons. The answer to her question is simple: the two most important actors outside the Korean peninsula are of course China and the US. But the UK can play an important role in trying to bridge the gap between them and unite the international community around a common position.

**Richard Graham** (Gloucester) (Con): The current Chinese ambassador to the Court of St James’s, Liu Xiaoming, has often made it clear that in his previous role as ambassador to Pyongyang the North Koreans were incredibly difficult to work with on almost everything. Given the timing of North Korea’s latest missile test, which could scarcely have been less convenient for Xi Jinping, does my right hon. Friend really believe that the Chinese have been able to exercise any restraint on Kim Jong-un so far and will be able to do so in future?
Boris Johnson: My hon. Friend speaks with great experience of the region and is entirely right in his analysis of the timing of the test and the effect it was meant to have on Xi Jinping and the Chinese leadership. That does not mean, though, that we should discount the Chinese ability to affect events in North Korea and China’s potential to do more.

Nick Thomas-Symonds (Torfaen) (Lab): In the current situation, China has enormous power in the form of the 500,000 tonnes of crude oil that it exports to North Korea every year. What further steps can the Foreign Secretary take to encourage China to exercise that enormous power?

Boris Johnson: The best thing we can do is to continue our work with the UN Security Council, at which the Chinese have so far been absolutely in step with us. The hon. Gentleman is right to focus on oil, which we think is the next opportunity.

Mr Philip Hollobone (Kettering) (Con): Do we believe that Kim Jong-un is a rational actor? Perhaps more importantly, does China believe he is?

Boris Johnson: I do not think we can simply assume Kim Jong-un is totally irrational. We have to hope that he is willing to take the interests of his people—the suffering people of North Korea—into account and that in the end he is willing to protect their interests. We have to ascribe some kind of rationality and humanity to him in the end.

Catherine West (Hornsey and Wood Green) (Lab): What lessons can be learned from the difficult negotiations with Iran, a country that was also described as being part of the axis of evil by President Bush some years ago?

Boris Johnson: That is a wonderful illustration of the vital importance of maintaining the joint comprehensive plan of action—the deal to restrict the development of Iran's nuclear weapons that, as everybody knows, has been the subject of some controversy in Washington and that has been deprecated by some members of Congress. The value of coming to such arrangements with potential nuclear powers is evident.

Rehman Chishti (Gillingham and Rainham) (Con): Following on from that point, North Korea and Iran signed an agreement on science and technology co-operation in 2012. The Foreign Secretary said that certain countries are suspected of supporting North Korea’s weapons programmes; will he clarify whether Iran is one of those countries? When will the investigations into those suspicions be concluded so that everyone knows who those countries are and what action will be taken against them?

Boris Johnson: Tempted though I am, I do not think I can comment on that otherwise excellent question.

Tony Lloyd (Rochdale) (Lab): The regime in Pyongyang is most certainly unpalatable, but it is important to remember that it may not be totally irrational. The Foreign Secretary’s alignment of Beijing’s policy with our own approach to the matter is commendable; is it worth considering what kind of security guarantees can be offered to North Korea? Trying to get a diplomatic solution means we have to allow for the possibility that there are some people in North Korea who take a rational view of their own future.

Boris Johnson: I understand what the hon. Gentleman is driving at, but we cannot get into the business of offering security guarantees to the North Korean regime when it is currently threatening to destroy New York and other cities and countries around the world.

Richard Drax (South Dorset) (Con): Does my right hon. Friend agree that this dramatic rise in the threat should send a powerful message to our NATO allies to meet their spending commitments?

Boris Johnson: Absolutely. Spot on.

Jo Swinson (East Dunbartonshire) (LD): The nuclear escalation by North Korea is appalling and terrifying, especially to a generation that is too young to have lived through the fear of the cold war. When China is a voice of calm and even Russia is more measured than the US, it speaks volumes about the state of global diplomacy. I disagree with the Government’s cosying up to Donald Trump, but if there is to be any value in those actions, surely the Foreign Secretary should use his influence to make President Donald Trump use his phone for talking instead of sending inflammatory tweets into what is a fragile and precarious situation.

Boris Johnson: I really must disagree powerfully with the hon. Lady’s assertion that somehow this crisis has been whipped up by the Americans, the President or the White House when, if we look at the history not just over the past year, but over the past 10 or 30 years, we will see that this has been a movement towards the acquisition of thermonuclear weapons by a rogue state. We have now come to a point where we have to use all the diplomatic and peaceful means at our disposal to freeze that nuclear programme and to ensure a peaceful solution.

Robert Courts (Witney) (Con): Does the Foreign Secretary agree that Britain, with its close and established ties with the United States and its strengthened ties with Japan, is in a unique position to bring together regional players to achieve the sort of regional solution that we need in order to avoid the instability that none of us in this House wants to see?

Boris Johnson: My hon. Friend is absolutely right. That was why the Prime Minister’s trip to Japan was so timely and why her interventions there were so warmly welcomed not just by our Japanese friends, but by the South Koreans and many others. As my right hon. Friend the Defence Secretary will confirm, the United Kingdom is committed to the security and stability of east Asia as much as it is to Europe.

Paul Flynn (Newport West) (Lab): The most likely start of a nuclear war will come by accident, by technical failure or by human error. The danger of that is greatly increased as world tension multiplies. Is it not true that, while there is no equivalence in this and we should pay credit to China for keeping the lid on paranoid regimes in North Korea for 60 years, the new element has been
an American President who has managed to inflame every frozen conflict that he has addressed? Should it not be right that we take a British diplomatic, experienced view of this, with cooler heads, rather than follow the example of the apprentice President?

Boris Johnson: The new element is the increasing desire of the North Korean regime illegally to test nuclear weapons and threaten its neighbours and those further afield, and the acquisition of what looks like an intercontinental ballistic missile with what could be a hydrogen bomb capability. That is the new element, which requires international co-ordination to defeat.

Robert Jenrick (Newark) (Con): North Korea’s regime is partly financed by money laundered through Chinese regional banks and companies. In the US, the Treasury Department has taken decisive action to cut off those organisations—even those that are Chinese—from the financial system, and prosecutions have been launched in the past few days. Will the UK Government do exactly the same to those organisations operating out of the City of London?

Boris Johnson: We are certainly in favour of ensuring that all the sanctions that are currently in place are fully applied. If it is necessary to take action in respect of the City of London, we certainly shall do so.

Caroline Lucas (Brighton, Pavilion) (Green): As the Foreign Secretary is on the record as saying that all options are on the table, may I press him a little bit more tonight to confirm that he has taken off the table any kind of UK support for military action? Will he give Government support to efforts that are already beginning to happen—I am talking about a longer-term process towards a phased and comprehensive approach to a north-east Asian nuclear weapons-free zone, which has cross-party support in Japan and South Korea?

Boris Johnson: I am grateful for the opportunity to point out that that is an entirely hypothetical question. I am very impressed by the mood of moderation in the House today. Everybody really wants a peaceful diplomatic solution, and that is what we are working towards.

Alex Chalk (Cheltenham) (Con): Is it not a reality that further sanctions are unlikely to persuade this depraved regime to give up its illegal nuclear programme, even though it is beggaring its people in the process? Has the time not come to press again for six-party talks to include the North Korean regime if necessary?

Boris Johnson: My hon. Friend is very thoughtful on these matters. What we want is to freeze the North Korean nuclear programme, and diplomatic means are the best way forward.

Liz Twist (Blaydon) (Lab): Sanctions imposed by the UN on North Korea, especially those of the past year, are the strongest yet. Can the Secretary of State tell us what steps the Government are taking to ensure that all those sanctions are fully implemented and, crucially, enforced by all UN member states?

Boris Johnson: We have raised that at the UN repeatedly over the past few weeks, as the hon. Lady would expect us to do.
nation and the world require the United States and China to work in partnership and use their leverage? Is it not the case that we require mutually assured restraint, as espoused by the sociologist Amitai Etzioni, to bring about a full and comprehensive peace in Korea?

Boris Johnson: I am delighted to hear Amitai Etzioni quoted on the subject of Korea. The hon. Gentleman is absolutely right to focus on the partnership and potential of the relationship between the US and China. They hold the key to the question between them, but, as I say, where there are differences it can be our task to try to help to bridge the gap, then unite the rest of the international community on a common position.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I seek to propose that the House should debate a specific and important matter that should have urgent consideration, namely the UK exiting the EU and the role of devolved Administrations.

With Parliament on the cusp of debating the European Union (Withdrawal) Bill, the House should take note that the UK Government have not held a Joint Ministerial Committee with the Governments of the devolved nations since 8 February this year. On 15 June, the Scottish and Welsh Governments wrote jointly to the Secretary of State for Exiting the European Union requesting a meeting of the JMC. This request has not been granted by the UK Government, which is in direct violation of the rules set out in the JMC concordat, memorandum of understanding and supplementary agreements. Any request for a meeting should be actioned within a month. It is completely unacceptable that the UK Government are ignoring the request from both the Welsh and Scottish Governments for a JMC meeting.

We know that the European Union (Withdrawal) Bill touches on areas of devolved responsibility. We know that the UK Government are going to have to ask for legislative consent motions from the devolved Parliaments. In doing so, they are seemingly not prepared to respect the established procedures that should allow both dialogue and mutual respect between Westminster and the devolved Administrations.

Often in this place, we hear the phrase “taking back control”. It should not mean taking powers from the devolved Administrations, as is happening, and certainly not without appropriate mechanisms for resolution. There has to be co-operation with all the devolved Governments, and the JMC is the forum for that to take place. The House needs to debate why it is not happening before the Bill is debated.

Emasculation of the devolved Administrations by itself undermines our democracy and questions the constitutional rights of our devolved Administrations. The UK Government seem to be provoking the devolved Administrations when we should be seeking co-operation. A minority UK Government have to seek to build consensus—I would venture that that is what the public want—and not seek division with democratically elected devolved Governments.

It is important that the House has the opportunity to debate those matters before the Bill is introduced. This is a Government who function as a minority Government. We have a society where there are divisions over Europe, and the legislative measures we will be discussing have an impact on devolved competency. The House has to hold the UK Government to account for their actions in the devolved areas.

Madam Deputy Speaker (Dame Rosie Winterton): The hon. Gentleman has asked for leave to propose a debate on a specific and important matter that should have urgent consideration, namely the UK exiting the EU and the role of devolved Administrations. I have listened carefully to his application, but I am not persuaded
that this is a matter properly to be discussed under Standing Order No. 24. The Standing Order states that I should not give the reasons for my decision to the House, but perhaps I may give a hint that the Standing Order requires me to have regard to the probability of the matter being brought before the House in time by other means. I will leave it at that.

Point of Order

7.55 pm

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): On a point of order, Madam Deputy Speaker. I seek your assistance regarding regulation 23(9) of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013. The regulation provides for local authorities with concerns about decisions by clinical commissioning groups to refer those decisions to the Secretary of State for Health for consideration.

On 26 January and 11 January this year, Stoke-on-Trent City Council and Staffordshire County Council made a referral of decision by Stoke-on-Trent and North Staffordshire CCGs to close community care beds across community hospitals in our area. On 11 April 2017, a letter from my hon. Friends the Members for Newcastle-under-Lyme (Paul Farrelly) and for Stoke-on-Trent North (Ruth Smeeth), the former Member for Stoke-on-Trent South, Baroness Golding and me was sent to the Secretary of State asking for an update on the matter, with a subsequent letter from me sent to him on 28 July. To date no one has received a response. The local authorities that made the referral almost eight and a half months ago have yet to receive any acknowledgement from the Secretary of State that the matter is under consideration.

While the matter is not being dealt with by the Secretary of State, the decisions by the CCGs stand and community care beds are closing.

I seek your assistance, Madam Deputy Speaker, on how I can compel the Secretary of State for Health to consider the referral that he has received from those two authorities and how future referrals from local authorities can be dealt with in a timely fashion under the regulations provided by the House that give power to the Secretary of State.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Gentleman for giving me notice that he wished to raise this matter. I appreciate that it is an important matter of great concern to him and his constituents, but it is not a point of order. It is not for me to interpret the legal responsibilities of the Secretary of State for Health. However, the hon. Gentleman has succeeded in getting his concerns on the record. No doubt they have been heard by Ministers in the Chamber and will, I am sure, be relayed to the Department. If the hon. Gentleman does not receive a satisfactory response, I encourage him to seek the advice of the Table Office on the various avenues that he might use to pursue the matter.

BILLS PRESENTED

Madam Deputy Speaker (Dame Rosie Winterton): As the House can see, a good many Bills will be presented today. [Interruption.] Now, now. To save time and to get on with the main business, I will accept private notice of the dates of Second Reading for Bills on the Order Paper where multiple Bills have been tabled by the same Member. Those dates will be minuted accordingly in Hansard and in Votes and Proceedings.

VOTER REGISTRATION BILL

Presentation and First Reading (Standing Order No. 57)

Mr Christopher Chope, supported by Mr Peter Bone, Sir Paul Beresford, Mr Ranil Jayawardena, Sir Greg Knight, Mr William Wragg, Eddie Hughes, Esther McVey,
Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to prohibit persons from being registered to vote in Parliamentary elections in more than one constituency; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 23 November 2018, and to be printed (Bill 27).*

**Public Sector Exit Payments (Limitation) Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone, Eddie Hughes, Esther McVey, Martin Vickers, Philip Davies, Justin Tomlinson and Sir Edward Leigh, presented a Bill to limit the rate of interest chargeable on outstanding student loan debt; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 23 November 2018, and to be printed (Bill 28).*

**Student Loans (Debt Interest) Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone, Mr Nigel Evans, Mr William Wragg, Esther McVey, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to make provision for the removal of restrictions on principal local authorities in England to set levels of council tax; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 23 November 2018, and to be printed (Bill 29).*

**Local Authorities (Removal of Council Tax Restrictions) Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone, Eddie Hughes, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to make provision for the accountability of clinical commissioning groups; to make provision about local referendums on NHS sustainability and transformation plans; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 1 December, and to be printed (Bill 30).*

**Healthcare (Local Accountability) Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone, Sir Greg Knight, Eddie Hughes, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to make provision about the accountability of clinical commissioning groups; to make provision about local referendums on NHS sustainability and transformation plans; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 2 February 2018, and to be printed (Bill 31).*

**Human Rights and Responsibilities Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone, Mr Ian Liddell-Grainger, Eddie Hughes, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to require persons bringing claims or proceedings under the Human Rights Act 1998 to satisfy a test of reasonableness and equity; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 7 December 2018, and to be printed (Bill 32).*

**Public Service Broadcasters (Privatisation) Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone and Philip Davies, presented a Bill to make provision for the privatisation of the British Broadcasting Corporation and Channel 4; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 11 January 2019, and to be printed (Bill 33).*

**BBC Licence Fee (Civil Penalty) Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone, Mr Nigel Evans, Mr Ian Liddell-Grainger, Eddie Hughes, Esther McVey, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to make provision to decriminalise the non-payment of the BBC licence fee.

*Bill read the First time; to be read a Second time on Friday 16 March 2018, and to be printed (Bill 34).*

**Tax Rates and Duties (Review) Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone, Esther McVey, Philip Davies and Sir Edward Leigh, presented a Bill to require the Government to publish an annual review of the net yield to HM Treasury of tax rates and duties levied, including estimates of the impact on yield of changes to rates of those taxes and duties; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 1 December, and to be printed (Bill 35).*

**High Speed 2 Phase 1 (Reviews of Public Expenditure) Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone, Esther McVey, Philip Davies and Sir Edward Leigh, presented a Bill to require the carrying out and publication of reviews of the level of public expenditure in connection with the High Speed 2 rail line (Phase 1); to establish procedures in connection with changes in these levels; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 25 January 2019, and to be printed (Bill 36).*

**National Health Service (Co-Funding and Co-Payment) Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone and Sir Edward Leigh, presented a Bill to make provision for co-funding and for the extension of co-payment for NHS services in England; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 11 May 2018, and to be printed (Bill 37).*

**Value Added Tax Bill**

*Presentation and First Reading (Standing Order No. 57)*

Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to enable the maximum turnover threshold for exemption from the requirement to register for VAT to be raised; to make provision for the exemption of certain goods and services from liability to VAT; and for connected purposes.

*Bill read the First time; to be read a Second time on Friday 8 February 2019, and to be printed (Bill 38).*
Principal Local Authorities (Grounds for Abolition) Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Mr William Wragg, Philip Davies and Sir Edward Leigh, presented a Bill to prohibit principal local authorities being abolished in the absence of the authority of its elected councillors and a local referendum; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 39).

Deregulation Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Mr Ranil Jayawardena, Philip Davies, Sir Henry Bellingham and Sir Edward Leigh, presented a Bill to make provision for the reduction of burdens resulting from legislation for businesses or other organisations or for individuals; to make provision for the repeal or amendment of regulations; to make provision about the exercise of regulatory powers and functions; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 8 March 2019, and to be printed (Bill 40).

Illegal Immigration (Offences) Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Mr Ranil Jayawardena, Eddie Hughes, Philip Davies, Sir Henry Bellingham and Sir Edward Leigh, presented a Bill to create offences in respect of persons that have entered the UK illegally or who have remained in the UK without legal authority; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 6 July 2018, and to be printed (Bill 41).

Border Control Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Mr Ranil Jayawardena, Eddie Hughes, Philip Davies and Sir Edward Leigh, presented a Bill to make provision about the requirements for non-UK citizens seeking leave to enter the United Kingdom; to make provision about a process for the removal from the United Kingdom of non-UK citizens, in certain circumstances and on the basis of established criteria; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 23 November 2018, and to be printed (Bill 42).

Foreign Nationals (Criminal Offender and Prisoner Removal) Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Mr Ranil Jayawardena, Mr William Wragg, Eddie Hughes, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to make provision for the removal from the United Kingdom of foreign national criminal offenders and of prisoners who are citizens of European Union Member States; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 22 February 2019, and to be printed (Bill 43).

Free Trade (Education and Reporting) Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to impose duties relating to the provision of public education on free trade; to require regular reports from government on trade arrangements with other countries; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 22 March 2019, and to be printed (Bill 44).

Import Tariff (Reduction) Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to make provision for the reduction of tariffs on goods imported into the United Kingdom; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 11 May 2018, and to be printed (Bill 45).

Employment Opportunities Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to introduce more freedom, flexibility and opportunity for those seeking employment in the public and private sector; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 6 July 2018, and to be printed (Bill 46).

International Development Assistance (Definition) Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to make provision about the definition of international development assistance; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 16 March 2018, and to be printed (Bill 47).

Schools Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to enable schools to select pupils on the basis of published criteria; to allow schools to determine maximum class sizes; to remove restrictions on the expansion of the number of pupils schools and on the creation of new schools; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 11 May 2018, and to be printed (Bill 48).

Bat Habitats Regulation (No. 2) Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to make provision to enhance the protection available for bat habitats in the non-built environment and to limit the protection for bat habitats in the built environment where the presence of bats has a significant adverse impact upon the users of buildings; and for connected purposes.
Bill read the First time; to be read a Second time on Friday 6 July 2018, and to be printed (Bill 49).

Green Belt (Protection) Bill
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Mr William Wragg, Philip Davies and Sir Edward Leigh, presented a Bill to establish a national register of green
belt land in England; to restrict the ability of local authorities to de-designate green belt land; to make provision about future development of de-designated green belt land; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 50).

INTERNATIONAL PAYMENTS (AUDIT) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Eddie Hughes, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to make provision to require cost-benefit analysis and independent audit before payments are made by the Government to a foreign country or international organisation; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 16 March 2018, and to be printed (Bill 51).

LOCAL AUTHORITIES (BORROWING AND INVESTMENT) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to make provision about the acquisition of land and property by local authorities in England outside their own local authority boundaries; to limit the power of local authorities to invest in commercial risk-taking enterprises; to limit public borrowing by local authorities for non-core activities; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 1 December, and to be printed (Bill 52).

BENEFITS AND PUBLIC SERVICES (RESTRICTION) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Mr Ranil Jayawardena, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to make provision to restrict the entitlement of non-UK citizens to publicly-funded benefits and services; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 16 March 2018, and to be printed (Bill 53).

PUBLIC SERVICES (AVAILABILITY) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Esther McVey, Philip Davies and Sir Edward Leigh, presented a Bill to make provision about the availability of public services during weekday evenings, at weekends and on bank holidays; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 11 May 2018, and to be printed (Bill 54).

WORKING TIME (REGULATIONS) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone and Philip Davies, presented a Bill to make provision for the expiration of the Working Time Regulations 1998; to provide for regulations governing working time; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 8 March 2019, and to be printed (Bill 55).

LOCAL ROADS (INVESTMENT) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Mr Ranil Jayawardena, Eddie Hughes, Esther McVey, Philip Davies and Sir Edward Leigh, presented a Bill to make provision about the maintenance and repair of roads by local authorities in England; to make provision for prescribing the use of funds for this purpose; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 2 February 2018, and to be printed (Bill 56).

HOLIDAY PAY BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone and Philip Davies, presented a Bill to make provision about holiday pay for employees; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 7 December 2018, and to be printed (Bill 57).

LOCAL AUDIT (PUBLIC ACCESS TO DOCUMENTS) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to amend the Local Audit and Accountability Act 2014 to extend public access to certain documents that are commercially confidential and documents relating to NHS bodies in England; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 58).

ELECTRONIC CIGARETTES (REGULATION) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to make provision for the regulation of the sale and use of electronic cigarettes; to exempt electronic cigarettes from UK law derived from the Tobacco Products Directive; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 59).

ELECTORAL COMMISSION (DUTIES) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Sir Greg Knight, Eddie Hughes, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to impose duties on the Electoral Commission to investigate allegations of electoral fraud and other breaches of electoral law and to act as the prosecuting authority for such offences; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 60).

MOBILE HOMES AND PARK HOMES BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Martin Vickers and Philip Davies, presented a Bill to require the use of published criteria to determine whether mobile homes and park homes are liable for council tax or non-domestic rates; to make provision in relation to the residential status of such homes; to amend the Mobile Home Acts; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 61).
Bills Presented

FRUIT AND VEGETABLES (CLASSIFICATION) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to make provision for the eligibility for deployment of such fruits and vegetables to be classified by flavour, condition and size for the purposes of sale in the UK; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 63).

STUDENT LOANS (DEBT DISCHARGE) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Mr Nigel Evans, Philip Davies and Sir Edward Leigh, presented a Bill to make provision for the forgiveness or discharge of student loan debt in certain circumstances; to make provision about the treatment of student loan debt in bankruptcy proceedings; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 64).

STAMP DUTY BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to make provision for the reduction of stamp duty rates on residential property.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 65).

ARMED FORCES (VOLUNTEER RESERVE) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to make provision for the recruitment and retention of Volunteer Reserves for the Armed Forces; to make provision for the eligibility for deployment of such reserves; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 66).

FISHING (ACCESS TO TERRITORIAL WATERS) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Sir Greg Knight, Martin Vickers, Philip Davies and Sir Edward Leigh, presented a Bill to restrict the rights of vessels not registered in the United Kingdom to fish in territorial waters; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 67).

SPEED LIMITS (ENGLAND) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone and Sir Greg Knight, presented a Bill to prohibit permanent derogations from a 30 mile per hour speed limit in built-up areas in England; to make provision for the circumstances in which speed limits below 30 miles per hour may be introduced; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 68).

JUDICIAL APPOINTMENTS AND RETIREMENTS (AGE LIMITS) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Mr Ranil Jayawardena, Philip Davies and Sir Edward Leigh, presented a Bill to repeal provisions for the compulsory retirement of holders of judicial office on the grounds of age; to remove upper age limits for appointment to judicial office; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 69).

COASTAL PATH (DEFINITION) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to make provision for the definition of a coastal path in England in respect of the coastal access duty under the Marine and Coastal Access Act 2009; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 70).

DOMESTIC ENERGY (VALUE ADDED TAX) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Philip Davies and Sir Edward Leigh, presented a Bill to reduce Value Added Tax on domestic energy bills; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 71).

MANUFACTURED GOODS (TRADE) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Esther McVey, Philip Davies and Sir Edward Leigh, presented a Bill to remove certain restrictions on the production and sale of goods manufactured in the United Kingdom for use in the United Kingdom, in connection with the withdrawal of the United Kingdom from the EU; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 72).

CRIMINAL FRAUD (PRIVATE PROSECUTIONS) BILL
Presentation and First Reading (Standing Order No. 57)
Mr Christopher Chope, supported by Mr Peter Bone, Esther McVey, Philip Davies and Sir Edward Leigh, presented a Bill to make provision about private prosecutions in cases of suspected criminal fraud in certain circumstances; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 73).
INTERNATIONAL DEVELOPMENT ASSISTANCE (LIMIT) BILL

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Esther McVey, Gordon Henderson, Ben Bradley, Philip Davies, Mr Christopher Chope and Sir Edward Leigh, presented a Bill to impose a limit on the level of international development assistance at an amount equal to the European Union average of equivalent expenditure; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 26 October 2018, and to be printed (Bill 74).

GOVERNMENT DEPARTMENTS (ABOLITION) BILL

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Gordon Henderson, Philip Davies, Steve Double, Mr Christopher Chope and Sir Edward Leigh, presented a Bill to make provision for the abolition of the Department for International Development and the Government Equalities Office; to make provision for the abolition of the Office of the Secretary of State for Wales, Scotland Office and Northern Ireland Office; to establish a Department for the Nations of the United Kingdom in their place; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 30 November 2018, and to be printed (Bill 75).

PRIME MINISTER (TEMPORARY REPLACEMENT) BILL

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Dr Dan Poulter, Philip Davies, Henry Smith, Mr Christopher Chope and Sir Edward Leigh, presented a Bill to provide for the carrying out of the functions of the Prime Minister in the event that a Prime Minister, or a person temporarily carrying out the functions of the Prime Minister, is incapacitated; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 18 January 2019, and to be printed (Bill 76).

JUNE BANK HOLIDAY (CREATION) BILL

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Mr William Wragg, Philip Davies, Sir David Amess, Steve Double and Sir Edward Leigh, presented a Bill to make provision for a national public holiday on 23 June or the subsequent weekday when 23 June falls at a weekend; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 15 June 2018, and to be printed (Bill 77).

LEADER OF THE HOUSE OF COMMONS (ELECTION) BILL

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Esther McVey, Philip Davies, Henry Smith, Steve Double, Mr Christopher Chope and Sir Edward Leigh, presented a Bill to amend the House of Commons Administration Act 1979 to provide that the Prime Minister may only nominate as Leader of the House of Commons a Member of that House chosen following an election held amongst all Members of the House of Commons; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 1 March 2019, and to be printed (Bill 78).

PRIME MINISTER (ACCOUNTABILITY TO HOUSE OF COMMONS BILL)

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Philip Davies, Mr Christopher Chope and Sir Edward Leigh, presented a Bill to impose duties on the Prime Minister relating to accountability to the House of Commons; to require the Prime Minister to be available to answer questions in that House on at least two occasions during a sitting week except in specified circumstances; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 15 March 2019, and to be printed (Bill 79).

BRITISH BROADCASTING CORPORATION (Oversight) BILL

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Esther McVey, Dr Dan Poulter, Philip Davies, Sir David Amess, Steve Double, Mr Christopher Chope, Jim Shannon and Sir Edward Leigh, presented a Bill to create an independent body to monitor broadcasting impartiality at the British Broadcasting Corporation; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 27 April 2018, and to be printed (Bill 80).

VOTER REGISTRATION (NO. 2) BILL

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Dr Dan Poulter, Mr William Wragg, Esther McVey, Gordon Henderson, Mike Penning, Philip Davies, Henry Smith, Sir David Amess, Steve Double, Mr Christopher Chope and Jim Shannon, presented a Bill to prohibit persons from being registered to vote in Parliamentary elections at more than one address; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 3 November, and to be printed (Bill 81).

HOSPITAL (PARKING CHARGES AND BUSINESS RATES) BILL

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Esther McVey, Gordon Henderson, Mike Penning, Philip Davies, Henry Smith, Sir David Amess, Steve Double and Jim Shannon, presented a Bill to prohibit charging for car parking at NHS Hospitals for patients and visitors; to make provision for NHS Hospitals to be exempt from business rates; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 27 April 2018, and to be printed (Bill 82).

LOCAL GOVERNMENT FINANCE BILL

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Gordon Henderson, Mr Jonathan Lord, Henry Smith, Steve Double, Mr Christopher Chope and Sir Edward Leigh, presented a Bill to provide for 100 per cent retention of locally collected business rates; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 23 February 2018, and to be printed (Bill 83).

HOUSE OF COMMONS WHIPS (TRANSPARENCY) BILL

Presentation and First Reading (Standing Order No. 57)
Mr Peter Bone, supported by Mr Christopher Chope, presented a Bill to require the Government to publish details of meetings between the Government Whips
Office in the House of Commons and the corresponding offices of other political parties in the House of Commons; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 29 March 2019, and to be printed (Bill 84).**

**EUROPEAN UNION (RETURN OF CONTRIBUTIONS) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Gordon Henderson, Philip Davies and Mr Christopher Chope, presented a Bill to require the Government to obtain, on withdrawal from the European Union, a payment from the European Union not less than 50 per cent of the United Kingdom’s net contributions to that institution; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 14 December 2018, and to be printed (Bill 85).**

**GENERAL ELECTION (LEADERS’ DEBATE) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Esther McVey and Mr Christopher Chope, presented a Bill to set up a commission to make arrangements for debates between leaders of political parties during a General Election; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 15 March 2019, and to be printed (Bill 86).**

**HOMELESS PEOPLE (CURRENT ACCOUNTS) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Mr William Wragg, Esther McVey, Dr Dan Poulter, Philip Davies, Steve Double, Mr Christopher Chope, Ben Bradley, Jo Churchill and Sir Edward Leigh, presented a Bill to require banks to provide current accounts for homeless people seeking work; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 1 February 2019, and to be printed (Bill 87).**

**ELECTORAL CANDIDATE (AGE) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Mr William Wragg, Esther McVey, Mr Jonathan Lord, Steve Double and Mr Christopher Chope, presented a Bill to allow a person who is age 18 or older on the day of a parliamentary or local election to stand as a candidate; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 14 December 2018, and to be printed (Bill 88).**

**PARLIAMENTARY ALLOWANCES (RESTRICTION) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Esther McVey, Gordon Henderson, Philip Davies, Sir David Amess, Steve Double and Mr Christopher Chope, presented a Bill to prohibit members of the House of Commons who do not take the oath from receiving parliamentary allowances; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 1 February 2019, and to be printed (Bill 89).**

**CHILD SAFETY (CYCLE HELMETS) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Gordon Henderson, Sir David Amess, Mr Christopher Chope, Jo Churchill and Jim Shannon, presented a Bill to require children under 16 to wear a safety helmet when riding a bicycle on a public highway; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 1 March 2019, and to be printed (Bill 90).**

**HUMAN TRAFFICKING (CHILD PROTECTION) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Esther McVey, Dr Dan Poulter, Mr Jonathan Lord, Philip Davies, Henry Smith, Mr Christopher Chope and Jo Churchill, presented a Bill to make provision for the creation of secure safe houses for children that have been subject to human trafficking; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 18 January 2019, and to be printed (Bill 91).**

**DRONE (REGULATION) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Esther McVey, Gordon Henderson, Mr Jonathan Lord, Philip Davies, Henry Smith, Steve Double, Mr Christopher Chope, Sir David Amess and Jim Shannon, presented a Bill to regulate the purchase and use of drones weighing 5 kilograms or more; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 15 February 2019, and to be printed (Bill 92).**

**OVARIAN CANCER (PUBLIC AWARENESS) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Philip Davies, Sir David Amess, Mr Christopher Chope, Jim Shannon and Sir Edward Leigh, presented a Bill to make provision about public awareness measures in respect of the symptoms of and screening for ovarian cancer; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 30 November 2018, and to be printed (Bill 93).**

**HEALTH AND SOCIAL CARE (NATIONAL DATA GUARDIAN) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Jo Churchill, Kit Malthouse, Jeremy Lefroy, Rebecca Pow, George Freeman, Maria Caulfield, Will Quince, Nick Thomas-Symonds, Dr Philippa Whitford, Jim Shannon and Philip Davies, presented a Bill to establish, and make provision about, the National Data Guardian for Health and Social Care; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 20 October, and to be printed (Bill 94).**

**PILOT (LICENSING) BILL**

Presentation and First Reading (Standing Order No. 57)

Mr Peter Bone, supported by Mr Christopher Chope and Sir Edward Leigh, presented a Bill to create a pilot licensing system in line with International Civil Aviation Organization standards; and for connected purposes.

**Bill read the First time; to be read a Second time on Friday 29 March 2019, and to be printed (Bill 95).**
Telecommunications Infrastructure (Relief from Non-Domestic Rates) Bill
Considered in Committee

[DAME ROSIE WINTERTON in the Chair]

Clause 1

RELIEF FROM LOCAL NON-DOMESTIC RATES: OCCUPIED HEREDITAMENTS

8.3 pm

Question proposed, That the clause stand part of the Bill.

The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton): With this it will be convenient to discuss the following:

Clauses 2 to 4 stand part.

That the schedule be the schedule to the Bill.

Clauses 5 and 6 stand part.

New clause 1—Report on operation of the relief—

“(1) The Secretary of State shall, by 30 September 2018, lay a report before Parliament containing an assessment of the operation of the relief in the 2017-18 financial year.

(2) The report shall include an account of—

(a) the impact upon the level of local authority income raised through non-domestic rating;

(b) the level of investment likely to have been stimulated by the proposed relief, and the scope for extending the relief to other forms of investment;

(c) whether the duration of the relief is appropriate;

(d) the views of those subject to charge of non-domestic rates on the relief, and

(e) the efficacy of the existing mechanism for distribution of relief.”

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): The Government are committed to supporting full-fibre telecommunication infrastructure and the roll-out of 5G. This will deliver a step change in the speed, service quality and reliability of broadband and mobile services. Independent research suggests that increased broadband speed alone could add £17 billion to UK output by 2024, so this is a vital measure for the whole economy. The Bill will provide the powers we need to implement an important part of that strategy.

At the 2016 autumn statement, the Government announced 100% rate relief for new full-fibre infrastructure in England. The clauses in the Bill will allow us to deliver that relief with retrospective effect to 1 April 2017. We have already published draft regulations that illustrate how we will use these powers to implement the relief. The draft regulations have been prepared in consultation with telecoms experts in the Government, Ofcom and telecoms providers. Business rates and telecoms are technical fields so there is considerable scope for complexity where they meet. However, I am glad to say that through our work with the sector, we believe that we have found a clear approach to allow the valuation officer to identify, capture and quantify new fibre.

Mr Edward Vaizey (Wantage) (Con): I refer the Committee to my entry in the Register of Members’ Financial Interests. Is my hon. Friend aware of some concerns in the telecoms sector that the tax relief could be gamed? People could switch off lit fibre and light dark fibre in order to take advantage of the tax relief.
Some have suggested that a better way of implementing may be simply to limit the quantum of business rates paid by telecoms companies. Will my hon. Friend comment on those concerns, which I have heard from a number of providers?

Mr Jones: I understand the concerns raised by my right hon. Friend, and I have great respect for his considerable knowledge of the matter. I reassure him and the various bodies that hold concerns that the relief is not a measure to support the relighting of fibre that has been turned off. Indeed, it is to support the laying of new fibre in the ground. This technical matter is laid out in the draft regulations and explained in the accompanying consultation document published by my Department last week. Consultation will ensure that the proposal reaches the right audience in the telecoms sector. With business rates experts, we will ensure that the relief will work as planned. The consultation will also allow us to move quickly to implement the relief once the Bill has passed and ensure that support is available for new fibre.

Kit Malthouse (North West Hampshire) (Con): Even if this were a relief that applied to currently dark fibre that is lit, or to fibre that was lit, is unlit and is then lit again, if the premise of the scheme holds true, this is an investment. The idea is that this is meant to spur more economic activity. Therefore, more tax will be gained from corporation tax, pay-as-you-earn and other forms of business rates because people will have premises that become available for use and that are then much more commercial. Rents will rise, values will rise and all the rest of it. The Government do not need to be too chary about where the relief goes, because if the relief is seen as an investment, not just some kind of freebie for the industry, it will benefit everyone, including the Government.

Mr Jones: My hon. Friend is right that this is an investment in the infrastructure of the country. Indeed, it is a relief that is time-limited for five years. After that five-year period, that fibre will attract its own income into the business rates pool, whether on the local list or on the central list.

Mr Vaizey: I hope the Minister will forgive me for interrupting his eloquent speech, but I was spurred into action by my hon. Friend the Member for North West Hampshire (Kit Malthouse), who is a newly elected member of the Treasury Committee—I congratulate him—and who displays the forensic skill we will see in many hearings in months to come. It behoves me to clarify that it is possible under the current regulations for a telecoms provider simply to lay new fibre in existing ducts, turn it on and take advantage of the tax relief, even though there is already fibre in those ducts. That would be seen as gaming the system—taking advantage of the tax reliefs without building the new infrastructure my hon. Friend the Member for North West Hampshire has campaigned for so vigorously. That is simply the warning light that I put up, and it may be that my hon. Friend will drive future Treasury Committee hearings towards that subject.

Mr Jones: By definition, full fibre is fibre that goes all the way from an exchange to the particular business or residential property that it individually serves. Therefore, by definition, even if an existing set of ducting was used, the new fibre would be an expansion of the network, because it would serve a different property from the current fibre. I therefore hope that my right hon. Friend is reassured.

Sir Oliver Heald (North East Hertfordshire) (Con): As my hon. Friend will know, there are homes and businesses in the rural parts of North East Hertfordshire that are more than 1,000 metres from the nearest cabinet, so providing fibre straight to the door is the best solution. Will the proposed change mean that more work can be done on that more quickly?

Mr Jones: My right hon. and learned Friend hits the nail on the head. The whole design of this legislation and this tax relief is intended to encourage providers—not just the large ones, but the smaller ones, which these proposals are very good for—to bring that new, direct fibre cable to homes and businesses.

Kit Malthouse: Will the Minister give way?

Mr Jones: I will just make some progress first, if I may.

The Bill contains six clauses. Clauses 1 to 3 provide the powers for the relief, and clauses 4 to 6 cover consequential and financial matters. Business rates are payable on three classes of properties: first, occupied properties shown on the local rating lists held by local authorities; secondly, unoccupied properties shown on local rating lists; and thirdly, properties on the central list, which is held by my Department.

The main business rates legislation in the Local Government Finance Act 1988 contains separate provisions for charging rates on those three classes. Clauses 1 to 3 provide powers to allow relief in those three classes. Clause 1 allows for relief for occupied hereditaments shown on local ratings lists. Clause 2 allows for relief for unoccupied hereditaments shown on local ratings lists. Clause 3 allows for relief for hereditaments on the central list.

Clauses 1 to 3 have similar structures and serve the same purpose. First, the powers in the clauses will allow the Secretary of State to set conditions as to when the relief will apply. This is not a wide-ranging power covering all properties. The power can be used only for telecommunication hereditaments. Through these powers we will target the relief on operators of telecoms networks who deploy new fibre on their networks. That will incentivise and reward those operators who invest in the fibre network.

Edward Argar (Charnwood) (Con): In that context, could the Minister clarify something for me? The Bill says the relief will apply to hereditaments used “wholly or mainly” for the purpose of telecommunications. Is a standardised definition of “mainly” exist in legislation, or could he enlarge on what it would be defined as?

Mr Jones: I think it would be best for me to reassure my hon. Friend that the sole purpose of this legislation is to cover telecommunication hereditaments. As he has heard, the aim is for the Government to provide a targeted, five-year rate relief to incentivise the laying of new fibre cable, which will hopefully serve and support his constituents in Leicestershire.
8.15 pm

Julian Knight (Solihull) (Con): I thank the Minister for giving way—he is being most generous in allowing interventions. In 2015 and last year, Solihull enjoyed a higher growth rate than China, but it is still one of the poorest areas for broadband provision, particularly business provision. The Minister can imagine what more could be achieved if we had better broadband, so the Bill is very welcome, as is the £60 million in targeted tax relief. Does he agree that the relief will not only boost Solihull’s economy but key into the Midlands engine, which is absolutely at the heart of UK growth and productivity?

Mr Jones: My hon. Friend is a keen advocate and supporter of the businesses of Solihull. My understanding is that, by the end of the current roll-out period, 91% of properties will have been reached by superfast broadband. However, the Bill will incentivise providers to roll out more direct fibre services to all parts of the country. Hopefully, businesses and individuals in Solihull will also benefit from the provisions in the Bill.

Through these powers, we will target the relief on operators of telecoms networks who deploy—I have reiterated this point a number of times for the sake of clarity—new fibre on their networks. The proposals will incentivise and reward operators who invest in the fibre network.

These concepts have not been defined before for business rates. The powers in the clauses will therefore allow us to develop definitions with experts in the telecoms and business rates sectors. By taking this approach, we can ensure that we accurately capture in the relief only those parts of the telecoms network that comprise new fibre, which has been a significant concern of right hon. and hon. Members.

Richard Graham (Gloucester) (Con): The Minister knows that I am as keen as he is to make sure that all the blackspots in our urban constituencies are broadband-enabled as soon as possible. For some time, my concern has been that if new developments do not get fibre connections, there will be a continuing gap, and that every time Ministers stand up and say they will get 95% or 100% coverage, there will be new places without coverage. I am pleased that the Minister’s colleague, the Under-Secretary of State for Digital, Culture, Media and Sport, my hon. Friend for Salisbury (John Glen), wrote to me saying that Openreach will “provide FTTP”—fibre to the premises—“to all new developments with more than 30 plots for free.”

That is great news, and it means that Ministers do not have to consider the option I was recommending of enabling local councils to make it mandatory for new developments to have fibre connections. However, will the Minister say something about developments with under 30 houses, because part of the regeneration of all cities is getting small plots redeveloped with housing, and that may involve developments of fewer than 30 homes?

Mr Jones: I thank my hon. Friend for that comment. He is absolutely right that it is extremely important that new housing developments serve well the people who purchase the properties in relation to superfast broadband. He is right that it is a requirement for developments of under 30 dwellings to have a broadband connection and for developments of over 30 properties to have a superfast broadband connection. In bringing forward those requirements, which started this January, the Government had to make a very challenging decision in getting the balance right between making sure that people are properly served with the latest technology and that we build the homes required to deal with the housing shortage in our country.

Mr Vaizey: I am very grateful to hear my hon. Friend talk about these issues. In my constituency, the developer Linden Homes built a housing development with houses selling for hundreds of thousands of pounds, and for the mere price of £6,000 to deliver broadband, refused to stump up that money. It is this kind of behaviour by developers that brings them into disrepute. I congratulate the Government on making great progress, because no new home should be built without superfast broadband.

Mr Jones: My right hon. Friend is quite right. Developers who are not necessarily compelled to provide superfast broadband should think to themselves how the installation of superfast broadband could become a selling point for the property. The provision of superfast broadband is becoming more and more important, particularly as more and more people work from home.

Kit Malthouse: I acknowledge that the Government made huge progress in changing the building regulations so that this becomes mandatory for developments of over 30 houses. However, does it not strike the Minister as peculiar, in this century, that building regulations require the provision of electricity, water and drainage to every house, no matter the size of the development, but not, now, this vital piece of infrastructure that is becoming mandatory for modern living?

Mr Jones: Even in developments of under 30, developers are required to provide a broadband connection for the people who are going to be occupying those properties. It is the developments of over 30 that require fibre broadband to be connected. While my hon. Friend does not seem happy with the premise on which that is based, the rationale behind it is based on the viability of new developments. Quite often, the smaller developments are more difficult for developers to find viable. Therefore, rather than prevent those developments from taking place by overburdening developers with regulations, a balance was struck.

Amanda Milling (Cannock Chase) (Con): Since speaking on Second Reading about connectivity to new homes, another case arrived in my inbox last week. I cannot go through it in an intervention, but needless to say it involves BT Openreach and the developer, with lots of emails to and from the constituent. I am sure that I will be writing to my right hon. Friend the Minister for Digital about it over the next few weeks.

Mr Jones: I am sure that my right hon. Friend the Minister will be very happy to talk to my hon. Friend about this issue.

As I have said, through our work with the sector and the Valuation Office Agency, we believe that we have found a clear way to capture the concept of new fibre. We have set this out in our draft regulations and the consultation document that we published last week. However, this is a technical and fast-moving sector, so we will keep the operation of the relief under review to
ensure that it is working as planned and that the regulations keep pace with the continuing technical advances and changes in the industry. Accordingly, it will remain important that we have the powers available to amend the operation of the relief scheme over time. The powers in the clauses will allow the Secretary of State to determine the level of relief to be awarded. As I have said, the Government intend to allow telecoms operators 100% relief, but only for new fibre. That new fibre will of course form part of existing telecom networks with existing ratings assessments.

Through the operation of this scheme, we intend to ensure that the relief is awarded only in respect of new fibre and not existing fibre. To achieve this, the powers in the clauses will also allow the Secretary of State to ensure that the relief is awarded only in respect of new fibre and not existing fibre. To achieve this, the powers in the clauses will also allow the Secretary of State to determine the level of relief to be awarded. As I have said, the Government intend to allow telecoms operators 100% relief, but only for new fibre. That new fibre will of course form part of existing telecom networks with existing ratings assessments.

As I have said, these provisions are mirrored in the first three clauses of the Bill. Sometimes the letters in the formula differ, but that is merely to conform to existing lettering in the sections into which the formula will be introduced. Hon. Members will have noticed that clause 1 includes a table referring to different subsections. In theory, there will be instances where a property could be eligible for the new fibre relief but also for another such as charitable relief, although we believe this to be extremely unlikely. However, for completeness, the table in clause 1 makes it clear which relief should apply. No such conflict can arise for unoccupied properties or properties on the central list, so the table appears only in clause 1. The rules we have adopted here are consistent with the existing hierarchy of reliefs in the business rates system. Charity relief will apply above all others, and then reliefs such as small business rate relief. The relief for new fibre will apply only where no other relief applies.

Clause 4 gives effect to the schedule to the Bill. As I have described, the Bill makes a number of amendments to different sections of the Local Government Finance Act 1988. Most of the amendments in the schedule are to that Act, and are necessary merely to ensure that those provisions continue to make sense and operate as intended. We are also in the schedule making consequential changes to the Business Rate Supplements Act 2009. Ratepayers entitled to mandatory reliefs in the main business rates system are also entitled to the same relief against the business rate supplement currently applied to larger properties in London. The Bill ensures that those reliefs continue to apply for the new fibre relief through these consequential amendments.

Clause 4 also includes the normal power to make regulations for other consequential provisions. We intend to use these powers to make consequential changes to the regulations that govern the transitional relief scheme. This will ensure that the relief is also available for those ratepayers who are either receiving transitional relief or whose reductions from the revaluation are being capped to fund the transitional relief.

Clause 5 provides the normal authority from Parliament that is necessary when making provisions that create a charge on public funds.

Clause 6 provides that the Bill applies to England and Wales. Business rates policy is devolved, so it will be for the Welsh Government to consider whether to introduce a similar relief. The Welsh Assembly Government have asked for the powers in this Bill to apply to Wales, although it will of course be a matter for Welsh Ministers to exercise those powers in relation to Wales. In Scotland and Northern Ireland, business rates legislation is made in their own Parliaments, so again it will be a matter for them whether to proceed with this measure. However, under the Barnett formula, Wales, Scotland and Northern Ireland will receive their share of the funding of the relief. As we have discussed, the relief for new fibre will apply from 1 April 2017, so clause 6 also provides that the amendments and powers in the Bill can take effect retrospectively for the financial year commencing 1 April 2017.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): We have just had a run-through of what the Bill contains, and by and large we welcome it. It is one of the remnants of the Local Government Finance Bill, which fell when the general election was called, and which contained things that industry and local government leaders wanted to see introduced. This could well be the first of several proposals, and I would welcome a conversation about that.

8.30 pm

If our country is to have the type of economy that we want, a concerted effort must be made to deliver high-speed broadband to each and every community. The Bill represents an important step towards securing better connectivity and access to high-speed broadband across the country. If we fail to install the infrastructure our country needs, we will fail to realise our full potential, and communities who already feel geographically isolated will feel digitally isolated as well.

Big data providers such as BT and Virgin will be the initial beneficiaries of the relief—through big programmes such as Virgin Media’s Project Lightning and BT’s Openreach subsidiary—but, in the longer term, it is expected and hoped that small providers will also benefit when they lay new fibre in the ground. We need more detail about how the scheme will go beyond the big players and get down to smaller providers, particularly those that are really making an effort to reach out in rural areas to get to places that are at a significant disadvantage when it comes to broadband connectivity. There is no detail on that, and it would be good to see some.

The ill-fated Local Government Finance Bill would have introduced a number of changes. Some of them caused concern; we were concerned about how the full retention of business rates would eventually be financed, and about how the loss of certain grant funding—the public health grant and the early intervention grant—would eventually settle when a scheme had to be developed for the whole country. But, equally, local government and industry have called for the Government to make sure that the legislation and the funding of public services catch up with changing demand and the changing way in which public services are delivered. We are keen to
see more detail, and perhaps even a schedule of legislation to implement measures contained in the Local Government Finance Bill that might still have a chance of being introduced.

We broadly welcome the Bill, and we sincerely hope that it will lead to a material change in the pace and the coverage of high-speed broadband. The Opposition have tabled a new clause, which is designed to be positive. It is about contributing to the debate and looking to see where we can improve the legislation. It is not intended to frustrate or delay the Bill, or to take away anything from its spirit; the new clause is intended to add to that, and I hope that the Government will see the benefit of it.

We have heard today a concern about how the big players might seek to manipulate the rules by, for example, turning from one type of cable to another. We have heard concerns about how some new housing developments might not see the full benefit. Under the current rules, in a new development of 29 properties it will not be mandatory to provide this cabling, but in a new development of 30 or 31 properties it will be. My question is: would it have been more appropriate to make the £60 million available to smaller developers to fund the connection at that end, rather than using it to provide a business rate discount at the other end?

The new clause is needed because it would allow the Government to assess, within a 12-month period, whether the £60 million is delivering the type of roll-out and coverage that they intended. If it is not, the 12-month review would allow those changes to be made, based on the information gathered over that period. I believe that a good Government should do that as a matter of course, and I am sure that the Government will say that is exactly what they intend to do. If that is the case, why not receive our new clause in that spirit and incorporate it in the Bill?

It is important that the big players—Virgin Media and BT Openreach—understand that the Government have not just written a cheque for £60 million, which they are happy to write off if the scheme does not work. It is a deal, and the money is being made available because the Government are determined to see broadband rolled out. There is an expectation that it will be rolled out, and if it is not, the Government should have the facility—the mechanism—to change the scheme if it is being abused. By adopting this new clause the Government would send a message to the big providers that the Government are watching to make sure that they deliver what is required, and that there will be a review in 12 months so that if the relief is not working the Government can change the legislation. I would welcome the Minister’s views on our new clause.

Mr Marcus Jones: Before I talk about the new clause, I would like to make a few observations about the hon. Gentleman’s opening comments. He mentioned the Local Government Finance Bill, which eventually fell when the general election was called. I spent many happy hours with him in that Bill’s Committee, where we debated the merits of allowing local areas to keep more of the taxes they raise locally. I reassure him that, as per our manifesto in the last general election, we are still absolutely committed to allowing local areas to keep more of the taxes that they raise locally. I expect that we will work over the coming months with the local government sector to discuss how we can take that aim forward.

On the point that the hon. Gentleman made about operators gaming the system by, for example, purporting to lay new fibre cable but simply relighting existing fibre cable that is already in the ground, I reiterate that the relief is all about the physical laying of new fibre in the ground. We believe that the definitions in the regulations provide a clear way of capturing what constitutes new fibre, so we consider that we will not be providing business rate relief when new fibre is not being installed and people are merely relighting existing fibre that is already in the ground.

I am grateful to the Opposition for tabling the new clause and giving us the opportunity to discuss at greater length the operation of the relief. Although, as I will explain, we cannot agree to the new clause, I hope that I can provide some detail and assurances on the operation of the relief. It is important to recognise that investment in fibre is a long-term commitment. To support and incentivise that commitment, the relief for new fibre will apply for a five-year period between 1 April 2017 and 31 March 2022. That was the commitment given by the Chancellor in the autumn statement of 2016, and that commitment will be met through the Bill and the draft regulations that we published last week. This is part of a wider package of measures worth £1.1 billion that we announced at the autumn statement to support the market development of digital networks, underpinned by full fibre, to ensure that we have the world-class digital infrastructure that we need. This includes £200 million to support local bodies in the roll-out of full fibre networks in their area, and in July 2017 we launched a £400 million investment fund providing finance for network providers to match their fibre investments. Alongside the legislative changes we brought forward in the Digital Economy Act 2017, such as changes to the system that governs access to land and the powers for universal broadband, we are therefore creating the right environment for investment. This measure is a crucial part of that: it is crucial that we provide the necessary support and the environment to allow this investment to happen, and that is what the Bill will do.

Although I am not unsympathetic to the hon. Gentleman’s new clause, I do not think it would support the overall measure to require the Government, as the new clause would do, to review the operation of the relief only one year into the five-year period. This would create significant uncertainty in the sector about the future of the relief, especially as the new clause specifically questions whether a five-year scheme is appropriate. That could in itself damage the success of the scheme and jeopardise the returns we expect for both businesses and households.

As I have said, we cannot agree to the new clause. However, the Government do of course keep all taxes and reliefs under review, and that will include the tax relief for new fibre. We will continue to track the operation of the scheme, and where we believe it can be improved, we will take action. The Bill will allow us to do that. It will also allow the Chancellor in the lead-up to the conclusion of the scheme in 2022 to consider its success and whether it should be reviewed or repeated for future years.

The Bill allows for future relief schemes within the boundaries of telecommunication infrastructure, and for different levels of relief and different technologies
within those boundaries, but, as with all taxes, that is a matter for the Chancellor of the Exchequer as part of the Budget process. However, I can give hon. Members some of the aspects of the new clause from existing legislation and practice.

Under the existing local government finance system, local authorities are required to submit to my Department non-domestic rates returns containing information about the business rates income and relief in their area. These are provided before the start of the year as estimates, and after the end of the year as final out-turns. This information is published in full on my Department’s website. I can assure the House that these returns will be amended to include separate information about the level of new fibre relief, so this information will be available for each local authority in England. We expect the first returns to include this information to be the out-turn data for 2017-18, which are expected to be published in the autumn of 2018.

At earlier stages in the progress of the Bill, I gave the House the assurance that we will compensate local government for the cost of its share of the relief. We restated that commitment in the consultation document that we published last week, and I give the same assurance again today. The relief that will be awarded on the central rating list held by my Department is not included in the published return provided by local government, but I can confirm that we will also publish the value of the new fibre relief in respect of the central rating list.

I also assure the House that we take very seriously the challenge of developing a suitable mechanism to deliver relief to new fibre, and that we are listening to the views of the sector. We have been working with Ofcom, the valuation office and the sector to ensure we have the correct mechanism. Last week, we published a consultation document, as I have said, and draft regulations illustrating how this will work. We will have further dialogue with those stakeholders, collect views as part of the consultation and publish a summary of responses to that exercise. In view of the assurances I have given, I hope that the hon. Gentleman will not press his new clause.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 to 4 ordered to stand part of the Bill.

Schedule agreed to.

Clauses 5 to 6 ordered to stand part of the Bill.

The Deputy Speaker resumed the Chair.

Bill reported, without amendment.

Madam Deputy Speaker (Mrs Eleanor Laing): As indicated on the Order Paper, Mr Speaker has certified that clauses 1, 2 and 5 relate exclusively to England and Wales, and are within devolved legislative competence. As the Bill has not been amended in Committee, there is no change to that certification.

Under Standing Order No. 83M, a consent motion is required for the Bill to proceed. I shall now suspend the House for about two minutes while the Government table the appropriate consent motion, copies of which will be available shortly in the Vote Office and will be distributed by Doorkeepers.

8.44 pm

Sitting suspended.
The Bill is proof of our commitment to connectivity and our determination to deliver digital infrastructure that the country deserves. It has wide support, it has been considered in detail and it will help us to build a modern Britain. I commend it to the House.

8.55 pm

Jim McMahon: I share the vote of thanks to the range of people who have assisted the Bill. A great deal of work went on in the background to ensure the support of Members and the passage of the Bill. I would like to thank the Public Bill Office for the support it gave to the Opposition during the Committee stage, which was a great help.

The Opposition welcome this infrastructure, which aims to improve our connectivity. We know that improved connectivity is important for economic growth, more jobs and improved links between business hubs and individuals alike. One slight regret, which is a major regret for the people affected, is that nothing in the Bill addresses the divide between urban areas and our rural communities. With 95% of people connected, it is a bitter pill for the 5% who live in areas that are not connected. People in those areas do not want warm words about the amounts of money being given away, but a plan in place to say when high-speed will reach them. Self-employment is on the rise, so access to decent IT in rural communities is essential. It is not in the Bill, but I urge the Government to give more detail on what they are going to do to encourage that roll-out, either in terms of allocation or through the soft relationship they are developing with providers.

The Labour party is committed to focusing on improvements to connectivity and infrastructure in rural communities, many of which feel they have been taken for granted by the Government. They have suffered chronic underinvestment for far too long. We know there are different demands, different drivers and different pressures on our communities, but the decisions we make today should not be just about catching up with infrastructure developed five or 10 years ago; it ought to be about preparing the country for the next 10, 20 or 30 years ahead and for the next century. Many communities do not feel that they are a part of such consideration.

The Prime Minister previously called for co-operation across political parties. Over the summer, I reflected on 18 months of being an MP, after previously being a councillor and council leader for 13 years. To make a council and a place work, people need a common vision of what an area can be and they need to know what part they can play in taking it forward. I do not see that taking place nationally. It seems as though party politics are far more important than the people we all, collectively, represent. Getting one up on the Opposition or the Member sat across the Benches seems to be worth more than delivering investment on the ground for the very diverse communities we represent.

I should say that that is not my personal style at all. I am always more than happy to work across political parties if it means, ultimately, that we have better government for all the communities we represent. That is an offer. I do not intend to do the Government’s job for them—I am not a taxi driver in that sense—but I am keen to ensure that the voice of industry, local government and our many diverse communities really feature in policy as it comes through.
There is one area that we need to address. This is not party political, although I do have a view about what the Local Government Finance Bill included and did not include in terms of some of the safety nets and safeguards required. Our local councils cannot continue with their current funding settlement. We know that demand for adult social care is outstripping the money that they have, we know that they are stripping away frontline services just to keep their heads above water, and we know that that is just not sustainable. People are being expected to pay more and more council tax for what they perceive to be fewer and fewer of the services on which they rely, and which they consider to be vital and the foundation of their communities. Surely, if we believe in a decent country in which people can get on and public service is the foundation stone, we must not stand by and watch those people fall over.

This is, in effect, a plea. We have seen the presentation of one element of the Local Government Finance Bill; let us now see the presentation of a scheduled series of Bills that will really address chronic underfunding and the short-term nature of local government finance.

9 pm

Robert Courts (Witney) (Con): It is a great pleasure to speak in a debate that is, as we all know, enormously important. I spoke in detail about the effect of poor broadband in my constituency on Second Reading, but I now want to make two brief points about events which occurred during the recess and which illustrate precisely what I have spoken about in the House on so many occasions.

Kernahan Service is a garage on one of the major industrial estates in Witney. It is an excellent local family-run company which has serviced vehicles throughout west Oxfordshire for many years. When I visited the garage, the people there wanted not just to explain to me how the business worked, but to demonstrate to me the difficulty caused by the poor broadband that was available to them. Nowadays, as we know, when vans and other vehicles go into a garage, they are plugged into a computer which then connects to a server, and that provides the diagnostic information. I have seen for myself the waiting and the waiting and the waiting in that garage: I have seen those people waiting to find out from the Ford servers what the difficulties are with a particular vehicle. Moreover, I have witnessed with my own eyes the managing director waiting and waiting and waiting for the results of a simple Google search for information. That makes very clear the problems experienced by businesses throughout west Oxfordshire, although it is not a particularly rural problem; it is being experienced in Witney and on one of the most important industrial estates there.

Then there is the domestic side. Isabelle Jackson, a 15-year-old constituent who lives in Kiddington, a small village just outside Woodstock, wrote asking me to raise this issue, and I now gladly do so. I am grateful to her for writing, because she has drawn attention to problems that are experienced by many young people.

Isabelle will take her GCSEs in the current academic year, and is required to do her homework online. She is required to do research and to use sites such as BBC Bitesize and MyMaths, which, as I am sure those with children of the relevant age will know, are very important. The broadband in her village runs at 0.9 megabits per second, so it is simply impossible for her to do her homework. It cannot be right that, simply because Isabelle and many like her live in rural areas, they are being disadvantaged in the course of their education, but that is exactly what we are seeing.

It is for those reasons—the effect on business and the effect on the domestic instruction of young people in particular—that I wholeheartedly welcome the Bill and the incentives that it gives operators to provide the investment that will ensure that we have high-speed internet in rural and, indeed, urban areas throughout west Oxfordshire.

Question put and agreed to.

Bill accordingly read the Third time and passed.
Incontinence

Motion made, and Question proposed. That this House do now adjourn.—(Stuart Andrew.)

9.5 pm

Mrs Madeleine Moon (Bridgend) (Lab): Incontinence is not an issue that is often discussed in the Chamber. Society sees the condition as a taboo, which is hidden from public view while sufferers cope in private. However, an estimated 14 million people in all age groups will, at some point in their lives, experience a problem with bladder dysfunction. A further 6.5 million will have bowel dysfunction.

It is generally assumed that incontinence is a condition that affects older people, but that is only half the story. The National Childbirth Trust estimates that almost half of all women experience urinary incontinence after childbirth; there are around 700,000 births a year, so as many as 350,000 women could face this problem. NHS figures suggest as many as 900,000 children and young people experience some form of problem.

More than 300,000 people are diagnosed with ulcerative colitis and Crohn’s, otherwise known as inflammatory bowel disease, and the most common age for diagnosis is between 18 and 30. Those conditions affect the digestive system to different degrees, but one in 10 people will experience regular incontinence. A 2012 survey by Crohn’s and Colitis UK found that 61% of people had not sought medical advice for the incontinence. Like all other conditions that have associated problems with incontinence, that leads to social isolation. Crohn’s and Colitis UK surveyed 1,000 young people on their experience, and 75% said that their condition made socialising impossible because of always needing to know of the proximity to a toilet. On a very simple level, given how many local authorities are closing access to public toilets, is it not time that we looked at alternatives? It is surely not beyond our wit in this House to look at issues such as rate relief, so that hotels, restaurants, pubs and cafes could provide continence pads, a lot of children would have a better experience.

Melanie Onn (Great Grimsby) (Lab): I draw the House’s attention to my entry in the Register of Members’ Financial Interests. Does my hon. Friend agree that many local authorities are closing access to public toilets, and consider additional aids such as a shelf in toilets where someone with a colostomy or ileostomy can place the clean bag, so it is readily available while they remove the full bag. That would make things so much easier and healthier, by ensuring there is no cross-infection. Instead, people often have to scrabble on dirty toilet floors, trying to access what they need.

I thank my hon. Friend for that intervention. In particular, we should look at the need for teachers to understand the issue of incontinence. They need to understand that a child who constantly puts their hand up and says that they need to go to the toilet is not trying to get out of the lesson, and that it is perhaps an indication of a deep-seated problem that needs to be tackled. There is certainly a need to educate and to build awareness of continence problems in schools. This relates to the little ones coming into the reception class—some of whom, increasingly and shockingly, have not been potty-trained and have not learned to control
Incontinence

their bowels and bladder—and the problem continues throughout the school. Schools need to step in and ensure that parents and children have access to the help and advice that they need.

People should have the confidence to talk about the problem to GPs and to seek an early diagnosis and intervention. People should not have to assume that it is something they have to live with. It is estimated that people manage the problem themselves for an average of five years before seeking help. We also need to highlight the detrimental impact that incontinence can have on an individual, and the fact that existing policy responses exacerbate the situation. This is a quality-of-life issue. It affects sleep and mental wellbeing, and it can cause isolation. For a child, it can have a long-term impact on their self-esteem and on family relationships, and it often makes them vulnerable to bullying.

Access to toilets can become a determining factor in every journey and activity away from the home. The condition can also lead to more complex health problems, which are inevitably more expensive to treat, and some people even choose residential care so that they can have management of their problem. One specialist in the field summed the situation up by saying:

“The reality is that bladder and bowel continence needs can affect anyone at any age. It can reduce a person’s enjoyment of life, ability to live an independent life, reduce education and work opportunities and lead to further medical complications.”

Patient surveys have highlighted the limitations imposed on people’s lives by their conditions. For sufferers who responded to a survey, those restrictions and sleep deprivation were the worst aspects, with 93% saying that it had affected their ability to work, and 39% saying that it had forced them to take time off work. Frustratingly, there are solutions for many, but people all too frequently struggle to cope on their own, using incontinence products available in local chemists rather than seeking the help that could be available from the NHS.

Rosie Cooper (West Lancashire) (Lab): It is really important to note that people who rely on getting pads and looking after themselves are not getting the best service, and doctors and nurses are sadly not receiving training in this most important area. Shockingly, the pre-registration nurse curriculum does not include training for bladder or bowel incontinence, so it is all too easy not to address the real problem. We need that experience to help people; we should not just pad them up. People can be helped with exercise, for example, and there are many interventions that could help instead of them being told simply, “Go and buy a pad.”

Mrs Moon: I commend my hon. Friend’s work for the all-party parliamentary group on continence care, which does invaluable work in this area.

I am going to jump to another section of my speech. It is shocking how many people go into hospital with no continence problems but may be incontinent or doubly incontinent and have major problems by the time they leave. It is far too easy for nurses and doctors to see the use of pads as the only solution. At some point, I hope the Minister will look at how we can gather figures from hospitals on how many patients enter with continence problems but may be incontinent or doubly incontinent and their carefully timed medication regime is changed to fit in with drugs rounds on the ward. A perfectly mobile and continent person can become immobile and incontinent due to NHS failure. That cannot be allowed to carry on. It is shameful that we are facing such problems in 2017.

Diagnoses are not made in a huge number of cases. Healthcare professionals do not provide consistent assessments, diagnosis and follow-through according to standard practice. Even basic things, such as an assessments of where the toilet is in relation to where someone sleeps, are not carried out by social workers. I cannot begin to tell the House how many times people are admitted to hospital as the result of a fall at night caused by them trying to negotiate the stairs to go up or down to a toilet that is on a different level from where they sleep. It is shocking that people face having to wear an incontinence pad because they cannot use the stairs or because there is a risk of them falling at night when accessing the toilet. We simply must get this sorted out.

Incontinence can cause additional problems. Urinary tract infections, pressure sores, anxiety, depression and falls cost the NHS a great deal of money, and we could save money by making relatively simple changes. I have not been able to find any comprehensive analysis of the cost to the NHS and other services that would demonstrate potential savings from early interventions. As far as I am aware, such an assessment has not been carried out. A series of parliamentary questions tabled last year revealed that data are not held by the Department of Health on the number of people admitted to hospital for catheter-associated urinary tract infections, for non-catheter-associated urinary tract infections or with urinary incontinence generally. If it existed, such information would help to clarify the extent of the problem. An estimate was offered in 2014-15, with NHS trusts reporting an annual cost of £27.6 million, which is almost certainly an underestimate.

Too many individuals are bearing the brunt of managing their condition. Buying a regular supply of pads costs anywhere between 10p a pad, for a child, and 60p a pad, depending on the type of pad required.

Melanie Onn: My hon. Friend is being generous with her time. Does she think that now is the time for the Government to reconsider the VAT on these products?

Mrs Moon: We need to reconsider the issue of VAT on a whole range of sanitary and continence products. As a society, we need to take responsibility for the facts of our daily life. For a person on any sort of restricted income, such as those on benefits, the costs even of simple laundry are huge when dealing with incontinence.

Some families are spending up to £100 a week buying incontinence products. It is ludicrous if they are not able to access those products through the health service or joint stores with local authorities. It is a postcode lottery whether or not a person can access the help and support they need, which is shocking. Think of the savings in sickness pay, in hours of work lost and in mental health and wellbeing if we started to tackle this problem.
It is time to raise a number of issues, including what happens when things go wrong.

Jim Shannon: The hon. Lady has referred to people being caught short and, from my knowledge of people who have come to me with their problems, there is a lack of understanding from employers towards employees who have these problems, with people losing their jobs. Does she agree with me and other Members that there has to be a better understanding from employers of employees who have this problem?

Mrs Moon: I recently had a meeting with employers in Bridgend, and the chief executive of CGI was present. That company is proactive in asking its employees what problems they have so that it can support, rather than punish, when those problems affect people’s working situation. People with incontinence should feel confident that they will not lose their job if they say, “Actually, I have this problem. I am going to have to go to the toilet.” Shockingly, I found another employer in my constituency that was making deductions from employees’ wages every time they left the floor to go to the toilet because it was time away from their telephone response service. Yes, we need to consider the whole issue of employment practice in relation to incontinence.

Between 2007 and 2015, 92,000 women in England are thought to have had vaginal mesh implants as a treatment for incontinence. As many as one in 15 women have gone on to have those removed because of complications. The individual testimonies of those affected are dreadful, and while dealing with the wider issue of incontinence we must not forget their plight. I commend the work of my hon. Friend the Member for Pontypridd (Owen Smith), who has brought this issue to the attention of the House, but it is also important that the Government carry out a full audit, establish a registry to determine how many women have been affected, suspend this treatment and look at how we can make sure that the damage and destruction of people’s lives does not continue.

I know you have been generous with our time, Madam Deputy Speaker, as the House has concluded its other business so early, but I hope that the need for action on this has become obvious. First and foremost, we need to work collectively to raise the profile of incontinence as a public health issue, not as a personal failing—that is how it is seen. If I have an incontinence problem, it is seen not as my having a medical problem but as there being something wrong with me. That view needs to be turned around. People need to be able to talk to their GP. If we go into any pharmacy, we see a sign saying, “If your mole is changing size, see your GP.” There are signs saying, “If you’ve got a cough and it persists, see your GP.” But people with incontinence may not feel that they can do that. They need to change the conversation, and we all need to learn to speak more openly and honestly about it. Think of the subjects that the House selects for debate. We all take responsibility for making sure that those things are raised and discussed, but the way that incontinence is seen in this country is that it is a personal failing. Will the Minister ensure that every local authority and every health authority has a clear continence pathway? That is not a big ask; they should be doing it already. Can we make sure that such pathways are now in place?

Contidence services in the UK vary in quantity and availability, with a report in 2010 concluding that patients were faced with a “life sentence” of suffering due to non-existent or poor diagnosis, a lack of treatment plans and poorly co-ordinated care. Earlier this year, a Paediatric Continence Forum audit established that only 41% of clinical commissioning groups and health boards provide all four main continence services and product provision. That is absolutely shocking.

I hope I have convinced the Minister that he should take the opportunity to make a change in the quality of life for far too many people in this country. This is a problem area that we have neglected for too long.

Will the Minister give us an idea of what his Department plans to do to tackle the huge hidden problem of incontinence in this country? Will he agree to talk to the devolved Administrations so that we do not just set something up for England, but we all take responsibility for this? I am sure that the hon. Member for Strangford (Jim Shannon) and my hon. Friend the Member for Newport East (Jessica Morden) would agree that we must get this sorted once and for all.

When people seek help they need to feel that health professionals will be equipped to help them. It is also important that doctors are trained in this; it needs to be part of the core training of all nurses and doctors. It should also be there for those who are training to be nursery nurses. We need to build that conversation and to do it soon. It is important that the General Medical Council takes responsibility for moving this forward. I am aware that in England the NHS published “Excellence in continence care” in November 2015, which sought to define what best practice should be and to make recommendations. The document was very welcome, but implementation has been slow. The executive summary even commented on that, saying: “Over the years, some excellent research and guidelines have been produced for best practice continence care but this work has often stalled as it has not translated into a clear commissioning plan for a local continence pathway.”

Will the Minister ensure that every local authority and every health authority has a clear continence pathway? That is not a big ask; they should be doing it already. Can we make sure that such pathways are now in place?

The Parliamentary Under-Secretary of State for Health (Steve Brine): I congratulate the hon. Member for Bridgend (Mrs Moon) on securing this debate. I completely agree that incontinence is a public health issue. I am the public health Minister, so it is appropriate that I am responding to the debate.

It is important that I reiterate some of the hon. Lady’s points from the Government Dispatch Box. Incontinence is absolutely an issue with which too many suffer in silence, and we all need to learn to speak more openly and honestly about it. Think of the subjects that the House of Commons has discussed today, on its first day back after recess: it is incredible what the House can achieve and bring to public consciousness. The hon. Lady has certainly added to that today. By talking about incontinence, we draw back the veil and encourage others to come forward for assessment. I hope that somebody is watching or listening to this at home and decides that they are going to take the first step and ring their GP tomorrow morning, without shame or embarrassment.
As the hon. Lady said, there are 14 million adults in the UK with bladder-control problems and 6.5 million with bowel-control problems. She is absolutely right to point out that this is not just an older person’s problem: it reaches across the sexes and across the generations. Incontinence has been touched on in previous debates—the hon. Lady has raised it in the House this year—but I am told that there has been no dedicated Commons debate on it since 2004, so it is now high time for one.

All continence problems can be debilitating and life-changing. They affect a wide range of care groups and can be a particular concern for the ageing population—although, as both the hon. Lady and I have said, not exclusively. As the hon. Lady said, incontinence is not just a physical problem; it can be, and very often is, psychologically distressing. When continence care and support is done well, it makes an enormous positive difference to patients’ lives.

As the hon. Lady acknowledged, some of the issues she raised go much wider than the brief of a mere health Minister, but I shall touch on some of the other points she made, as well as those for which I am directly responsible. We absolutely do need to develop the workforce of health professionals so that they are more informed and educated about continence issues across the board and are able to support and care for individuals in a safe, effective and dignified manner. We need to measure people’s health outcomes robustly—without measurement it is hard to take action—to make sure that services continue to improve and that we can provide the best care possible.

A good-quality, patient-focused service begins with getting the specification and commissioning right from the outset. For services in England, NHS England published its commissioning framework for continence services, “Excellence in Continence Care,” in 2015 to help to achieve this. Working with clinicians, third sector organisations and people living with the condition, NHS England brought together the most up-to-date evidence-based resources and research to support commissioners, health providers and professionals to make real and lasting changes to raise the standards of continence care. As well as outlining an individual’s pathway from assessment to treatment and recovery when possible, the guidance advocates integration across primary, secondary and tertiary services, as well as across health, education—as mentioned by several Opposition Members—and social care. It is designed to ensure that commissioners work in collaboration with providers and others so that safe, informed, dignified—a key word—efficient and effective continence care is consistently provided to patients.

Dr Drew: The Minister will have heard my earlier intervention. Will he and his colleagues in the Department for Education commit to write to each school to make sure that they have an incontinence strategy? In particular—it is just a simple thing—they should provide incontinence pads for children who suffer from this terrible condition.

Steve Brine: Clearly, it is not my place to promise work tasks for Education Ministers, let alone other Health Ministers, but they will have heard what the hon. Gentleman said. I have a feeling that he will be following this matter up, no doubt through the all-party group. The chair of that group, the hon. Member for West Lancashire (Rosie Cooper), is sitting but two rows in front of him.

As well as outlining an individual’s pathway from assessment to treatment and recovery when possible, the guidance advocates integration across the different areas. Strengthening the workforce’s knowledge is absolutely key. In England, continence care and the importance of this issue to the comfort of patients is already an important part of the basic training offered to a wide range of clinicians and care workers and is part of the Nursing and Midwifery Council’s training curriculum.

The commissioning guidance builds on that by setting out the minimum standards required along with the specific roles and responsibilities for every member of a patient’s continence team including the individuals themselves, their family—very important—and carers. It is important to acknowledge that, following assessment and with the right advice, self-management of a condition can improve outcomes considerably.

There will always be people, including some in care homes, who have a need for aids. A group of specialist nurses for adults and another group for children are currently preparing some consensus guidelines on commissioning continence products, which in due course the Excellence in Continence Care board will consider for endorsement as a supplement to the framework. Of course we need to make sure that commissioners are following the framework, and NHS England is taking several approaches to tackle this. Let me touch on a few of them.

Rosie Cooper: The Minister’s comments are very welcome, but what pressure can he really apply to get clinical commissioning groups to implement NHSE’s guidance and to get the GMC, the Nursing and Midwifery Council and medical schools to include training in continence? If we can get that right, those facilities will be there when people say that they have the problem. Then we will get the clinical intervention, not just the costly pads in response.

Steve Brine: I thank the hon. Lady for her intervention. I will take that away with me, and I will come on to the point about the CCGs.

I was just about to outline the approaches that NHS England wants to take to ensure that commissioners are following the framework. They include arranging for CCGs to have access to teams of expert clinicians, commissioners from areas that have adopted the guidelines and are following best practice, and people with lived experience to review their existing service against the best practice and make appropriate improvements. NHS England is also exploring the potential for a mandatory data set to provide transparency about the continence services being commissioned and encouraging CCGs to develop integrated commissioning arrangements to improve co-ordination, experience and use of resources. That is all very positive.

In addition, the National Institute for Health and Care Excellence—or should I say NICE as I am now getting to grips with all the acronyms—has produced a range of guidance for clinicians to support them in the diagnosis, treatment, care and support of people with continence problems, including the 2015 quality standards for urinary tract infection in adults, which sets out how treatment must be holistic.
I understand that the Under-Secretary of State for Health, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), recently replied to the hon. Member for Bridgend on the issue of paediatric continence data and the risk of losing the National Child and Maternal Health Intelligence Network, which provides a valuable data resource. Let me take the opportunity to reassure the hon. Lady that the ChiMat legacy website can still be accessed. Paediatric continence is a very important issue. I understand that Public Health England is grateful to the Paediatric Continence Forum for its productive collaboration over the years and that it wishes this relationship to continue. It has agreed that if PHE's infrastructure remains the best place within the health system to enable these reports and to make the data available at a local level, it will make every effort to recreate the paediatric continence needs assessments during its 2018-19 business planning process. I am the Minister responsible for Public Health England. I see its leaders regularly and I will raise it with them next time I see them.

Mrs Moon rose—

Steve Brine: I would also like to use this debate briefly to mention transvaginal mesh implants, which the hon. Lady rightly raised in her speech. She was about to intervene to ask whether I was going to mention them. I know that some women experience severe side effects and complications post operation. I know that there has been considerable interest in this across the House. The hon. Lady mentioned the hon. Member for Pontypridd (Owen Smith) who chaired a working group on it recently and is looking to set up an all-party group on the subject.

I have heard heart-breaking stories and I have talked to colleagues in the House who have been contacted by constituents about this. We have to make sure that we listen not only to provide the necessary support but to inform health services so that they can reduce complications from the treatment. When complications do occur, we must ensure that they are treated promptly and effectively.

We must also remember that these procedures help thousands of women each year who are suffering the distressing effects of stress urinary incontinence and pelvic organ prolapse. Surgical procedures using mesh devices have provided an effective form of treatment that can be far less invasive than alternative surgical procedures. Let us not throw the baby out with the bathwater. In 2014, NHS England set up its mesh oversight group which, in partnership with clinicians, regulatory experts and patient groups, published its final report in July this year which helps to address the three major issues highlighted by clinicians and patient interest groups alike: clinical quality, data and informed consent. That answers the point made by the hon. Member for Bridgend about the devolved Administrations. Yes, we liaise with them, and I welcome the news that they have heard tonight's debate, given that they have been mentioned.

The hon. Member for Bridgend made a really good point about hospital data on continence, access to tertiary care and exit from hospital care. My family and I have experienced the fight on Parkinson's on far too many occasions. I thank the hon. Lady for the work that she does on the all-party group and I look forward to meeting her in that capacity. I will ask officials to look at the very good point that she has made. She also raised VAT on sanitary and continence products. The Government have taken action on VAT on women's sanitary products within the realms of what is possible as a member of the European Union. We have invested that money in women's health charities, as she knows. On the wider point about VAT, we are restricted as a member state, but we will soon be free, and we will be able to make those decisions in the House—taking back control, as someone once said.

Finally, the hon. Member for Strangford (Jim Shannon) made an excellent point about employers and their understanding of the issue. Employers should show every understanding in this area, and I expect them to do so—I do not think that I can be clearer than that.

To conclude, I thank the hon. Member for Bridgend once again for highlighting these issues. For all those who suffer from continence issues, it is important that we talk about the topic, treat it seriously, and work together to overcome the taboo and stigma by speaking candidly about it. I genuinely believe that only by doing so can we truly provide patient-centred services, where patients are at the centre of everything we do. We work with the healthcare professionals, commissioners, providers, pharmacists and trusts to improve the advice and services offered to best meet the needs of the people who rely on—and let us remember—pay for these services.

Question put and agreed to.

9.45 pm

House adjourned.
House of Commons

Wednesday 6 September 2017

The House met at half-past Eleven o’clock

The Speaker paid tribute to the late Member for North East Derbyshire, Mr. John Mann, who had been a Member of the House for 17 years.

The Speaker also made a formal announcement that the Prime Minister had invited the right hon. Member for Kensington and Chelsea to resign from the Government.

The Speaker then proceeded to read the Address of Her Majesty the Queen, and then read the Answer to the Address.

Oral Answers to Questions

WALES

The Secretary of State was asked—

Economic Opportunities: South Wales and the South-west

1. Steve Double (St Austell and Newquay) (Con): What steps his Department is taking to foster economic opportunities between south Wales and the south-west.

The Secretary of State for Wales (Alun Cairns): I am keen to strengthen the relationship between south Wales and the south-west. After all, Bristol is the most productive city in England outside of London. Abolishing the Severn tolls will strengthen the links between communities and help to transform the joint economic prospects of south Wales and the south-west of England.

Steve Double: Will the Secretary of State be a strong voice in Cabinet not just for Wales, but for the regions of our country, especially for places such as—oh, I don’t know—Cornwall? Will he also make sure that the shared prosperity fund is distributed fairly and on the basis of genuine need?

Alun Cairns: I am grateful to my hon. Friend for his question because his area, like large parts of Wales, benefits from the current European Union structural funds. The shared prosperity fund offers great prospects of a much more streamlined approach to supporting some of the most needy parts of the United Kingdom. I am determined to ensure that the shared prosperity fund is a much more efficient delivery system with fair distribution around the UK—to serve my hon. Friend’s region, as well as Wales.

Nick Thomas-Symonds (Torfaen) (Lab): What would have strengthened Wales’s economic development links was the electrification of the railway between Cardiff and Swansea, which the previous Tory Prime Minister described as “vital”. By scrapping that, have not this Tory Government once again let down Wales?

Alun Cairns: I am sure that the hon. Gentleman recognises that advances in bimodal technology mean that electrifying the line between Cardiff and Swansea would not save passengers any journey time. In fact, there would be significant disruption and delay, adding costs to travellers and businesses alike without any time saving. The advances in bimodal trains mean that we can take the most modern fleet of trains further in west Wales than we would otherwise with solely an electrified railway.

James Gray (North Wiltshire) (Con): The scrapping of the Severn tolls is a huge benefit to businesses across Wales. Does my right hon. Friend agree that it is also of vast benefit to businesses in places such as Wiltshire, where HGV operators have been paying £20 a time to get across the Severn? All of a sudden, they will be able to do business in Wales much more profitably.

Alun Cairns: My hon. Friend has rightly recognised that scrapping the Severn tolls is a significant boost not only to the south Wales economy, but to the economy of the south-west of England. He welcomed it along with the South Wales chamber of commerce, Business West and many others. It seems that the only people who have not welcomed the scrapping of the Severn tolls are the Labour party and the Welsh Government.

Wayne David (Caerphilly) (Lab): Further to the Secretary of State’s first answer, will he give a categorical commitment that all areas in Wales that are in receipt of European structural funds will continue to be eligible in the near future?

Alun Cairns: The UK shared prosperity fund can do even more because we will not have the same restrictions that the European Commission puts on European structural funds. It hardly makes sense that some of the most deprived parts of Wales are excluded from the European structural funds map as it stands because of European rules. The UK shared prosperity fund allows us to introduce a much more efficient and responsive scheme.

Peter Heaton-Jones (North Devon) (Con): One project that could provide significant economic opportunities on both sides of the Bristol channel is the provision of a regular ferry service between Ilfracombe in my constituency and south Wales. It has been considered by a commercial company. What support could the Wales Office give to that idea?

Alun Cairns: I will happily meet my hon. Friend to discuss the prospects. Like me, he recognises the major economic opportunities of binding the regions together. Between the south-west of England and the south Wales economy, we have one of the largest digital clusters and one of the best cyber-security clusters. We can do more to encourage economic growth, including the sorts of subject I have mentioned and tourism, which would benefit from the Severn crossing we have talked about.
Transport Infrastructure

2. Jo Stevens (Cardiff Central) (Lab): What discussions he has had with Cabinet colleagues on transport infrastructure in Wales in the last 12 months. [900690]

The Secretary of State for Wales (Alun Cairns): I hold regular discussions with Cabinet colleagues and the Welsh Government on improving transport infrastructure in Wales. The UK Government are investing significant sums in infrastructure, delivering improved journey times for passengers on the latest trains. This will provide tangible benefits to people and businesses in south Wales and boost access to jobs and new opportunities.

Jo Stevens: Has the Secretary of State specifically discussed with his Cabinet colleagues funding for the redevelopment of Cardiff Central station in my constituency? Will there be redevelopment funding—yes or no?

Alun Cairns: I am grateful to the hon. Lady for the question. Yes, I have discussed with Cabinet colleagues the need for investment in new stations in Wales. There is the prospect of new stations, and there is the prospect of further investment. I have met Cardiff Council to talk about that. I have spoken about it to the Welsh Government. I am keen to explore the opportunities that exist there, and also the opportunity to attract private investment, so I have also spoken to the private developer around that site.

Stephen Crabb (Preseli Pembrokeshire) (Con): Returning to the subject of electrification, it is true that the bi-mode trains are good, but they are a second-best solution. However, looking to the future and further rail infrastructure investment in Wales, does my right hon. Friend agree that there are major questions to be asked about Network Rail’s ability to deliver projects on time and control its costs? What more can be done to create a more competitive and cost-effective environment for rail infrastructure investment in Wales?

Alun Cairns: My right hon. Friend makes an important point about the efficiency of Network Rail. Earlier this year, the Public Accounts Committee called on the Government to reassess the case for electrification on a section-by-section basis, partly as a result of the increased costs that have been delivered by Network Rail. However, to improve rail access to west Wales—to Pembrokeshire, Carmarthenshire and other places—we have the opportunity to explore opportunities for new stations, which could well deliver bimodal trains on a regular basis to parts of Wales that do not access fast trains at the moment.

Mr Speaker: I am extremely grateful to the Secretary of State—especially when he is briefer.

12. [900700] Geraint Davies (Swansea West) (Lab/Co-op): Following a delegation I led in 2014 of four councils, two universities, many AMs and MPs, industry and Admiral, the then Prime Minister, David Cameron, pledged to extend electrification to Swansea, saying it would have a huge economic impact on developing employment in an area of neglected infrastructure, so will the Secretary of State stand up to the Prime Minister, as the previous Secretary of State did, and deliver the promises of the previous Prime Minister on electrification, which we so urgently need?

Mr Speaker: That was far too long. I will not call the hon. Gentleman again in a hurry if he is going to be so long-winded. He has got to do better than that.

Alun Cairns: I hope the hon. Gentleman will recognise that the new, most modern trains will be available and in service in Swansea within a few weeks. Swansea will benefit from the latest, most modern trains and from 15 minutes of saved journey time when the project is complete. There would be no time saving—in fact, there would be significant disruption to Swansea—if we continued with the electric-only model he seems to be advocating.

Michael Fabricant (Lichfield) (Con): Is it not the case that Swansea’s connectivity will be improved by the new Kingsway project, which is creating a digital district? Is it not a shame that Opposition Members do not recognise this important move? Perhaps they do not know what a digital district is.

Alun Cairns: My hon. Friend has great expertise in all things Welsh, but particularly in relation to digital projects and the Kingsway project he talked about. The Swansea Bay city deal is an exciting project that will complement the private activity that is taking place, and that will improve connectivity by digital means, as well as rail connectivity, with new trains in operation very soon.

Mr Speaker: Christina Rees.

Christina Rees (Neath) (Lab/Co-op): Thank you, Mr Speaker. I love the new haircut and the tie. You look great.

Before the summer recess, the Transport Secretary—the Secretary of State’s Cabinet colleague—sneaked out news that the UK Government would break their promise to electrify the main line from Cardiff to Swansea. People in Wales are now rightly asking whether the Government can even be trusted to deliver electrification as far as Cardiff. Will the Secretary of State promise that that electrification will go ahead and not join the ever-growing list of broken promises the Government have made to the people of Wales?

Alun Cairns: The hon. Lady will be well aware that work is under way on electrification to Cardiff. The bimodal trains will affect service times and when the project is complete it will be of major benefit not only to Cardiff, but to Swansea. The major advantage of the bimodal trains means that we can take the latest rolling stock further in west Wales, whereas the electric-only project would have meant that any benefits stopped in Swansea.

Funding in Wales

3. Alex Cunningham (Stockton North) (Lab): What discussions he has had with Cabinet colleagues on whether additional funding announced for Northern Ireland in the Government’s deal with the Democratic Unionist party will have consequences for funding in Wales. [900691]
The Parliamentary Under-Secretary of State for Wales (Guto Bebb): The agreement with the Democratic Unionist party is about delivering for the whole of the United Kingdom so that we can get on with our plan to get the best Brexit deal for our country and create an economy that works for everyone. It is part of the Government’s commitment to support growth across all parts of the UK, including commitments to investment in city deals in Wales and the introduction of the Barnett floor to provide the Welsh Government with fair funding for the long term.

Alex Cunningham: Given the cash deal with the DUP to prop up the Government, did the Secretary of State demand an increase for Wales under the Barnett formula, or was he simply sidelined?

Guto Bebb: I remind the hon. Gentleman that the Secretary of State and I have been successful in achieving city deals for Cardiff and Swansea, and we are working towards north Wales growth deal as well. That additional funding from Westminster was not subject to any Barnett consequentials with regard to any other part of the United Kingdom.

Mims Davies (Eastleigh) (Con): Does my hon. Friend agree that last year’s fiscal framework agreement secures long-term, needs-based funding for the Welsh Government, and that that can act as an enabler for improved public services across Wales?

Guto Bebb: I thank my hon. Friend for her question. She is absolutely right: this Government have delivered a fiscal framework for Wales that was called for for 13 years, when the Labour party did absolutely nothing. That fiscal framework gives certainty of funding for Wales and the people of Wales, and it will be beneficial to the development of the Welsh economy.

Chris Elmore (Ogmore) (Lab): The Secretary of State and the Minister have been having some problems with the Conservative party in Wales. Does the Minister agree with its leader, who said:

“Any potential incentives considered for one nation in securing the majority must also be considered for Wales”?

When are the Secretary of State and the Minister going to do their job and at least follow the line of their leader in Wales on securing additional funding for the people of Wales?

Guto Bebb: The leader of the Assembly group in Wales has the right of his own position, but the situation is very clear: this Government’s commitment to Wales is unprecedented. We delivered a fiscal framework when the Labour party did nothing. We have delivered city deals for Cardiff and Swansea, and we will deliver a growth deal for north Wales. This Government’s track record is one of additional investment to Wales, which needs to be matched by the Welsh Government.

Ben Lake (Ceredigion) (PC): As part of their arrangement with the DUP, the UK Government will contribute £150 million over two years to the improvement of broadband in Northern Ireland. As I am sure the Minister will be aware, of the bottom 10 UK constituencies for average download speeds, more than half are in Wales. What discussions has he had with Cabinet colleagues to ensure similar funding to improve broadband infrastructure in Wales?

Guto Bebb: I welcome the hon. Gentleman’s question and I welcome him to his place. The situation is very clear: constituencies such as Ceredigion and my own of Aberconwy have lagged behind in broadband connectivity in a Welsh context. He will be aware that broadband roll-out in Wales is the responsibility of the Welsh Government. It is interesting to note that Labour constituencies in Wales were prioritised over constituencies such as Ceredigion and my own of Aberconwy.

Chris Ruane (Vale of Clwyd) (Lab): The May magic money tree, celebrated by the Tories during the general election, has been found planted and flourishing in Northern Ireland. Meanwhile, Wales withers under Tory austerity. Some Tories have taken a principled stand on the use of pork-barrel bungs to Northern Ireland. The Tory Secretary of State for Scotland said that there should be no “back-door funding”, and the Tory leader in Wales, Andrew R. T. Davies, said:

“Any potential incentives considered for one nation...must also be considered for Wales.”

When is the Secretary of State for Wales going to do his job and stand up for Wales?

Guto Bebb: I welcome the hon. Gentleman to his new position on the Front Bench, and I welcome him back to the House. I will repeat the comments that I have already made. For 13 years between 1997 and 2010, he was a Back Bencher when there was a Labour Government in this place. That Labour Government did not deliver any change to the Barnett formula, and they did not deliver a fiscal framework for Wales. This Government are delivering for Wales, and we will deliver a north Wales growth deal, which will be beneficial to his constituents.

Hendry Review: Tidal Lagoons

4. Neil Parish (Tiverton and Honiton) (Con): What discussions he has had with the Secretary of State for Business, Energy and Industrial Strategy on the publication of the Government response to the Hendry review on tidal lagoons.

The Parliamentary Under-Secretary of State for Wales (Guto Bebb): The Wales Office has had close discussions with ministerial colleagues following the publication of the Hendry review. The lagoon at Swansea is an exciting project, but it is essential that it delivers value for money for the energy consumer and for the taxpayer.

Neil Parish: It is nine months since the Hendry review strongly endorsed the tidal lagoon at Swansea, where the rise and fall in the tide is the second highest in the world. It would unlock power for generations, not only on the Welsh side but on the other side of the Bristol channel. When are Ministers going to make a decision?

Guto Bebb: My hon. Friend is undoubtedly a champion for this new technology. However, it has to be stated on record that although the Hendry review was supportive of a tidal lagoon in Swansea, no real financial issues were dealt with in that report. It is necessary that we
make the right decision not just in terms of the concept of a tidal lagoon in Swansea, but for the energy price that the consumer will pay and for the taxpayer. We will make the right decision in due course. [Interruption.]

Mr Speaker: Order. There are far too many noisy private conversations taking place in the Chamber. I want to hear the views of the hon. Member for Ynys Môn (Albert Owen) on the matter of tidal lagoons.

Albert Owen (Ynys Môn) (Lab): As has been indicated, the Hendry review was set up by the Conservative party, and the framework to finance these big projects was set up by the Conservatives. It is time, now, to stop talking and start delivering for Wales. I urge the Wales Office to stand up for Wales on this project and deliver for Wales.

Guto Bebb: The hon. Gentleman is undoubtedly a champion of energy projects across Wales and, indeed, in his own constituency of Anglesey. He will understand, as I do, that such decisions must be right in relation to the costs for the taxpayer and the energy consumer. We will ensure that the decision, when it is made, takes all issues into account, and that it is right for the energy consumer and the people of Wales.

Theresa Villiers (Chipping Barnet) (Con): Will the Minister make renewable energy in Wales a priority so that it can play its full part in delivering our important goals on energy security and tackling climate change?

Guto Bebb: The development of energy policy in Wales is about energy security. It is about securing our energy supply for the future, which is why I and my colleague in the Wales Office are always involved with projects such as the new Wylfa power station in Anglesey. We are looking at small modular reactors for parts of Wales, and we are, indeed, still looking at the tidal lagoon in Swansea.

Christina Rees (Neath) (Lab/Co-op): Wales has a once-in-a-generation opportunity to become the world leader in tidal lagoons. The Swansea Bay tidal lagoon alone will generate 2,000 jobs and contribute £300 million to the Welsh economy during its construction. Welsh Labour MPs, the Welsh Labour Government and many public faces and campaigners have declared that they “Love the Lagoon”, so why are the Government refusing to publish their response? There is a very real risk that the investors that are needed to fund the project will walk away unless a decision is made very soon by the Government.

Guto Bebb: In the previous Parliament, the hon. Lady was an Opposition Front-Bench Treasury spokesman, so she will be aware that we need to analyse the benefits and costs of a tidal lagoon. The decision will be made and announced in due course by the relevant Ministers.

Mark Pawsey (Rugby) (Con): There is great support for the tidal lagoon in my constituency, where GE Energy would manufacture the turbines. Is the Minister concerned that our lead in this sector might be lost if we do not make a swift decision?

Guto Bebb: Having read the Hendry review, I am aware of the technology’s possible benefits to industry across the UK. That is why we are giving such serious consideration to the report produced by Charles Hendry.

Hywel Williams (Arfon) (PC): Community hydro schemes throughout Wales have faced business rates increases of up to 900%. In Scotland there is 100% relief and in England there is a cap, but Labour Ministers in Wales are sitting on their hands. I am told that the basic problem is made here in London because of the regulations. Will the Minister meet me and representatives of the sector to seek a full and quick solution?

Guto Bebb: The hon. Gentleman’s constituency, like mine, has a number of hydro projects, and I would be more than delighted to meet him to discuss where the problems lie. My understanding is that the problems lie in Cardiff, with the Labour Government, but I am more than happy to meet the hon. Gentleman to make sure that we deal with this.

Exiting the EU: Welsh Economy

6. Nick Smith (Blaenau Gwent) (Lab): What discussions he has had with the Secretary of State for Exiting the European Union on the potential effect of the European Union (Withdrawal) Bill on the economy in Wales.

The Secretary of State for Wales (Alun Cairns): I have regular discussions with my right hon. Friend the Secretary of State for Exiting the European Union on how all aspects of our exit from the EU will affect Wales. The European Union (Withdrawal) Bill will maximise certainty to individuals and businesses across Wales and the rest of the UK.
Nick Smith: Fifteen months after the referendum result, progress on Brexit is still too slow. About two thirds of Welsh exports go to the European Union and thousands of Welsh jobs depend on this trade, so what is the Secretary of State doing to ensure that our Welsh economy is not wrecked by a cliff-edge Brexit that would damage these vital ties?

Alun Cairns: The hon. Gentleman will be well aware that the European Union (Withdrawal) Bill will be debated tomorrow. I hope that he will support that Bill because of the certainty and security it provides by closing loopholes and ensuring that we have appropriate frameworks in place. Those in themselves present the issue of a cliff edge that he mentioned.

David T. C. Davies (Monmouth) (Con): Since the referendum result, we have seen record inward investment in Wales, record levels of employment and a proposal to scrap the Severn bridge tolls. Does that not show that under the Conservative Government the future for Wales is very good indeed?

Alun Cairns: I am grateful to my hon. Friend for his question. He is a passionate campaigner for not only the UK and Wales, but the benefits of leaving the European Union. We want a stronger, fairer, more united and outward-looking Union, and Members on both sides of this House have a role to play in that.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): One hundred years ago, y Gadaid Ddu—the Black Chair—was posthumously awarded at the Birkenhead Eisteddfod for Hedd Wyn’s awdl “Yr Arw”. I would like to congratulate the poet’s nephew Gerald Williams and Parc Cenedlaethol Eryri on safeguarding for Wales the family farm, Yr Ysgwrn, which will be opened officially today.

This month also celebrates the referendum 20 years ago that brought devolution to Wales. The European Union (Withdrawal) Bill is a bare-faced Westminster bid to take back control against the will of the people of Wales. Will the Minister tell the House what his Government will do when Wales denies consent to the Bill later this year? Would it not be political folly to press ahead in such circumstances?

Mr Speaker: Order. I am most grateful to the hon. Lady. If colleagues could show some sensitivity to time, that would be appreciated.

Alun Cairns: I would certainly underline many of the points that the hon. Lady made in relation to Hedd Wyn, whose former home is being opened today.

The hon. Lady will recognise that withdrawal is about creating the smoothest form of exit that we can possibly deliver. My right hon. Friend the First Secretary of State and I met the First Minister earlier this week, and we are keen to deepen our engagement even further. We want the Welsh Government to respond so that we can come up with the sort of frameworks that will work for every part of the United Kingdom.

Liz Saville Roberts: The Secretary of State has said in the past that there will be more powers for Wales, but is not his banal rhetoric undermined by the Government’s record of broken promises? The tidal lagoon—no decision; S4C funding—slashed; rail electrification—cancelled. Will he list the powers that Wales can look forward to and say when we will hear what they are?

Alun Cairns: I am disappointed by the tone of the hon. Lady’s question. She is well aware of our strong record on devolution. Earlier this year, we passed the Wales Act 2017. Last December, we agreed a new fiscal framework, which gives Wales a very fair settlement, and we are trying to work as closely as possible with the Welsh Government to deliver an exit from the European Union that works for every part of the UK. Wales is obviously my interest in that.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I am sure that the Secretary of State knows that the Welsh economy could be damaged by careless talk about Brexit. The public narrative from the Welsh Government is often alarmist and could even scupper future foreign investment. What can my right hon. Friend do to reassure potential foreign investors that Wales is open for business and remains a first-class destination for foreign investment?

Alun Cairns: My right hon. Friend is absolutely right. It is a shame that many Opposition Members and remoaners fail to recognise the opportunity that leaving the European Union creates. When my right hon. Friend the Prime Minister was in Japan just last week, she announced a deal in relation to Aston Martin—yet another significant trade arrangement with Japan on the back of those with Nissan and Toyota—and the Vale of Glamorgan and the midlands will benefit further from it.

Employment Trends

7. Sir Henry Bellingham (North West Norfolk) (Con): What recent assessment has he made of employment trends in Wales.

The Parliamentary Under-Secretary of State for Wales (Guto Bebb): In the past year, the employment rate in Wales has reached a record high. Wales benefits particularly from thriving tourism, which, with the help of UK Government initiatives, such as the coastal communities fund, grew by a massive 36% last year. Ten per cent. of Welsh workers are now directly employed in tourism—up from 7% in 2014.

Sir Henry Bellingham: Does the Minister agree that, post-Brexit, it is essential to maintain the current level of rural agricultural support to Wales? What will he do to try to ensure that that happens?

Guto Bebb: The Wales Office is committed to maintaining the employment growth stats that we have experienced in Wales in the past seven years. The investment that the Secretary of State mentioned from Aston Martin is a fine example of our ability to attract investment into Wales that will create high-quality jobs.

Ian C. Lucas (Wrexham) (Lab): Employment trends within Wales are important, too. What on earth, as a north Wales MP, is the Minister doing supporting the transfer of Her Majesty’s Revenue and Customs jobs from Wrexham to Cardiff city centre?
Guto Bebb: There will be more HMRC jobs in Wales as a result of the reorganisation than is currently the case. I assure the hon. Gentleman that the situation in Wales is one of employment growth—99,000 more jobs than in 2010, and 119,000 more jobs in the private sector. The employment story in Wales is a success of which the hon. Gentleman should be proud.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Today’s important report from the Institute for Public Policy Research provides a damning indictment of direct Westminster rule over the Welsh economy. Does the Minister agree that the only solution is greater economic powers for Wales?

Guto Bebb: The hon. Gentleman is like a stuck record on this issue. Rather than citing reports from high-flown companies, he should highlight the real, on-the-ground success story: unemployment in Wales is falling and fewer people are dependent on welfare. We are creating jobs and a successful economy in Wales. The hon. Gentleman should celebrate that.

PRIME MINISTER

The Prime Minister was asked—Engagements

Q1. [900624] Anna Soubry (Broxtowe) (Con): If she will list her official engagements for Wednesday 6 September.

The Prime Minister (Mrs Theresa May): As we return from the summer recess, I am sure that the thoughts of Members across the House are with the friends and families of the victims of the tragic Barcelona terror attack last month, including seven-year-old Julian Cadman.

I want to reassure the House that the United Kingdom has ensured that assistance, in the form of military and humanitarian resources, is already in place for those countries, including the overseas territories, that are preparing for Hurricane Irma.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall have further such meetings later today.

Anna Soubry: Of course everyone agrees with my right hon. Friend about the thoughts that she has shared, particularly in relation to all those who perished in the terror attack in Barcelona—especially Julian Cadman.

As part of the process of leaving the European Union, it is imperative that we transfer existing EU laws, regulations, directives and the rest into substantive British law. There are many concerns—very serious concerns—among Conservative Members about the means, not the ends, of the European Union (Withdrawal) Bill. Will my right hon. Friend assure me that she will look in particular at amendments that seek to change the Bill so that it does not become an unprecedented and unnecessary Government power grab?

The Prime Minister: I am grateful to my right hon. Friend for raising this issue. I know that she, like me, wants to see an orderly exit from the European Union, and that she will support the Bill, which will enable us not just to leave the EU but to do so in an orderly manner, with a functioning statute book. As we do that, of course, we will require certain powers to make corrections to the statute book after the Bill has become law, because the negotiations are ongoing. We will do that via secondary legislation, which will receive parliamentary scrutiny—the approach has been endorsed by the House of Lords Constitution Committee. Let me reassure my right hon. Friend that as the Bill undergoes its scrutiny in this House and the debate continues, we will of course listen very carefully to that debate. I shall be happy to meet her to discuss the issue further.

Jeremy Corbyn (Islington North) (Lab): I agree with what the Prime Minister said about Barcelona. The attack was abominable and appalling. I believe that we should think of the victims, but also thank the people of Barcelona for their wonderful community response to what was a threat to all of them.

I hope that the whole House will join me in thinking also of the victims of the terrible floods in Bangladesh, Nepal, India, Sierra Leone and Texas. Obviously, our thoughts are with those who are facing Hurricane Irma in the Caribbean as we speak.

Every Member on both sides of the House should be concerned about the fact that inflation is once again running ahead of people’s pay. This week, workers at McDonald’s restaurants took strike action for the first time in this country. The boss of McDonald’s, Steve Easterbrook, is reported to have earned £11.8 million last year, while some of his staff are paid as little as £4.75 per hour. Does the Prime Minister back the McDonald’s workers’ case for an end to zero-hours contracts and for decent pay?

The Prime Minister: Obviously, what is taking place at McDonald’s is a matter for McDonald’s to deal with, but the questions—[Interruption.] Let us focus on the issues that the hon. Gentleman raises, such as zero-hours contracts. In fact, the number of people on zero-hours contracts is very small—[Interruption]—as a proportion of the workforce, and there are people who genuinely say that it is of benefit to them to be on those contracts. However, for the 13 years the Labour party was in government, it did nothing about zero-hours contracts. It is this Conservative Government who have put the workers first and banned exclusive zero-hours contracts.

Jeremy Corbyn: My question was about McDonald’s, whose chief executive is paid 1,300 times as much as his staff—and approximately 800,000 people in Britain are on zero-hours contracts.

When she became leader of her party, the Prime Minister pledged: “I want to make shareholder votes on corporate pay not just advisory but binding.”

She put that in her manifesto but, like so much else in her manifesto, it has now been dumped—or archived, or however we want to describe it. Was the tough talk on corporate greed just for the election campaign or is it going to be put into law?

The Prime Minister: I suggest to the right hon. Gentleman that he looks again at the action that, in government, Conservatives have taken on this issue: it is the Conservative
Government who have recently published our proposals on corporate governance; it is Conservatives who gave shareholders the power to veto pay policies; it is Conservatives who forced companies to disclose board directors’ pay; and it is Conservatives who introduced tough transparency measures for the banks. That has been done not by a Labour Government; it is the Conservative party that has been putting workers first.

Jeremy Corbyn: I note that the Prime Minister uses the word “advisory”, because page 18 of the dumped manifesto says: “the next Conservative Government will legislate to make executive pay packages subject to strict annual votes by shareholders”. She has gone back on her word.

To help people who are struggling to make ends meet, many politicians have become convinced that we need to cap energy prices. Even the Prime Minister was briefly converted to this policy. Last week, the profit margins of the big six energy companies hit their highest ever level. I wonder if I could now prevail on the Prime Minister to stick to her own manifesto pledges on this matter as well.

The Prime Minister: First, on the question of what we are doing on corporate governance, I actually did not use the word “advisory” in my answer, so may I suggest to the right hon. Gentleman that in future he listens to my answer and does not just read out the statement before him?

The right hon. Gentleman raises an important issue about energy prices, because we are concerned about how that particular market is operating. We do expect the companies to treat customers fairly. That is why we have been looking at the action that can be taken, and it is why the Business Secretary has been doing exactly that: he wrote to Ofgem in June asking it to advise on what action it could take to safeguard customers. We do expect Ofgem’s plans will benefit only 2.6 million customers, but 17 million customers are short-changed by the big six energy companies. The Prime Minister could and should take action on this.

But the Prime Minister is not the only one going back on her word—[Interruption.] When Conservative Members have calmed down a little, I would just like to say this: at last year’s Sports Direct annual meeting, Mike Ashley personally pledged to ban the use of zero-hours contracts in his company. A year on, it is still exploiting insecure workers with zero-hours contracts. Will the Prime Minister join me in now demanding that Mr Ashley honours his words and ends zero-hours contracts in all his companies?

The Prime Minister: As I have said, it is this Government who have actually taken action in relation to zero-hours contracts, unlike the Labour party.

The right hon. Gentleman talks about manifestos and people going back on their word. I might remind him that the Labour party manifesto included a commitment to support Trident, our independent nuclear deterrent. Shortly after the election, in private, he told people he did not agree with that. For years the right hon. Gentleman sat on the Labour Benches and did not support Labour policy; now he is Labour leader and he still does not support Labour policy.

Jeremy Corbyn: I listened very carefully to what the Prime Minister said on this occasion and I am struggling to see the connection between what she just said and Mike Ashley, Sports Direct and McDonald’s. Perhaps she will now answer the question: will she condemn what Sports Direct and McDonald’s are doing to their staff? It is quite straightforward—yes or no?

Today, thousands of nursing and other healthcare staff are outside Parliament. They are demanding that this Government scrap the 1% pay cap. Poor pay means that experienced staff are leaving and fewer people are training to become nurses. There is already a shortage of 40,000 nurses across the UK. Will the Prime Minister please see sense, end the public sector pay cap and ensure that our NHS staff are properly paid?

The Prime Minister: We absolutely value the work of all those who work in the public sector—nurses, teachers and others—who are doing a good job for us, day in and day out, often in difficult and harrowing circumstances. It might be helpful if I remind the House of where we are on the issue of the pay review bodies and public sector pay. There are two pay review body reports for 2017-18 still to be published and for the Government to respond to—for police and prison officers—and that will happen shortly. Then later in the autumn, as happens every year, we will publish the framework for 2018-19. We will continue to balance the need to protect jobs and public sector workers with the need to ensure that we are also protecting and being fair to those who are paying for it, including public sector workers.

We have seen the right hon. Gentleman, in this House and outside it, consistently standing up and asking for more money to be spent on this, that and the other. He can do that in opposition—[Interruption.] He asks consistently for more money to be spent, and he can do that in opposition because he knows that he does not have to pay for it. The problem with Labour is that it does that in government as well. As a result of the decisions that the Labour party took in government, we now have to pay more in debt interest than on NHS pay. That is the result of Labour.

Jeremy Corbyn: The Prime Minister had no problems finding £1 billion to please the Democratic Unionist party—no problems whatsoever. NHS staff are 14% worse off than they were seven years ago. Is she really happy that NHS staff use food banks? Warm words do not pay food bills; pay rises will help to do that. She must end the public sector pay cap. The reality for working people is lower wages and less job security, with in-work poverty now at record levels. So will the Prime Minister clarify something she evaded during the election campaign? For those struggling to get by, whether employed, self-employed, permanent or temporary, can the Prime Minister categorically state today that they will not see rises in the basic rate of income tax, national insurance contributions or value added tax?

The Prime Minister: I can tell the right hon. Gentleman about the help we have been giving to those who are just about managing. We have taken 4 million people out of
paying income tax altogether, and we have given a tax cut to more than 30 million people. We see record numbers of people in employment in this country. We have given the lowest earners the highest pay rise for 20 years by introducing the national living wage, but you only get that with a strong economy. We believe in sound money; he believes in higher debt. We believe in making our economy strong so that we can invest in our public services. Labour’s approach is reckless; ours is balanced. Our approach delivers a strong economy. That is more money for the public services and more jobs for people and families, but you only get a strong economy and a better future with the Conservatives.

Q2. [900625] Mr Mark Harper (Forest of Dean) (Con): As the Prime Minister has said, this Government have an outstanding record on job creation, with 3 million more people in work than there were seven years ago. It is perfectly true that wage rises have not been as high as we would have hoped, but I am proud that we gave that big boost to people at the low end with the rise in the national living wage. What the right hon. Member for Islington North (Jeremy Corbyn) does not understand is that we can only have sustainable rises in pay with increases in productivity. My question to the Prime Minister is: will she instruct all her Ministers to bring forward proposals for productivity rises in time for the Chancellor to announce them in the Budget?

The Prime Minister: My right hon. Friend has absolutely put his finger on it: productivity is crucial to the strength of our economy and to improving it going forward. That is why we are introducing our modern industrial strategy, which will boost productivity, and why we are introducing really good-quality technical education for the first time in this country, to ensure that young people have the skills they need to take the higher-paid jobs created as a result of our industrial strategy.

Ian Blackford (Ross, Skye and Lochaber) (SNP): Does the Prime Minister agree that immigration is essential to the strength of the UK economy, as well as to enhancing our diversity and cultural fabric?

The Prime Minister: As I have said on many occasions, overall immigration has been good for the UK, but people want to see it controlled—that, I think, is what people want to see as a result of our leaving the EU. We can already exercise controls in relation to those who come to this country from outside the EU, and the Government continue to believe that it is important to have net migration at sustainable levels—we believe that to be in the tens of thousands—particularly given the impact it has on people at the lower end of the income scale in depressing their wages.

Ian Blackford: Last October, the Prime Minister was forced into a humiliating U-turn on proposals to force companies to disclose how many foreign workers they employed. During the summer, 100 EU nationals resident in the UK received deportation notices in error, which caused alarm to them and many others. We need to cherish those who are here, not chase them away. She must stop dancing to the tune of her right-wing Back Benchers and apologise for the disgraceful treatment her Government have shown migrants in the UK. In the first instance, will she pledge that international students will no longer be included in the net migration figures?

The Prime Minister: In relation to the error made by the Home Office, every single one of those individuals was telephoned with an apology. [Interruption.] It should not have happened in the first place, but the Government did telephone with apologies. As I explained in my first answer to the right hon. Gentleman, however, there is a reason for wanting to control migration. It is because of the impact that net migration can have on people, on access to services and on infrastructure, but crucially also because it often hits those at the lower end of the income scale hardest. I suggest he think about that impact, rather than just standing up here and saying what he has. It is important that we bring in controls, but we want to continue to welcome the brightest and the best here to the UK, and we will continue to do so.

Richard Benyon (Newbury) (Con): I know that my right hon. Friend will appreciate, however, the investigations by the Police Service of Northern Ireland are a matter for the right hon. Member for Islington North (Jeremy Corbyn) does not understand is that we can only have sustainable rises in pay with increases in productivity. My question to the Prime Minister is: will she instruct all her Ministers to bring forward proposals for productivity rises in time for the Chancellor to announce them in the Budget?

Q3. [900626] The Prime Minister: We are unceasing in our admiration for the role that our armed forces played in ensuring that Northern Ireland’s future would only ever be decided by democracy and consent. The overwhelming majority served with great distinction, and we do indeed owe them a great debt of gratitude. As part of our work to implement the Stormont House agreement, we will ensure that new legacy bodies are under legal obligations to be fair, balanced and proportionate, which will make sure that our veterans are not unfairly treated or disproportionately investigated and reflect the fact that 90% of deaths in the troubles were caused by terrorists, not the armed forces. Of course, as my right hon. Friend will appreciate, however, the investigations by the Police Service of Northern Ireland are a matter for the family and friends of the hon. Lady’s constituent, Kim Briggs, who was knocked over last year by a cyclist on an illegal fixed-wheel bike with no front brake. Does she agree that the law on dangerous driving should be extended to include offences by cyclists and that the 1861 offence of wanton and furious driving, on which the prosecution had to rely in this case, is hopelessly outdated and wholly inadequate?

The Prime Minister: First, I extend our sympathies to the family and friends of the hon. Lady’s constituent who died in those tragic circumstances. The hon. Lady has raised an important issue. We should welcome the fact that the prosecution team were able to find legislation under which they were able to take a prosecution, but she makes a general point about ensuring that our legislation keeps up to date with developments, and I am sure that the Secretary of State for Transport will look at the issue.
Q4. [900627] Helen Whately (Faversham and Mid Kent) (Con): Living near a natural green space is good for physical and mental health, but people in deprived areas of the country are the least likely to do so. My right hon. Friend has committed to reducing inequality and improving mental health, so I ask her to read the new report published by the Conservative Environment Network and masterminded by my hon. Friend the Member for Taunton Deane (Rebecca Pow) and to take on board its recommendation to consider the environment across Government policy.

The Prime Minister: I thank my hon. Friend for that. She has campaigned on and has a particular interest in the whole question of mental health. I welcome the fact that she has raised the health benefits of green space, which are becoming ever more recognised, and I know that the Conservative Environment Network highlights that in its report. The Department for Environment, Food and Rural Affairs will be producing a 25-year environment plan. It will consider the evidence within that report and will focus on what can be done to ensure that the benefits provided by access to green space are available to all segments of society.

Q13. [900636] Ruth Smeeth (Stoke-on-Trent North) (Lab): This summer, a third of all parents across the country went without a meal to ensure that they could feed their children during the school holidays. In Stoke-on-Trent, amazing volunteers came together to provide over 10,000 meals for local kids. I am proud of my constituents, but I am disgusted by this Government, who have turned a blind eye and done nothing. How many kids have to go hungry and how many parents have to go without food before this Prime Minister will do her job and act?

The Prime Minister: I recognise the issue that the hon. Lady raises about children who are normally able to access free school meals during term time and the impact that that has during the holidays, which is a matter that the right hon. Member for Birkenhead (Frank Field) has been talking about with colleagues in the all-party parliamentary group on hunger. From the Government’s point of view, our focus remains on tackling the root causes of poverty, not just the symptoms. That is what is important. Nearly three quarters of children from workless families moved out of poverty when their parents entered full-time work, and we see record levels of employment under this Government. That is why ensuring that we get a strong economy and record levels of employment under this Government. That is what is important. Nearly three quarters of children from workless families moved out of poverty when their parents entered full-time work, and we see record levels of employment under this Government. That is why ensuring that we get a strong economy and record levels of employment under this Government.

Q5. [900628] Mr John Baron (Basildon and Billericay) (Con): The reductions in unemployment, poverty and income inequality are some of our proudest achievements in recent years. What more are the Government planning to do to further the one nation principle and to ensure a still fairer society?

The Prime Minister: My hon. Friend is absolutely right. Under this Government, we have seen income inequality fall to its lowest level since 1986, the number of people in absolute poverty is at a record low, and we have the lowest unemployment rates since 1975. He is right, however, that there is more to do, which is why yesterday we announced £40 million for youth organisations to boost the skills and life chances of young people living in disadvantaged areas. That will have a transformational effect on the lives of some of our most disadvantaged young people and will help to achieve the fairer society to which my hon. Friend rightly refers.

Q15. [900638] Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): A few weeks ago, the utterly shaming lack of mental health provision in this country was condemned by our most senior family court judge as he sought a bed for a desperately ill teenage girl. The 17-year-old had been restrained no fewer than 117 times in a place not fit to care for her. Does the Prime Minister agree with me in echoing the words of Sir James Munby that the continued failure to tackle our nation’s mental health crisis means the state will have blood on its hands?

The Prime Minister: I am sure everybody in this House was concerned to read of the circumstances of that individual and the treatment she received. I accept that we need to do more in relation to our mental health services. That is precisely why the Government are putting more money into mental health; it is why we have introduced a number of programmes particularly focusing on the mental health of young people; and it is why we have reduced by 80% the number of people being detained in police cells because of their mental ill health. As I have said, we have increased the funding, but of course we need to do more. That is why we are pushing forward on further change. We are pledged to reform outdated mental health laws, and we have created targets to improve standards of care. I agree that mental health is important, and this Government are focusing on it and putting more resource into it.

Q6. [900629] David Duguid (Banff and Buchan) (Con): Given the importance of the fishing industry across the whole United Kingdom, particularly in my constituency of Banff and Buchan, what discussions have the Government had with representatives of the fishing industry in the north-east of Scotland as part of the ongoing EU withdrawal negotiations?

The Prime Minister: I recognise the importance of the fishing industry to a number of parts of the United Kingdom, including, of course, my hon. Friend’s constituency. He is right to raise this point. The Government are engaging with a range of fishing stakeholders, including a meeting with the Scottish Fishermen’s Federation in July. We do value our fishing communities, and supporting them will be an important part of the action we take as we exit the European Union. We are working closely with the fishing industry. I myself met fishermen on a number of occasions across the summer and spoke to them about the industry. We are working with fishermen and others who have a stake in the industry to make sure that we get this right when we leave the European Union.
welcomed by the Irish Government, Opposition parties and a wide section of public opinion in Northern Ireland. If, however, despite all our best efforts and the agreement of all the other parties, Sinn Féin stands alone and continues to block the restoration of government in Northern Ireland, will she confirm to the House what a Government spokesperson said yesterday evening about the future governance arrangements for Northern Ireland, particularly the very welcome statement that there will be no question of joint authority or a role for Dublin?

The Prime Minister: The right hon. Gentleman is right about the importance of the talks to restore a devolved Administration in Northern Ireland. I am happy to confirm that we will not be looking at a joint authority. He will be aware that the Belfast agreement includes certain responsibilities in relation to the Government of the Republic of Ireland in north-south co-ordination, but the focus for us all should be on trying to ensure that we can resolve the current differences and see that devolved Administration reasserted in Northern Ireland. That is what would be best for the people of Northern Ireland.

Q7. [900630] Chris Philp (Croydon South) (Con): By refusing even to discuss free trade, does the Prime Minister agree that the European Commission is damaging the employment and economic interests of its own member states? For example, by endangering jobs in the German car industry, for which the UK is the largest export market. Will she call on other European Heads of Government to prevail on the European Commission to end this act of wanton economic self-harm and to start free trade talks, which are so clearly in the interests of everybody?

The Prime Minister: As my hon. Friend will know, my right hon. Friend the Secretary of State for Exiting the European Union was recently back in Brussels for a further round of negotiations. Those negotiations have been productive and constructive, but of course we want to see the discussions moving on to the future relationship. What the Government have done over the summer, and will be continuing to do, is to publish a set of position papers that set out options and ideas for how that deep and special partnership can be taken forward. My hon. Friend is absolutely right that this is not just a question of what suits the United Kingdom; it is actually in the interests of the European Union to have that good, deep and special partnership.

Mohammad Yasin (Bedford) (Lab): What action is the Prime Minister taking to ensure that my constituents, many of whom are paying in excess of £5,000 to travel to London every year, get a better service, not the one that the new plans under her Government will introduce? Under those plans the people of Bedford will lose the inter-city rail services.

The Prime Minister: If the hon. Gentleman looks at the record of this Government, he will see that we recognise the importance of rail services—

Mohammad Yasin: No, you don’t.

The Prime Minister: He says that we don’t, but I suggest he just look at the funding we are putting into improving rail services across this country. That is a sign of our recognition of the importance of those services.

Q8. [900631] Will Quince (Colchester) (Con): One person sleeping rough is one too many. Our party’s manifesto set out to end rough sleeping by the end of this Parliament. Given the important role that charities play in this task, will the Prime Minister join me in paying tribute to the excellent charity Crisis, which is marking its 50th anniversary?

The Prime Minister: First, may I pay tribute to my hon. Friend, because I know this is an issue he cares about deeply and he co-chairs the all-party group on ending homelessness? He rightly says that we did have a commitment on reducing rough sleeping, with the aim to halve it by 2022 and eliminate it altogether by 2027, and £550 million has already been allocated until 2020 to tackle homelessness and rough sleeping. I am also happy to join him in paying tribute to Crisis, as it marks its 50th anniversary. Over those 50 years, it has been doing a very important job, and I will be hosting a reception for Crisis to mark its 50th anniversary in Downing Street later today.

Naz Shah (Bradford West) (Lab): The University of Bradford, in my constituency, makes a compelling case for a medical school teaching all types of health professionals. Will the Prime Minister confirm that those universities where the need is greatest will be given the opportunity to set up medical schools?

The Prime Minister: First, we are of course pleased that we are going to be increasing the number of training places, which means that the Department of Health is looking at the whole question of what places are available and where, and what new medical schools should be set up. So I am sure that the Secretary of State for Health will be interested in hearing the hon. Lady’s pitch for Bradford to have a medical school.

Q10. [900653] Mims Davies (Eastleigh) (Con): In the 1960s and 1970s, thousands of women were prescribed Primodos as a pregnancy test, which resulted in profound effects for the babies that followed. Alongside elderly parents, my constituent Charlotte Fensome cares for her brother Steven, who was profoundly affected. Does the Prime Minister agree that those families now deserve justice and that there should be a chance to launch a public inquiry into this terrible scandal?

The Prime Minister: My hon. Friend has raised an important issue, and she is absolutely right to do so. We should recognise the impact that this had on those women who took this hormone pregnancy test during pregnancy from the late 1950s into the 1970s—I believe 1978 was the last time. An expert working group has been set up to look into this issue and it is due to publish its findings in the autumn, but I would be very happy to meet my hon. Friend. Thank you for bringing this issue with her.

Layla Moran (Oxford West and Abingdon) (LD): Parents in my constituency are disappointed.

Mr Speaker: Order. That is a really unseemly response. The hon. Lady is a new Member; she is highly articulate; and she will be heard.
Layla Moran: Parents in my constituency are disappointed. Over the summer they sought to take advantage of the 30 hours of free childcare, but due to underfunding they found that it was not available and not free. Will the Prime Minister apologise to parents across the country for false advertising on what otherwise would have been a welcome policy?

The Prime Minister: What I can tell the hon. Lady is that we are investing £1 billion of extra funding every year in early years entitlements, and that includes £300 million per year to increase the national average funding rate. This investment is based on work that was done—a plan that was done—by the DFE, which was described by the National Audit Office as “thorough” and “wide-ranging”. There are important ways that childcare providers can get more from their funding—the DFE is offering to support them to do that—but independent research has shown that our hourly funding rate is significantly higher than the average cost for providing a place to a three or four-year-old. I would hope that she welcomed the fact that this issue of childcare is one that this Government have taken on board and are delivering on.

Q11. [900634] Michelle Donelan (Chippenham) (Con): For the second year running, I am planning the Wiltshire festival of engineering, this time with my hon. Friend the Member for South West Wiltshire (Dr Murrison). We hope to inspire 3,000 children to help to challenge stereotypes of engineering careers and to combat the local skills gap. In addition, we want to highlight that engineering careers and science more generally. The steps she is taking with the DFE is offering to support them to do that—but independent research has shown that our hourly funding rate is significantly higher than the average cost for providing a place to a three or four-year-old. I would hope that she welcomed the fact that this issue of childcare is one that this Government have taken on board and are delivering on.

The Prime Minister: I congratulate my hon. Friend on her initiative. She raises a very important point: I think it is important that we see more young people moving into engineering and pursuing careers in engineering and science more generally. The steps she is taking with our hon. Friend the Member for South West Wiltshire (Dr Murrison) are an important part of that. We do need to address those stereotypes. I am particularly keen to address the stereotype about women in engineering, because we should see more women going into engineering. If my diary allows, I would be very happy to attend her festival.

Wes Streeting (Ilford North) (Lab): Clinicians do not believe it will be safe. Commissioners and providers do not believe it will be feasible. Is it not now time for Ministers to reverse the decision they took in 2011 to close the accident and emergency department at King George hospital?

The Prime Minister: We have been very clear that we want decisions to be taken at a local level with clinical advice, and that is exactly what the Department of Health is doing.

Q12. [900635] Tim Loughton (East Worthing and Shoreham) (Con): As Home Secretary, the Prime Minister was one of the first to appreciate the alarming extent of child sexual exploitation. She responded to calls from many of us to set up thehistoric abuse inquiry. Does she agree that those who expose and work to root out the criminal perpetrators for the horrific crimes they commit—especially in the face of so-called cultural sensitivities and people hiding behind the cloak of political correctness—should be encouraged and promoted, not castigated and gagged?

The Prime Minister: My hon. Friend has raised a sensitive and important issue. As he said, it is one that I took a particular interest in when I was Home Secretary. Anyone who abuses a child must be stopped, regardless of their race, age or gender. Child sexual exploitation is not exclusive to any single culture, community, race or religion. It happens in all areas of the country and can take many different forms, but I am clear and the Government are clear that political or cultural sensitivities must not get in the way of preventing and uncovering child abuse. The freedom to speak out must apply to those in positions of responsibility, including Ministers and shadow Ministers on both sides of the House. If we turn a blind eye to this abuse, as has happened too much in the past, more crimes will be committed and more children will be suffering in silence.

Liz Kendall (Leicester West) (Lab): Glenfield’s children’s heart surgery unit has some of the best outcomes in the country, including mortality rates lower than the national average. Professor Ara Darzi says that proposals to change children’s heart surgery are astonishing, embarrassing and plucked out of thin air. Will the Prime Minister ensure that the final decision is made on the basis of sound clinical evidence and when this House is sitting?

The Prime Minister: The hon. Lady is aware that there are many ways in which MPs can question Ministers about plans. As I said in answer to one of her hon. Friends, decisions about the future structure of the NHS, its services and their provision will be taken, and are being taken, on the basis of clinical need and clinical evidence.

Q14. [900637] Matt Warman (Boston and Skegness) (Con): Britain is among the world’s leading digital economies, and as we leave the European Union technology will be crucial for a successful Brexit and for dealing with issues from the Northern Irish border to customs controls. Does the Prime Minister agree that Brexit can kick-start a further wave of digital investment and that working with the industry through a Brexit technology taskforce could help her do that?

The Prime Minister: My hon. Friend is absolutely right about the position that the United Kingdom holds in science and innovation. We are already a leading destination: we have some of the world’s top universities, three of which are in the world’s top 10, and we have more Nobel prize winners than any country outside the United States. We have a proud history of cutting-edge research in science, innovation and technology and, as he says, Brexit gives us an opportunity to give a further kick-start to our position in relation to the digital economy and technology. We want to attract investment from all over the world and to work with industry to ensure that that can be done.

Phil Wilson (Sedgefield) (Lab): In her party conference speech last year, the Prime Minister said that “existing workers’ legal rights will continue to be guaranteed in law—and they will be guaranteed as long as I am Prime Minister.” Will she tell the House how long that will be?
The Prime Minister: I am happy to stand by commitments on improving workers’ rights. That is something we have been doing as a Conservative Government and will continue to do, and it is something that I will continue to do as Prime Minister.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): Tomorrow is World Duchenne Awareness Day, which highlights this devastating muscle-wasting condition that affects young men such as my constituent Archie Hill. If, as anticipated, the current development of a more reliable newborn screening test goes ahead, psychological support must be readily available to any affected family. Will the Prime Minister assure families, and Muscular Dystrophy UK, that NHS England will develop the provision of such vital psychological support?

The Prime Minister: My right hon. Friend has raised an important aspect of this terrible condition. I recognise the importance of ensuring that people can access appropriate psychological support when a young family member is diagnosed with this serious health problem. On the new screening test, I understand that Muscular Dystrophy UK is working with one of NHS England’s advisory groups to understand how best to meet the needs of parents and carers following a child’s diagnosis. I am grateful to my right hon. Friend for having raised this important issue.

Lady Hermon (North Down) (Ind): On a point of order, Mr Speaker.

Mr Speaker: Order. It is always a delight to hear the hon. Lady, but I will have to keep her on ice because ordinarily we take points of order after statements or urgent questions. I shall build up, as the House will, a well of expectation and anticipation to hear what the hon. Lady has to say to us in due course. Meanwhile, she may wish to interest herself in the next item of business.
Free Childcare Entitlement

12.48 pm

Tracy Brabin (Batley and Spen) (Lab/Co-op) (Urgent Question): To ask the Secretary of State for Education if she will make a statement on the implementation of free childcare entitlements.

The Minister of State, Department for Education (Mr Robert Goodwill): Thank you very much, Mr Speaker, for allowing this urgent question, which gives me the opportunity to highlight the Conservative Government’s determination to support as many families as possible with access to high-quality, affordable childcare and early-years education. We are investing a record amount: our support will total £6 billion per year by 2020. My Department is committed to ensuring that all three and four-year-olds have access to free childcare. All parents, regardless of their income and employment status, are entitled to 15 hours of free childcare for their three and four-year-olds; take-up of that universal entitlement is 95%. In addition, take-up of 15 hours of free childcare for disadvantaged two-year-olds is rising, and it is fantastic that more than 70% of eligible two-year-olds are benefiting from this.

On 1 September 2017, the Government reached a major milestone in delivering our key manifesto pledge to double the free childcare entitlements for working parents of three and four-year-olds from 15 to 30 hours. Today I have tabled a written ministerial statement updating the House on delivery of the 30-hours offer. By 31 August, more than our targeted 200,000 30-hours codes had been issued to eligible parents wishing to take up a place this autumn; indeed, I can update the House on the figure: 216,384 codes issued. These families join the 15,000 families who are already benefiting from 30 hours of free childcare in our 12 early delivery pilot areas. The independent evaluations of these areas were encouraging, showing that more than three quarters of parents reported greater flexibility in their working life as a result of 30 hours, and more than eight out of 10 childcare providers offering the 15 hours entitlement went on to offer 30 hours.

During the autumn, I will closely monitor delivery of all free childcare entitlements to ensure continued improvements to all our offers for parents and providers. I will continue to work closely with Her Majesty’s Treasury Ministers to ensure that parents can access the HMRC-run childcare service smoothly. The majority of parents have successfully applied using the childcare service, but some parents experienced difficulties accessing the service through the system by the 31 August application deadline. Those parents who are eligible and applied before the deadline will have a code to allow them to access our 30 hours of free childcare. They will not lose out.

I am pleased to report that this is yet another key manifesto pledge delivered for working families.

Tracy Brabin: Last Friday, the flagship policy of 30 free hours of childcare for working parents was introduced. It was a policy shrouded in secrecy, misinformation and mayhem, and now is the time for answers.

From the beginning, the application process was not fit for purpose. Parents were unable to get their code, settings were run ragged trying to help parents, and this afternoon parents who have been waiting weeks are still in limbo. The Minister has told us that 216,384 parents have their codes. Will he tell us what proportion that is of all parents eligible for 30 hours? How many parents received compensation? How many parents does he expect to pay out to in total? How many of those children have secured a funded place and how many have not? This is basic information that we should already know.

Experts, providers and parents are up in arms about this lack of funding. The Pre-school Learning Alliance found a 20% funding shortfall and three-quarters of providers said that childcare funding did not cover their costs. Shockingly, 38% of providers do not think that they will be sustainable in a year’s time. To stay viable, settings will charge for extras such as trips out, nappies and lunches in order to pay their staff and keep the lights on. Can the Minister guarantee that he will not allow a two-tier system to emerge whereby parents who cannot afford to pay the extras do not have access to the policy and those who can do?

Despite the Minister claiming otherwise, Busy Bees and the Co-operative Childcare group have now publicly said the funding rates are insufficient, so what is his strategy to keep experienced and talented practitioners in the sector? The Minister used the pilot evaluations to defend funding rates, but the truth is that 30 hours had a negative financial impact on providers, so has he spoken to stressed-out providers facing closure or parents at their wits’ end?

Finally, this childcare has been advertised as free but it is clear that it will be subsidised by parents or providers. This risks pricing out the poorest and top providers leaving the sector. Will he now listen and commit to re-evaluating the policy’s funding?

Mr Goodwill: I am afraid that the hon. Lady’s rhetoric does not reflect the experience on the ground. I can update her: we predicted that about 75% of eligible parents would apply to the scheme, as there are some parents who for very good reasons, such as family childcare, would not apply. That figure would have been 200,000, so we have exceeded that prediction. I can confirm that only six days into September 152,829 parents have secured a place—71% of those parents. That is a great success story.

We responded to the sector’s concerns about funding; indeed, Frontier Economics carried out some detailed work for us and reported to the Department that the mean hourly delivery cost of childcare was £3.72 an hour. The amount of money that we are providing has increased from £4.56 to £4.94. My experience talking to nurseries up and down the country, including some in London, is that they can deliver for that price. Indeed, the pilot areas have delivered and some 15,000 children have benefited from 30 hours of free childcare, and the lessons learned from those pilot areas are being applied.

Robert Halfon (Harlow) (Con): I welcome the additional money that the Government are putting into childcare, but may I ask my hon. Friend what help and resource is being given to help childcare providers, particularly the smaller ones that are not part of the bigger chains, that are finding cost pressures difficult with the new policy?

Mr Goodwill: We certainly understand that the sector will deliver this for us, which is why we carried out so much detailed work. Indeed, a survey published on
31 August demonstrated that eight in 10 of those providers will provide 30 hours. If we look at the pilot areas that have been delivering for a year now, including places such as York and Northumberland, we can see that 100% of their providers are delivering and 100% of the parents who wanted a place found one, despite some reservations being put on the record by some of those providers at the very beginning. The pilots have demonstrated that we can deliver and we are delivering.

David Linden (Glasgow East) (SNP): Of course welcome any changes that increase free early years and childcare entitlements, but it seems as though the Tories’ policies will do more harm than good. In yesterday’s programme for government, the Scottish National party Scottish Government confirmed that the childcare entitlement will double for all three and four-year-olds and eligible two-year-olds to 1,140 hours from August 2020. The Tories have decided to cherry-pick who receives free entitlement to childcare. The Scottish Government will also take action to enable all childcare workers delivering fully funded early years learning childcare to be provided with the Scottish living wage from August 2020, recognising that there are few more important jobs than working with the youngest children, while this Government are restricting which parents are entitled to the 30 free hours, freezing out those on low or unpredictable hours, and have said nothing about those who work in that sector. Should not the Government heed the warnings of the Social Market Foundation and the New Economics Foundation that this version of free childcare is regressive? Will they look towards Scotland’s vision of childcare based on quality, flexibility, accessibility and affordability instead of creating a two-tier system?

Mr Goodwill: I will take no lessons from the Scottish Government, no matter what the hon. Gentleman wishes to read out to us. We have committed £6 billion in this area. We talk about childcare, but this is good quality early years education and 93% of the settings are providing good or outstanding childcare. That is great news for education and great news for those parents who, in many cases, find their working lives transformed by access to 30 hours of childcare.

Nicky Morgan (Loughborough) (Con): This is clearly the right policy and has been demanded by working parents and others up and down the country. The shadow Minister talked about the policy being shrouded in secrecy; I do not know where she was in the general election of 2015, but I think that this is an issue that all parties discussed in many different debates.

Let me ask the Minister about the implementation of the policy by Her Majesty’s Revenue and Customs and the operation of its website. He knows that I, as the incoming Chairman of the Treasury Committee, wrote to the head of HMRC over the summer, who replied on 17 August saying that a total of £45,000 or thereabouts had so far been paid in compensation. Can the Minister update the House and will he confirm that, as he said, those parents who had codes by 31 August will be able to access the childcare this autumn?

Mr Goodwill: I thank my right hon. Friend for her question. This is indeed a manifesto pledge that is being delivered. It is no secret that there were some technical problems with the IT system and, indeed, my right hon. Friend the Financial Secretary is in his place listening to what we say. About 1% of cases that applied online were stuck—that is, for a technical reason those cases were not processed. Another group of cases could not have been processed online, and we refer to those as amber cases. Let me give an example: a person who applies for childcare on the basis of a job offer rather than a track record of earning in that job. If we were not to have a manual system as back-up, we would have a Catch-22 situation in which the person could not apply for childcare because they did not have a job but could not get the job because they did not have childcare. In such situations, there is a manual system.

When the Secretary of State wrote to my right hon. Friend, I think 2,200 cases were stuck. The figure I now have is 1,500, but they are many new cases, some of which have only been on the system for about a week. I am sure that the Financial Secretary to the Treasury will write to my right hon. Friend with regards to compensation. A small number of people were affected by the system. The system was operational 93% of the time during which people could apply.

Lucy Powell (Manchester Central) (Lab/Co-op): Has the Minister read the report that I published last week with the Social Market Foundation? It shows that, of the extra money that the Government are pumping into early years over the course of this Parliament, 75% is being spent on the top 50% of earners and less than 3% will go towards the most disadvantaged. This comes at a time when the Government’s own evaluation of the two-year-old offer shows that good-quality early education is life-changing for the families who receive it. Is he happy with this distribution of expenditure? What more is he doing to ensure that low-income and disadvantaged families are accessing this high-quality education?

Mr Goodwill: I did read the hon. Lady’s report and some of the press coverage. She is absolutely right that the attainment gap needs to be closed between those from a disadvantaged background and those from other families. We are making progress in closing that gap, which is being closed at a faster rate in London than elsewhere. The 30 hours of childcare is for working families. However, many families cannot get into work because they cannot get childcare, so we will be pulling families out of poverty who currently cannot work because of the extortionate cost of childcare compared to their income. Of course, we still have the offering of 15 hours for the most disadvantaged two-year-olds and the early years pupil premium, which is specifically aimed at helping families most in need—the most disadvantaged families—because we need to close the attainment gap.

Mrs Maria Miller (Basingstoke) (Con): When it comes to childcare, parents want affordability and certainty. Many parents listening today will be very reassured by the Minister’s statement, so I thank him for that. Will he take this opportunity to confirm what proportion of childcare providers will offer the new entitlement? I believe it is estimated to be about 80% of providers. Can he confirm that that is still the case?
Mr Goodwill: My right hon. Friend is absolutely right. Not all providers were offering the 15 hours. Of those that do offer 15 hours, about 80% are going to offer the 30 hours. We understand that we might need to increase capacity in some areas, which is why we have made £100 million of capital funding available to provide another 18,000 places for 30-hours placements.

Layla Moran (Oxford West and Abingdon) (LD): I absolutely welcome the policy. After all, it was a Liberal Democrat policy that we started implementing while in coalition so I would like to see it succeed. However, I invite the Minister to come to Oxford West and Abingdon because I am afraid that the suggestion that the policy is absolutely fine and working on the ground is simply not correct. In my constituency, the places are not available and they are being heavily subsidised by early and late pick-up fees, and extra money for nappies and lunches. Those costs simply were not there before. Please will you look again at the funding in different parts of the country? The total figure does not matter. It needs to be available where parents are. Have you looked at this and what are you going to do about it?

Mr Speaker: I have not done so and I have no plans to do anything about it, but I have a feeling that the Minister might; we will see. Let’s hear the fella.

Mr Goodwill: When we selected the areas for the early roll-out pilots, we were careful to select places that were representative of different parts of the country. For example, York would have many parallels with Oxford. Indeed, 100% of providers delivered that childcare in York and 100% of families looking for childcare got it. I would be more than happy to visit Oxford and see the successful policy being delivered for parents who need it so much.

Wendy Morton (Aldridge-Brownhills) (Con): I welcome the Government’s extra investment in childcare. The availability and accessibility of good childcare can make a huge difference to working families. Does the Minister think that the introduction of 30 hours of free childcare will have a positive and direct impact on the finances of working families?

Mr Goodwill: My hon. Friend is absolutely right. Evidence from the pilot areas demonstrates that almost a quarter of women and 10% of men are able to take more hours at work. Indeed, the policy has been transformational in some people’s lives. I heard a story the other day of a family who, during the working week, only really met in the car park of the factory where they work shifts. As the husband arrived with the child strapped into the back of the car, the mother got back in the car and drove home, so they were not able to enjoy time together. The delivery of 30 hours’ free childcare will mean that they will be able to enjoy a better family life. The policy will address the situation of people passing in the hallway as one person comes in from work and another goes out.

Alison McGovern (Wirral South) (Lab): Is it not clear from the contributions of my hon. Friend and from the experience of Busy Bees, a nursery chain that provides a service in Bromborough in my constituency, that these low rates for childcare mean that the market is now fundamentally broken? What will the Minister do if we find, after years of this Tory Government, that they have reintroduced the scrouge of low pay into childcare?

Mr Goodwill: If the hon. Lady had been listening to the Prime Minister in Prime Minister’s questions, she will have heard that we look carefully at the cost of delivering childcare. As I said, that is £3.72 an hour—much less than the funding we are providing. Busy Bees has 267 nurseries across the country, and is delivering 30 hours. Despite the reservations we have heard, the Co-operative Childcare is delivering 30 hours at its 45 nurseries, including 17 in London, which is one of the most expensive places to do that. Bright Horizons is participating in the scheme with its 296 nurseries. The big chains are participating. I go up and down the country talking to small independent and charitable nurseries and other providers including childminders, and they are also delivering with the funding we are putting in.

Bob Blackman (Harrow East) (Con): I congratulate my hon. Friend on delivering on this election promise, but will he keep the funding arrangements under review, particularly those in high-cost areas? Even in these early days, some constituents have complained to me that there is a lack of availability at a local level. That is driven by the money. Will he keep that under review to ensure that the provision is universally available across the country?

Mr Goodwill: My hon. Friend is absolutely right. We are creating a lot more places and that creates demand within the system. I visited a nursery just outside Selby in East Yorkshire that was gearing up to provide more places and hire more staff to provide the availability. We are putting £100 million of funding into the system to provide 18,000 additional places. Many nurseries are investing through their own resources to deliver this policy.

Liz Kendall (Leicester West) (Lab): Children in deprived areas of my constituency start school up to 20 months behind where they should be developmentally. High-quality childcare with properly trained professionals can transform their lives. I urge the Minister to take the Opposition’s concerns more seriously. During the general election campaign, I met several providers who will not be able to deliver the policy. Will he look again and ensure that all children get the very best start in life?

Mr Goodwill: I agree with the hon. Lady. That it is vital to close the attainment gap between disadvantaged children and other children in our schooling system. Indeed, we have 12 opportunity areas across the country where we are looking at ways of specifically addressing that. One way is better provision for early years, but another is working with parents to improve the home learning environment, which is often so lacking in some families, particularly when they have housing problems to address.

Kevin Foster (Torbay) (Con): Many parents in Torbay will welcome the availability of up to 30 hours of free childcare to support them going into employment, but, as with all policies, the proof of the pudding is in the eating. Regarding the early delivery areas, what evaluation
has been done of the number of parents who have taken on extra hours at work thanks to the availability of increased childcare.

Mr Goodwill: The raw stats indicate that about a quarter of women and 10% of men took additional hours, but I have also heard from people who could not get into employment at all because of the cost of childcare. A lady I spoke to in York said that the fact that she could now work and take up the 30 hours of childcare greatly transformed her family’s finances and life. The system is very flexible. Families can spread the childcare over more weeks or use different providers, including those in the voluntary sector, maintained nurseries or childminders.

Alex Cunningham (Stockton North) (Lab): The Government cannot hide on this issue. During the Childcare Bill Committee, I and others here and outside Westminster told the then Minister that his plans were full of holes, and so it has been proved. What will the new Minister do to fill the gaps in provision, particularly in deprived areas, where the holes are the deepest and the need is the greatest?

Mr Goodwill: I am not going to argue with the hon. Gentleman that we need specifically to target some of our more deprived areas. This policy is designed to help working families, but I am all too well aware that many children in the most deprived families, with the most needs, are not in working families. That is why we have the offering for two-year-olds and the additional help that is going in. We are working very carefully to ensure that we do not leave that group of children out, particularly in the opportunity areas.

Mr Ranil Jayawardena (North East Hampshire) (Con): My elder daughter, Daisy, started nursery this week. From speaking to local parents, I know that this policy will, as the Minister says, help hard-working families take up new employment and additional hours, so it is welcome. I am also encouraged that parents will be able to add to the funding the Government are making available through existing schemes, such as childcare vouchers. However, in support of my hon. Friend the Member for Harrow East (Bob Blackman), will the Minister, as he reviews policy in an ongoing way, consider whether flexibility could be introduced for rural or high-cost areas, to make sure those additional schemes can be used to help parents who wish to do so to top up the funding provided by the Government? Instead of always complaining that there is not enough, let us help parents to look after themselves.

Mr Goodwill: I do not want to disappoint my hon. Friend, but we are not in the business of encouraging top-ups. Nurseries are perfectly free to charge for additional hours or for lunch, nappies or other items, but that cannot be a prerequisite to accessing the 30 hours. The Government have a number of other packages, including tax-free childcare and other wonderful policies that the Treasury is making available, to help people afford the cost of childcare. However, this particular policy is great news for parents and great news for children, who are accessing quality childcare and education.

Danielle Rowley (Midlothian) (Lab): I have a constituent who is struggling to pay for childcare because of the universal credit work. She is a single mother and is expected to pay for her childcare up front—it is over £800 in her case—and then to claim it back, which does not make much sense to me. The cost is more than she earns from her job, and she may need to give up working. How does this system help people such as my constituent get back into work?

Mr Goodwill: This system helps people precisely like that, because it is not a system where people pay and reclaim—the money is reimbursed to the nursery by the local authority. Indeed, staff at one of the nurseries I spoke to in York said that one of the best aspects of the scheme is that they would not have to chase parents for money or, on occasion, withdraw childcare because the parent had not paid their bill. This scheme makes the administration easier for nurseries, which are already collecting the 15 hours’ funding from local authorities. That will exactly solve the hon. Lady’s constituent’s problem.

Robert Jenrick (Newark) (Con): I strongly support the Government’s policy, not least because one of my daughters starts nursery tomorrow. In Nottinghamshire, we have an issue with capacity, and particularly convenient capacity, in rural areas. Parents who commute long distances and who live in villages want childcare close at hand—childminders as well as nurseries. Will the Minister highlight the Government’s childcare business grants of £500 or £1,000, which are available to people who want to set up small businesses as childminders or small nurseries, and will he perhaps consider increasing the grants to a level that enables providers to do more?

Mr Goodwill: We have talked a lot about nurseries, but I must make it clear that there is flexibility in this scheme. Indeed, we have 5,500 dormant childminders, who could see this as an opportunity to get back into that business, although I suspect that a number of them may be working in other jobs, and particularly in nurseries, as jobs are created in them. However, this is a flexible system, and I hope the voluntary sector will also step up to the mark and increase capacity in its nurseries—indeed, we could see a number of new nurseries opening because of this policy.

Julie Cooper (Burnley) (Lab): I welcome the principle of 30 hours of free childcare, but it cannot come at the expense of quality early years education, and that is exactly what is happening. Many children in my constituency from deprived communities currently have no access to quality nursery schools employing qualified nursery school teachers, and those schools are doing tremendous work to enhance the life chances of those children. Those schools assure me that they will not be able to fund the continued employment of those qualified teachers. It is important that we make a distinction between childcare and early years education. I note that the Children also raised concerns about this issue yesterday, maintaining that 40% of those who took part in the pilot areas actually reported a loss in profits and, therefore, a threat to their sustainability.

Mr Goodwill: I absolutely recognise the importance of the maintained sector. Indeed, many of the small number of maintained nursery schools tend to be in some of the more deprived areas, where needs are much...
greater. I would just reiterate the fact that 93% of nursery providers are either good or outstanding, according to Ofsted. That is a great sign of the quality that is being delivered on the ground. More hours will mean better quality education, with children starting school more prepared for it. Indeed, a report in the press today showed that children arrive at school without the necessary language skills and simple skills such as picking up a knife and fork. They will learn that at nursery, and that is great news.

Lucy Frazer (South East Cambridgeshire) (Con): Figures produced over the summer show that female employment rates are at a record high, at over 70%. Does the Minister agree that it is important to encourage and support women back into work and that this policy and legislation do that?

Mr Goodwill: I absolutely agree with my hon. and learned Friend, while recognising that some mothers and, indeed, fathers may see caring for their child at home as their priority—sadly, many do not have a choice in that because of the finances of the household. However, this policy is delivering the opportunity for more women to get into the workplace, and I have already heard from women who have taken on more hours or started a job when they could not previously afford to go to work at all.

Tulip Siddiq (Hampstead and Kilburn) (Lab): Last year, in a Westminster Hall debate, the then childcare Minister told me I was scoring cheap political points and should be ashamed of myself when I raised the issue of funding policies and of how nurseries were at threat of closure because of this policy. Recently, a Pre-school Learning Alliance survey said that one in three nurseries fears being driven out of business because of this policy. What action is the Minister taking to ensure our nurseries do not close because of this flagship policy from the Government?

Mr Goodwill: I am surprised the hon. Lady has been accused of making cheap political points. I have known her for some time, and she has never made such points to me. I can assure her that we have looked carefully at the costs of delivery. There will be nurseries that, because of their business plan, are not going to deliver 30 hours, but there are nurseries that were not delivering 15 hours—and indeed, there is one in my village, which is connected to a fee-paying prep school, that will not participate. However, there will be choice for parents who might want to go for a different type of nursery education—maybe with longer hours, or with different types of trips and other services—that other families might not wish to choose.

Mr Philip Hollobone (Kettering) (Con): I commend my hon. Friend for the way he is responding to this urgent question. For the thousands of working parents who are taking advantage of the 30 hours of free childcare, how much is it worth to them on average, per year, per child?

Mr Goodwill: It is worth £5,000. That makes a big difference to a family budget.

Jack Dromey (Birmingham, Erdington) (Lab): All children are entitled to expect the best possible start in life, and parents are entitled to expect help with childcare so that they can go out to work. However, with thousands of parents in Birmingham still in limbo, free childcare that is often not free, providers threatened with going out of business, and the closure of 26 children’s centres in the city, does the Minister understand the grievance expressed by the group of parents I met last week in my constituency, who said the Government are long on rhetoric but are simply letting Birmingham’s children down?

Mr Goodwill: The hon. Gentleman talks about letting children down in Birmingham, but maybe he should look at some of the children’s services there and see how they could be improved. However, this policy has been tested up and down the country, in rural and urban areas, and it is great news for parents and children.

Mr Peter Bone (Wellingborough) (Con): Having listened to the urgent question—I congratulate the hon. Member for Batley and Spen (Tracy Brabin) on getting it granted, and the Minister on doing a written statement—I think there is agreement on both sides of the House that this is an excellent policy, and the issue is just the implementation. If there is one Minister in the House who will make sure something is done properly, it is the Minister at the Dispatch Box today. Will he give the House an undertaking that he will come back later in the year to update the House on this policy?

Mr Goodwill: I certainly will. It must be borne in mind that there are three entry times; it is not like reception year, whereby all children start in September. We are already encouraging parents whose children will have turned three by 1 January—and, indeed, those who will turn three after Easter—to apply early to get on the system. Two more tranches of children will come into the system as it builds.

Lady Hermon (North Down) (Ind): The Minister will be well aware that Northern Ireland has not had a functioning Assembly since January. I want to be reassured that childcare entitlement in Northern Ireland is not falling behind because of the uncertainty over the Assembly, or the lack of it. We have no idea when it will come back. Will the Minister enlighten the House and, in particular, parents in Northern Ireland? Who exactly does he liaise with in Northern Ireland to make sure that childcare entitlement is progressing within the United Kingdom, of which Northern Ireland is a part?

Mr Goodwill: I have to confess that I have not liaised with anyone in Northern Ireland on this issue, but I will certainly have a conversation with the Secretary of State, who is well equipped to report on all issues regarding Ulster.

Huw Merriman (Bexhill and Battle) (Con): May I welcome a policy that will assist another 400,000 families and increase the amount of money we are spending to £6 billion? Will the Minister review the position in East Sussex? As a county with a low average wage, we are not receiving as much as Brighton and Hove, which is right on our borders. As a result, there is a concern that staff in the industry will migrate to Brighton. Perhaps in a year’s time, could the Minister assess whether those patterns are emerging and, if they are, commit to look at the issue afresh?
Mr Goodwill: I will certainly keep these matters under review. Indeed, I have a meeting with Suffolk MPs either this week or next week, because their funding is different from that in Norfolk, which is always a matter of contention.

Stephen Lloyd (Eastbourne) (LD): I respect the Minister, who is making a valiant effort to defend an outstanding policy with holes in it, the biggest of which is funding. One group who have not been mentioned in this debate are childminders, including those in my constituency, who are highly qualified, are often women, have a level 3 national vocational qualification and have been Ofsted assessed. I have been categorically told by a number of my constituents that the county council funding provided from money given by central Government is inadequate. Many of them say that unless that is remedied they will have to pull out of the business. Can the Minister at least assure me that he will review the whole funding arrangement in the coming first quarter?

Mr Goodwill: I will certainly continually keep this under review. Councils are encouraged—indeed, they have committed—to pass on 90%. They have some flexibility. May I invite the Minister to re-emphasise that message? The policy provides flexibility and gives both parents the opportunity to get back into work or increase their hours of work.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I, too, warmly welcome this policy and the fulfilment of our manifesto pledge and commitment. Dorset was one of the pilot areas to introduce 30 hours’ free childcare, and many parents have welcomed the additional flexibility. May I invite the Minister to re-emphasise that message? The policy provides flexibility and gives both parents the opportunity to get back into work or increase their hours of work.

Mr Goodwill: Dorset was indeed one of our 12 early delivery areas, starting in April 2017. I am hearing great news from Dorset and I am sure that my hon. Friend will keep me posted.

Ruth George (High Peak) (Lab): Is the Minister not concerned that more than 60,000 children whose parents applied for a funded place do not have one? How is he going to deliver the policy for those parents, who may have been relying on that funded childcare place in order to take up an offer of employment or to extend their hours at work? This is particularly important in rural areas such as mine. The largest chains of nurseries are better able to spread the costs, but three nurseries in High Peak have had to close their doors over the summer. They are all small, independent nurseries that cannot see a way forward on the funding levels that have been set.

Mr Goodwill: That was not the experience in the pilot areas, including areas very similar to that of the hon. Lady. Indeed, we have seen areas where 100% of the providers were delivering and 100% of the parents got places. We are only six days into the school term. I heard that, on Tuesday alone, 8,000 parents got their codes validated with a nursery. Parents will still be looking around and deciding in which nursery to get a place. Indeed, many nurseries will now be considering taking on additional staff to provide more places in those nurseries, given the increased demand.

Ellie Reeves (Lewisham West and Penge) (Lab): How many working parents have been excluded from the entitlement because they cannot guarantee that they will work more than 16 hours a week on the national minimum wage? Does he not recognise that the reality of many working parents in my constituency is that their employers will not guarantee them those hours, so nor can they? That makes it even harder for them to earn and work.

Mr Goodwill: I thank the hon. Lady for her question. Before I answer it, may I correct what I said earlier? Ninety-three per cent. of the funding has to be passed on by the local authority in 2017-18, rising to 95% from 2018-19, which is even better news than I gave earlier.

The experience is that someone has to be earning the equivalent of 16 hours a week of the national minimum wage. Many mothers and, indeed, fathers are looking to take additional hours, given that childcare will be available. That is the experience up and down the country.

Ruth Cadbury (Brentford and Isleworth) (Lab): Will the Minister acknowledge that the commitment given by his predecessor at a meeting I held with independent small nursery owners in Isleworth last November has not been upheld? They warned her that the funding for the scheme would be insufficient and they would have to close, reduce the range of services to children, charge high amounts for lunch or cut the proportion of highly qualified staff in their settings. She said, “Don’t worry,” and implied that she would sort the funding, but does the Minister agree that their predictions have proven to be true?

Mr Goodwill: We did hear what the sector said, which is why we have increased the funding. Indeed, there will be an additional £300 million a year by 2020 as a direct response to those concerns about the funding levels. We have done a lot of work working out what it costs to deliver, and we are confident that the funding is adequate.

Karin Smyth (Bristol South) (Lab): In July 2016 I asked about progress, as a member of the Public Accounts Committee, given the Committee’s concerns. I asked in particular about work to ensure that local authorities were managing childcare markets effectively and whether there would be intervention if necessary. The then Minister told me that I had asked an important question and then announced the amount of capital. I was grateful for his kind words. It would be a cheap political point to say, “I told you so,” so I am not going to do that. I will simply ask the question again: what work is the Department doing to ensure that local authorities are managing childcare markets effectively, and will the Minister intervene if necessary?

Mr Goodwill: We are working very closely with local authorities, particularly on the administration. Indeed, we have given very clear messaging to local authorities: if there are parents who have not yet got their codes because of technical or other reasons, they have to show latitude. Of course, it is not the job of the local authority to manage the nursery; it is the job of the parents to choose the best provision for their child and for the market to respond to that. That is what we are seeing up and down the country, with increased places being
provided in existing nurseries, and new nurseries, I hope, being opened, particularly given the grant funding we have made available for another 180,000 places.

Michelle Donelan (Chippingham) (Con): Does the Minister agree that some Members seem to be glossing over the fact that this pilot has proved that the policy will empower and enable parents either to go back to work or to extend their working hours, which will transform thousands of lives in this country?

Mr Goodwill: There are colleagues in the House from places such as York, Northumberland, Newham, Wigan, Staffordshire, Swindon, Portsmouth, Hertfordshire, Dorset, Leicestershire, North Yorkshire and Tower Hamlets, which have been in the pilot for a year. I have not heard a peep from anyone saying that the scheme is not working, so obviously the pilot has been successful.

Dr Rupa Huq (Ealing Central and Acton) (Lab): I must confess that I was something of a secret fan of the Minister, because in a previous incarnation he was very helpful to me with an issue my constituents had. No one is arguing against the idea of 30 hours, but if the picture is as rosy as he paints, how come there are allegations of nurseries forced into bankruptcy and a policy on its knees less than a week in? If people such as those in today's edition of *The Times*—a friendly Murdoch paper—are saying that it does not add up, surely it is time to reassess the finances and ramp them up so that the policy is properly funded.

Mr Goodwill: We will certainly keep all these matters under review, but the experience from the pilot areas and early deliverers has been that they are delivering on the levels of funding we have put in, and we have responded to concerns by putting in additional funding, with another £300 million by 2020, to make sure that it is more than adequately funded.

Thelma Walker (Colne Valley) (Lab): What does the Minister have to say to the parents of children with special educational needs who cannot access childcare for their children?

Mr Goodwill: I am absolutely determined to do what we can to help the parents of children with special educational needs. I have had a number of meetings already, despite my short time in the Department, about ensuring that the money that we are spending is spent effectively and ensuring that parents get the support that they need.

Lady Hermon (North Down) (Ind) rose—

Mr Speaker: I will, exceptionally, take the hon. Lady’s point of order now, if she so wishes, because otherwise I will not hear it and I might feel sorely deprived.

Lady Hermon (North Down) (Ind): On a point of order, Mr Speaker. I would hate to deprive you of this request; this is a really serious issue. As you will know, we have not had an Assembly functioning in Northern Ireland, and we have no Government Ministers. I am deeply disappointed, to put it very mildly, by the fact that the Secretary of State for Northern Ireland has not sought an early opportunity to come and update the House on his efforts to get the Assembly up and running. May I ask you, Mr Speaker, whether through your good offices you could prevail upon the Secretary of State for Northern Ireland to do the House the courtesy of coming here later today, or tomorrow, to make a statement and let the people of Northern Ireland know when this intolerable situation is going to come to an end and what the Government’s plans are for Northern Ireland, an integral part of the United Kingdom?

Mr Speaker: I thank the hon. Lady for her point of order. The truth is twofold. First, I have received no indication of an imminent ministerial statement on that matter. Secondly, I have to admit, and I doubt the House will be surprised, that I do not know what discussions or other work might currently be under way. If such discussions or work are taking place, it may well be thought, and perhaps judiciously, that that work should be brought to fruition first, or at least be given a chance to be brought to fruition, before the Secretary of State comes to the House to make a statement. I do not know.

What I do know is that, ordinarily, the Secretary of State for Northern Ireland—the hon. Lady will know that I have dealings with a very large number of Ministers right across the vista of government—is among the most punctilious of Ministers in approaching me with a view, first, to offering me a private briefing, and then to consulting as to whether or when he should make a statement. The Secretary of State will hear very soon, because it will waft its way to him, the gravamen of what the hon. Lady has just said to the House. I hope that if the Secretary of State has got any important information to vouchsafe, he will choose to do so to the House at the earliest possible opportunity. That could well be this week, and it could well be, at a stretch, today, although I do not think the hon. Lady should expect that. I hope that it will be soon.

Dr Julian Lewis (New Forest East) (Con): On a point of order, Mr Speaker. I had planned to raise this point a bit later with, I had hoped, the Chairs-elect of other Select Committees, but as you are going to be vacating the Chair, I think I should raise it now. Can you throw any light on the apparent delays in setting up the Committee of Selection, which are being used as some form of excuse for even further postponement in getting the new Select Committees up and running? Is it not the case that the Chairman-elect of one of the more senior Committees has put forward a plan whereby the Select Committees could be up and running without necessarily awaiting the formation of the Committee of Selection? Is there anything that you can do to help us? I know...
that several Committees have meetings—hearings—scheduled for next week that will have to be aborted if we cannot get this simple problem resolved this week.

Mr Speaker: I am grateful to the right hon. Gentleman for his point of order, and I certainly hope that the unfortunate and unnecessary eventuality to which he referred does not come to pass.

I would say a number of things to the right hon. Gentleman. First, I had been aware, some weeks ago, that there was a plan in the offing on the part of at least one Select Committee Chair to facilitate a simple—streamlined, if you will—process whereby the Committees could be constituted. I have not had any recent intelligence on the progress of that initiative, but I was aware of it.

Secondly, I can say without fear of contradiction to the right hon. Gentleman that although it might be normal for the Committee of Selection first to be constituted, it is not a prerequisite of the establishment of the Committees, and nobody should insult the right hon. Gentleman, his colleagues or the House by suggesting, pretending or implying that it is a prerequisite. It is not. It is perfectly possible for a resolution to be put to this House to facilitate the immediate composition of the Committees. Whether the Committee of Selection is formed or not is, or can be, a separate matter.

Thirdly, and finally, I say to the right hon. Gentleman and to other Members that I spoke to the Leader of the House shortly after the House rose for the summer recess, and I impressed upon the right hon. Lady the very widely held view—not merely among Select Committee Chairs, but among Buck Benchers more widely—that the Committees should be constituted as quickly as possible on our return in September so that they could conduct their first meetings without having to wait until October. I am pleased to tell the House that the Leader of the House immediately assured me that she shared my impatience on this matter and was keen that the Committees should be constituted. She went on to say that she favoured an inclusive approach and wanted to take the House with her, and I absolutely believe her.

Let me say with all the force at my command that it is absolutely imperative, under any Government, that the Government are subject to scrutiny; and rigorous scrutiny is undertaken not least, and often best, by the Select Committees. Delaying at their composition is not clever. It is not my job to do the Whips' work for them, but all that they will do if they delay is to build up ill will, and that would be profoundly misconceived. My simple message, in a non-partisan spirit on behalf of Back Benchers in all parts of the House, is: for goodness' sake, stop faffing around and get on with it.

Frank Field (Birkenhead) (Lab) rose—

Mr Speaker: I thought my ruling on the matter was fairly conclusive, but I will take a point of order from the right hon. Gentleman.

Frank Field: Further to that point of order, Mr Speaker. In that spirit, is it not possible for the Leader of the House to bring forward a motion setting up the Committees—subjecting herself to your will and to the will of the House—so that we have them established within the next 24 hours?

Mr Speaker: It could be done. It absolutely could be done, and I really hope it will be. Let us take our responsibilities seriously in this place. If we want to recover the respect of the House, we have to show some self-respect.

I must say that I am very glad that parliamentarians on both sides are speaking up about this matter. The Executive have very important powers and responsibilities, and we respect that, but Parliament has very important responsibilities to scrutinise them, and it should not be frustrated in its legitimate mission. I think I have made the position very clear, and I hope that the powers that be will now do the decent thing. Otherwise, the matter will just keep on being raised. That would be very embarrassing for the Government, and I do not want that to happen.
National Shipbuilding Strategy

1.39 pm

The Secretary of State for Defence (Sir Michael Fallon): With permission, Mr Speaker, I wish to make a statement.

This Government are committed to a strong Royal Navy and a strong economy that benefits every part of the UK. Today, I am publishing the national shipbuilding strategy, the means by which we plan to bring these two strategic goals together. Copies are being placed in the Library and on the Government website. This strategy will transform the procurement of naval ships, enable the fleet to grow by the 2030s, energise the United Kingdom’s maritime industry, and increase skills, exports and prosperity across our country.

In the 2015 strategic defence and security review we committed to developing a national shipbuilding strategy, because we acknowledged that previous procurement of surface ships had been problematic. Sir John Parker, a well respected expert in this sector, was appointed to produce an independent report to inform the strategy, and that report was published in full last November. Sir John analysed where previous approaches had fallen short, and identified a “renaissance” in United Kingdom shipbuilding. He made 34 recommendations in total. I am pleased to report today that we have accepted all of Sir John’s recommendations for the Government, and have either implemented them already or have a plan of action to do so. I would like to place on record once again my thanks to Sir John for supporting us.

The strategy focuses on surface ships and makes clear this Government’s commitment to an ambitious programme of investment in a growing Navy. In the post-Brexit world, the need for us to project our influence and to keep reaching out to friends and allies alike will be more important than ever. That is why we now propose to invest billions in the Royal Navy over the coming decade. Our future fleet will include our two mighty flagships, the Queen Elizabeth aircraft carriers; the next generation Dreadnought submarines; the Type 45 destroyers; and a phalanx of new frigates—not just Type 26 global combat ships, but a flexible and adaptable general purpose light frigate, the Type 31e—as well, of course, as the Astute class submarines and five new offshore patrol vessels.

I am pleased to announce in the House today that the Government plan to procure the new Type 31e frigates. We will order a first batch of five such vessels, with the first to be in service by 2023. The Type 31e will enable us to refocus offshore patrol vessels and other craft on their core patrol and protection roles, while the Type 31e ships will maintain and project the presence we require to deliver security in an uncertain world. In turn, that will allow the high-end capabilities of the Type 26 frigates and the Type 45 destroyers to focus on maritime task group operations—particularly carrier strike—as well as the protection of the nuclear deterrent. As its name implies, the Type 31e will be designed from the start as an exportable vessel, meeting global needs for a flexible and adaptable light frigate. We will test the concept of distributed block build during the procurement competition.

This procurement will be the first demonstration of our new strategy in practice. The new frigate will be procured competitively, providing an opportunity for any shipyard across the UK to bid for this programme of work. The strategy confirms, in the clearest statement of this policy for a decade, that all warships will have a UK-owned design and will be built and integrated inside the United Kingdom. Warship build will be by competition between United Kingdom shipyards. We will of course encourage United Kingdom yards to work with global partners, where they meet our national security requirements, to ensure that the vessel is fully competitive on the export market. We will also encourage UK yards to participate in the ongoing fleet solid support ship acquisition programme.

These several programmes will secure hundreds of highly skilled and well paid jobs on the Clyde and throughout the UK, bringing opportunities for high-wage and high-skill employment, growth and prosperity. Our research indicates that maritime industries in the UK employ about 111,000 people in nearly 7,000 companies, contributing £13 billion to our economy, of which the shipbuilding and repair element alone contributes about £2 billion.

This is a strategy for industry as much as for the Government. Delivering these new ships means that we will need a strong shipbuilding sector as part of a wider marine engineering sector. That includes the shipyards, their suppliers, those who manufacture and support the equipment for these ships, and the skilled workers who support those companies. Industry and the trade unions were involved as we developed the strategy, and I thank them for their contribution.

This programme of investment represents further opportunities for the sector to compete for and win work for the Royal Navy and for overseas customers, in turn enabling further investment, greater productivity and growth. The strategy makes it clear how the Government now intend to work with the marine engineering sector to support and enable that growth. In turn, we expect the industry to raise productivity and innovation, and to improve its competitiveness in domestic and overseas markets. That, in turn, should better insulate shipyards from the peaks and troughs of Royal Navy business, and bring more sustained growth and prosperity in the regions where those businesses are based.

The strategy makes it clear how the Ministry of Defence will grip and drive pace into ship procurement. We have already implemented a new governance structure that will ensure early and senior oversight of ship procurement programmes. Additional and expert external support will be provided to Navy Command and the Type 31e project team to ensure that they can execute their responsibilities at speed. There will also be a new structure to oversee the delivery of Type 31e and Type 26, building on the lessons learned from the carrier programme. We will reap the benefits of these changes as we build and support a modern Royal Navy that will grow in size by the 2030s. We are committed to meeting the undertakings set out in this strategy, but delivering its ambitious vision will require a joint effort between the Government and the industry. I commend this statement to the House.

1.47 pm

Nia Griffith (Llanelli) (Lab): I thank the Secretary of State for his statement, and for advance sight of it.

I welcome the fact that this strategy has finally been published—we all want a secure future for this country’s world-class shipbuilding industry, and this represents a
[Nia Griffith]

step in the right direction—but may I ask the Secretary of State why on earth it has taken so long? He announced this strategy more than two years ago, and Sir John Parker’s report to inform it was out last November. We were told we would finally see the strategy in the spring, and back in May the defence procurement Minister, the hon. Member for West Worcestershire (Harriett Baldwin), said that it was ready, so why have the shipbuilding industry and its workers been kept waiting for so long?

The strategy repeats the Government’s stated aim of bringing the Type 31e frigates into service from 2023. As that is just six years away, will the Secretary of State set out more detail of the timetable? When will the contract be put out to tender, and when does he hope to announce the successful bidder? What discussion has he had with the industry about whether the £250 million cap for the Type 31e is achievable? We know that the defence budget is already under considerable strain, so what contingency is in place in case costs overrun?

The Government’s commitment to a shipbuilding strategy must be complemented by a comprehensive industrial strategy. We need more than warm words, so may I ask the Secretary of State how he intends to maximise opportunities for the UK supply chain? Will he, when determining best value, commit to giving weight to the positive impact on local economies and employment opportunities in awarding contracts?

The news that only 50% of the steel in the Type 26s is UK sourced is disappointing. How do the Government intend to improve on that for future contracts?

The strategy rightly focuses on the export opportunities for UK shipbuilding, and orders from overseas will be important in ensuring steady work for shipyards across the UK. Given the fierce global competition, what strategies will the Secretary of State implement to secure orders from foreign buyers?

We must ensure that uncertainty surrounding Brexit does not dissuade companies from operating here, or our allies from wanting to buy British. What active steps are the Secretary of State and his ministerial colleagues taking to facilitate the best possible operating conditions so that British and European defence companies are not deterred from investing here?

As well as investing in our naval fleet, we must invest in the men and women who serve in our Royal Navy. We know that there is a crisis in recruitment and retention across the three forces, with the Navy currently under strength and the Government on course to miss their target on personnel numbers. Will the Secretary of State set out specific steps to ensure that that sorry situation does not continue?

Sir Michael Fallon: I am grateful to the hon. Lady—I think that that was a welcome for the strategy, even though she had some detailed questions. Let me try to answer the, I think, seven of them.

First, Sir John Parker did report at the end of last November and we initially hoped to publish the strategy in early summer. The hon. Lady asked why it had been delayed. I think I recall a general election around that time—she may recall it, too. There was therefore necessarily a delay. We have now introduced the strategy—I wish it had been a few months earlier.

Secondly, the hon. Lady asked when we intend to start placing the orders. We will run the competition at pace next year. We hope to place the order by the end of next year and start the building programme in 2019.

The hon. Lady asked about contingency. The problem with naval procurement under successive Governments for many years has been cost overruns. The frigates will be procured in a completely different way. We are setting a price per ship and challenging the yards to come up with the right bids to match that price. It is a reasonable price and it is now up to industry to meet it.

I hope that the eventual winner—or winners—of the tender programme will be encouraged to show us how it proposes to involve its local supply chains, and certainly the British steel content it can provide. Not all specialist steels for shipbuilding are made in this country, but we certainly encourage the use of British steel. We now have the means to do that through the procurement policy, which enables us specifically to consider that factor when weighing up the different tenders.

The hon. Lady asked about exports. It is a sad fact that we have not exported a new warship from this country under any Government since the 1970s. The new frigate is specifically designed to be exportable—a ship that other navies want to use. We already have an intensive export campaign for the Type 26 frigate. I have been championing its case in Australia, which is about to purchase an anti-submarine frigate, and also in Canada. I assure her that the Type 31e will be designed for export and we will put the full weight of Government behind that campaign.

The hon. Lady asked what we are doing to secure British defence companies’ continued participation in the European market after Brexit. We will shortly publish how we see the future of foreign policy and of defence and security policy in the new partnership that we want with the European Union. That will include our view of future participation in European defence programmes and funding.

Finally, the hon. Lady asked about manning in the Royal Navy. It is currently over 97% manned. We are spending a great deal of money on recruitment marketing and improving retention in the Royal Navy. We have spent some £40 million a year on recruitment marketing for the Royal Navy. She will have noticed that unemployment in this country is the lowest for 40 years. The Royal Navy, like many other large organisations, has to compete with other sectors of the economy, but I assure her that we will ensure that it does so. She will recall from the strategic defence review of two years ago that we are increasing the number of personnel in the Royal Navy by 400 sailors to man the additional ships.

Dr Julian Lewis (New Forest East) (Con): Where warships are concerned, quantity is a form of quality because even the most powerful warship can be in only one place at any one time. I therefore warmly welcome the strategy, particularly its acknowledgement, in the section on strategic context, that:

“There is a need for greater volume in the destroyer and frigate force if we are to deliver the required operational flexibility.”

The Secretary of State mentioned the 1970s. He will know that in the 1970s we had as many as 70 frigates and destroyers. In the mid-1990s, we had 35 frigates and destroyers, and successive Governments incrementally
reduced that to 32, 31, 25 and our current total of 19, which the Select Committee on Defence described as “woefully inadequate”.

My right hon. Friend is entirely on the right lines in saying that we need to grow the fleet. Will he do everything in his power to ensure that what happened to the Type 45 destroyers, and to some extent to the Type 26 frigates—as the build went on, they became increasingly complex and expensive so that we ended up with fewer ships at the end of the process—does not happen to the Type 31e?

Sir Michael Fallon: The light, general-purpose frigate is specifically designed to avoid that fault, which, as my right hon. Friend has, has plagued previous programmes.

My right hon. Friend took us back to the 1970s. Perhaps only he and I now remember them and what happened then. I note his comments about the number of ships. I gently say that today’s ships are of course much more powerful than those that were involved in, for example, the liberation of the Falklands, and that although they can be in only one place at once, they can fight conflicts at different ranges at the same time.

It is my ambition to grow the fleet. We are expanding the Royal Navy. If industry can rise to the challenge and deliver the frigates to time and in the price cap that we specify, it will enable us to expand the Royal Navy beyond the numbers set out in 2015.

Stewart Malcolm McDonald (Glasgow South) (SNP): I thank the Secretary of State for the statement and for advance sight of it. I welcome—finally—the publication of the national shipbuilding strategy. I had started to think that we would never get there.

However, the Secretary of State did not get to the best start this morning. What is it with his interviews with Scottish journalists? He came out with a howler on “Good Morning Scotland”, claiming that there was already a frigate factory on the Clyde. That is quite something, because only three weeks ago my hon. Friend the Member for Glasgow North West (Carol Monaghan) and I met workers on the Clyde, who were asking for something, because only three weeks ago my hon. Friend said, has plagued previous programmes.

Since 2005, we have had the defence industry strategy, the 15-year terms of business agreement with BAE, and a consolidated shipbuilding plan for the Clyde that led to many job losses. Workers there are asking whether the Ministry of Defence will see any of its promises through.

The Govan and Scotstoun yards were promised 12 Type 45 destroyers; we got six. They were promised 13 Type 26 frigates; so far, we have three. As for the world-class frigate factory which the Secretary of State seems to think exists, I can tell him right now that there are journalists in Scotstoun trying to find it. How can the workers in those yards believe the Secretary of State’s promise that there will be work for them until 2035?

More broadly, as was mentioned by the hon. Member for Llanelli (Nia Griffith), behind the historically low level of the escort fleet lies a low-manning crisis. Will the Secretary of State say more about what he is going to do to resolve that issue?

Sir Michael Fallon: First, let me make it very clear that it ill behoves members of the Scottish National party to pose as friends of the Clyde when they would decommission our nuclear submarines, which would halt work on the Clyde on the frigates that would protect those submarines.

Secondly, the hon. Gentleman is wrong about the frigate factory. There is a frigate factory on the Clyde, namely the Govan and Scotstoun yards, to which I gave 20 years of work back in July when I cut steel on HMS Glasgow, the first of the heavy anti-submarine warfare frigates. I gave 20 years’ worth of work to the Clyde, and, as a result of today’s announcement, it will be able to bid for the lighter frigate as well. He will clearly never be satisfied. There are 20 years of work and the contract for the first three frigates is worth £3.7 billion, but he is still not satisfied.

As for manning, I have already explained to the House that the Royal Navy, like the other two services, is just over 96%, or 97%, manned. We are spending a lot of money on recruiting to fill the remaining gaps, and to ensure that we can continue to offer a rewarding, highly valued career in the Navy.

John Redwood (Wokingham) (Con): I welcome the statement. Will the Secretary of State confirm that the same model could be applied to other areas of defence procurement to ensure more British content and more export capability? Will he also confirm that when we are out of the European Union we may be able to spread the model beyond defence, because we shall be able to make up our own procurement rules across the board?

Sir Michael Fallon: We will indeed be able to set our own procurement rules, free of some of the constraints that have resulted from our membership of the European Union. It is true that we need to improve the way we have procured our naval vessels in the past, and to start sending new-build ships out across the world again. Many other navies in the world are looking for lighter frigates, offshore patrol vessels and new vessels of all kinds as the global picture darkens and they need to do more to protect their maritime interests. There is a huge opportunity, and we shall see now whether the English yards, alongside the yards on the Clyde, are ready to rise to the challenge.

John Woodcock (Barrow and Furness) (Lab/Co-op): May I question the Secretary of State on recommendation 9 in Sir John Parker’s report, for the freezing of the design specification? Does it mean that a repeat of, say, the change in the design specification of the Astute class submarines in build to introduce special forces capability would be bindingly ruled out in future? Would it also rule out a repeat of the fiasco over cats and traps that took place when the coalition Government changed their mind not once but twice, and added to the cost of the carriers?

Sir Michael Fallon: I think that my right hon. Friend the Member for New Forest East (Dr Lewis), the Chairman of the Select Committee, was on better ground when he drew attention to the problems we had in the past when the design was constantly tinkered with, and indeed added to, and the ships that were planned became heavier and heavier and more expensive and late. There have
been significant delays in the Astute class programme. I do not ascribe blame to those who work on the programme, but under previous Governments of both complexions there has always been a tendency for the military to add the very latest equipment, and we need to get away from that. We need to produce a frigate that has a basic design, but is sufficiently adaptable for foreign navies to be able to add to it and adapt it for their own particular purposes.

Mr Mark Francois (Rayleigh and Wickford) (Con): As the son of a sailor, Reginald Francois, I welcome the Secretary of State’s statement, and particularly welcome the announcement about the Type 31e. May I follow up the point made by my right hon. Friend the Chairman of the Select Committee about frigate numbers, and make a humble suggestion? Given that the Type 23 frigates will be gradually paid off over the next few years, has the Secretary of State given any consideration to the possibility of—rather than selling those vessels abroad, or even scrapping them—placing some of them in a state of extended readiness so that they could provide a rapidly mobilised war reserve?

Sir Michael Fallon: I congratulate my right hon. Friend on his election to the Select Committee; I look forward to discussing these matters when I am next summoned to appear before the Committee. I also thank him for the work that he has done, since leaving the Department, on the reserves, and the need for us to improve the offer that we make to them. We are studying that report.

I will certainly consider my right hon. Friend’s specific proposal: we have no immediate plans to sell off the Type 23s, and we have a bit of time in hand to consider whether there is sufficient merit in it.

Frank Field (Birkenhead) (Lab): I welcome the Secretary of State’s announcements, which made it clear that the monopoly control that certain yards have exercised over the whole of his order book is now broken. Does he accept that Cammell Laird, with its workforce of expertise and loyalty led by an inspiring leader, John Syvret, is in pole position to win these orders, but that it will have to win them? May I invite him to visit the yard when his diary allows, so that he can give its entire workforce the good news that he has given to us today?

Sir Michael Fallon: I am grateful to the right hon. Gentleman for the honourable mention of Harland and Wolff in Belfast, retaining, as it does, the UK’s largest and second largest dry dock, I do not wish to draw him on pole positions, but in welcoming today’s advancement and the greater focus on regionalisation and competitiveness, may I ask whether the Secretary of State envisages a single tendering process to be met by joint venture, or will individual components be separately tendered for, and then collated together for the Type 31?

Jo Churchill (Bury St Edmunds) (Con): May I add my voice to those who welcome this announcement of Harland and Wolff in Belfast, retaining, as it does, the UK’s largest and second largest dry dock, I do not wish to draw him on pole positions, but in welcoming today’s advancement and the greater focus on regionalisation and competitiveness, may I ask whether the Secretary of State envisages a single tendering process to be met by joint venture, or will individual components be separately tendered for, and then collated together for the Type 31?

Sir Michael Fallon: Absolutely. As I have said, the Clyde enjoys for so long in warship building is ending, forming part of the Secretary of State’s announcements, which made it clear that the monopoly that certain yards have exercised over the whole of his order book is now broken. Does he accept that Cammell Laird, with its workforce of expertise and loyalty led by an inspiring leader, John Syvret, is in pole position to win these orders, but that it will have to win them? May I invite him to visit the yard when his diary allows, so that he can give its entire workforce the good news that he has given to us today?

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Sir Michael Fallon: I certainly hope that Harland and Wolff will participate in this competition and rise to the challenge. We retain an open mind as to what the final winning solution is likely to be. We have learned a lot from the block build construction of the aircraft carriers, but equally it might well be the case that one particular yard comes up with the best proposal, or that comes from a consortium of one or two yards, working with international yards as well on some elements of the ships. So we have a completely open mind as to how this is going to be done. This is a challenge for all the shipyards in Britain and Northern Ireland.

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workforce that the apprentices who will be working on the eighth of these eight frigates are yet to be born. That is the nature of our long-term commitment to the Clyde and, I hope, of our long-term commitment to our other English yards.

My hon. Friend makes an important point about the delivery of this programme. Too many programmes in the past have ended up over budget and over time, leaving critical gaps. By setting a fixed price for these ships and putting in place a delivery organisation that will ensure that there will be penalties, we are determined this time that we will drive the procurement and delivery of these ships at pace.

Mr Kevan Jones (North Durham) (Lab): As chair of the all-party group on shipbuilding, I welcome these orders for the UK shipbuilding industry, but may I ask the Secretary of State about two fundamental points? First, on military capability, will the Type 31 add to our defence capability? Will it be able to fulfil our full NATO maritime standing commitments? So far little has been said about its anti-submarine or war-fighting capabilities. Secondly, the last successful set of exports was in the early 1960s, with the Rothesay class of frigates. Is it realistic to underpin a strategy entirely on exports, particularly when the French and Italians have similar types of ships not only on the drawing board, but in the marketplace?

Sir Michael Fallon: First, in respect of the performance of standing tasks within NATO, I made it clear that they will principally be undertaken by the Type 26 anti-submarine frigates and Type 45 destroyers, releasing the Type 31s for other duties around the world where we need to project our presence and where we can work more closely with allies outside the NATO context.

On exports, I hope that the hon. Gentleman will not be as pessimistic as he appears to be about our prospects. There is growing international demand for lighter ships and ships that are adaptable for all kinds of constabulary work around the different coastal regions. I have every confidence that we can produce a ship that will outperform what can be produced by the Italian or French yards but, in the end, it is for British industry to rise to this challenge and produce a ship that is cost-effective and can compete in the world market.

Tom Pursglove (Corby) (Con): When I recently wrote to my right hon. Friend, I included a prospectus of Corby steel products, which I obviously commend to him. Will he give an undertaking today that, whenever possible, we will use British steel in the building of these ships?

Sir Michael Fallon: As I have said, we will take a very close interest in the percentage of steel used in each of the bids—we will be watching that extremely closely. I remind the House that some specialist steels that are not produced in this country are needed for the hulls of our warships, but we will be looking to those who submit their bids to demonstrate just how much British steel they will use, as well as how they will fully engage their local supply chains, and, indeed, take the opportunity to refresh local skills in their area.

Jo Swinson (East Dunbartonshire) (LD): The Secretary of State is right that the Navy needs to modernise—I welcome the strategy and the jobs, although I share the concerns expressed about the workers on the Clyde—but may I press him on the skilled personnel who will be needed to operate these vessels? In his answer to the hon. Member for Llanelli (Nia Griffith), he said that the low unemployment rate was one of the particular challenges, but armed forces data show particularly high rates of outflow for Royal Navy engineers and that only 33% of armed forces personnel feel valued by their service. What is he doing about the experience of people working in the armed forces to make sure they do not want to leave?

Sir Michael Fallon: To add to the answer I gave earlier, yes, the Royal Navy, like the Air Force and to some extent the Army, is increasingly competing with the rest of the economy for engineers, IT specialists and technicians of all kinds. These are exactly the jobs that are in such demand elsewhere across the economy. We have a growing economy now and, as I have said, very low unemployment, so this is not easy. This is not a unique feature of the Royal Navy or the Air Force; the same complaints can be made right across the engineering sector, as well as in the aerospace and automotive industries.

What are we doing about that? We must make sure that our offer to our people is as attractive as possible. We have legislation going through the other place to make employment in the armed services more flexible and to provide more opportunities, for example for women who want to return to the service, to move between the reserves and regulars more easily. That is a flexible employment measure and I hope it will have the support of the hon. Lady’s party when the Bill is considered by this House in due course. We need to continue to work away at the offer to make sure that we provide careers that are attractive, highly valued and, indeed, highly rewarded.

Will Quince (Colchester) (Con): I greatly welcome today’s announcement. I recently wrote to the Secretary of State asking him to consider naming one of the Type 26 frigates HMS Colchester. I got a very pleasant and polite response from the Under-Secretary, saying no, but I am nothing if not persistent, so I will ask again. We have waited patiently since 1746 for another HMS Colchester, and I ask the Secretary of State to please consider naming one of the new Type 31e class vessels HMS Colchester.

Sir Michael Fallon: I will certainly bear that in mind, although if my hon. Friend has waited since 1746, perhaps he can wait a little longer. By the way, I am still waiting for any expression of gratitude—I know that does not come easily to those on the Scottish nationalist Benches—for choosing the name HMS Glasgow for the very first of these anti-submarine frigates, paying tribute to the previous holders of that name and also the role that Glasgow played in the last two world wars. I will, of course, bear my hon. Friend’s suggestion in mind.

Mr Stephen Hepburn (Jarrow) (Lab): I welcome today’s statement, not least because it gives an opportunity to A&P Tyne in my constituency, which did fantastic work on the aircraft carrier. I am sure that A&P will be considered for further work, but will the Secretary of State assure me that that will be the case? Also, why does he not insist that British steel and components are
used whenever possible, in order to create jobs and fly the flag for Britain? Is he looking at the loopholes and caveats, and is he going to put in any incentives to maximise the amount of British labour and apprenticeships involved in this excellent opportunity?

Sarah Fallon: I am grateful for the hon. Gentleman’s welcome. A&P has already made a contribution to the construction of the carrier and it is contributing to the construction of the Astute class submarines. I very much hope that it will be involved in the competition. This is an opportunity for the Tyne, which was previously shut out when the monopoly was granted in favour of BAE Systems in Scotland, so this is good news for Tynemouth and the other English yards. So far as steel is concerned, we want to see greater use of British steel when possible, but we must also be alive to the need to achieve best value for the taxpayer.

Robert Courts (Witney) (Con): I warmly welcome the Secretary of State’s statement, with its ambition to increase the Royal Navy’s platform numbers and our export possibilities. The hon. Member for North Durham (Mr Jones) mentioned the Rothesay class, which, of course evolved into the excellent Leander class that was operated by eight navies worldwide because it was so adaptable and provided an excellent platform for all their needs. Will the Secretary of State assure me that the procurement process will ensure that the design that eventually emerges from the competition will have equal appeal so that our ambition to increase the Royal Navy’s surface platform numbers and wider export potential can be realised? That would help jobs, businesses and apprenticeships in the UK.

Sarah Fallon: My hon. Friend puts his finger on it. This design has to be adaptable and flexible. As international supply chains are now lengthening, I hope that the yards that enter this competition will consult not only with other yards across Europe, but with other navies that are looking to procure this type of frigate, so that they ensure that they design a platform that is sufficiently adaptable and flexible for different navies’ respective requirements.

Lady Hermon (North Down) (Ind): The Secretary of State will be well aware that this year is the centenary of the formation of the Women’s Royal Naval Service—the Wrens. At the start of his statement, he said that “this Government are committed to a strong Royal Navy”. What is he planning to do to mark the centenary of the vital service of the Wrens, many of whom joined the service in later years and are still alive today? Many of them are quite offended that there has not been a brooch, a certificate or anything else to mark their service. It would be fitting, in this centenary year, if the Secretary of State were able to correct that omission, which I am sure was accidental.

Sarah Fallon: I certainly hope that it was accidental. I, too, would like to put on record my tribute to the women who have served in that branch of the Royal Navy for more than 100 years. Now, of course, our women are able to enter more and more roles in the Royal Navy. I will certainly check whether that centenary is being appropriately marked, and if we can pick up on any of the hon. Lady’s specific suggestions.

Alan Mak (Havant) (Con): Havant has a strong engineering naval base, with three local supply chain partners involved in the Queen Elizabeth carrier project, which is securing local jobs. Does my right hon. Friend agree that, in designing a frigate for export, the potential for job creation among small and medium-sized enterprises is particularly significant?

Sarah Fallon: Yes, and we want to make it easier for more SMEs to participate in the supply chains of the major yards. Portsmouth and the surrounding area are now enjoying the challenge of completing the final fitting out of the two carriers and making sure that they are properly maintained and serviced, but there may well be further opportunities in the Havant area. I remember that the sector report that was produced for that area as part of the Solent local enterprise partnership specifically drew attention to the maritime strengths of the region, and I hope that it, too, can get involved.

Chris Stephens (Glasgow South West) (SNP): As the hunt goes on for the mystical frigate factory, which the Secretary of State cancelled in June 2015, may I ask him what shipyard reconstruction investment he is going to make on the Clyde? Also, does he accept the criticisms in the Parker report that some decisions were based on historical wrong assumptions about the ability to build different types of ships consecutively, as has happened on the Clyde? Will he confirm that the Type 31 frigate is a complex naval warship and that it should therefore be built at the centre of excellence on the Clyde, as he and the then Prime Minister promised in November 2015? Finally, why are the fleet support ships being procured internationally when the UK shipyards could be building them?

Sarah Fallon: The hon. Gentleman is doing his best to turn sunshine into a grievance. Govan will build eight enormous frigates over 20 years. That is a frigate factory by any definition, and I hope that he is clear about the sheer weight of work that Govan and Scotstoun are now going to enjoy. So far as investment in the yard itself is concerned, yes, part of the £3.7 billion that I announced when I came to cut steel in Glasgow at the end of July is indeed investment to enable BAE Systems to build the final five of the eight-ship batch. That money includes the price of the first three ships as well as investment to ensure that the next ones are built as well.

On the question of the support ships, it is only warships that have to be built inside the United Kingdom, for security reasons, but there is absolutely nothing to prevent yards in England or Scotland from bidding for the fleet solid support ships as well. Indeed, there is every reason to encourage them to do so.

Rebecca Pow (Taunton Deane) (Con): I welcome the approach that has been announced today. We are a maritime nation and we should be ambitious. This demonstrates that we are being ambitious with not only our security, but the economy, and I am delighted that there might be some spin-offs for the south-west. With 40 Commando in my constituency, may I highlight the need for the general purpose frigates to be designed with maximum utility in mind, so that they will be able to accommodate and project Royal Marines as and when necessary?
Sir Michael Fallon: I am delighted that my hon. Friend shares my ambition for the Royal Navy. I want it to be bigger and stronger, and to have the ships that it needs so that it can protect our trade routes, promote our prosperity and contribute to security on each of the seven seas. That is our ambition as a Government, and I am going to do everything I can to drive that forward with the new ships and submarines that we are now setting out to build.

I note my hon. Friend’s point about the Royal Marines. The frigate will have to be adaptable and flexible, and amphibious fighting capability is something that foreign navies might be looking for. I will certainly ensure that that is further considered.

Dan Jarvis (Barnsley Central) (Lab): The Defence Secretary did not say much in his statement about the strategic context in which these decisions are being taken. Given that the Government have decided not to conduct a strategic defence review in this new Parliament, will he say more about the long-term planning assumptions that underpin the publication of this strategy?

Sir Michael Fallon: In the light of the deteriorating international situation and the intensification of the threats identified in the 2015 review, we have undertaken to look again at the specific capabilities available not just to the MOD but to the Home Office and the other Departments, to ensure that as the threats intensify we have the right capabilities in the right places to meet them. I hope to report further to the House on how that review develops later in the year.

Rishi Sunak (Richmond (Yorkshire)) (Con): I commend the Secretary of State for his Department’s being the leader across Government in the employment of apprentices, especially at Catterick garrison in my constituency. Will he reassure the House that the use of apprentices will be a key factor in the procurement process to ensure that this exciting new national shipbuilding strategy can support the aspirations of young people across the UK?

Sir Michael Fallon: I can certainly give my hon. Friend that undertaking. We will be looking carefully at the commitment to apprenticeships from the yards that tender for this ship. He is right to remind the House that the armed forces are the single biggest employer of apprentices in the entire country. We play a huge role in developing apprenticeships as a fully valued alternative to work more effectively. All of that gain will go back to our armed forces, especially at Catterick garrison in my constituency. Will he reassure the House that the use of apprentices, especially at Catterick garrison in my constituency, will be a key factor in the procurement process to ensure that this exciting new national shipbuilding strategy can support the aspirations of young people across the UK?

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Martin Docherty-Hughes (West Dunbartonshire) (SNP): I welcome the statement by the Secretary of State and, yes, even the naming of HMS Glasgow, but for the record in Hansard, I must point out that Glasgow is not the Clyde. As the son of a former shipyard worker at John Brown’s, the greatest shipyard ever to grace these islands, I will take no history lesson on the utter disinvestment in the Clyde since 1945 by every successive British Government. Given that the cost of the Type 31 has been capped at £250 million per frigate, before we take into account the depreciation of the pound, which the National Audit Office says poses a severe risk to the equipment plan, will the Secretary of State reassure the armed forces, especially the Royal Navy, that we will see a credible timetable for raising the Royal Navy from the position in which it now finds itself—with more admirals than frigates?

Sir Michael Fallon: Twenty years of guaranteed work—

Martin Docherty-Hughes: Forty five years of disinvestment.

Sir Michael Fallon: Twenty years of guaranteed work for the Clyde is a peculiar definition of disinvestment.

Martin Docherty-Hughes: Unbelievable!

Sir Michael Fallon: On the contrary, the Government are investing in the Clyde—

Martin Docherty-Hughes: A scandalous lack of historical knowledge.

Sir Michael Fallon: We invested £3.7 billion in July, and there are five more frigates to follow. This is a massive investment in the skills present on the Clyde. The Government are investing in the Clyde.

Martin Docherty-Hughes: Not in Glasgow.

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Gentleman had his say when he was on his feet. He must not continue to try to have a say while sitting down.

Sir Michael Fallon: I think the hon. Gentleman is probably faintly embarrassed by the scale of our commitment to the Clyde and of the investment there. The hon. Gentleman asked me a serious question about the affordability of the equipment programme more generally. Yes, part of the equipment programme will have to be funded through the efficiency savings that we in defence have to realise and put back into the equipment programme. That means being more efficient, modernising our processes—for example, getting rid of barracks and land we no longer need—and continuing to work more effectively. All of that gain will go back into the equipment programme and help to fund the frigate that his constituents are building.

Mark Pawsey (Rugby) (Con): I welcome the Secretary of State’s announcement, particularly the commercial latitude of his Department in procuring a vessel that can compete in export markets. The issue of procurement has been raised many times by Members. Will he confirm that the high UK content of the vessels means that the cost will not be affected by the depreciation of the pound post-Brexit and that there will be benefits across the UK, including for manufacturers of propulsion systems, such as GE Energy in my constituency, which, incidentally, is as far from the sea as one can possibly get?

Sir Michael Fallon: It might be far from the sea, but it is a very important firm and a key maker of the propulsion systems we will need. Of course, by definition, the higher the British content of these frigates, the less the price will be affected by the depreciation of sterling, but I will not speculate as to where the level will eventually settle.

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I would like to entice the Secretary of State to the calm of the Scottish highlands. He referred to modular...
construction as having achieved value for money in the Queen Elizabeth-class carriers. The Nigg yard in my constituency, where I used to work, has great expertise in this field. Will he instruct his officials to consider the Nigg yard as and when these vital new contracts are drawn up?

**Sir Michael Fallon:** I am happy to agree to that. I hope that the Nigg yard will be included, and I will ensure that our officials include it in the discussions we will now begin on the technical details with the various yards and other companies involved. I well recall my own visit to Nigg when I was the oil and gas Minister, and I am well aware of the efforts it is making to diversify from the oil and gas sector. We will make sure that it is fully able to participate and receives all the information necessary for it to do so.

**Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con):** I warmly welcome today’s statement, as will my constituents who work at British Steel in Skinningrove. I am the deputy chairman of the all-party group on steel and metal related industries. With that in mind, I was hoping that officials from the Department might come to meet the APPG to discuss how we can deliver what has been rightly referred to as the pressing need to maximise the British steel content in the new vessel.

**Sir Michael Fallon:** I congratulate my hon. Friend on achieving the position of deputy chairman of the all-party group, and I am happy to agree to get an official or colleague to attend and make sure his group is fully aware of exactly how we will maximise the use of British steel in this procurement.

**Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op):** As the MP for Devonport, where half the nation’s frigates are currently based, I welcome this much delayed strategy. I am concerned, though, that the £250 million price cap for a Type 31e is an accountant’s answer to a general purpose frigate, not an answer to much delayed strategy. I am concerned, though, that the £250 million price cap for a Type 31e is an accountant’s answer to a general purpose frigate, not an answer to the military question. I doubt we will get a capable frigate for that much money with a full complement of offensive weaponry. Will the Secretary of State confirm, therefore, that the new Type 31e will be equipped with more than just one main gun?

**Sir Michael Fallon:** I cannot confirm the exact details of the armaments and weapons systems on the frigate. We think that £250 million per ship is the right kind of cap to aim for, and we will now go into intensive discussions with the industry, but yes this is a challenge to our yards—particularly to the English yards, as well as to BAE Systems and Ferguson’s on the Clyde and Babcock on the Forth—to meet for the first time a cap per ship. That is extremely important. We have seen far too many programmes where the cost has escalated year after year, to the detriment of the other parts of defence.

**Mr Philip Hollobone (Kettering) (Con):** I commend my right hon. Friend for his statement and invite him to describe to the House the minimum armament of the vessel, the minimum capability requirement and the minimum size of ship’s complement.

**Sir Michael Fallon:** We will be officially launching the competition tomorrow and will be working on the technical details of the frigates, so I cannot confirm my hon. Friend today the exact specifications that we will set out for the weapons system, but he and the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard) are right that they will be a key part of holding the bidders to the overall price cap.

**Carol Monaghan (Glasgow North West) (SNP):** As the MP for Scotstoun, I am beginning to see a familiar pattern here. Workers in Scotstoun and Govan were promised 12 Type 45 destroyers; they got six. They were promised 13 Type 26 frigates; we have got three so far. The Secretary of State speaks of this frigate factory on the Clyde. To be clear, a frigate factory is an indoor assembly hall; it is not putting ships together in the rain. So we see another broken promise there. Will he now keep a promise to the workers in Glasgow and give them a cast-iron guarantee that the current workforce levels will be maintained until 2035?

**Sir Michael Fallon:** I am not responsible for the overall number of Type 45 destroyers, and I am sure that the hon. Lady will recognise that that decision was taken by a previous Government. As for the number of Type 26 frigates, we have guaranteed the eight Type 26 anti-submarine frigates to the Clyde, and we are giving the Clyde the opportunity to tender for more. It is important, however, that other yards right across our United Kingdom are able to tender as well, and I hope she will recognise that. As for employment numbers on the Clyde, the actual number employed in either Govan or Scotstoun is a matter for BAE Systems.

**Wendy Morton (Aldridge-Brownhills) (Con):** I join others in welcoming today’s statement, which is good news for our country, for industry and for jobs, but let us not forget that it is also good news for the Royal Navy and those who serve in it. Does my right hon. Friend agree that the construction of the new aircraft carriers demonstrates the skills and industries that exist right across the United Kingdom to build ships for our Royal Navy and, potentially, other navies around the world?

**Sir Michael Fallon:** I hope my hon. Friend is as proud of the two new carriers as I am. It is a permanent statement to the world of what we can make of our country’s manufacturing talent that the ships were put together across six different yards, including the Clyde, which shows what we can do in a huge and important national endeavour. They will sail the oceans of this world as a reminder not simply of Britain’s military power, but of what we can do with our industry and technology.

**Mr Paul J. Sweeney (Glasgow North East) (Lab/Co-op):** I think I am one of the few Members who has actually built a ship, so I speak with some degree of understanding of the process. When I was with BAE Systems, we looked at multiple-site block builds, which we obviously used for the Type 45 destroyers, but a key component of the terms of business agreement that we had with the Ministry of Defence was to achieve upper-quartile status in world shipbuilding. Not only did the team and I carry out a worldwide benchmarking exercise to deliver
a world-class shipbuilding capability on the Clyde, but we also developed the design of a shipyard that would deliver that world-class capability. That included an integrated fabrication or module hall, a paint cell and a 330 metre-long dock hall in a covered dock assembly facility, which have been quietly dispensed with. It is clear that even the plan B, which involved a module hall at Govan, has also been dispensed with. Is it still the Government’s intention to achieve upper-quartile status in world shipbuilding on the Clyde through facilities investment? Will the design of the Type 31 involve a consistent, integrated assembly site? Given the demolition of the Scotstoun site, is there the capacity on the Clyde to deliver that world-class capability. That included an integrated, but we will not say now that there must be proper grip on that with a much more commercial approach to the delivery of such projects. We have now put that in place for the delivery of the Dreadnought and Astute-class submarines through the new Submarine Delivery Authority. We have also put it in place with BAE Systems for the delivery of the Type 26 ships, where we have a pain-share/gain-share arrangement by which the company must bear the cost if it runs behind schedule or over budget. We will do the same for the Type 31 ships, for which we will have a commercial delivery set-up to ensure that the taxpayers' interests are properly protected.

Sir Michael Fallon: I cannot answer the hon. Gentleman's question about the upper-quartile position, but I can restate that we are open-minded about the winning solution for the procurement of this particular frigate. There are important, useful lessons from the block build involved in the construction of the two carriers, and I am sure that all those involved in the competition will want to pick up on those particular lessons and, indeed, on how the final assembly can be properly integrated, but we will not say now that there must be one solution rather than another; it is up to British industry to rise to this particular challenge.

Kevin Foster (Torbay) (Con): Representing a part of south Devon that looks forward to seeing the ships ultimately refitted and based there, I welcome today's statement, but will the Secretary of State reassure me that we have learned from past military procurement mistakes and the impact that they had on the size of the fleet, particularly during the Type 45 programme, when a £6 billion budget for 12 ships became a £6 billion budget for six?

Sir Michael Fallon: My hon. Friend is right. As I have said several times now, procurement programmes have overrun in time and in budget too often. We have to get a proper grip on that with a much more commercial approach to the delivery of such projects. We have now put that in place for the delivery of the Dreadnought and Astute-class submarines for the new Submarine Delivery Authority. We have also put it in place with BAE Systems for the delivery of the Type 26 ships, where we have a pain-share/gain-share arrangement by which the company must bear the cost if it runs behind schedule or over budget. We will do the same for the Type 31 ships, for which we will have a commercial delivery set-up to ensure that the taxpayers' interests are properly protected.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): The Times reports today that the new Type 31e frigate will cost about a third of the Type 26 frigate, so will the Secretary of State provide a little more detail than he has to date about the difference in capability between the two frigates?

Sir Michael Fallon: The Type 31e frigate will be about half the size of the Type 26, but we hope that it can be produced for around a third of the cost. If we can produce these ships for that particular price, that is the prize that will enable us in the end to expand the size of the Royal Navy. The challenge that we are laying down to British industry is whether, for the first time, it can meet a particular price per ship. The difference is essentially in the weight and in the duties that the ship will carry out.

Douglas Chapman (Dunfermline and West Fife) (SNP): The Secretary of State has triggered two search parties in Scotland today. The first relates to the mythical frigate factory referred to earlier and the second is this cup that runneth over. I am sure that people are out on the streets of Glasgow looking for them today. However, I am glad that he has at long last actually found the shipbuilding strategy and that it is a step in the right direction. As for the Type 31 frigates and the fleet support ships, what steps is he taking to ensure that the build programme is accelerated to guarantee a constant drumbeat of orders for UK shipyards? With the ageing Type 23s and the need for the UK to focus all its efforts on exports, time and tide wait for no man; we need to make progress as quickly as possible.

Sir Michael Fallon: I think that that is the nearest we are going to get to a welcome from Scotland today, so let us bank that and thank the hon. Gentleman for it. He is right about one thing: the Type 23s are beginning to age and we must ensure that the Type 31e and the Type 26 are ready to replace them to keep up the overall numbers of frigates and destroyers. That is why we aim to insert real pace into the programme through the new procurement process by accelerating the design phase, running the tender next year, placing the orders towards the end of next year and starting, as he says, the regular drumbeat of orders to replace the Type 23 frigates. He will know that they were not all built at the same time and that the older ones will soon need to be taken out of service. Our aim is to have the first Type 31e in service by 2023.

Mr Deputy Speaker (Mr Lindsay Hoyle): Last, but certainly not least, I call Alan Brown.

Alan Brown (Kilmarnock and Loudoun) (SNP): They used to tell me that when I was the last pick at football as well.

In the 2015 strategic defence and security review, an extra £16 billion was found for the successor nuclear submarine project's budget, which clearly led to a cut in orders for the Clyde and to the disappearance of the frigate factory. If the costs for the successor submarine programme continue to spiral, what effect will that have on the national shipbuilding strategy and on today's promises?

Sir Michael Fallon: We have set aside some £31 billion for the construction of the four new Dreadnought submarines, but we have also put aside £10 billion as a contingency to meet any further requirement. With the greatest respect, I think the hon. Gentleman has this the wrong way around. If we had not set aside the money for the successor programme and if this Parliament had not voted to renew the Trident submarine programme, we would not need the frigates that we are already building on the Clyde.
Point of Order

2.49 pm

Dan Carden (Liverpool, Walton) (Lab): On a point of order, Mr Deputy Speaker. Following the announcement of eight jobcentre closures across Merseyside, my hon. Friends the Members for Liverpool, Wavertree (Luciana Berger) and for Liverpool, West Derby (Stephen Twigg) and I wrote to the Minister for Employment on 18 August asking him to consider colocation proposals drawn up by the Mayor of Liverpool and the city council to save some key services in our constituencies and, most importantly, to pause the closure plans and open a window of negotiation. Norris Green jobcentre in my constituency is due to close on 15 September, yet we have not had a reply from the Minister.

Mr Deputy Speaker, can you help me win a response from the Department for Work and Pensions on this important matter?

Mr Deputy Speaker (Mr Lindsay Hoyle): In fairness, that is not a point of order for the Chair, but I want to agree that it is unsatisfactory for Back Benchers not to get a reply. Whatever party we are from, we represent constituents who expect a reply. I hope the Government Front Bench will take that on board. I suggest that the hon. Gentleman has put it on the record, and people will reflect on it. I would like to believe that a letter will be winging its way as we speak.

BILLY PRESENTED

Terms of Withdrawal from EU (Referendum) Bill

Presentation and First Reading (Standing Order No. 57)

Geraint Davies, supported by Mr David Lammy, Caroline Lucas, Thelma Walker, Daniel Zeichner and Tom Brake, presented a Bill to require the holding of a referendum to endorse the United Kingdom and Gibraltar exit package proposed by HM Government for withdrawal from the EU, or to decide to remain a member, following the completion of formal exit negotiations; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 3 November 2017, and to be printed (Bill 103).
Lady Hermon (North Down) (Ind): I am grateful to the Minister for allowing me to make an early intervention. So that the House can understand the voting patterns later tonight, will he clarify whether the motions before us are covered by the deal done between the Democratic Unionist party and the Conservative party? That answer will be very informative to the House and, indeed, to our constituents.

Mel Stride: I assure the hon. Lady that the process at the conclusion of this debate will be exactly the same as the one we go through on any consideration of Ways and Means measures in respect of such fiscal matters.

An open and consultative approach is important to our tax policy making process, and our commitment to a single major fiscal event each year is a further valuable step to improving the process for making fiscal policy. Just as with most other major economies, people will no longer face a host of tax changes twice a year.

The transition to the new Budget timetable will, of course, mean that a further Finance Bill will be introduced following this autumn’s Budget. In line with our past practice, the Government will next week publish drafts of some clauses that we plan to introduce in the next Finance Bill. The transition means there are fewer clauses than in recent years, but pre-legislative scrutiny will again help consideration of the Bill.

On that subject, Members may notice that there has been a slight change to the motions on today’s Order Paper. The Government have withdrawn a motion covering changes to the definition of a taxable disposal within landfill tax. That motion and the corresponding clause will no longer be taken forward in the current Bill.

Mr Keavan Jones (North Durham) (Lab): Can I ask why?

Mel Stride: The hon. Gentleman has brilliantly pre-empted my next comments. If only he were a little more patient, all would be revealed. Her Majesty’s Revenue and Customs has been consulting on related changes to the taxation of illegal waste disposals over the summer, and we will set out our proposals in this area on 13 September when draft clauses for the winter Bill are published.

Mr Jones: Is the Minister saying that those proposals will actually come forward? I will address this in my speech, but I have been in discussion with HMRC’s policy department, which has given certain commitments to making some serious changes in order to collect more landfill tax and stop avoidance.

Mel Stride: The hon. Gentleman is right about the importance of those measures, and they will go forward. The policy has not changed; it will just come forward at a different time with other measures in this area.

Mr Jim Cunningham (Coventry South) (Lab): Does the Minister have the staff to do the job on addressing tax avoidance?

Mel Stride: Our record on addressing tax avoidance speaks for itself. HMRC has raised £160 billion from clamping down on avoidance, evasion and non-compliance since 2010, which is a vast improvement. Given that our current deficit is running at about a third of the 2010 level, this Government have brought in a huge amount of money. In terms of having the resources, we have invested £1.8 billion in HMRC since 2010 to focus exactly on tax avoidance.

Mr Keavan Jones: As the Minister knows, HMRC’s landfill tax figures show a £150 million tax gap. Will the future proposals be published for further reaction and consultation? What I hear from the industry is that some of the proposals it wants are being ignored by HMRC.

Mel Stride: All the measures relating to the motions we are debating will be out there and will be clear. They will be brought forward along with other measures later in this Session.

Moving back to the Bill at hand, the motions on the Order Paper give little mystery as to the provisions that we will be introducing. I look forward to debating them in more detail as the Bill progresses, and I will say more about the overall aims of the Bill on Second Reading. For the moment, I will provide a brief outline of some of the main measures.

The Bill that the motions provide the basis for will make significant changes to the corporation tax regime for large companies. Building on work that this Government have championed internationally and the recommendations of the OECD, the Bill will limit the extent to which big multinational corporations can reduce the tax they pay in the UK through excessive deductions for interest expense. That measure will address a significant area of corporate tax avoidance, and is forecast to raise £5.3 billion over the next five years by ensuring those corporations pay a fair contribution.

The Bill will also change the treatment of losses within corporation tax; it restricts the extent to which past losses can be set against taxable profits, ensuring that companies with profits over £5 million in a year must pay some corporation tax. At the same time, the Bill will provide for allowances recognising donations to grassroots sport and to museum and gallery exhibitions, and for new £1,000 allowances so that those earning small amounts from trading or property will not have to pay tax on this income. The changes to tackle avoidance of corporation tax by multinationals are part of a number of changes that take further steps in tackling tax avoidance and tax evasion.

Rachel Maclean (Redditch) (Con): Does my right hon. Friend agree that Labour’s plans to raise corporate and personal taxation will damage real incomes and investment in the UK?

Mel Stride: My hon. Friend is relatively new to this House but she makes an important and insightful point, which is that, as we know, we should be under no illusions that under Labour’s plans corporation tax will rise. We have seen it fall from 28% to 19%, and it will continue down to 17%—

Mr Keavan Jones: On a point of order, Madam Deputy Speaker. I thought this debate was about the Government’s proposals. The Minister, following a set-up question from a Back Bencher, is now talking about what proposals Labour might have. Is that in order? Should we not be sticking to the—
Madam Deputy Speaker (Mrs Eleanor Laing): Order. I thank the hon. Gentleman for his point of order. It is right that we must keep a careful eye on these matters, which of course I am doing. I am sure the Minister is, in the remarks he is making, using as an illustration other policies that may not be his policies. Of course, if he is replying to points raised in the debate, I will always encourage that, because it is important that every Member in this House has a say in the debate. [ Interruption. ]

Mr Jones It is a set-up—

Madam Deputy Speaker: The hon. Gentleman must not add more from a sedentary position to his point of order, so I will not take up that point, which in any case I cannot answer. The Minister has barely begun, and I am sure that in his wide-ranging speech he will cover everything he ought to cover and everything the House requires him to cover.

Mel Stride: Thank you, Madam Deputy Speaker. I could not have put that better myself. [ Interruption. ] And I will get on with it, too. I am not surprised that Labour Members are slightly shy about our discussing their tax plans, because they are not good for our country. Having a plan to raise corporation tax to 26%, with an increase for small companies as well, and to change the tax threshold to bring many, many more people into the higher rate of tax is not a way of incentivising jobs, wealth and economic growth, as the hon. Gentleman well knows.

Our changes to tackle avoidance of corporation tax by multinationals are part of a number of changes that take further steps in tackling tax avoidance and tax evasion. Others covered by these resolutions will introduce a penalty for those who enable tax avoidance, a penalty for transactions connected with VAT fraud and measures to tackle disguised remuneration tax-avoidance schemes.

The Government’s aim to make the tax system fairer and supports the public finances, increasing, but not jeopardising, the contribution that non-doms make to tax revenues. Other clauses will legislate for the changes—

Steve McCabe (Birmingham, Selly Oak) (Lab): Will the Minister explain how long the Government have been working on this major concession and when he anticipates that there will actually be some change that means non-doms experience the same arrangements as ordinary taxpayers in this country?

Mel Stride: The answer to the hon. Gentleman’s question is that that is precisely what this Bill will be achieving. We will be putting an end to permanent non-dom status, so that those who are “deemed domicile” are treated on the same basis for taxation purposes as other residents in our country. Let me gently remind him that his party was in government for 13 years and very little happened then on the issues to which he now professes objection. So we should not be taking too many lessons from Labour on the issue of non-doms.

Charlie Elphicke (Dover) (Con): Does my right hon. Friend recall, as I do, that for the best part of a decade the Labour party kept saying every year that it would do something about non-doms and then did nothing whatsoever because it was so into the prawn cocktail circuit and pandering to big business, and that Labour only ever took any action when it was humiliated by our previous Chancellor, George Osborne, when he was in opposition? Does my right hon. Friend also agree that this Government have been leading the way consistently on making sure that a fair share of tax is paid by non-doms and others?

Mel Stride: My hon. Friend is entirely right about that. We currently raise £7 billion a year from non-domiciled individuals, which is £1 billion more than was the case a decade ago. The provisions in this Bill will ensure that we raise a further £1.6 billion over the next five years, so this Government are serious about this issue and are acting on it.

Other clauses will legislate for the changes we have announced to the dividend allowance, reducing the differential between taxation of different individuals, and to the money purchase annual allowance for those who have accessed their pensions under the flexibilities that this Government have provided.

Finally, these resolutions provide for the Finance Bill to legislate for the Making Tax Digital programme.

Lady Hermon: I was provoked to my feet by the word “finally”. I am very concerned that a number of the resolutions before us include the words “including provision having retrospective effect”. I have waited patiently for the Minister, guided by Madam Deputy Speaker in his extensive contribution on this crucial piece of legislation—we are discussing the Budget and the Finance Bill, for goodness’ sake—to tell us why on earth so many provisions are having retrospective effect.

Mel Stride: The answer to the hon. Lady’s question is that many of these things relate to the fact that this Bill has been, in effect, interrupted; we now have a second Finance Bill because we had a general election some time ago, as a consequence of which not all of the measures that were going through Parliament at that time were proceeded with. The second point I would make to her is that the fact that some measures are
that have to register for VAT and they will be required to provide only updates on their VAT liabilities, which they already report quarterly. We will extend mandatory participation further only once the programme has been shown to work well, and at the very earliest in April 2020. As my hon. Friend the Member for North West Hampshire (Kit Malthouse) suggested, I know that will be welcomed by Members from all parts of the House who have raised such concerns with me.

As I have outlined, the purpose of the resolutions we have tabled is to enable the introduction of a Finance Bill that will legislate for a number of tax changes announced before the general election. The changes the Bill will make are important. They will make a major contribution to the public finances, tackle tax avoidance and evasion and address areas of unfairness in the tax system. We will doubtless debate the principles of the changes fully on Second Reading and consider them in detail in Committee. Today is an opportunity to begin that process and take forward again the tax legislation curtailed at the end of the last Parliament. I commend the resolutions to the House.

3.13 pm

Peter Dowd (Bootle) (Lab): I noted the Minister’s comment that there is no change in policy. From that statement it is clear that the Government have learned absolutely nothing from the result of the general election, which is a terrible shame. The Opposition welcome the Government finally laying before the House the Ways and Means resolutions, which will comprise the so-called “summer” Finance Bill, but the clue is supposed to be in the name. I find it rather odd, as I am sure many of my parliamentary colleagues do, that we stand here in early September debating a summer Finance Bill that was expected to be introduced and passed before the summer recess. Alas, it was not.

I recall the Minister’s predecessor standing at the Dispatch Box only four and a half months ago assuring the House that if the Government were returned, they would immediately bring forward measures dropped from the previous Finance Bill due to lack of parliamentary time. However, they have an excuse for the procrastination: it is called chaos. We have a chaotic Government, chaotically stumbling from crisis to crisis, not knowing one part of their anatomy from another. After the election, we returned to a zombie Parliament where the Prime Minister one of the walking dead, but she wants Parliament to join her. On a number of occasions, my colleagues and I wrote to the Treasury to ascertain the date for the Finance Bill. In addition, the issue was raised twice in business questions and the Chancellor was asked about it in Treasury questions, all to no avail and no answer. It was the fifth amendment to the Government’s approach to answering questions. It was only in the waning hours, as Members packed up before the House rose for summer recess, that the Government were forced to publish the date for the Bill’s return.

I know the Treasury lost two Ministers in the election—to rework Oscar Wilde’s observation, losing one Minister is a misfortune, but to lose both looks like carelessness—but
surely the country cannot simply hang around because the Government are in meltdown. The Government are making an art form out of uncertainty. We have uncertainty about Brexit, uncertainty about the country’s finances, as the resolutions indicate, and now uncertainty about the Prime Minister’s job prospects. The only certainty we have is the inability of this vacuous, hapless Government to govern with any scintilla of competence or compassion.

The Government had five weeks after the general election to introduce measures dropped from the previous Finance Bill and bring certainty to taxpayers and businesses. Many of those businesses have already undertaken the administrative and financial burden of ensuring that they meet the stipulations of the measures included in the Ways and Means resolutions being debated today. The Minister could have brought forward the resolutions and published the Bill before the House rose for summer recess. That would have allowed Members and the businesses and taxpayers affected time to read through the proposals and examine them thoroughly. Instead, the Government have cynically restricted the debate by scheduling the Second Reading of the European Union (Withdrawal) Bill for tomorrow.

Next week, the Minister intends to push ahead with the Second Reading of the Finance Bill only four days after its publication, with the explanatory notes being published on the day of Second Reading. Once again, the Chancellor and the Treasury are deliberately shying away from the parliamentary scrutiny that we should be having on these resolutions. This is a time of great political and economic uncertainty, and the measures included in the resolutions do little to address the problems at hand. The global economy is on the move, while Britain under the Tories is being left behind. The resolutions are defined more by what is not in them than what is. There is nothing about investment, nothing about productivity and nothing about public services—much ado about nothing.

Charlie Elphicke: Will the shadow Minister give the House his view on the points made by his Back-Bench colleague the hon. Member for North Durham (Mr Jones) on the landfill tax question?

Peter Dowd: I would not proffer advice to my hon. Friend the Member for North Durham, because he is an expert on that issue, but I will listen clearly to what he says. Unlike the Government, I listen to my colleagues on the Back Benches.

We need only look across the channel to see that every European economy outgrew Britain in the GDP figures for the first quarter. Our productivity rate remains one of the worst in the G7 and is lower than it was 10 years ago. Real wages continue to fall behind inflation. More than ever, we need bold and radical solutions to stimulate growth, raise productivity and encourage investment in our economy. None of the resolutions before us will do that. Even the Archbishop of Canterbury has made that point. Rather than focusing on balancing the budget or tackling our growing debt to GDP ratio, we have a Chancellor who spent the summer in the witness protection programme, rearing his head only to brief against his boss when the coast was clear and the Prime Minister was abroad.

The measures before the House represent the Government’s failure to take the opportunity to begin seriously to tackle the challenges that our economy and country face. For example, it is clear that the Tories have no answers on how to raise productivity and no answers on how to tackle the growing inequality in pay. We are now experiencing the longest period of wage stagnation for 150 years, with nurses having to demonstrate in Parliament Square to make their point. The Tories have no answers when it comes to creating an economy that works for the many and not just for a privileged few.

Simon Hoare (North Dorset) (Con): The hon. Gentleman’s former noble friend Lord Sugar, who knows a little about productivity and running a business, poured a huge amount of cold water on the prospectus that the Labour party put before the electorate a few months ago, which was clearly rejected by the largest number of businesses and business owners. Rather than the vaudeville that the hon. Gentleman seems to be going on about—it is like the Labour party conference speech that he might give, if he is given a platform—why does he not address the issues before the House?

Peter Dowd: I remind the hon. Gentleman that businesses are coming to Labour because of the mess that the Conservative party is making of Brexit.

Graham Stuart (Beverley and Holderness) (Con): Name them.

Peter Dowd: I can name them.

None of the measures before the House address the growing black hole in the public finances, which is the direct result of the Government’s mismanagement and economic incompetence. As things stand, there is a £3 billion black hole in the public finances, made up of the Chancellor’s U-turn on the proposed increases to class 4 national insurance contributions for the self-employed on low and middle incomes; the unlawful employment tribunal fees the Government have been forced to repay; and, yes, the £1 billion bung to the Democratic Unionist party to buy its silence and compliance. Nor do the Government acknowledge the added cost to the taxpayer of delaying the implementation date for “Making Tax Digital”, which they were warned was problematic by all and sundry.

Make no mistake: this is no ordinary Finance Bill we are talking about. If passed, a number of its measures will create a charter championing tax avoidance and leaving billions of pounds of tax uncollected. Using smokescreens and false titles, the Treasury has hidden revealing to the unsuspecting eye giant loopholes for offshore trusts in complicated tax measures. While claiming to end non-domicile status, the Chancellor is at the same time encouraging people to bend the rules and siphon off money overseas into tax haven trusts. He has excluded from one of the Bill’s key deeming measures non-doms who have inherited their status. The Government are on the side of tax dodgers, not taxpayers.

There is nothing in the measures before the House that will address the resource crisis that HMRC is facing as the Government plan to cut £83 million from its budget, along with the debacle that is its 10-year modernisation programme.
Rachel Maclean: Contrary to what the hon. Gentleman just said, the Government have raised more than £9 billion from non-doms. Those funds contribute to the Exchequer, enable us to fund public services and raise the country’s productivity rate.

Peter Dowd: The reality is that the Tories support tax dodgers. Full stop.

Several of the measures before the House will create even more work for the falling number of people employed by HMRC and put further strain on them. The Government’s actions will ensure that many of the so-called anti-avoidance measures trumpeted by the Minister will fail before they even begin.

Mr Jim Cunningham: My hon. Friend has just touched on how the Minister is going to implement these measures, which is what I asked about earlier. He will probably know that the Government are closing tax offices throughout the country, with a reduction in staff as a result. How can they honestly say they are going to implement legislation to go after tax dodgers?

Peter Dowd: My hon. Friend is absolutely right. The proposals for reorganisation will do nothing to help that—they are in a chaotic state.

Victoria Atkins (Louth and Horncastle) (Con): I urge caution on the hon. Gentleman before he throws around wild accusations about the Government supporting tax dodgers. For what it is worth, in my previous life I used to prosecute massive tax fraudsters. I am very happy with the fact that I have helped fraud prosecutors to put a lot of nasty people into prison, so I take great offence at the hon. Gentleman’s attempt to cast all Conservative MPs in that way. The best way to deal with tax evasion and tax dodging is not to throw empty words across the Chamber but to work with the Government to reduce and stop something that we all want to see the end of: tax dodgers not paying their dues.

Peter Dowd: I hope the hon. Lady will be busier in her job.

I find it baffling that, at a time when the Government are introducing some of the most complex plans to make tax digital, and while there is so much uncertainty about how taxation and customs will work post-Brexit, they are choosing to fire HMRC staff rather than hire them. To put it simply, were the Government truly serious about wanting to close the tax gap, which costs the UK taxpayer a minimum of £36 billion every year, they would give it the resources it so desperately needs. Given the thousands of accountants and lawyers across the world whose sole occupation is to advise and enable tax avoidance, it will never be a fair fight.

The sieve-like measures on non-doms which I have mentioned are perforated even further by the plan to use the power to reduce the exemption, not by reducing it, but the news is less good for workers at risk of losing their jobs. The proposed measures on termination payments, if they reflect what was before the House before the election, will target sacked workers as a source of revenue. If there is genuine evidence of the abuse of payments in lieu of notice, that needs to be acted on, but the Government have tackled on a power for the Treasury to reduce the tax exemption on termination payments without primary legislation. That would be a U-turn on their previous statements about dropping such plans. If there is no intention to use the power to reduce the exemption, then the measures should be amended so that it can only be uprated, not reduced. The Government also heartlessly want to enshrine the taxable status of “injury to feelings” compensation. Even when that reflects HMRC’s practice, why is it seen as a priority for legislation?

So there we have it: these motions will introduce a summer Finance Bill that stretches the meaning of summer and will leave taxpayers and businesses with months of uncertainty. It is a Bill that will do nothing seriously to tackle tax avoidance, with the Government claiming to take on non-doms while in the same breath legislating to protect the offshore trusts; a Bill that fails to address the growing black hole and the Conservatives’ mismanagement of our public finances; and a Bill that will protect the privileged few while doing nothing for the many.

This is a dark, miserable, barren winter Finance Bill with a wrathful nipping cold. We have waited a whole season for these resolutions, and they only reaffirm what we already knew: that the country can wait no longer for this disastrous and divided Conservative Government to step aside and make way for a Labour Government who will invest to grow our economy, balance our public finances and take on the tax dodgers—which the Conservatives won’t do.
Nicky Morgan (Loughborough) (Con): This is the first time that I have spoken in a debate in which you have been in the Chair, Madam Deputy Speaker, so may I welcome you to your role? It is a real pleasure to see you in the Chair, and I thank you for calling me in this important debate.

First, let me welcome my right hon. Friend the Member for Central Devon (Mel Stride) to his new role as Financial Secretary to the Treasury. I know that he has already spoken at Question Time, but I think that this is his first formal debate. It is just about right to say that he has already been in that post for longer than I was before I was moved on to the Department for Education. As I shall explain shortly, and as we have already heard this afternoon, my right hon. Friend has already made a positive impact through his decision on the Making Tax Digital work. I look forward to working constructively with him and other Treasury Ministers over the next few months and years.

This is my first speech in the Chamber as the incoming Chair of the Treasury Committee, so it is right that I should pay tribute to my predecessor, the former Member for Chichester, the indefatigable Andrew Tyrie. During his seven years as Chairman, he took Select Committee scrutiny into new territory, successfully pressing for new accountability to Parliament, and conducting forensic reform of the Bank of England’s governance and powers over appointment hearings, securing fundamental scrutiny into new territory, successfully pressing for new his seven years as Chairman, he took Select Committee for Chichester, the indefatigable Andrew Tyrie. During before I was moved on to the Department for Education. As I shall explain shortly, and as we have already heard this afternoon, my right hon. Friend has already made a positive impact through his decision on the Making Tax Digital work. I look forward to working constructively with him and other Treasury Ministers over the next few months and years.

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need to speak to somebody? Following the closure of tax offices, it takes a long time before one is actually able to speak to someone on the phone. Although the digital movement is welcome for many businesses, does she think we also need an element of personal interaction?

Nicky Morgan: The hon. Gentleman is absolutely right. We have agreed that people want more digital interactions. They are now much more used to them, and that is how people do their banking and lots of ordering. However, when there is a problem—we have seen this with the introduction of free childcare, which was the subject of the urgent question earlier today—people do need to speak to someone. That is particularly true for the smallest businesses, for which dealing with HMRC can be stressful and something they want resolved as quickly as possible. HMRC will want to consider whether that is done through face-to-face contact at offices, or by ensuring that there is a really good phone helpline system or another way of speaking online to people who are able to respond rapidly. I do not want to pre-empt what the Committee will look at, but as constituency Members of Parliament, we have all heard about cases when people have found getting hold of HMRC frustrating. HMRC is aware of that, and it has done a lot of work to improve customer service, but that is something that Members of Parliament could certainly look at further.

I welcome the deferral that the Financial Secretary announced on 13 July. It means that digital record-keeping and reporting for income tax and national insurance will not become mandatory until at least 2020. Although his statement kept open the possibility that Making Tax Digital would never be made mandatory for income tax and national insurance, resolution 38 suggests that that remains the Government’s medium to long-term ambition. His statement confirmed that the process will start with VAT in 2019. Most businesses already file their VAT returns online, so it is sensible to start with a tax for which Making Tax Digital will not require such a significant change in businesses’ practice. Smaller businesses in particular will have breathed a huge sigh of relief when the concession was announced in July, so I thank the Minister for that.

Kit Malthouse: I congratulate my right hon. Friend on her election as the Chair of the Treasury Committee. Does she think it would be sensible for the Government—with notwithstanding the fact that they are not planning at the moment to include income tax for sole traders in Making Tax Digital—to make provision for voluntary participation, so that they would see the popularity of the scheme if people did volunteer in numbers, as they did with the introduction of online self-assessment? The Government might find that 60% or 70% of businesses participate anyway within the timeframe they are proposing, so making participation mandatory would become relatively painless.

Nicky Morgan: I thank my hon. Friend very much for that suggestion. What he says has much merit, and it may well be something we want to explore in Committee. It would be fair to say that a common view among Conservative Members, and the reason why we are on this side of the House, is that we believe in encouraging, not compounding, people to do something that the Government and the state want them to do. If there are ways of encouraging and incentivising people to get online and to use this system, and if it becomes clear at some stage in the future that that is the way forward, many businesses and sole traders will already be online and used to using the system.

Deferring the change for some taxes for a couple of years or more will give everybody welcome time to prepare, but it will not solve all the problems. I therefore suspect that the new Committee will want to explore the costs and benefits fully, as its predecessor had started to do. There is definitely scope to scrutinise the Government’s published estimates for the administrative costs to business and for the supposed reduction in the tax gap as a consequence of businesses making fewer mistakes because they are reporting digitally and quarterly. But that, you will be pleased to hear, Madam Deputy Speaker, is for another day.

Meanwhile, the forthcoming Finance Bill, which the House will consider shortly, will pave the way for the implementation of Making Tax Digital. The Bill that was introduced before the election was called did little more than pave the way; nearly every paragraph in the relevant schedule contained a regulation-making power. This meant that the Bill would have delegated nearly all the key details to secondary legislation under the negative procedure. Compounded by the fact that the draft statutory instruments were not published for consultation, that does not make for good parliamentary scrutiny, and the House will return to the overall principle of the scrutiny of secondary legislation when we consider the European Union (Withdrawal) Bill tomorrow, before we even get to the Finance Bill.

At a more general level, I suspect that the new Committee will also want to scrutinise Budgets, Finance Bills and possibly even spring statements in a similar way to its predecessor. It is important that tax policy gets adequate parliamentary scrutiny, and I hope that the new Treasury Committee and Public Bill Committees will get more chance to scrutinise the Treasury’s proposals at autumn Budgets than the Select Committee did with the last spring Budget, given the circumstances of the general election.

Kirsty Blackman (Aberdeen North) (SNP): Organisations have suggested that Finance Public Bill Committees should be able to hear evidence, which has not happened in the past. What is the right hon. Lady’s view on that? Will she consider looking at it?

Nicky Morgan: I might be guided by you on this, Madam Deputy Speaker, but I suspect that that is actually a matter for the House authorities, the usual channels and the Front Benches, although the House and Ministers will have heard the hon. Lady. Obviously, the more constructive evidence that can be given on legislation, the better legislation we have.

I will finish by saying that I look forward to seeing the Minister before the Treasury Committee. He might not be looking forward to it so much, but I promise that we will be firm but fair in our questioning of him. I wish him all the very best as he embarks on his first Finance Bill.

3.43 pm

Kirsty Blackman (Aberdeen North) (SNP): I appreciate the chance to take part in this Ways and Means debate, which is one of the few not to follow a Budget—somebody told me it is the first since 1987, when I was 1.
From the shadow Front Bench, the hon. Member for Bootle (Peter Dowd) talked about some of the process issues and timelines involved in how we got to where we are now, and I want to briefly mention them. The spring Budget was presented to the House on 8 March. We are looking at introducing the Finance Bill, which takes up some of the measures from that spring Budget, now, which is a pretty long time from 8 March. We have seen some changes from what we expected to happen, and what the Office for Budget Responsibility suggested might happen is not necessarily what has happened in the intervening period, so it is a bit strange that, in the main, the measures we are looking at are almost exactly the same as the ones introduced in the Finance Bill back in March. I understand that there needs to be a consultation, but I am concerned about the length of this process and about whether the changes to legislation in this Finance Bill are wholly appropriate.

In my intervention on the Chair of the Treasury Committee, I mentioned the Public Bill Committee taking evidence. I have raised the issue before and I will not stop raising it. The Finance Bill Committee should take evidence from external organisations so that it is in the best possible position to make the best decisions. I have been on a Finance Bill Committee and found it a useful experience whereby Members on both sides of the House had an in-depth debate about the matters raised. Enabling the Committee to take evidence would only add value to the scrutiny provided both by the Opposition and by Back Benchers, particularly those from the Conservative party.

The Minister will probably be surprised to hear that I welcome some of the Government’s proposed Ways and Means resolutions, including the changes to the treatment of corporation tax with regard to museum and gallery exhibitions. However, I wish to raise the issue of the Value Added Tax (Refund of Tax to Museums and Galleries) (Amendment) Order 2017. The intention was to be paid to them, but the amendment has not yet been laid. VAT that they had expected to get back. They expected it to be paid to them, but the amendment has not yet been laid before the House. I know that there is a significantly different matter from that in the Ways and Means resolutions, but it is related to it. I would appreciate it if the Minister or his team could look into the order.

I also welcome the changes to grassroots sports and to pensions and legal advice. It is particularly important that people have better access to legal advice, especially when they are not the accused and are entering legal situations. That is a scary prospect for a number of people, so it is incredibly positive that they will get easier access to appropriate legal advice.

The Scottish Government’s programme for government was announced yesterday and they are incredibly positive about changes to enable electric vehicles to become more prevalent on our roads and petrol and diesel vehicles to be phased out. I am therefore pleased that there are likely to be changes to electric vehicle charging points. I hope that this Government will continue to make changes to allow electric vehicles and their associated infrastructure to become more affordable.

I support the Government on a couple of other things. If the proposed changes in the Ways and Means resolutions on petroleum revenue tax are the same as those proposed in the previous Finance Bill, they are positive because the oil industry has asked for them. I am pleased that the Government have acted on that. I am also pleased that the Government will take action against people who have been found to be enabling tax avoidance schemes, not just those who participate in such schemes. That is really positive and I hope that it will achieve the Government’s intention and discourage people from being clever and coming up with tax avoidance schemes. My fingers are crossed and we will wait to see what happens.

Members would not expect me to be positive about all of the Government’s proposals. I am concerned that there is a lack of evidence for the Government’s desired outcome regarding some of the proposals. Resolution 13, on business investment relief, sends a mixed message. Whereas the Government’s changes under resolutions 24 and 26 intend to make it more difficult for non-doms to benefit from their tax status, resolution 13 will make it easier for them to do so in a way that their next-door neighbour may not. Now, I would be less concerned about that if the Government had provided appropriate evidence to show why the scheme is a good thing. They have made it clear that they want to increase the use of the scheme, but I have not seen any evidence to explain why. They have not shown me that the scheme is working as it was intended to work, nor that it is having a particularly positive impact on the businesses that are receiving funding from it. I understand that 200 to 400 people take part in the scheme every year, which means that a pretty significant amount of legislative effort and time is being put into making a change that enables a very small number of people to make this investment. I would be interested to see more of the Government’s figures.

I am concerned about resolution 41, which deals with errors in taxpayers’ documents. It specifically includes changes that may result in people who seek tax advice getting into trouble for having errors in their documents. The onus is now on an individual to ensure that the person from whom they seek tax advice is suitably qualified, which is rather difficult for people to understand. I have had people come into my surgeries and tell me that they have sought immigration advice from somebody they thought was a solicitor, but who turned out not to be a solicitor. I am concerned that some people who have tried their very best to stay on the right side of the law, to pay the amount of tax that they should pay and to fill in the forms appropriately with the help of an adviser will be caught by the measure accidentally. I would appreciate it if the Government could look at that.

I am interested to see how the Government will play another couple of issues, if they look exactly as they did in the Finance Bill. One is the changes to gaming duty. I understand that the Government are trying not to penalise casinos with the changes to the duty that casinos pay, and that they are trying to change the rules around remote gaming to make it clear how much tax the companies should pay. That is welcome. But when the Government are doing things such as increasing alcohol duty to discourage negative behaviour, it seems strange to me to allow casinos to pay less tax—or not to increase the amount of tax that they pay—because it
will achieve the opposite of what the Government are trying to do in encouraging positive behaviour. I will be interested to see how that looks, and we will continue to scrutinise it.

We will also continue to look at the dividend nil rate. The Ways and Means resolution allows the Government to change things in either direction. If the dividend nil rate allowed people to have more dividends before they paid tax, I would be particularly concerned about it; but if it allowed people to have less in dividends before they paid tax, as was the situation in the previous Finance Bill, I would be much more positive about it.

Those are the main proposals that I have concerns about, but I would like to see the detail that the Government will produce. I am pleased that the Minister has made changes to digital reporting, which was in our manifesto. We have particular concerns about the smallest companies, especially those in particularly rural areas, who struggle to get access to the right digital infrastructure. Both Governments have made commitments about digitisation and access to superfast broadband, so having this slightly further down the line makes more sense. I am pleased that the Government listened and made changes, but we will be scrutinising the proposal and making sure that the business community is as happy with it as it can be.

Moving to digital reporting will make the process easier for people, but I reiterate that, as the hon. Member for Coventry South (Mr Cunningham) has said, the closure of tax offices is a concern, even when it comes to Making Tax Digital. Computer systems can be quite black and white, and they often give yes/no answers when the answer should actually be "maybe". Especially in the initial period, people who are trying to fill in the forms may need to phone the tax office to ask for assistance about what to put in each box. I am not convinced that businesses can access enough support to find out about that.

The Government will expect me to raise the issue of VAT on police and fire services, because such a debate would not be complete without my raising it. We would very much like the Government to bring forward VAT changes for police and fire services in Scotland. They have done so for organisations such as the London Legacy Development Corporation—the legacy body from the Olympic Games—and for Highways England, both of which are national organisations in the same boat as the Scottish police and fire services.

Luke Graham (Ochil and South Perthshire) (Con): On the point about VAT on Police Scotland, does the hon. Lady recognise that the SNP Administration in Edinburgh knew that they would incur VAT charges by centralising the police forces? They knew that would be one of the repercussions before that action was taken.

Kirsty Blackman: Such a policy was in the Conservative party manifesto for the Scottish Parliament election that year, so the centralisation of Scottish police and fire services was also supported by the Scottish Conservatives. Yes, we knew that that would be the case, but we do not think it is fair; and we have made the case that it is not fair on numerous occasions. Organisations such as Highways England and London Legacy do not have the same VAT treatment as the Scottish police and fire services, and that is why we are asking for such a change.

I know that this legislation has been cobbled together—it is just the bits that did not get through last time—but none of the changes the Government are making will combat the current increases in inflation, and the Government are not increasing wages so that ordinary people can afford such increases in the cost of living. In Scotland, we are lifting the 1% public sector pay cap, and I very much hope that the UK Government will take the same decision to lift the public sector pay cap in England and that when they do so—if they do so—they will ensure that that is fully funded.

I have one last thing to mention, particularly in relation to tax raising and tax avoidance, which is about customs officers and customs checks. I am slightly concerned that the UK Government are losing out on some of the revenue they could receive because they no longer use customs officers in the way they used to, but instead make them dedicate most of their time at borders to making sure that people are travelling legally rather than to ensuring that goods are being transported legally.

I know that some stuff is in place—but not enough. I want the Government to be scrutinised more effectively on this, and for the Government to monitor what happens at ports more effectively to ensure that the appropriate tax is paid on things coming into and going out of the country. Making a change to ensure that they are checked appropriately and are therefore taxed appropriately can only bring in more revenue.

In summary, there are a number of good things in the Ways and Means resolutions, but I have concerns about several of them. I have significant concerns about some resolutions, such as resolution 13 on business investment relief, and I am also pretty concerned about resolution 4 on termination payments, because I have not seen any evidence to show that the issue is as significant as the Government are suggesting. The likelihood is that the SNP will vote against those resolutions if there is a vote. I appreciate that I have used up my time, and I am grateful to hon. Members for listening.

3.58 pm

Luke Graham (Ochil and South Perthshire) (Con): I want to build on what my right hon. Friend the Member for Loughborough (Nicky Morgan) said about resolutions 39 and 40 on Making Tax Digital. As the co-founder of a small accounting firm and as MP for Ochil and South Perthshire, it is clear to me that many small businesses had concerns about the initial proposals made before the recess. Although I certainly welcome some of the concessions that have been made, I hope that the Financial Secretary recognises some of the additional cost burdens that the reporting requirements will place on small businesses. The Federation of Small Businesses estimates that they amount to about £2,770.

As I have said, I welcome the Government’s concessions—especially excluding companies with revenues below £85,000, and pushing out the timeline for companies to have to enrol in a digital reporting scheme in future—but may I ask the Government to continue to consult widely with Members of the House and business bodies across the United Kingdom, including in Scotland? In addition, will they look to work with some of the new technology providers and cloud accountancy services providers, which could provide the Government with more efficient and effective ways of getting the information they seek without necessarily requiring a manual reporting submission quarterly?
Mr Kevan Jones (North Durham) (Lab): I begin by welcoming you to the Chair, Madam Deputy Speaker. I know that you were in the Chair before the recess, but it is the first time that I have had the honour of speaking when you are in the Chair and I wish you all the best in the coming years.

I would like to speak rubbish—[Interruption.] Somebody asks, “What’s new?” I could not possibly comment on my contributions in the Chamber. I actually want to talk about landfill tax and why it has not been included in the resolutions. It is a serious matter, and the Financial Secretary alluded to the reason for its omission. I want to put some of my concerns on record.

In the 2016 Budget and after consultation last summer, provisions were earmarked to be included in the 2017 Finance Bill through secondary legislation to amend taxable disposal for landfill tax purposes. The Financial Secretary explained that many things had been disrupted because of the general election. We cannot change that and I accept that certain matters were taken out of the Budget in the wash-up, which is standard practice. However, the measure on landfill tax was not. It was included until last week. The Financial Secretary said that the consultation on landfill tax will be included, but will now be published in September.

I will explain why landfill tax is so important in the context of the tax avoidance and fraud agenda that the Government say they wish to progress. I am not making party political points: the position is not all the fault of the current Conservative Government; it is as a result of the way in which successive Governments have implemented landfill tax. However, there are things that we can and must do, because the problem is not just that people do not pay the tax that they should to the Exchequer; it is that, in some areas, avoidance funds organised crime and leads to huge costs for local authorities and the taxpayer in cleaning up some of the issues.

The Government estimate in a 2014-15 report that some £150 million a year is not being paid in landfill tax. The Environmental Services Association reckons that the figure is nearly £1 billion a year. From my work in looking at the sector, £150 million seems a conservative figure. If we take HMRC’s figure, that represents 12% of lost revenue, which is on a par with tobacco and alcohol tax avoidance. One would think that it was easier to track landfill tax avoidance than alcohol and tobacco tax avoidance—so it should be. I accept that issues affect tobacco and alcohol sales that sometimes make it difficult to claim tax. However, with landfill tax, we are talking about large consignments of domestic and commercial waste, and its destination should not be hard to track.

The system was introduced as an environmental measure. The policy that Labour and Conservative Governments have pursued to try to reduce the amount of rubbish going to landfill and increase recycling is right. I will come on to the policy in Scotland, which creates a problem in England. The Scots are now dumping their rubbish in England to avoid the SNP Government’s so-called PR stunt in introducing 100% recycling, which we all know is impossible.

At present there are two rates of landfill tax: the standard rate of £84.40, which is due to rise to £88.95 in the 2018 Budget, and the lower rate of £2.65, which is due to rise to £2.80 in 2018. Successive Governments have, I think rightly, increased landfill tax over time—to generate revenue, obviously, but also to try to encourage people to recycle more. There is nothing wrong with that, and I do not criticise it at all; the problem lies in how the tax is avoided. It is paid by those who collect and dispose of waste. Some operators own not just the collection system, but the hole in the ground where the waste will go. That leads to clear cases of fraud, in which what actually goes into the ground is not declared to HMRC or to anyone.

Another issue is the type of tax that landfill operators pay. Some claim that tax on inert waste should be paid at the lower rate and pay that rate, although the tax should, in fact, be paid at the higher rate. What has made the situation worse is the mistake that was made in 2015, when the Government basically gave the industry a licence to print money by making it responsible for determining what type of waste was involved by means of something called the loss on ignition test. If a pile of rubbish, or a sample of rubbish, has a loss on ignition of 10% or less, it is classified as being subject to the £2.65 rate; otherwise, it will be subject to the full standard rate. There is thus a clear incentive for operators to declare waste to be subject to the lower rate, which means that the tax avoidance amounts to a little over £80 per tonne.

I am told that, in most areas where that is going on, if inspectors are looking around, operators will have a sample box of rubbish. In the majority of cases, what actually goes into the landfill site could be anything, and the higher rate of tax that the operator should be paying is being completely avoided because HMRC has extracted itself from the process and left the decision to the industry. It may be said that the aim is to attack red tape, which would be fine if the people concerned were responsible and law-abiding.

Let me put it on record that I am not accusing everyone in the industry of this practice. Some are clearly behaving correctly. However, there are a great many rogues, and, in some cases, not rogues but criminals, who have become involved in the practice because they see it as a good way of doing two things: making easy cash, and laundering money through what is a very high-volume business, given the amount of cash that goes through it. I shall say more about that shortly, but giving the responsibility to landfill operators, with no checks, is basically saying, “You decide what tax you pay.”

Another aspect that concerns me, and should concern everyone, is the issue of what is going into landfill sites. What is being classed as inert waste, or as waste that will not catch fire or is not dangerous, is paid for at a certain tax rate. That is declared as going into landfill sites, but what is in fact going in could be very different. I have a simple question: what records do people check? Again, it is very much a matter of self-regulation: the operators fill them in, and a toothless tiger of an organisation called the Environment Agency does spot checks on them.
I have been told that one operator deliberately sent in the previous year’s returns and they were just accepted. That is what this comes down to: a lack of co-ordination in the way the HMRC and other Government agencies are tackling the problem.

The other way of avoiding tax entirely is for someone to buy a hole in the ground, to set themselves up as a landfill tax operator and to go around advertising their wares by asking for tenders from organisations, and when the process gets to the weighbridge to determine the amount, to bypass it and just put the waste straight in—paying no tax at all, not even the lower rate. There are quite a few examples of that happening, but again there are no HMRC checks. I will come on to some proposals that I hope the Minister will consider.

Robert Jenrick (Newark) (Con): The hon. Gentleman is making a valuable contribution. I want to emphasise a point he made at the beginning of his remarks: the rise of serious organised crime from this tax. In Nottinghamshire—which I know he knows very well, as a son of Worksop—there have been large-scale frauds where huge rubbish dumps have been put on private property, often with the agreement of the owner, who of course denies it to the police, and the Environment Agency provides absolutely no prosecutions. A number have fallen down; multimillion pound prosecutions have collapsed. It is becoming one of the easiest ways to conduct serious organised crime in this country.

Mr Jones: The problem is not only that the hon. Gentleman’s constituents have to live next door to those illegal dumps, but that there is the expense of clearing them up, which falls back on the taxpayer.

There is another widespread scam. This morning I tried to find the figure for the number of fires at waste transfer stations, but I could not. For the unininitiated, I will explain. Having been a chair of public health in Newcastle, I could bore on about waste: when waste is being transferred, it usually does not go straight to the actual site, but goes first to a waste transfer station where it is either sorted or graded into different things. The number of fires that occur at waste transfer stations is out of all proportion to the probability of that happening. The reason for that is that once there is just a pile of ash, there is nothing to dispose of. That is the problem, and, again, organised crime is involved in that.

We have had some instances in County Durham of the point raised by the hon. Member for Newark (Robert Jenrick). There are frauds such as those he describes—to be fair to Durham police, they have cracked down on some of the individuals concerned—but there are some people who have bought into this business. If we look back at what they did or how they got their money, we find serious questions about whether they should be allowed anywhere near the waste industry.

We all know why, for example, in the 1970s the mafia got control of waste in New York: because there is money to be made in it. It is the same in this country, but unfortunately we are not taking the robust approach needed to address that.

One of the issues is about who is responsible for that. The hon. Gentleman mentioned the Environment Agency. It is a good organisation in one respect; it is full of some very good and committed people, but they do not have the killer instinct to be enforcers. The agency needs to have a certain mindset and to take robust action, rather than just looking at the odd illegal site. It needs to closely monitor some of the existing organisations. Without that mindset and enforcement, this will never succeed.

This is also a matter that falls between the Environment Agency and HMRC. I give credit to Durham police for taking a lead in trying to get people together and for saying, “Look, wait a minute. We know that the people behind this are involved in x, y and z, which has mostly to do with rubbish. It is not all to do with other serious organised crime.” The police have worked with HMRC and others and tried to concentrate on these issues.

I have a concern about HMRC’s approach to this problem, and the Minister might want to reflect on it. I shall not go into details because the case is ongoing, but when I raised one particular matter with HMRC, I was told that no enforcement action would be taken because the fraud was not worth more than £20 million a year. That seems like a lot of money to me. Another case that is ongoing at the moment involves fraud totalling £78 million a year. I wonder whether these decisions are the result of a lack of resources. I have spoken to a lot of the investigators in HMRC and I pay tribute to them for the work they do. Some of the people they are dealing with are very dangerous, and it is a complex matter to put these cases together. What we need in this country is a joined-up approach by HMRC, the Environment Agency and the police. I had a meeting earlier this year with the Minister for Security, the right hon. Member for Wyre and Preston North (Mr Wallace), to discuss where all this money goes. The amounts being generated are huge, and I have seen evidence that it is going into the drugs trade or other illicit organisations. That has an impact on society.

There are some things that could be done. As I have said, we need to adopt a joined-up approach—dare I say the Eliot Ness approach—and take a robust line on this. As the hon. Member for Newark has just said, the people who have to pay for the clear-up are the taxpayers. In many cases, that involves local authorities that are already under a lot of pressure. We need to adopt a hard-headed approach, and the Minister needs to look at the figure of £150 million. I think that the figure is way more than that.

Self-certification and the loss on ignition test just need to be binned. I know that there are pressures, and people have talked about cuts in HMRC—[Interruption.] Oh, there is more yet, don’t worry! The hon. Member for Chelmsford (Vicky Ford) is looking exasperated. What is needed is one single rate for landfill, whatever it is. That test is not enforceable; every shipment going into a landfill site would have to be tested. People have talked about leaving this up to the industry, and I am not besmirching the reputation or integrity of any particular party, but it is open to anyone who wants to do so to abuse the system. I therefore think that those tests need binning, and that we need one single rate.

People ask whether landfill sites could be monitored. Yes, we have the technology. I have raised the matter with the Minister’s policy people and asked whether we could have a system similar to those at weighbridges and slaughterhouses in which cameras can record how many vehicles are going into a site. In one case that I have examined, the owner was clearly not paying the
Mr Kevan Jones: landfill tax despite the fact that a ridiculous number of vehicles were going into the site. If we had people in Revenue and Customs checking these things, I think it would pay back very quickly.

The other thing is the checking of sites. The Environment Agency has responsibility for most of the checks, but I do not get the sense from HMRC that there is robust enforcement even when questions are asked. The right hon. Member for Loughborough (Nicky Morgan) raised the issue of retrospection. Can I suggest to the Minister, if he wants to get some back tax in, how he might do it? Once a landfill operator has finished with a site, it puts a cap on it, and that is the end of it. I have been told of an operator in the north-east that has done that, and I know from evidence I have seen that it did not pay the right tax. The question was raised with the Environment Agency and HMRC of how to make sure the right tax is paid. The easiest thing is to put a borehole through and check what is actually in there. If we did that on a few sites, I think we would find that what incurs the lower rates is not what is there. That is an important point.

In policy terms, as I have said to the Minister’s policy officer, we need to make the producers of the waste responsible for where it goes. At the rates that some waste collection organisations advertise, they could not possibly make a profit if they were paying landfill tax. The problem is that because local government and others are being squeezed, many local government organisations have got into bed with these operators because they charge the lowest rates, but they can do that only because they are either not paying landfill tax or paying it at the incorrect rate. The onus should be on large organisations to take responsibility for what happens to their waste; their responsibility should not end once the waste operator has taken it away. The rates being paid by quite a few public bodies in the north-east of England make one wonder how these organisations can be making any money, if they are paying landfill tax.

Operators are also making claims that are completely unachievable, such as 100% or 98% recycling of commercial waste, which is not possible. If that is the case and they are collecting at a certain price, what is happening to the 10% or 15% they cannot recycle? Its collection would be completely uneconomic if they were paying landfill tax. If HMRC had its eyes open and looked at some adverts, it would be thinking, “Wait a minute. There’s something wrong here.”

Bambos Charalambous (Enfield, Southgate) (Lab): Does my hon. Friend agree that local authorities and the Local Government Association could play a greater role in monitoring the amount of waste going to landfill?

Mr Jones: Yes, I do, but the problem is that local authority budgets are under tremendous pressure, so they are going for the cheapest price. If somebody goes to them and says, “I can get rid of your waste for less”, what are they going to do? One council in Wales was trucking its waste up to the north-east. Can someone tell me, if the operator was paying the proper amount of landfill tax, how that could be economically viable? It cannot be. The onus is on local authorities to start asking questions about who they are contracting with.

There is also an issue with the individuals who can now operate licences. It does not take a genius to look at some operators who get involved in the industry and ask, “What is their experience? Where is the money suddenly coming from to set up a business?” This is fraud, but it is also an environmental concern.

Scotland has huge great policies about zero landfill waste and things like that, but the reason for that is very simple: the waste is coming over the border. Operators in Scotland are avoiding the cost of having to dispose of waste and of separating it at source, which the Scottish Government pride themselves on, by taking it to the north-east of England or anywhere else where things are cheaper. Parts of the UK are becoming Scotland’s rubbish tip because the Scottish Government have no control over where Scotland’s waste is going. There is some evidence that we may be making money through the landfill tax that is paid when it comes over the border, but I suggest that quite a lot of landfill tax is not being paid. That is the problem, and there are things that need to be done.

What the Minister would find if he spoke to the industry is that, behind closed doors, everyone knows that this is going on. It is no great secret. If he is going to come back with regulations later in September, does he want them to be robust, because I have a niggling feeling that the policy people at HMRC see the problem as one that will go away of its own accord. In 15 or 20 years’ time, when we are no longer using landfill, we may not have large-scale problems, but we will have lost millions if not billions of pounds in the meantime and, as the hon. Member for Newark said earlier, many communities will have been blighted by unscrupulous operators. I ask the Minister to talk to the Minister for Security, because this is not just about waste, but about the cost to society as a whole.

When I asked the Minister whether the regulations would be published, I was not being provocative; I just want to see what they are and know what the process will be. The industry and others who have been involved should be able to react to them before they come into force. One simple thing that could stop a lot of fraud would be the ignition test, for example, so if the Minister lets me know when the regulations are coming up, I would be happy to meet him or even make some suggestions about the proposals.

I now want to change the subject entirely and talk about air travel. The resolutions include a commitment to look at air passenger duty. We have been promised reform for a long time—I looked it up this morning, and this matter has been raised at least since 2011. I do not want to be accused of raising problems relating to Scotland this afternoon, but air passenger duty is of great concern to the north-east due to the Scottish Government’s new air departure tax. That decision is entirely up to them as part of the devolution settlement, but the new tax will reduce air passenger duty in 2018, which will have an impact on regional airports such as Newcastle. As I say, that is no criticism of the Scottish Government, because they have the devolved responsibilities and can do that, but if they abolish air passenger duty altogether, that could have a devastating impact on those airports. Members from Northern Ireland have also made representations because the same situation applies there to Belfast International, Dublin City and City of Derry airports due to differential rates in the Republic of Ireland.
Why does that matter? The north-east of England is the poorest region in the UK, with, sadly, the highest unemployment. Newcastle airport has been a success, for which I give credit to the local authorities that own it and their private sector partners. It sustains some 7,800 jobs, 3,200 of which are directly at the airport, but the knock-on effect throughout the region is also important. The airport brings some £57 million of tourism a year to the north-east, sustaining some 1,750 jobs.

London has four airports, so the economic impact of each is possibly not as great as the impact of an airport in a region such as mine. Regional airports provide connectivity for people who want to travel not only for leisure but for business—some £173 million of exports go through Newcastle airport each year, nearly £150 million of which go through just one airline. The Emirates flight from Newcastle to Dubai moves goods not just into the middle east but into the far east and Asia. The airport is important not only in carrying people but in supporting the region’s businesses.

At the 2015 general election the then Prime Minister, David Cameron, said that he would not allow regional airports such as Newcastle to be at a disadvantage if Scotland were to reduce the rate of APD. We all know what happened to a lot of David Cameron’s promises, so I will not hold the present Minister to that one, but it is important that the issue is addressed.

The Government could use APD more imaginatively. Obviously it was introduced for environmental reasons, but we all know that it is now a big cash cow for the Exchequer. If we had differential rates to try to encourage airlines to relocate to regional airports, it might help to reduce the overcapacity at airports in London and the south-east. It would also be a cheap way of regenerating regions such as the north-east.

The present rate of APD puts Newcastle airport at a disadvantage because, unlike London Heathrow, we have a relatively small number of business travellers. If we wanted to think creatively, we could introduce an incentive. I understand from the media that the new metro Mayor of Tees Valley made an election pledge to nationalise, reopen or somehow expand Teesside airport, which is a little ambitious. He may find that that election promise is difficult to translate into action. Again, if the APD rate goes down in Scotland and Newcastle airport is affected, trying to get any new flights to a place like Teesside will be virtually impossible. The issue is important to the north-east, and it is not just about passenger travel and tourism flights; it is about the broader economy. Our regional universities need access to international students, and a region where jobs have not boomed would be severely affected if the airport’s passengers leaked to Scotland.

Let me turn to small business and some of the issues raised earlier. I am not opposed to the use of new technology or to recognising that we have to change the way we do things. My party made mistakes when it was in Government by closing a lot of DWP offices and going directly to doing things by phone, which made it difficult for people to have interaction, and we are in danger of making the same mistake on tax offices.

A constituent who came to see me last year runs a one-person business. If she had a problem with her tax, she would go direct to Durham tax office and meet somebody she knew, and they would explain the situation to her. I am not saying we should keep tax offices open just for that one person, but if we are going to go into the digital age—I have no problem with that, as it might be easier for some businesses—we need to ensure that we have either telephone access or dedicated processes whereby people can at least get assistance. I believe it was the right hon. Member for Loughborough who mentioned webchats, which are a way of doing this and are used by a lot of service providers. That needs to happen before any roll-out of the changes, because there is nothing more frustrating than not being able to get through. My constituent told me that when she eventually did get through, she got through to three different people. I do not know whether this could be done, but perhaps we could use a case-management approach, with individuals taking control of certain areas. People might think personal relationships between small businesses and their tax inspectors would be hostile, but in my experience they are not. If the relationship works well, it helps the business in terms of how it operates and it helps how HMRC can collect.

I now wish to discuss HMRC’s priorities. HMRC comes in for a lot of criticism, but it has a huge task to do. Even so, I sometimes wonder whether it gets its priorities wrong and I wish to give an example from my constituency. I have just spoken about the lack of enthusiasm for cracking down on landfill tax fraud, but an overzealous approach is taken to some small businesses. I have written to the Chancellor about a constituent of mine, Mr Marshall, who runs a bathroom business in Chester-le-Street. I have written twice without receiving a reply. I want him to be able to employ his employees; he freely admits to me that he does not use the same direct employees, because they are small businesspeople.

Chester-le-Street. I have not yet received a reply, even though I have written twice—obviously, the Chancellor has been very busy. This is an example of where HMRC uses a sledgehammer to crack a nut. Mr Marshall and his family—it is a family business—have a showroom, where people can order and pay for a bathroom, and then they will organise everything that needs to be done. They do not employ anyone—they fit bathrooms, but they do not employ the plumbers, electricians and so on. Mr Marshall subcontracts the work to plumbers and electricians, and the client then pays them, as is common in the industry.

Last year, Mr Marshall had a visit from HMRC, which said that he is now responsible for the VAT payable by those individuals, even though he does not directly employ them, because they are small businesspeople. He freely admits to me that he does not use the same person every time; it depends on who is available. He is now being hit with a tax bill for some £24,000, which to a small, well-respected business is a little harsh. As I say, I have written to the Chancellor twice without receiving a reply. HMRC will not discuss this because it is under its veil of secrecy, as it always is, but I want to know why one person has taken it upon himself to deem that the VAT liability of these individuals—if there is one—should fall on someone who is procuring a service. If that is the case, and if I was regularly employing someone to do some work on my behalf and they went above the VAT threshold, would HMRC suggest that I, as the person employing them, should pay their VAT?

I would like the Minister to look at that case. As I said, I have tried writing to the Chancellor, without success. I am happy to email him the details and copies of the letters I have. I was going to say that each case should give HMRC a bad name, but that is not hard to do. No one likes to pay taxes, but the point is the disproportional-
corporation—and the Googles of this world and the landfill operators that completely ignore the actual tax situation without any grievance falling upon them from HMRC. It is about proportionality in some of the enforcement. The new Chair of the Treasury Committee might want to look at how HMRC deals with small businesses. It is not only about the forms, but about what is facing my constituent. The process is time-consuming, but it can cause anxiety if someone suddenly has to find such an amount of money.

There is another issue I want to raise—I have moved on from rubbish; I am going to speak about cosmetic surgery. I tabled a parliamentary question a couple of weeks ago about the Government’s proposals for collecting VAT for cosmetic surgery. I have looked at the issue and got into the subject. I will not hasten to go through the whole issue of the regulation of cosmetic surgery, but it is another area I am pursuing.

Wes Streeting (Ilford North) (Lab): Declare your interest.

Mr Jones: I think even the best plastic surgeon would struggle with me.

The question is whether VAT is payable on cosmetic procedures. The problem is that such procedures vary from facelifts and tummy tucks to boob jobs, fillers and that side of the industry. I came to the issue through a constituent. I will not talk about the regulation, because that does not apply to the taxation of cosmetic surgery, but I want some clarity from the Government on the rules about whether cosmetic surgery should be VAT-registered.

There is an organisation called the Hospital Group. In a previous life, it went into administration owing the taxman nearly £9 million in VAT because there was an argument about whether VAT should be levied on the surgical procedures. The bill started at £17 million and went down to £9 million before, lo and behold, the director folded the company. HMRC is left with £9 million that it has not recovered. That company owes money and tax to quite a few other organisations, including councils.

This is an interesting issue, because while people would not pay VAT on a medical procedure, these are not medical procedures. I am not for one minute suggesting that women who have had mastectomies should pay VAT if they need reconstructive surgery, but if a procedure is purely for cosmetic reasons, it should be VAT-chargeable, as I read the regulations, but HMRC does not seem to be enforcing that. There is an argument, which I have heard from the new owners of the Hospital Group, that these are medical procedures, as people are having them because of mental health issues. If that is the case, evidence needs to be provided.

Given the amount of money that the industry generates, I wonder whether the Government are losing revenue. In the one case that I know of, the Revenue is owed £9 million, although it is never going to get that because the company has gone into liquidation. How many similar cases are there? We should consider whether VAT is chargeable on not just surgery but other aspects of the cosmetic surgery industry—things such as fillers and other products that enhance one’s aesthetic beauty, on which I am sure my hon. Friend the Member for Ilford North (Wes Streeting) will be able to enlighten me. If VAT is not being charged, we must consider that, because this is a huge industry in this country. As I said, there are regulation issues for some organisations that need to be addressed, but my parliamentary question was whether there were any proposals to look at the tax aspects of this issue, and the answer was that there were not. Will the Minister let me know what the regulations are and how they are being enforced? It could be that the Revenue is losing out on quite a large amount of money.

My hon. Friend the Member for Bootle (Peter Dowd) talked about the general treatment of tax avoidance, and he obviously hit a raw nerve with some Conservative Members with his accusation that they were the party of tax avoiders. It is in all our interests to ensure that people pay their tax. We all moan about the level of tax that we pay, but ordinary people have no way of influencing what tax they pay—the money comes off their salaries or wages through pay-as-you-earn. What grates with and hurts them is that they see hard-working people paying their tax—there are no clever schemes for them to lower their tax bill—while large corporations and others use mechanisms to generate huge profits but do not pay tax. They see sporting individuals and others using mechanisms such as the film schemes that were deliberately set up so that people could avoid their tax liabilities. To be fair to the Government, they have cracked down on some schemes, but that is what irks a lot of people. They have also had austerity and the wage freeze for the past seven years, and they see the injustice of that. We need fairness and to ensure that people pay the tax that others are entitled to expect. Look at the earnings of some of the BBC’s stars, which were published a few weeks ago. The idea that some people want to reduce their tax bill when their initial wages are paid for by taxation is just amazing.

Finally, I just want to—[Interruption.] If the Minister wants more, I can give him more. I am trying to be helpful. I have been very helpful to him and tried to work with his Department, because there are occasions on which we can co-operate to get things done. Making sure that everyone pays their tax and that the system is fair is in the public interest. The Minister was right when he said that we cannot have public services or anything else if people do not pay the right levels of taxation. The system has to be fair.

There is another issue that I think HMRC is already on to, but on which it might want to take a more proactive stance because it relates to organised crime. You might think I am strange, Madam Deputy Speaker, going from rubbish to airports to cosmetic surgery, but I am now going to talk about puppy farming. I met the Dogs Trust yesterday, which has produced a very good report—I do not know whether the Minister’s Department has seen it, but it should read it, as this is another area in which organised crime is getting involved in cruel practices—and it concerns not only breeding dogs in this country but importing them. Now the importations are from Poland and Lithuania, and the Dogs Trust study is of both cases.

There are some horrendous cases, and not just as concerns the cruelty of the trade. If honourable colleagues or the Minister would like to look at it, the report is called “Puppy Smuggling: A Tragedy Ignored”, and it is an investigation into the pet travel scheme. It is quite
clear from talking to the trust and the local police that this is another new way of making lots of money without paying any tax. It is a cash business, Madam Deputy Speaker. A lot of these pups are advertised on the internet and the process involves cash transactions. It has been described by one HMRC official as the new cocaine or drugs angle for some types of organised crime, as large amounts of money can be made.

Again, this is a question of co-operation between HMRC and other agencies, for example when local authorities are in charge of enforcement. I give credit to the Government for making changes to the puppy farming regulations, but we are now seeing the importation of these animals from abroad, and we need action at the port and to ensure that when sales take place, the correct amount of tax is paid. If we want to stop the trade, one way of doing so would be to use the tax system, because large amounts are being produced in cash, and if HMRC can use the system to ask where the cash is coming from, the focus is suddenly on that question.

This example demonstrates the innovative way in which organised crime works. It will look for the easiest way of making untraceable cash—landfill tax was one, and now, tragically, as some of the stories in this report are terrible, so is the trade in pups, which should not be bred in such a way or kept in such conditions. As the Bill goes through the House, the Government might want to consider this matter.

Again, this comes back to enforcement and attitudes. I am not criticising individuals at HMRC, as I say; because they have a difficult job, but we need an attitude in favour of enforcement and, on occasion, we must consider how that happens through HMRC and how it is linked with the police and other enforcement agencies. One thing that is quite clear in the examples that the Dogs Trust has highlighted concerning the scandal of puppy farming and importation, as well as what has happened with landfill tax, is that these things are not just HMRC’s responsibility. There are other agencies. Durham police have very effectively come together with others to limit and crack down on these individuals, so I ask the Minister to consider taking a cross-government approach to some of these issues, if we can. On that point, I shall conclude my remarks.

4.54 pm

Wes Streeting (Ilford North) (Lab): It is a pleasure to follow my hon. Friend the Member for North Durham (Mr Jones), who gave a very comprehensive speech. I personally felt that there were some areas of the Ways and Means resolutions to which he did not do justice, but I am sure we will get a chance to return to those on another occasion.

“A revolutionary moment in the world’s history is a time for revolutions, not for patching.”—those were the words of William Beveridge 75 years ago in his landmark report that paved the way for the modern welfare state. There is no doubt that we live in a similarly revolutionary moment. We are still in the long tail of the biggest economic crash since the great depression and the consequences that follow. We are on the brink of leaving the most sophisticated political and economic alliance in the history of the world, with consequences for our economy, a wide breadth of public policy and our citizens. We are also at the beginnings of an industrial revolution of a pace and scale that the world has never seen. Against that backdrop, the resolutions we are debating and the summer Finance Bill firmly fall into the category of patching.

In the time I have today, I will: specifically address the patching provisions in the Ways and Means resolutions; talk about the issues that are not addressed by the summer Budget and the Ways and Means resolutions; and touch on areas of Government policy that run completely contrary to our national economic interest. Ultimately, the patching measures in the Ways and Means resolutions are pretty small and fairly inconsequential given the wider economic impact of Government policy if that policy continues on the course that the Government have set out.

I turn first to the issue of patching. We heard from the new Chair of the Treasury Committee, who I am absolutely delighted has been elected. I have no doubt that she will fill the enormous shoes of her predecessor. As I have been re-elected to the Committee from this side of the House, I very much look forward to working with her and other cross-party colleagues. As both she and the Minister set out today, the Treasury Committee raised a number of concerns following our evidence gathering. We listened to a wide range of evidence from tax specialists, representatives of small and medium-sized businesses and, indeed, those businesses themselves on the consequences for them of pursuing the Making Tax Digital policy as it was originally conceived.

As other hon. and right hon. Members have said, there is no doubt that there are many benefits for the Revenue and potentially for businesses against the wider backdrop and the move to digitalisation. But there was a serious concern for small and medium-sized businesses in particular about the impact, which—granted—could be unintended. None the less, it would be red tape and bureaucracy for small and medium-sized enterprises that cannot really afford the extra burden. It should be the intention of the Government in any case when pursuing policy to try to implement it in a way that is not burdensome for SMEs or large corporations. We should seek to legislate and regulate effectively, which does not necessarily always mean heavily.

There was a concern that the timing of Making Tax Digital, as it was originally conceived, would have created an unnecessary and unwarranted burden on SMEs. There are more than 5,000 SMEs in my constituency alone. Since being elected to the House two years ago, I have made it my mission to speak up in their interests. I was therefore pleased, during the summer Budget and when listening to the Minister this afternoon, to see that the concerns expressed by the Treasury Committee have been taken on board, that the deadline has been moved back and that there is still some degree of flexibility about when mandatory provisions will kick in. None the less, Ministers ought to take into account some further cautionary notes, particularly following the points made by my hon. Friend the Member for Bootle (Peter Dowd), the shadow Chief Secretary.

As the implementation timeline stands, we will be looking to implement Making Tax Digital for SMEs in spring 2019—an auspicious year because it happens to coincide with our departure from the European Union. If that departure is smooth, perhaps the Making Tax Digital process can be equally smooth, but I have yet to see any evidence that it will be, be that in Government
position papers, the reaction in the Cabinet to different Government position papers, the reaction of colleagues on both sides of the House to the Government’s position, the reaction of all 27 EU member states to what the Government have put forward or the reaction of the European Commission. As far as I can see, there is currently no hope of a smooth exit from the European Union; in fact, we are in danger of crashing out of the European Union. If that is the case, and we are not able to provide stability and certainty to businesses at least over a transitional period while we exit the European Union, we will be adding Making Tax Digital on top of the new customs and border checks and the new compliance and regulatory regimes that businesses will be wrestling with—if those are, indeed, in place by that time. Ministers need to keep an eye on wider events and to think about Making Tax Digital in that context. I hope that is something the Minister will reflect on.

There was an interesting exchange between my hon. Friend on the Labour Front Bench and Government Back Benchers over tax avoidance and non-doms. No one pretends the issue is easy. There is a booming business in tax avoidance: indeed, individuals and corporations pay huge sums to very clever accountants to minimise their tax liability. Of course, much of that is perfectly legal, but that does not make it right or ethical. What is often missed in the debate about tax avoidance, particularly when we listen to the protests of people who face a larger tax liability, is that, in the aftermath of the financial crash, with everything we have seen in terms of the impact of austerity on public service provision, the burden of taxation and wage stagnation—I will come to those wider, structural economic problems shortly—there is sometimes a real sense of detachment among those who have benefited enormously from the current economic order and those who have been at the sharp end.

**Mr Kevan Jones:** Does my hon. Friend also think that there is a mindset in some parts of the Government—perhaps not on the Treasury Bench today—that the trickle-down effect of encouraging wealthy individuals from abroad to come to settle in London will boost the economy? In fact, it sometimes fosters corruption in those people’s countries, and it also takes away flats and other valuable assets in the capital, which local people can then never hope to gain access to.

**Wes Streeting:** I strongly agree with my hon. Friend. This idea of trickle-down economics must surely be discredited now: it does not work. People are rather ill aware of the extent to which the benefits of economic growth have been unevenly distributed and disproportionately enjoyed by those at the very top. I do not have a great deal of time for special pleading by wealthy individuals and corporations about being asked to pay their fair share of tax, because not everyone is feeling the pinch, and it is entirely reasonable to look at what we can do to tighten loopholes in terms of tax avoidance.

That brings me to the specifics of Government policy. We have had some remarkable rhetoric from those on the Treasury Bench, even over the two years I have been a Member of Parliament. The former Prime Minister, David Cameron, lauded his global leadership on tax avoidance, but the rhetoric is rather divorced from the reality. Even with the measures set out today, there are still means available to non-doms that enable them to enjoy tax exemptions and concessions for many years that are not available to the average UK citizen. Let me give one example: non-doms are able to keep their assets out of the scope of tax if they are held in an overseas trust that was created before they were deemed as domicile. That strikes me as rather unfair and as fairly easy to solve. That is just one example, but there are lots on which Government could clamp down further. The political rhetoric is there, but I do not think the political will is being delivered by policy.

**Ruth George (High Peak) (Lab):** Will my hon. Friend contrast that clamp-down on non-doms and the tax reduction policies with the clamp-down on people with disabilities? Work capability assessments of their employment and support allowance and personal independence payments are reducing their benefits from day one.

**Wes Streeting:** My hon. Friend makes a powerful point. She will already have seen in her casework as a new Member the impact of changes to Government welfare policy on some of the most disadvantaged people in our society.

If politics in this country and across the western world tells us anything at the moment, it is that large numbers of people feel completely left behind by the economic order and are expressing their frustration through the ballot box in a variety of ways, whether that be by voting to leave the European Union because they see it as central to a global economic order that has left them behind, or by electing Donald Trump because of his promises to the central rust belt of America, which I think he will struggle to deliver. I will talk in my concluding remarks about what the current economic order means for politics and why Government really do need to listen to the voice of the people.

It is interesting to note the enormous complacency among Government Members. Sure, they occupy the Treasury Bench and Downing Street, and Government Departments are staffed by Conservative Ministers enacting, by and large, Government policies, with the very expensive assistance of the Democratic Unionist party. However, the Conservatives lost their majority at the election, and the tragedy for Conservative colleagues who lost their seats is that the Government have not actually listened to the message of the people.

Of course, our side has some humility about the fact that we did not win the election either. Lots of new hon. Members who have been elected to this House rightly celebrate their achievements and those of their party activists, but we know that we have further to go to earn the trust of the British people. Looking at the Government’s policies, we know that we have a responsibility to earn that trust to deal with the economic malaise and entrenched economic inequality that is affecting our citizens and those in many other economies. I welcome the Government’s rhetoric on tax avoidance and taking on non-doms, but I just do not see it reflected substantially enough in Government policy. I strongly support the criticism set out by the shadow Chief Secretary, my hon. Friend the Member for Bootle.

There is a sad irony in the point that a number of right hon. and hon. Members have made about the provisions for retrospective changes to tax arrangements,
It seems that the provisions for non-dom arrangements in particular rule out retrospective changes. The Government are saying clearly, “If you have a trust overseas before the rules kick in, don’t worry: we’re not going to touch that money.” Of course, the nature of so many of those trusts is that they are family trusts that are passed down and inherited. In effect, the Government are acknowledging that those trusts exist and that there is an unfairness, and they are setting out to do something about it hereafter, but they are not applying retrospective changes to non-doms in the same way that other measures will affect many others retrospectively.

Mr Kevan Jones: Does my hon. Friend share my concern that wealthy individuals are found wanting when, as usually happens, a secret deal is done with HMRC to pay a certain amount to cover the liability? That is not open to many of my constituents, who are not able to argue when they have a pay-as-you-earn problem. Does he think it is fair that such deals are agreed by HMRC? They should be published if we are going to get fairness into the system.

Wes Streeting: I wholeheartedly agree with my hon. Friend. We should be putting an end to sweetheart deals. We certainly should not, as he says, allow them to take place behind closed doors without the appropriate levels of transparency; such transparency means that we at least know what is being done. What makes me angry, and what makes the individual taxpayers and the businesses that I represent angry, is the fact that we know—particularly if we have been self-employed or run a business—that if we are late with our tax return or our payment of tax due, we will be subject to fines and penalties, which will continue to accrue as long as we delay payment. However, not only can wealthy individuals and corporations pay long after they are supposed to, but they get to determine their own rate of tax. That is outrageous.

The Government have, even during the short time for which I have been a Member of this place, introduced measures to try to deal with tax avoidance by individuals and corporations, but those measures always fall short. Let us take the diverted profits tax—the so-called Google tax. Google barely paid a penny. That illustrates the gulf between the rhetoric we hear from those on the other side of the House and the reality of what is happening in practice. People see that hypocrisy at the heart of the system, and I do not think that the measures proposed by the Government today or previously do enough to allay the concerns that people are expressing.

Mr Jones: I agree with my hon. Friend. Does he think that part of the problem is the operation of HMRC and its arm’s-length relationship with the Treasury? He speaks eloquently about people’s disillusionment with politicians and their ability to affect things. Does he agree that it is perhaps now time for Treasury Ministers to have more direct control over the operational decisions of HMRC?

Wes Streeting: I certainly feel that HMRC is insufficiently accountable to taxpayers and citizens, and I think there are two routes to redressing the problem. One is, as my hon. Friend suggests, for Ministers to take a firmer grip on what is going on at HMRC, to rein the Department in and make sure that its conduct is in line with the expectations of the people we are sent here to represent. The other, as my hon. Friend the shadow Chief Secretary suggested, is to make sure that HMRC is resourced effectively so that it can implement public policy as intended.

Hon. and right hon. Members who have tax offices in their constituencies complain all the time about the loss of jobs in their constituency. They are fighting for their constituents, as they should do, and we all do. However, the closure of HMRC tax offices and the loss of HMRC jobs should be a concern not just for them, but for all of us. If we do not have the tax inspectors out there in the field clamping down on tax evasion, which is illegal, identifying areas of tax avoidance and, ideally, making recommendations to Government about improvements to the system, we will continue to have repeated debates in this place about how we clamp down on illegal tax evasion and aggressive tax avoidance.

Another way in which we can improve the scrutiny of HMRC is through the Treasury Committee. There is provision for a sub-committee of the Treasury Committee to look in detail at HMRC’s work, and when the Committee meets we ought to consider that. The question is always about time and resources. We are lucky to have on the Committee a hard-working and dedicated team of Clerks, who produce reports and briefing packs at a rate of knots on some of the most complicated areas of public policy. Of course, we have a heavy agenda because of the issues facing our financial system, in particular, which have preoccupied the Committee in its work. I think it is fair to say that our new Chair and Members have ambitions to look across the breadth of economic policy and Government spending policy. From our constituents’ experiences on the phone to HMRC—if they are able to get through—right through to our issues about the resourcing of HMRC, there is a serious and significant piece of work to be done on HMRC’s performance, the adequacy of its resourcing, the scope of its powers and its focus as a public body acting in the interest of all taxpayers.

Mr Jones: My hon. Friend raises a good point about staff. The problem we have had in all Departments during the years of austerity is that the easy target is to get rid of so-called civil servant pen pushers. The actual effect of that is starkly focused in the case of HMRC, because when we start to get rid of staff whose job is to collect tax, not only do we lose those individuals’ expertise and their years of experience, but it costs the taxpayer, in that staff are no longer available to enforce the tax regulations. I have highlighted the issue of landfill tax fraud, for example. Does my hon. Friend agree that the Government should look at this as a case of “invest to save”? In other words, if they invested in civil servants to do something, the Government would be able to prove that they were getting more in revenue than it was costing to employ those civil servants.

Wes Streeting: I wholeheartedly agree with my hon. Friend. The irony of some of the swingeing cuts of the past seven years is that although on a scorecard the cuts to civil service jobs represent significant savings, when we look at the roles and responsibilities of some of those civil servants, it does not take a rocket scientist to work out that cutting the number of tax inspectors may
Wes Streeting

Well mean that the Government will lose on tax yields and will lose revenue. There is a cost saving on the one hand, but on the other hand there is a direct cost to the Government in lost income.

I had the same experience in local government. Before I was elected to the House, I was the deputy leader of the London Borough of Redbridge. There is a continuing debate in local authorities about, for example, enforcement officers. There are huge pressures on local government budgets, and staff job losses can represent some of the biggest savings because staff are the biggest cost. If a council cuts its pool of parking enforcement officers, that will certainly help it to balance the budget when it comes to the budget council meeting, but it can end up losing revenue if enforcement officers are not out slapping penalties on cars. In addition to the loss of revenue, there are also worse outcomes for citizens, because such a policy encourages the bad practices that make our communities in the case of parking, or our society in terms of effective tax revenues, a lot worse off.

I hope that Ministers will turn to some of these issues when the Budget is next before us, because as well as being pretty thin on substance, the summer Budget did not deliver against the challenges of the time. At the opening of my speech, I quoted William Beveridge’s words about this being “a time for revolutions”. I have been struck by the interim report of the IPPR commission on economic justice, which has been launched today. In a succinct and effective way, the IPPR has summed up a number of the issues involving the great central planks of Government economic policy that have caused me great frustration, but it has also captured the sense of injustice felt by many of our constituents.

We could go on about this ad nauseam: I have sat in the Chamber many times listening to Conservative Members talking about their economic record, but I could spend much of the time available to me this afternoon cataloguing the broken promises of Conservative Chancellors. In fact, we could spend quite a lot of time talking about the broken promises of just one Conservative Chancellor. Our SNP colleague, the hon. Member for Glasgow East (David Linden), is new to the House and was not here when the Budget is next before us, because as well as being prettier thin on substance, the summer Budget did not deliver against the challenges of the time. At the opening of my speech, I quoted William Beveridge’s words about this being “a time for revolutions”. I have been struck by the interim report of the IPPR commission on economic justice, which has been launched today. In a succinct and effective way, the IPPR has summed up a number of the issues involving the great central planks of Government economic policy that have caused me great frustration, but it has also captured the sense of injustice felt by many of our constituents.

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Mr Jones: Does my hon. Friend also remember that not only did George Osborne’s first Budget in 2010 help crash the economy, but the economically incompetent and hamfisted way in which the cuts were imposed. For example, cutting budgets in-year meant that it cost councils and others more to lay people off than it saved through redundancies—sucked demand out of the economy just at the time it was turning round?

Wes Streeting: That was one of my greatest frustrations as a Labour party member, looking in on debates in the House during the 2010-15 Parliament. We could be proud of Labour’s record in government from 1997 to the financial crash. There was unprecedented growth; we ran a budget surplus for four years—that had happened in only seven of the past 58 years; we lifted half a million children and more than 900,000 pensioners out of poverty, and we rebuilt public services. Yet we were told after the 2010 general election that Labour presided over reckless spending, but George Osborne was the shadow Chancellor who, up to the crash, committed to match Labour spending pound for pound.

How on earth in 2010 to 2015 we allowed revisionist history to take hold of Labour’s economic record will continue to confound me, but we must take that on. As my hon. Friend the Member for North Durham said, when we left office, the economy was growing and the initial impact of the early Osborne Budgets was to choke growth, scare away investment and suck money out of the economy through the cuts that were imposed. That did not make economic sense or even enable the then Chancellor to deliver his promises.

Mr Jones: Does my hon. Friend also agree that not only did what he describe happen, but if we had followed the Conservative party’s policy of deregulation of the banking and financial sector—the Conservatives never called for more regulation; they wanted less—and if we had accepted the suggestion of David Cameron and George Osborne at the time of the Northern Rock crisis to let it crash, we would have been in a much worse situation than we were?

Wes Streeting: I wholeheartedly agree. I am proud of the contribution that UK financial services make—not just the City of London, but other economic centres, for example, in Edinburgh and Leeds.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): Manchester.

Wes Streeting: And Manchester, as my hon. Friend says.

Alison Thewliss (Glasgow Central) (SNP): Glasgow.

Wes Streeting: Of course, we cannot forget Glasgow. We have several powerful financial centres in the UK. They can contribute enormously to our revenues as well as creating jobs and making the UK an attractive place to do business. However, we should never forget that the crash was a banking crisis, and the thought of politicians—not just the UK Government of the day, but Governments throughout the world—was not that they had spent too much or invested too much in schools, hospitals, teachers, dinner ladies, nurses and doctors, but that the regulatory regime that oversaw financial services was inadequate for the practices of the time. A corrosive greed took hold on Wall Street and in the City and the vast majority of people paid the price.

David Linden (Glasgow East) (SNP): The hon. Gentleman is being generous with his time. He mentioned powerful financial centres, including Glasgow and Edinburgh. Does he agree with my colleagues and me that the Government’s reckless approach to Brexit is deeply damaging and will cause grave effects in cities such as Glasgow and Edinburgh?

Wes Streeting: I certainly agree with the hon. Gentleman. I shall come to his point, in the context of the motions and the extent to which they are insufficient to deal with the structural economic problems and the economic outlook faced by the country.
Ruth George: welcome the Government’s measures on non-doms, but the motions fall short of what is required. Of course we non-doms, let me again highlight the extent to which reality.

As I have said previously, the rhetoric fails to match the successive Chancellors and in successive Budgets, but, words, many times from the Treasury Bench, from V A T, I would pay the same rate as someone with a much lower income buying the same item.

We have heard those words, or a variation of those words, many times from the Treasury Bench, from successive Chancellors and in successive Budgets, but, as I have said previously, the rhetoric fails to match the reality.

As my hon. Friend has referred again to the issue of non-doms, let me again highlight the extent to which the motions fall short of what is required. Of course we welcome the Government’s measures on non-doms, but I have already criticised them for not addressing, in the Ways and Means motions, the ability of non-doms to keep their assets out of scope if they are held in an overseas trust that was created before they were deemed to be domiciled. We may also want to consider the issue of definition, because the definition of who can be deemed to be in that category seems misleading. It does give the impression that a UK-born non-dom will be deemed if they are now UK-resident, but, inexplicably, it only covers those whose parents were not non-doms, letting non-doms off the hook if their parents were also non-doms. That is very common.

Mr Kevan Jones: Does my hon. Friend agree that there is something archaic in people being able to pass down their tax advantages to their children in that way? The average taxpayer on pay-as-you-earn has no chance of having access to such measures, and they certainly cannot pass on their status to their children or get any advantage for their children in the tax system.

Wes Streeting: Of course, Madam Deputy Speaker, my entire speech relates directly to the Ways and Means motions, but what I will do with the time that I have left is be careful to ensure that my critique is centrally about the extent to which the motions fail to address the structural challenges facing our economy. I will now give way to my hon. Friend.

Ruth George: The Finance Bill proposes to extend the reliefs available to people with non-domiciled tax status, who are some of the wealthiest people in the country. [Interruption.] Motion 13 does that. It contrasts with the actions taken in 2012, when the then Chancellor set up the business investment relief scheme, which itself contrasted with a VAT increase that not only dampened down the economy but caused the tax burden to fall disproportionately on the shoulders of those with lower incomes while reliefs were given to the very wealthy.

Wes Streeting: I wholeheartedly agree with my hon. Friend. Let me make two points about what she has said. In the Budget and the Ways and Means motions, and in previous Budgets and resolutions, the Government have chosen to pursue particular regressive forms of taxation. There is no doubt that VAT is a regressive form of taxation, in that it is paid by everyone, both individuals and businesses, regardless of income. If I went into a shop and bought an item that was subject to VAT, I would pay the same rate as someone with a much lower income buying the same item.

If a Government’s objective is to increase their tax revenues—and, of course, we understand why that would be an objective, given the context of the Budget and the revenue-generation measures in the Ways and Means motions—they should pursue revenue generators that are based on progressive taxation, and ensure that those with the broadest shoulders bear the greatest burden. We have heard those words, or a variation of those words, many times from the Treasury Bench, from successive Chancellors and in successive Budgets, but, as I have said previously, the rhetoric fails to match the reality.

As my hon. Friend has referred again to the issue of non-doms, let me again highlight the extent to which the motions fall short of what is required. Of course we welcome the Government’s measures on non-doms, but
Mr Jones: Does my hon. Friend agree that the privileged individuals are also the ones who will have choices come Brexit? If the Government get Brexit wrong for the economy of this country, the average person will not be able to move their wealth or savings offshore, so they will be the ones who suffer. The people my hon. Friend is referring to, however, will be able to move their capital anywhere in the world.

Wes Streeting: My hon. Friend’s critique is absolutely right once again. I hope the Minister will respond in detail to the points we are raising about the technical aspects of the Ways and Means resolutions, because I think we have given them a forensic examination and a serious and substantial critique, and the Government ought to respond to that.

I want to pick up on the issue of tax avoidance in Northern Ireland and the provisions in the Finance Bill in this area. The Government seem to be using the Bill to introduce measures that will loosen the definition of a Northern Ireland employer for SMEs, which will basically enable people to establish a business in Northern Ireland and claim the lower rate. Opposition Front Benchers have argued that this will lead to brass-plating, with companies setting up a nominal office in the Northern Ireland jurisdiction to take advantage of lower taxes. My hon. Friend the Member for Bootle, the shadow Chief Secretary to the Treasury, described that situation as an onshore tax haven. We should not be in the business of allowing such a practice.

Forgive my cynicism, but it seems that since the Government lost their majority, they have lost a hell of a lot of revenue in potential tax receipts and in Government expenditure going to Northern Ireland. I am sure that is merely coincidental and has nothing to do with the Democratic Unionist party deal, but in cash terms—that is, the outlay on infrastructure and public services—most UK taxpayers saw the deal between the Conservatives and the DUP as being expensive enough. By the way, I do not begrudge the people of Northern Ireland the investment in infrastructure, education and health that they need. In fact, I do not begrudge them one penny. I do, however, begrudge the unfairness of Northern Ireland being given preferential treatment over England, Wales and Scotland for no other reason than that the Prime Minister took a gamble. She has paid a heavy personal political price for that, but I am less bothered about that. I am really bothered about the fact that the taxpayers we represent in England, Wales and Scotland are paying a heavy financial price for the Government bribing the DUP into a deal.

This measure in particular really does trouble me. We have already had constituents writing to us about the cash outlay to Northern Ireland, and it seems that a lot of hidden benefits are now being given to it, including adjustments to the tax regime. That will not be good for maintaining a strong and cohesive United Kingdom—it does not play well with our constituents in England, Wales and Scotland when they see one part of the United Kingdom being given preferential treatment over the others. I am sorry to disappoint Scottish National party Members present today, but I am a strong Unionist. I strongly support the United Kingdom, but it has to be a partnership of equals. The way in which the Government are now treating Northern Ireland is particularly uneven, as we can see in the Ways and Means resolutions before us this afternoon. I am very disappointed by that.

Resolution 13 allows provisions to be made to expand the scope of business investment relief, which allows non-doms to remit funds to the UK tax-free if they are investing in certain categories of UK business. We have a serious structural problem in our economy when it comes to investment. As I have said, we have one of the world’s largest financial sectors, yet we have a lower rate of investment than most of our major competitors. Public and private investment accounts for about 5% of our GDP, which is below the average for developed economies, and that figure has been falling not only under this Government but for the past 30 years. That is a structural economic problem that we need to deal with. Corporate investment has fallen below the rate of depreciation, which means that our capital stock is falling, and investment in research and development is now lower than that of our major competitors.

There are a lot of causes of that, including the way in which the banking system is insufficiently focused on business lending. That has been picked up by the Treasury Committee and by Members throughout the House in recent years. Also, private equity markets are increasingly focusing on short-term returns, which is not leading to the kind of investment that we wish to see. If the Ways and Means resolutions had set out provisions to stimulate, support or benefit business investment in general terms, I would certainly have supported them. It seems, however, that resolution 13 is not about business investment in the broadest sense but about a special category of business investment that benefits non-doms. I do not understand how this measure sits with the rhetoric from the Minister about other Ways and Means resolutions that are meant to target non-doms.

The shadow Chief Secretary to the Treasury and other colleagues on the Opposition Front Bench will well remember that during the general election, which caught everyone unawares, including Ministers, a raft of Government measures in a wide range of Bills were dropped in the wash-up process. I was closely involved in the Higher Education and Research Bill and saw the consequences for that Bill. It was interesting that the changes to the business investment scheme in the March Budget resolutions were withdrawn in the wash-up process. The Government knew that there was no way we would have allowed the measure through and that we would have been prepared to talk it out—something we never hope to do, because we want to engage constructively with the Government, but only so long as they enable time for appropriate and thorough scrutiny of policy. That measure seemed particularly unfair. If the Government are serious about stimulating business investment and attracting foreign investment, I think there are better ways to do it than with a measure that benefits a particular category of individual. I am not sure it will generate the increased business investment that Ministers want, and it seems particularly unfair.

I understand the pressures around business taxation—it is sometimes all too tempting to turn to corporation tax as the answer to every public policy spending commitment one wishes to make—but whenever we suggest modest increases in corporation taxation, the Government’s reaction is to attack Labour as anti-business. It is important to remember that when Labour were in government, we had some of the most competitive corporation tax rates in the OECD and that we have maintained that commitment in every election manifesto since in order to keep the UK
competitive, but I come back to the basic issue of fairness and making sure that people pay their fair share.

**Mr Jones:** Does my hon. Friend agree that the Government’s fixation with corporation tax being as low as possible, and the belief that somehow that will give us a competitive advantage, is blown out of the water by the very successful economies, such as Germany and others, that have corporation tax rates a lot higher than those in the UK?

**Wes Streeting:** I wholeheartedly agree—again—with my hon. Friend. It is almost as if he wrote my speech. I only wish I could have written his. I have learned a great deal this afternoon about landfall taxation policy and its importance, and I look forward to studying his speech later as we prepare to grill Ministers on the Treasury Committee.

I turn to resolution 4, relating to clause 14 of the pre-election Finance Bill, which introduced amendments to tighten the income tax treatment of termination payments. I made a point early in my remarks about the sense of unfairness and injustice that people feel about the way the rules are rigged. Many people fear, particularly in the current political and economic climate, and in the context of the Brexit process, that attempts will be made to erode workers’ rights. I was particularly concerned to learn, therefore, when I studied resolution 4, that the measure narrowed the scope of tax relief on redundancy and termination payments, removed any exemption for payments in lieu of notice, enshrined it in statute that injury to feelings—a main aspect of compensation in discrimination cases—was excluded from the tax-free scope of payments for injuries, and gave the Treasury the power to vary the tax-free amount.

**Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op):** Does my hon. Friend agree that this is perhaps a return to the nasty party, in the sense that this measure will mean that people who may have suffered discrimination as a result of being LGBT or a woman may now be taxed on the compensation they received after being dismissed? That is a real indictment of what is meant to be a modern Conservative party.

**Wes Streeting:** Absolutely. I welcome my hon. Friend to the Chamber. I am unsure whether it is a return to the nasty party or more of a doubling down on being the nasty party. Indeed, I am unsure for how many more debates we can see the nastiness of the Conservative party reflected in public policy. On this or any other measure, if the Government’s intention is to clamp down on the abuse of a particular tax measure, provision, break or exemption, we will welcome that where the problem is genuine, but the Opposition believe that this measure targets termination payments more widely. It therefore follows that there is an obvious concern that workers who are losing their jobs are seen by the Government as a source of increased revenue.

What an outrage it is if the Government are seeking a power to reduce the £30,000 tax-free amount for termination payments without the requirement for primary legislation. That runs contrary to assurances that the Government had abandoned their plans to reduce that exemption, which was consulted on in 2015. Those of us who were in the 2015 Parliament will remember that one of the first measures with which we were confronted was the Bill that became the Trade Union Act 2016, which was an appalling attack on the rights of people at work. The Government consulted on this proposal then, but dropped their plans because they were strongly resisted both by the people and by the organisations that champion the rights of and protections for ordinary working people. Now, early on in the 2017 Parliament, the plans are back, but buried in these motions, with the Government presumably hoping that we would not notice. I bet the Government did not count on such scrutiny of their Ways and Means measures.

**Ruth George:** Many workers are obviously losing their jobs as a result of the continued austerity programme. Does my hon. Friend agree that it is ironic that those who are losing their jobs at HMRC due to the rationalisation may well be hit by this increase in taxation on their compensation when they could be helping us to increase our tax revenue from those who should be taxed?

**Wes Streeting:** I am grateful to my hon. Friend, who brings to the House enormous expertise and experience from her work championing the rights of working people at the Union of Shop, Distributive and Allied Workers, as part of the trade union movement. We should listen carefully to what she has to say.

On behalf of their members—ordinary working people—trade unions made it clear when the Government consulted that the measure should not be pursued. I think everyone in the Opposition thought that the Government had listened and dropped the provision, but we now see motion 4 on the Order Paper, and it is not fair to workers. We might have thought that the Government would learn from the embarrassing debacle over the summer about what happens when they try to clamp down on people’s access to justice and fair treatment. The Government have form here, and I am disappointed and only too sorry that they do not seem to have learned their lesson or listened to people.

I want to begin to draw my remarks to a close by—

**Hon. Members:** More!

**Madam Deputy Speaker (Mrs Eleanor Laing):** Order. We cannot have such expressions from around the Chamber. The hon. Gentleman has only spoken for one hour and five minutes. There are 48 motions, and I dare say that he still has more to say. As long as he sticks rigorously to speaking about the 48 motions, it is perfectly in order for him to go on speaking. However, now that he has surpassed the time taken by the previous speaker, I am sure that the incentive for him to speak for much longer is not great.

**Wes Streeting:** Madam Deputy Speaker, I can assure you and hon. Members on both sides of the House that my intention is certainly not to surpass the speaking time of my hon. Friend the Member for North Durham. My intention is merely to make sure that Government economic policy and the Ways and Means motions are given a thorough and forensic examination.

As I said at the beginning of my speech, revolutionary times call for a revolutionary response. What we see in today’s provisions is tinkering around the edges. Although the Whips’ briefings often give Conservative Members the ammunition—
In the past seven years, the Government have been far too reliant on monetary policy levers. They have been over-reliant on quantitative easing, over-reliant on extremely low interest rates and over-reliant on growth that is fuelled by record consumer spending and consumer debt. We are building a new debt crisis in this country—it is a consumer debt crisis, and it is here. All it will take is a marginal interest rate increase for people to be unable to service their debt, and they are barely able to service that as it is. There are real questions to be answered about irresponsible lending, and the Treasury Committee needs to examine that.

These structural weaknesses in our economy ought to be at the forefront of the motions, but they are not. That would be irresponsible in the best of times, but let us look at what we face down the track. We are going to see deeper globalisation, and a shift of economic power to the south and to the east, with a requirement on us to become far more competitive, particularly in seizing opportunities in the service economy. We face enormous and fundamental technological change. The rate of such change is now vastly outstripping the rate at which regulators, government and businesses are able to respond to it. I am not someone who sees the rise of the robots as the beginning of human servitude in the age of the machine; as with globalisation, there are huge opportunities here to deal with enormous inequality and with big issues facing the planet, such as climate change. Automation presents huge possibilities, but let us learn the lesson from globalisation. This is not something that we can slow or stop; it is happening, and it is a process. We must make sure that this new industrial revolution, the fourth one, works in the interests of everyone, rather than a select few. Otherwise, we will end up back where we are with Brexit, which is the biggest risk facing our country.

When we think about what could happen in the next couple of years as the UK leaves the EU or comes crashing out, we see that the idea that these Ways and Means motions would make any bit of difference is fanciful—it is not serious. When we look at policy coming from the Treasury and the Department for Business, Energy and Industrial Strategy, we see that it is insufficient to meet the challenges of the time. Worse, it seems that far from pursuing policies that will address these big challenges, the Government are pursuing an approach that would make things even worse, relegating the economy to a second-order issue. As George Osborne said from the Government Back Benches after he left office as Chancellor, in a debate about our relationship with the EU, “the Government have chosen...not to make the economy the priority”.—[Official Report, 1 February 2017; Vol. 620, c. 1034]

Can you imagine that? Can you imagine a Government not making the economy the priority? As I have said throughout this debate, that would be inexcusable in the best of times, but it is absolutely outrageous in the worst of times.

In conclusion, I hope that the Government not only take on board the detailed critique that has been made of their Ways and Means motions, but reflect on the structural weaknesses in our economy; the challenges that lie ahead and how they can meet them. Let us think about the biggest political event this country has seen in post-war history: the decision to leave the EU. We know that the referendum was lost because of a coalition of voters. I accept that there were a lot of committed
Eurosceptics who always wanted out come what may, but the referendum was won thanks to the votes of millions of people who simply felt left behind, who felt unheard and who wanted to send a clear message. They are the people who have been at the sharp end of globalisation; they are the victims of economic inequality and social injustice. When we campaigned in areas where people turned out in droves to vote leave and we told people they may be voting to make themselves poorer, time and again we heard the same reply: “Things cannot get worse than this.” The thing I fear more than anything else about the economic outlook in this Parliament is that things can, and indeed may well, get worse. It would be a tragedy if the very people whose voices cried out to demand change, and who expect that change, were once again the ones who bore the brunt of short-term economic thinking, and of a politics and economics that works in the interests of the privileged few.

I did my democratic duty in honouring the referendum by voting to trigger article 50. What I will not do during this Parliament is pretend that I think the right decision has been made or that the warnings we gave will not come to pass. It is my responsibility, and the responsibility of us all, to protect the interests of our nation and our constituents. If we want to deal with what we are seeing across western democracies—the consequences of people abandoning their faith in mainstream politics—and we want to see off that trend and process, the only way to change course is to change our country. There is no shortcut to achieving change. It has to be meaningful, and the rest of the House will not be too disappointed by that.

I would like to address how the Bill fits with the Government’s stated priorities. Earlier this year, the Prime Minister, writing in The Sun, promised “to build a stronger, fairer Britain that works for everyone, not just the privileged few. A Britain…that works for ordinary working people.” If those words are not mere rhetoric, they need to be backed up by legislation, and where better to put that legislation than in a Finance Bill? It is an opportunity for the Government to make our tax system and our society fairer. I am concerned, though, that the Bill will not only not make Britain fairer, but make our society more unequal.

I wish to concentrate on the effect of motion 4, which is on termination payments, and of motion 13, which is on business investment relief. Business investment relief applies only to non-domiciled UK taxpayers—120,000 people who are some of the wealthiest in our society. They are already able to choose whether their income is only taxed when it is brought into the UK. That gives a huge advantage to those who spend most of their lives outside our country, and whose income can be held in offshore accounts, trusts and shares.

Although, as my hon. Friend the Member for Ilford North said, I worked for the past 20 years or so for a trade union for working people, prior to that I worked as a tax accountant. On leaving school, I went to work in London for an international tax accountancy firm that specialised in advising non-domiciled individuals. These people were enormously wealthy, and included some well-known names. Even if their income was earned in the UK, if their earnings went directly into a non-UK account, they were not subject to UK taxation. In recent years, we have seen how that sort of manipulation of high incomes still goes on. It enables the very wealthiest people to pay a minimal contribution to the UK, even if they are deemed resident here. It is not the fault of this Government, but non-domiciled status was essentially created to avoid UK taxation.

For many people who travel globally, the system is not actually adaptable. For all their enormous wealth and jet-set lifestyles, I used to feel sorry for our non-domiciled clients when I was a teenager in a junior tax accountancy position. They were able to spend only a
set number of days in the UK, and the enormous tax consequences of their overstaying that time limit meant that they felt they needed to adhere to it strictly, regardless of their own personal needs or wishes. Our accountancy firm used to keep a schedule on the front of each client’s file, setting out the number of days that they had set foot in the UK that tax year. The clients used to have to plan their personal and business engagements around the limits. When they got close to the limit, it was my job to write to inform them to be careful with their travel arrangements until 5 April, when the tax year came to an end and a new limit began. That is no way for people to have to live their lives or for a country to run its tax system.

The Government say they are cracking down on non-domiciled status, but, as I said to my hon. Friend the Member for Ilford North, it seems to be different from their crackdown on benefits for disabled people living on the breadline. Will the Minister confirm that non-domiciled individuals will see their status change only if they have not complied in 15 out of 20 years? Disabled people would love to have 15 years to show how their disability affects their lives and how it changes over time, but they are assessed on one day, at one particular time when they have managed to attend an assessment centre, and they are penalised immediately if they cannot do so. If there is a change in circumstance for non-domiciled residents, instead of their hugely beneficial tax status being changed immediately, the Government have given them two years in which to transfer their money to an offshore trust to again avoid paying any tax on it.

As if the tax benefits of non-domiciled status were not already generous enough, in 2012 the then Chancellor introduced business investment relief. I am sure that had nothing to do with the number of people of non-domiciled status with whom he spent his holidays on yachts, but it was certainly welcomed by their investment advisers. Firms such as Sapphire were pleased to advertise the benefits of business investment relief to their clients. The article on its website says:

“Unfortunately for the vast majority of us, when we earn money we have to pay tax...However, for those individuals who are resident in the UK but are considered non-domiciled this basic rule does not have to apply...From 6 April 2012, the government introduced the very attractive Business Investment Relief...Put simply, if you are resident in the UK but are a "non-dom"...and you want to bring your overseas money into the UK to make an investment and NOT pay tax in the process...then Business Investment Relief is your answer...the UK Government is effectively giving non-doms a subsidy...on their investments”—then it was 50%, now it is 45%. The company says:

“But wait—it gets better—you can also use the other reliefs when making an investment using offshore monies remitted to the UK”—such as the enterprise investment scheme or the seed enterprise investment scheme, which will also potentially save 40% on an income tax bill. The advice that is given sets out how great the tax advantages are. An investment of £500,000 by someone with non-domiciled status would attract tax relief of £400,000.

Sapphire advertises how wide the opportunities are under business investment relief, saying:

“the rules for what makes up a qualifying company...are very wide. Quoted companies are excluded, but virtually any other company...carrying out a business may qualify...investment into property development or property with a rent is allowable.”

Do we really need more overseas investors increasing our property prices? It does not even have to be an arm’s length or transparent investment, as money “can be invested in a company in which the investor is or associates are involved in”.

If someone wants to dispose of that investment and is worried about capital gains tax, they are advised:

“When the investment is sold, if there is a gain it will be subject to UK Capital Gains Tax—but the original funds can be taken back offshore again (within a 45 day or 90 day time period) in order to avoid being taxed”.

It is no wonder that despite all the rhetoric about cracking down on non-doms, their number has increased since 2010. The Government now want to make business investment relief even more generous through this Bill. This time, I quote the reputable KPMG, which sets out the benefits of the Government’s proposals, which have “the objective of making the BIR scheme more attractive to non-UK domiciled investors...BIR will be extended to include investments made in a new qualifying entity, a ‘hybrid company’...not exclusively a trading company or a stakeholder company...but...a hybrid of the two”.

just in case someone could not fit their investment into one or other of them. It goes on:

“At the same time...the period during which an eligible trading company must start to trade;”

or

“an eligible stakeholder company must start to hold investments...will be increased to five years...Where a company becomes non-operational and a BIR investment ceases to qualify, the grace period during which action must be taken...will be increased to two years” to manage the risk of a tax change more effectively. It also states:

“Another extension to BIR sees acquisitions of existing shares already in issue potentially qualifying for BIR...there will be no requirement for shares to have been newly issued...Rules which withdraw BIR will be narrowed”.

An already exceedingly generous scheme will be widened and extended in scope to enable more companies to be invested in and to enable more people to make those investments, be it in a trading company or a property. May I ask the Minister how that squares with the Prime Minister’s promise that we will create a fairer society by breaking down the barriers of privilege and making Britain a great meritocracy?

The treatment of non-domiciled taxpayers in the Bill contrasts with the treatment of ordinary working people. The Government’s huge cuts to public services have largely been on the back of those ordinary working people, none more so than the hundreds of thousands in the public sector who have lost their jobs.

Under the Government’s continued austerity programme, thousands more hard-working public servants will lose their employment. In many cases, they have given the majority of their working life to their job and will find it extremely hard to get another. As the state pension age increases, people made redundant later in their working life have to try to get by on their payment for termination of their employment for as long as possible. It is an extremely worrying time for them.

Two hospitals in my constituency are earmarked for ward closures, with dozens of experienced NHS staff worried about whether they will still have a job. To those
Although any attempts to clamp down on tax avoidance are welcome, I do not feel that the proposed measures go far enough or that HMRC has the capacity to go after corporations that have in the past paid less tax than their cleaners.

By 2021, HMRC is projected to have lost 34% of its staff since 2010, including those in departments dealing with the very largest corporations. That is a huge number, and with the big accountancy firms willing to take on former HMRC employees for their knowledge and expertise, is it any wonder that the tax-avoiding corporations are one step ahead of the game?

The Bill makes no reference to dealing with offshore tax havens, which, as we all know, are a popular device for avoiding tax wherever the profits have been made. That scam has been estimated to be worth £13,000 billion worldwide in avoided tax. Some of those profits will have been made in the UK, and some in other countries, including many developing countries. Oxfam has estimated that the cost of tax avoidance to developing countries is £78 billion. That money could go a long way to providing schools, healthcare and clean water, and it could actually save lives.

What is required is greater transparency and a mandatory requirement for public, country-by-country reporting on where profits have been made, so that multinational companies pay their fair share of tax along with everybody else and make a contribution to society in the countries in which they operate. It is estimated that unpaid tax could be worth as much as 16% of Government revenue in some developing countries. It cannot be right that multinational companies should be able to choose where they pay tax or whether to pay it at all.

In the UK alone, tax avoidance was estimated to be approximately £11.4 billion for the last fiscal year. It is scandalous that some of the corporations using tax avoidance measures in the UK benefit from having been granted lucrative Government contracts. At a time when public sector workers have to go to food banks to survive, it is hard to imagine a more insulting parody of fairness than greedy corporations directly profiting from the public purse, using every trick in the book to avoid paying tax.

At a time when there is massive underfunding of the NHS and schools, as well as of local authorities for the services they provide, we cannot allow half-measures to prevail. More needs to be done to secure the money for our much needed cash-strapped public services. Everyone knows that further investment in HMRC is needed to recover these large sums and that any additional staff who are brought in would, in effect, pay for themselves within weeks. More needs to be done, but action is needed right now, because these measures do not go far enough.

6.22 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): I am grateful for the opportunity to make a brief contribution to this debate.

I cannot help but feel that the Government seem a little embarrassed by this whole Budget, this whole set of measures and the state of the economy. Presumably, that is why there were so few people on the Government benches to make a contribution today. We did have a fleeting, came appearance from the Chancellor earlier, but he is still taking his vow of silence. I understand that, because I used to work with unemployed people
and people who feared losing their jobs, and I know about that sense of needing to keep your head down sometimes.

In the time available, I want to pick up a couple of the issues that have come up in the debate and to try to understand where the Government are at the moment. To be honest, the Minister gave very little detail in his opening remarks—it was not so much broad brush as “Don’t blink or you’ll miss it.”

I particularly want to ask about the proposal that has come up again to tax people’s redundancy pay and termination payments. My understanding was that there had been a discussion on this and that the Government had conceded, so I am not quite clear why we are back looking at what looks like virtually the same proposal. I want to ask a straightforward question: if this proposal is the right thing to do—I have grave doubts about the way we are proceeding—should Parliament not decide that? Is it really right that HMRC should be given the power to make the decision? I think that that is Parliament abdicating its responsibility, but more importantly it is another grab by Government to transfer power elsewhere so that they do not have to be accountable or scrutinised. We really should look again at whether that is appropriate.

I have a very simple request on business investment relief. It behoves the Government to place in the House of Commons Library details of where that business investment is going. We need to know which businesses and companies are benefiting, how evenly it is being spread around the country; and which regions and nations are seeing benefits. Otherwise it looks like another attempt to give someone a tax cut on the side. As long as people have that suspicion and do not have the evidence or an explanation, is it any wonder that they will adopt that view?

I intervened on the Minister earlier on the issue of non-domiciles. He was quick to tell me that I had nothing to say on the subject because Labour was in power before the present Government and the coalition. It is true that past Governments have struggled on the question of non-domiciles, but my memory is that the Conservative party could not have been clearer about its position in 2010. In fact, the former Chancellor was absolutely crystal clear about what it was going to do when it came to power. The question we have to ask is, having had all this time to work it out, how come there are so many exemptions, exclusions and difficulties in tackling a problem which, according to the Conservative party, has been at the centre of its own thinking for seven years? How is it so difficult? If the object of the exercise is not to try to avoid doing it—it was quick to say that that was not the case and that it was the party that would deliver—how come there are so many exclusions, exemptions and get-out routes for the people involved?

On the wider question of tax avoidance, the Conservative party seems to wonder why people do not believe, trust or have faith in it. Is it normal that those lobby groups and people who have spent time arguing against tax provisions to limit the amount of tax paid by individuals and organisations should then be given the power to scrutinise whether what individuals are doing is right and appropriate? That does not sound right to me, and when I try to explain it to my constituents it does not sound right to them either. They have a straightforward understanding of the rules: the Government set the rules, they are laid out in black and white, and we are expected to pay. However, when it comes to other people being expected to pay, the very same lobby groups and organisations that advise and assist them and lobby against paying are given the power to scrutinise what they are doing. That is why people do not have faith in what is going on.

I want to turn to the air passenger duty measure. The Minister was quick to use his crystal ball when tackled on corporation tax earlier. He quickly moved the issue away from what the Government are doing to what he foresaw a future Labour Government doing. I wonder whether he will go back to his crystal ball and reflect on two things. First, on the air passenger duty arrangements we are being asked to approve, what are the Government doing about the changes happening elsewhere in the country? When the Scottish Government set their rate for air departure tax, that could have a phenomenal impact on the airline industry and every regional airport and regional economy in this country. What is the point of the Government setting a rate in complete isolation from what is happening about 600 miles up the road? What is the value in that? Why do they not look at that and give us a coherent response?

Secondly, I am interested to know from the Minister’s crystal ball what is going to happen with corporation tax. Once Northern Ireland has to make a decision about corporation tax—presumably in relation to the Irish Republic—it cannot but have a knock-on effect on corporation tax rates in the rest of the country. How come there has not been a single comment about that from the Government? Will it be a case of them waking up after the event, as they have done at every stage in the economic management of the country so far, and telling us that they are going to think about it?

6.30 pm

Anneliese Dodds (Oxford East) (Lab/Co-op): Sadly, today’s debate on the Ways and Means resolutions has confirmed in the field of taxation something that many of us feared about the Government’s general approach to public policy: no genuine attempt is being made to face up to the enormous challenges facing our country, from our yawning productivity and investment gaps to the haemorrhage of public funds caused by tax dodging and, as many have noted, the uncertainty caused by the Government’s shambolic approach to Brexit.

We end this debate with new revelations, hot off the press, that the Government have been pleading with businesses to publicly back their Brexit negotiating strategy—pleas that have been met with “fury” and “incredulity” from business. Against that backdrop, rather than the wide-ranging changes that are required, we have a clutch of measures that I would describe as piecemeal, although I have to say that I liked the epithets used by my hon. Friend the Member for Ilford North (Wes Streeting), who described them as thin and patchy. Many of the measures are, sadly, ill thought through, and they could have a range of negative consequences.

The process is also flawed. Despite repeated calls from tax experts for more detailed scrutiny of tax measures, the House is being rushed into Second Reading of the Bill containing these measures just next week. I accept the Minister’s comments that all these measures
were published previously. However, several of them have been pulled, some at very short notice. As my hon. Friend the Member for North Durham (Mr Jones) set out—at least, I must say—some of those measures were important ones.

Such is the lack of coherence in this package of measures that some might describe the current coalition of chaos as rudderless, but I would say that is unfair, because the resolutions show that the Government’s shaky ship tends to list in one direction: towards the protection of the most privileged. As so many of my hon. Friends have mentioned, we see that first of all in the Government’s approach to non-dom status. That anomalous and old-fashioned status was created by William Pitt the younger, and it provides for some of the very richest in society privileges of which British mere mortals cannot avail themselves. Rather than fundamental abolition or reform, here we have the introduction of more and more complex rules.

We heard repeatedly today from the Government that they are closing the front door to tax avoidance from non-doms, but, as others have mentioned, that front door will close at a glacially slow pace. It will be open for another 15 years. In any case, while the Government maintain that they will—albeit very slowly—close the front door to tax avoidance, some of the measures proposed here open up new, hidden back doors through which non-doms can shift their tax responsibilities.

Many Labour Members have talked about the mechanism of business investment relief, which will be extended substantially beyond its initial remit. We have asked repeatedly for evidence of its efficacy, but evidence came there paltry little, and only very late in the day. It was only last Friday that we received a statistical commentary providing some very basic figures on the use of business investment relief, and the figures that we were initially given were rounded up to the nearest hundred. That is surely rather unusual when we are talking about fewer than 450 new individuals taking up that relief in 2014-15. In fact, according to my calculations, less than 1% of non-doms currently appear to be taking it up.

Furthermore, as many others have mentioned, the Government have provided no indication of which sectors or businesses are benefiting from this relief. Without that information, it is unclear why the Government have chosen to extend its remit. As my hon. Friend the Member for High Peak (Ruth George) mentioned, we see that first of all in the Government’s approach to non-dom status. That is already locked into trusts. As my hon. Friend the Member for Worsley and Ecclesfield (Stella Creasy) mentioned, is not the case for those whose parents are non-doms.

The new measures have been proposed in a context where, according to a statistical release we have only just received, more than 54,600 non-doms have been in the UK for seven of the past nine years, but only 5,100 seem to have admitted remitting income to the UK. Having said that, the exact number of non-doms in Britain seems to go up or down by 200 depending on which table is looked at in the statistical release, so we should perhaps take some of the figures with a pinch of salt. I must say that I struggle to understand how exactly all the remaining non-doms are surviving and living here. It is all very well trumpeting the funds obtained through the non-dom charges—we heard the same again today—but for high net worth individuals claiming non-dom status, those charges might be dwarfed by the taxes they would have paid if they were treated like ordinary Brits. Furthermore, while the Financial Secretary claimed that the proposals would end permanent non-dom status, that, as many Labour Members have mentioned, is not the case for those whose parents are non-doms.

It is difficult to avoid the conclusion of firms aiding individuals to attain non-dom status, such as the Tax Advisory Partnership, that non-dom status is, in its words, “generally advantageous to taxpayers”, although not of course to British ones. The firm also notes that “trust planning is a valuable option for many non-doms”, yet the Government’s new measures protect income that is already locked into trusts. As my hon. Friend the Member for Ilford North said, this is big business for the many firms engaged in enabling people to avoid tax.

I am very sorry that rather than promoting investment in our country, the non-dom system seems for many just to be a mechanism for tax avoidance. Now more than ever, we really need more business investment in Britain. Several Labour Members made the case for that today. I have looked at the figures provided by the OECD: last year, the increase in investment in Britain was half the G7 average, a third of the OECD average and a sixth of the EU average. Labour Members have heard nothing in this debate to convince us that the Government’s measures presented in the resolutions will provide the investment that our country desperately needs.

Generally, we find that while the Government may talk the talk on tax avoidance, the measures they produce are frequently watered down and insipid in practice. Just as with their measures on non-doms, we find that their commitment to crack down on those enabling aggressive tax avoidance fails to include the really strong deterrents called for by experts. Indeed, the Government initially proposed such measures, but they have now been watered down.

As several Labour Members have said, the treatment in these measures of non-doms and enablers of tax avoidance contrasts with the treatment of people who have been discriminated against in employment cases or made redundant. I must say that I share the concerns of my hon. Friend the Member for Walsall North (Mr Bailey) about the fact that the Financial Secretary did not mention those issues in his opening speech, and I very much hope that he will cover them in his concluding remarks. They are incredibly important for many people in Britain, particularly as we see more employment cases being brought and more people being made redundant. Take the issue of injury to feelings payments becoming taxable. I have looked at the figures and seen that we are not necessarily talking about very large awards. In 2014, the median award for injury to feelings across all categories of discrimination was £6,600. Over the three years to 2014, median awards for discrimination on the basis of sexual orientation actually diminished to just £1,000, and awards on the basis of other characteristics have generally come in at about the £6,000 mark.

I must say that I find it churlish of the Government to focus on the people who, after all, as my hon. Friend the Member for High Peak detailed, have been forced to pursue their case at many different levels, often at
considerable expense to themselves and causing considerable concern to themselves and their families. When they are found genuinely to have had a case—because their age, race, religion, sexual orientation, disability or pregnancy has been used against them—they then find out at that stage that any award is taxable. We find penny pinching that is focused on discriminated-against workers and those made redundant rather than an attempt to tackle large-scale tax avoidance head-on.

Colleagues have asked many other questions, to which we have not received adequate responses. One of the most important issues, which many colleagues mentioned, is the resourcing of HMRC, particularly with new cuts on the horizon through the removal of local offices. I am concerned that we find no commitment by the Government to grasp the nettle and properly resource HMRC so that it can feasibly assess whether high net worth individuals and multinational corporations will comply with the new rules.

I remind the Financial Secretary that there are still 10,000 fewer HMRC staff than in 2010—a 16% cut, despite the Government’s professed concern about tax avoidance. In that context it is no surprise that, as the hon. Member for Aberdeen North (Kirsty Blackman) said, proposed new powers for HMRC to enter premises and inspect goods, as well as to search vehicles or vessels, have not been repeated in the resolutions despite discussion of them before the election. In this matter as in others, an ideological commitment to reducing the size of HMRC can lead to a focus on punishing smaller businesses that have transgressed minor rules, while some of the biggest players escape their liabilities. As my hon. Friend the Member for Ilford North said, the principle of proportionality is already under pressure. That could become an even bigger problem with additional cuts.

The matter is also deeply concerning in the context of Making Tax Digital. We welcome the fact that the Government have ceded to pressure and that they are climbing down on making tax digital to an accelerated timetable, but I am worried that the Financial Secretary said that electronic reporting would be extended only when it had been shown to work well. I remember similar discussions on the introduction of digital reporting for services that suddenly had to pay VAT when the system changed to operating on the basis of where the buyer rather than the seller was. The Government said then that all the arrangements would be in place; businesses would know how to pay their VAT, and there would not be concerns about testing the system—the so-called VAT MOSS system. Many Opposition colleagues will remember it as the VAT mess system, because that is what we got.

Cuts to HMRC resources are incredibly important. One Conservative Member shouted, “With digitalisation, we don’t need HMRC staff.” In some cases, we need those staff precisely to help people through the digital process. Those staff were not there for VAT mess, and I am worried that they will not be there for elements of Making Tax Digital if the Government go ahead with their plans.

Ways and Means resolutions may be technical, as the Chancellor said in his brief intervention in the discussion, but they offer an opportunity to deal with some of the fundamental problems with the British economy. Fiscal matters are incredibly important—Opposition Members accept that, and that is why so many of us have been present, intervened in the debate and posed questions. Sadly, instead of the genuine engagement that we should have had with many of our concerns, they have not been dealt with seriously. Overall, the measures imply that the very best-off people are likely to be rewarded, with little left for everyone else.

6.44 pm

Mel Stride: The debate has been engaging and I thank all Members for their contributions. I will touch briefly on the points that have been raised. As I said in my opening speech, there will of course be further opportunities to debate the principles behind the Finance Bill, not least on Second Reading next week.

The measures to be included in the Finance Bill have been consulted upon widely and scrutinised by the public, key stakeholders, tax professionals and, to some extent, the House. The shadow Chief Secretary, the hon. Member for Bootle (Peter Dowd), said that the Bill was being rushed through. I remind him that we have already debated the Second Reading of a Bill which, substantially, contained nearly all the measures that we will debate in the weeks and months ahead.

The Bill will raise some £16 billion over the next five years, but, far from what the hon. Members for Bootle and for Oxford East (Anneliese Dodds) would have us believe, much of that revenue will be raised from large multinational corporations—and, yes, from non-domiciled individuals. On the issue of the taxation of non-domiciled individuals, let me make it clear that we are abolishing permanent non-dom status. It is this Government who have presented proposals, consulted on them widely, and delivered a fair and balanced package. During the debate I heard Opposition Members criticise offshore trusts. Let me be clear again: if funds are taken out of trusts, they will be taxed in the normal way. In recent years, we have reached important international agreements on the automatic exchange of information to ensure that we can effectively monitor those movements.

Overall, we have developed a balanced policy that promotes fairness in the tax system and, importantly, protects vital revenues for our public services. Those non-doms bring in about £9 billion per year in tax revenues, which is up from £8 billion about a decade ago. We expect, in addition to those revenues, to raise a further £1.5 billion over the next five years as a direct result of this Finance Bill.

The Bill introduces important changes in corporation tax, implementing rules agreed internationally and recommended by the OECD. They will ensure that big companies pay corporation tax when they make large profits, no matter what their past losses might have been, and will prevent them from using artificial borrowing to avoid the tax that they owe. I remind the House that those matters have been the subject over some years of intense international work—international work that the Government have been instrumental in driving forward. These changes represent real results, which Labour Members never seemed to get around to when they were in office.

The hon. Member for Bootle also criticised measures relating to termination payments. The £30,000 tax-free allowance will still be available and statutory redundancy
will be tax-free. However, we must face the fact that, while it may be a particularly easy argument to prosecute that we are somehow beating up those who are losing their jobs, the reality is that that situation is being used as a vehicle for tax avoidance, and when the Government find tax avoidance, we will clamp down on it.

Let me now deal with the points raised by the hon. Member for Bootle about the Government’s record on tax avoidance and evasion, and the work of HMRC. He suggested that somehow HMRC was not doing enough. I remind the House that in 2016-17, HMRC brought in £574.9 billion in tax revenue, and that was the seventh record year in a row. It generated £29.9 billion of compliance revenue in one year, and in 2016-17 it prosecuted 886 criminals for tax avoidance and evasion, more than double the number six years ago. The hon. Member for Oxford East criticised our commitments to HMRC. Since 2010 we have invested £1.8 billion in HMRC for the purpose of clamping down on tax avoidance and evasion, and we have brought in £160 billion by clamping down on avoidance since that date.

Members have rightly made much of the need to narrow the tax gap. The Government are committed to that as well, but many have failed to recognise that the gap now stands at 6.5%. That is one of the lowest figures in the world, and it is lower than the figure that applied every year in which Labour was in office. We can pride ourselves on having one of the most robust and transparent tax gap estimates in the world, with the methodology scrutinised by the International Monetary Fund and the National Audit Office.

The hon. Member for Bootle suggested that Labour would do more than any other party to tackle the tax gap, but let us judge Labour on its record. The latest tax gap is 6.5%. In 2004-05, after two terms of a Labour Government, it was around 9%. That is not a record to shout about. The tax gap for corporation tax in particular is 7.6%, but a decade earlier, under Labour, it was around double that figure. For large businesses, the tax gap for corporation tax we that inherited was 11.1%; now it has almost halved to 5.8%. And let us look at the receipts: onshore corporation tax revenues last year hit a record of around £50 billion. In 2004-05, after two terms of a Labour Government, they were almost £20 billion lower.

I want now to turn to some of the other contributions to the debate. My right hon. Friend the Member for Loughborough (Nicky Morgan) made some very pertinent points, and I congratulate her on her election to her new course. She made some important points about VAT refunds for museums, and I will make it clear that funds remitted out of non-dom trusts will be taxable. He also, however, flirted with the idea of politicians getting directly involved in the tax affairs of individuals, which would be a dangerous road to go down. I do not want politicians interfering in people’s tax affairs; I want to protect tax confidentiality.

As for the hon. Member for North Durham (Mr Jones), who has a flicker of a smirk about his face on the Back Bench there, what can I say? He started his speech by telling us he was going to speak rubbish, and I think it is fair to say that he amply met his objective, not in terms of the content of what he said—he was as eloquent and erudite as always—but in terms of his apparent inability to speak to the matters in question, because of course landfill tax, important though it is, will not form part of the current Bill. He then mentioned APD, for which I was grateful, because that is in the Bill, but I fail to see how I could get puppies in by any possible stretch of the imagination.

The hon. Member for Ilford North (Wes Streeting) gave a thoughtful speech, although I have to say that there were limited areas of agreement between us. I was pleased that he welcomed our changes to MTD. He stressed the importance of the wealthiest paying their share of tax. He is right, but he will know that the top 1% of earners in this country pay 27% of all tax, that the most wealthy 3,000 pay as much tax as the poorest 9 million, and that income inequality is at its lowest level for 30 years.

Wes Streeting: Will the Minister give way?

Mel Stride: I will not on this occasion, as I have very little time—I apologise.

The hon. Gentleman mentioned non-dom trusts. I have made it clear that funds remitted out of non-dom trusts will be taxable. He also, however, flirted with the idea of politicians getting directly involved in the tax affairs of individuals, which would be a dangerous road to go down. I do not want politicians interfering in people’s tax affairs; I want to protect tax confidentiality. He also talked about the resourcing of HMRC which, as I have said, has received £1.8 billion since 2010, and is bringing in record levels by clamping down on tax avoidance.

The hon. Member for High Peak (Ruth George) mentioned termination payments and said that she hoped we would not be reducing the £30,000 allowance. That is certainly not our intention at present, and if there were any move to change the figure, it would have to be the subject of a statutory instrument subject to the affirmative procedure, meaning that it would come back to the House for approval or otherwise.

The hon. Member for Enfield, Southgate (Bambos Charalambous) made the point that we need to raise money to pay for public services—he is absolutely right.
That is why we are clamping down on tax avoidance and pursuing our policies. The hon. Member for Birmingham, Selly Oak (Steve McCabe) also mentioned termination payments, and I refer him to my earlier remarks about that. He talked about business investment relief, which will be available and made more flexible for those who have non-domiciled status. That should not be criticised. This is money coming into our country to invest in businesses, in British jobs, in wealth creation and in creating the taxes that, in turn, will fund the public services on which we all depend.

While we consider the action being taken in this Finance Bill, let us not forget what we inherited from the Labour party and the important actions that we have taken. Foreigners did not pay capital gains tax when they sold houses in the UK, but we stopped that in April 2015. Private equity managers could pay minimal rates of tax on their performance fees, but we stopped that in the summer Budget of 2015. Thousands of the richest homeowners did not pay stamp duty, but we stopped that in 2015. On corporation tax, banks did not pay tax on all their profits, but we stopped that in December 2011. Investment companies could cut their tax bill by flipping the currency that their accounts were in; we stopped that in 2011. On income and inheritance tax, people avoided paying tax by calling the salary from their own company a loan; we stopped that in 2013. Non-doms could avoid paying UK tax by splitting their employment contracts; we stopped that in 2014. Hedge fund managers could use partnerships to avoid paying tax on their income; we stopped that in 2014. People could claim inheritance tax relief twice on some assets; we stopped that in 2013. On the economy more generally, and perhaps most importantly of all, the Labour party wanted us to go on bankrupting Britain, but we stopped that in 2010.

That record on tax avoidance and fairness shows that this Government have delivered, and we will continue to deliver with this Bill. Opposition Members have accused the Government of using smoke and mirrors, but the record shows that it is they who talk tough but take little action. The upcoming Finance Bill continues our work to deliver a fair and competitive tax system. It implements measures that will raise £16 billion for our public services. It clamps down on avoidance and evasion, and addresses the challenges that the Labour party chose to duck. I commend the motions to the House.

**Question put and agreed to.**

**Resolved.**

That—
(a) the provision (including provision having retrospective effect) may be made by amending Part 3 of the Income Tax (Earnings and Pensions) Act 2003, and
(b) (notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills) provision may be made taking effect in a future year amending Chapter 6 of that Part (taxable benefits: cars etc).

The Deputy Speaker put forthwith the Questions necessary to dispose of the remaining Ways and Means motions (Standing Order No. 51(3)).

2. PENSIONS ADVICE

That provision (including provision having retrospective effect) may be made for an employment-related exemption from income tax in connection with pensions-related advice or information.

3. INCOME TAX TREATMENT OF CERTAIN LEGAL EXPENSES ETC

Resolved.

That provision (including provision having retrospective effect) may be made about—
(a) the deductions from earnings that are allowed under section 346 of the Income Tax (Earnings and Pensions) Act 2003,
(b) the exceptions from the application of Chapter 3 of Part 6 of that Act provided for in sections 409 and 410 of that Act, and
(c) the payments that are deductible payments for the purposes of Part 8 of that Act by virtue of section 558 of that Act.

4. TERMINATION PAYMENTS ETC

**Question put.**

That (notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills) provision may be made taking effect in a future year about the tax treatment of payments or benefits received in connection with the termination of an employment or a change in the duties in, or earnings from, an employment.
Ways and Means: 6 September 2017

Tellers for the Ayes: Mrs Heather Wheeler and Andrew Griffiths

NOES

Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie

Strour, Mr Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Symes, Mr Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whatley, Helen
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Fabian, Michael
Fallon, rh Sir Michael
Fernandes, Suella
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazz, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Mrs Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Gyimah, Mr Sam
Hair, Kirstene
Hallon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hand, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Mr John
Heald, rh Mr Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollinbroke, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkins, Mr Bernard
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lindingon, rh Mr David
Little Pengelly, Emma
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, rh Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McLaughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Merce, rh Spring
Merriman, Huw
Melchett, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murnison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Passey, Mark
Penrose, Mike
Penrose, John
Percy, Andrew
Perry, Claire
Philip, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, rh Mr Mark
Purseglove, Tom
Quin, rh Sir Henry
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, rh Sir Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, rh Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Julian
Smith, Royston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory

Ways and Means: 6 September 2017

Perry, Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, rh Mr Mark
Purseglove, Tom
Quin, rh Sir Henry
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, rh Sir Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, rh Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
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Smith, Royston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory

Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
6 SEPTEMBER 2017

Resolved,

That provision (including provision having retrospective effect) may be made in Finance Bills) provision may be made taking effect in a future year amending sections 703 and 704 of the Income Tax (Earnings and Pensions) Act 2003 (PAYE agreements).

5. PAYE SETTLEMENT AGREEMENTS

6. PENSIONS: MONEY PURCHASE ANNUAL ALLOWANCE

Resolved,

That provision (including provision having retrospective effect) may be made about the money purchase annual allowance.

7. DIVIDEND NIL RATE

Resolved,

That provision (including provision having retrospective effect) may be made about the dividend nil rate of income tax.
8. GAINS FROM CONTRACTS FOR LIFE INSURANCE ETC

Resolved.
That provision may be made amending Chapter 9 of Part 4 of the Income Tax (Trading and Other Income) Act 2005.

9. THE “NO PRE-ARRANGED EXITS REQUIREMENT”

Resolved.
That provision (including provision having retrospective effect) may be made about the “no pre-arranged exits requirement” for the purposes of the enterprise investment scheme and the seed enterprise investment scheme.

10. VENTURE CAPITAL TRUSTS (FOLLOW ON FUNDING AND EXCHANGE OF SHARES)

Resolved.
That provision (including provision having retrospective effect) may be made amending Chapter 6 of Part 6 of the Income Tax Act 2007.

11. SOCIAL INVESTMENT TAX RELIEF

Resolved.
That provision (including provision having retrospective effect) may be made about social investment tax relief.

12. THE “NO DISQUALIFYING ARRANGEMENTS REQUIREMENT”

Resolved.
That provision (including provision having retrospective effect) may be made about the “no disqualifying arrangements requirement” for the purposes of the enterprise investment scheme, the seed enterprise investment scheme and venture capital trusts.

13. BUSINESS INVESTMENT RELIEF

Question put,
That provision (including provision having retrospective effect) may be made about the conditions under which business investment relief in Chapter A1 of Part 14 of the Income Tax Act 2007 is available.

The House divided: Ayes 320, Noes 287.

Division No. 11 [7.15 pm]

AYES

Adams, Nigel
Atolami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allan, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry

Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalke, Alex
Chiambi, Rehman
Chope, Mr Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crab, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Dochtery, Leo
Dockerill, Julia
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Donnies, Ms Nadine
Double, Steve
Dowden, Oliver
Doyly-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr lain
Dunne, Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Ephicke, Charlie
Eustice, George
Evans, Mr Nigel
Evennett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
Fernandes, Suelia
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fysh, Mr Marcus
Gale, Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nuarat
Gibb, rh Nick
Gillian, rh Mrs Cheryl

Givan, Paul
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Gymmah, Mr Sam
Hair, Kirstene
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Mr John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hermon, Lady
Hinds, Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollonboe, Mr Philip
Holloway, Adam
Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurdy, Mr Nick
Jack, Mr Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Manchester, Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Philip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, Penny
Moran, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Norman, Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Prith
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Percy, Andrew
Perry, Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, rh Mr Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Julian
Smith, Royston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Mr Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tohurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaiyz, rh Mr Edward
Vara, rh Shafiekh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, Sammy
Wollastock, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Mrs Heather Wheeler and
Andrew Griffiths

Abott, rh Ms Diane
Alexander, Heidi
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Blackford, Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Clwyd, rh Ann
Coaker, Vernon
Coffee, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Cowan, Ronnie
Coyle, Neil
Crausby, Sir David
Crawley, Angela
Cream, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummings, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
David, Wayne
Davies, Geraint
Day, Martyn
Deddoa, Manhaja
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dhersi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin

NOES
Dodd, Anneliesse
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliot, Julian
Elman, Mrs Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Frank
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Fovargue, Yvonne
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwyne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hendry, Drew
Heppburn, Mr Stephen
Hill, Mike
Hiller, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham
14. BASIS OF CALCULATION OF PROFITS FOR INCOME TAX PURPOSES

Resolved.
That provision (including provision having retrospective effect) may be made for income tax purposes—
(a) about the calculation on the cash basis of profits, and
(b) in other respects about the basis of calculation of profits.

15. TRADING AND PROPERTY ALLOWANCES

Resolved.
That provision (including provision having retrospective effect) may be made for new reliefs available in respect of, and of amounts determined by reference to—
(a) an individual's trading income and miscellaneous income, or
(b) an individual's property income.

16. CORPORATION TAX RELIEF FOR LOSSES ETC

Resolved.
That provision (including provision having retrospective effect) may be made for income tax purposes—
(a) about how corporation tax relief is to be given for losses, deficits, expenses and other amounts, and
(b) for counteracting the effect of tax avoidance arrangements concerning corporation tax relief for such amounts.

17. CORPORATE INTEREST RESTRICTION

Resolved.
That provision (including provision having retrospective effect) may be made about the amounts that may be brought into account for the purposes of corporation tax in respect of interest and other financing costs.

18. MUSEUM AND GALLERY EXHIBITIONS: TAX RELIEF AND TAX CREDITS

Resolved.
That—
(a) provision (including provision having retrospective effect) may be made for relief from corporation tax in connection with the production of museum and gallery exhibitions, and
(b) notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills) provision may be made for tax credits to be paid to museums and gallery exhibition production companies in respect of expenditure on the production of exhibitions.

19. CORPORATION TAX RELIEF FOR EXPENDITURE ON GRASSROOTS SPORT

Resolved.
That provision (including provision having retrospective effect) may be made for relief from corporation tax for expenditure on grassroots sport.
Resolution.  

That provision (including provision having retrospective effect) may be made amending Part 6A of the Corporation Tax Act 2010.

21. HYBRID AND OTHER MISMATCHES

Resolution.

That provision (including provision having retrospective effect) may be made amending Part 6A of the Taxation (International and Other Provisions) Act 2010.

22. TRADING PROFITS TAXABLE AT THE NORTHERN IRELAND RATE

Question put,

That provision may be made—

(a) about the extent to which trading profits are chargeable to corporation tax at the Northern Ireland rate;

(b) amending the Capital Allowances Act 2001 in connection with Part 8B of CTA 2010 (trading profits taxable at the Northern Ireland rate); and

(c) to reflect changes to the Northern Ireland departments and the creation of new Ministerial offices.

The House divided: Ayes 320, Noes 249.

Division No. 12] [7.29 pm

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Berestov, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Mr Graham
Breereton, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh Alistair
Bruce, Fiona
Burack, Alex
Burns, Conor
Burt, rh Alistair

Cairns, rh Alun
Campbell, Mr Gregory
Cartlidge, James
Cash, Sir William
Caufield, Maria
Chalk, Alex
Chishti, Reham
Chope, Mr Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Clevery, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Dockerty, Leo
Dockerrill, Julia
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Douglas, Steve
Dowden, Oliver
Doyle-Price, Jackie

Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Elwood, rh Mr Tobias
Elphicke, Charlie
Eucliffe, George
Evans, Mr Nigel
Evennett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
Fernandes, Suella
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazer, Lucy
Freeman, George
Freer, Mike
Fysh, rh Mr Marcus
Gale, Sir Roger
Garnier, Mark
Gauke, rh Mr David
Ghani, Ms Nusrat
Gibb, rh Nick
Gillan, rh Mrs Cheryl
Girvan, Paul
Glen, John
Goldsmith, Zac
Goodwill, rh Mr Robert
Gove, rh Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damien
Greening, rh Justine
Grieve, rh Mr Dominic
Gyimah, Mr Sam
Hair, Kirstene
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Mr John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Heron, Lady
Hinds, Damien
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam

Howell, John
Huddleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, Mr Nick
Jack, rh Alister
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenrick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, Mark
Latham, Mrs Pauline
Leadson, rh Andrea
Lee, Dr Philip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Little Pengelly, Emma
Lord, Mr Jonathan
Loughton, Tim
Macmillan, Craig
Maclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, Scott
Masterton, Paul
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Mercer, Johnny
Merrimian, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryl
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Norman, Jesse
O’Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phlip, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alex
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Julian
Smith, Royston
Soames, rh Sir Nicholas
Soubry, rh Anna
Speelman, rh Dame Caroline
Spencer, Mark
Stephenson, Andrew
Stein, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Sym, Mr Robert
Thomas, Derek
Thompson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

**Tellers for the Ayes:**
Mrs Heather Wheeler and Andrew Griffiths

Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Coyle, Neil
Crausby, Sir David
Creagh, Mary
Creasy, Stella
Cruddas, rh Mel
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
David, Wayne
Davies, Geraint
De Cordova, Marsha
De Piero, Gloria
Debono, Dr Thangam
Dhesi, rh Tanmanjeet Singh
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Maria
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Elmore, Chris
Euston, Bill
Evans, Chris
Farnell, Paul
Field, rh Frank
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Fovargue, Yvonne
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gill, Preet Kaur
Glindon, Mary
Goodman, Helen
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hepburn, Mr Stephen
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hopkins, Kelvin
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Jones, Susan Ellen
Kane, Mike
Keelley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Lee, Ms Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
McCabe, Steve
McCarthy, Kenny
McDonagh, Siobhain
McDonald, Andy
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Means, Ian
Miliband, rh Edward
Moon, Mrs Madeleine
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Norris, Alex
O’Mara, Jared
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teressa
Pennycook, Matthew
Perkins, Toby

NOES
Abbott, rh Ms Diane
Alexander, Heidi
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazi, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brake, rh Tom
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Campbell, rh Mr Alan
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Jenny
Charalambous, Bambos
Clwyd, rh Ann
Coaker, Vernon

Percy, Andrew
Perry, Claire
Phlip, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prestis, Victoria
Prisk, Mr Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alex
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Julian
Smith, Royston
Soames, rh Sir Nicholas
Soubry, rh Anna
27. DISGUISED REMUNERATION SCHEMES

Resolved,
That—
(a) (notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills) provision may be made taking effect in a future year about the application of Chapter 2 of Part 7A of the Income Tax (Earning and Pensions) Act 2003 in cases where loans are made and rights acquired;
(b) (notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills) provision may be made taking effect in a future year about the income tax treatment of loans, or acquired rights, in cases where there is an arrangement in connection with a trade;
(c) provision (including provision having retrospective effect) may be made about the income tax treatment of benefits arising in pursuance of an arrangement in connection with a trade;
(d) provision (including provision having retrospective effect) may be made amending—
(i) sections 38 and 866 of the Income Tax (Trading and Other Income) Act 2005, and

28. DISGUISED REMUNERATION SCHEMES
(RELEVANT TAX PAYMENTS)

Resolved,
That—
(1) In section 554XA of the Income Tax (Earnings and Pensions) Act 2003 (employment income provided through third parties: exclusion for payments in respect of a tax liability), in subsection (2), omit paragraphs (a) and (b).
(2) The amendment made by paragraph (1) has effect in relation to relevant steps taken on or after 21 July 2017.
And it is declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

29. FIRST-YEAR ALLOWANCE FOR EXPENDITURE ON ELECTRIC VEHICLE CHARGING POINTS

Resolved,
That provision (including provision having retrospective effect) may be made for a first-year allowance under Part 2 of the Capital Allowances Act 2001 for expenditure on electric vehicle charging points.

30. TRANSACTIONS IN LAND IN THE UNITED KINGDOM

Resolved,
That provision (including provision having retrospective effect) may be made in relation to the amounts in relation to which the amendments made by sections 76 to 80 of the Finance Act 2016 have effect.

31. CO-OWNERSHIP AUTHORISED CONTRACTUAL SCHEMES

Resolved,
That provision may be made about co-ownership authorised contractual schemes.

32. AIR PASSENGER DUTY (RATES)

Resolved,
That (notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills) provision may be made taking effect in a future year increasing the rates of air passenger duty.
33. PETROLEUM REVENUE TAX: ELECTIONS

Resolved,
That provision (including provision having retrospective effect) may be made amending Schedule 20B to the Finance Act 1993.

34. GAMING DUTY

Resolved,
That—
(1) In section 11(2) of the Finance Act 1997 (rates of gaming duty), for the table substitute—
“Table

<table>
<thead>
<tr>
<th>Part of gross gaming yield</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>The first £2,423,500</td>
<td>15%</td>
</tr>
<tr>
<td>The next £1,670,500</td>
<td>20%</td>
</tr>
<tr>
<td>The next £2,925,500</td>
<td>30%</td>
</tr>
<tr>
<td>The next £6,175,500</td>
<td>40%</td>
</tr>
<tr>
<td>The remainder</td>
<td>50%</td>
</tr>
</tbody>
</table>

(2) The amendment made by paragraph (1) has effect in relation to accounting periods beginning on or after 1 April 2017.

And it is declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.

35. REMOTE GAMING DUTY

Resolved,
That provision (including provision having retrospective effect) may be made about remote gaming duty.

36. TOBACCO PRODUCTS MANUFACTURING MACHINERY (LICENSING SCHEMES)

Resolved,
That (notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills) provision may be made conferring powers on the Commissioners for Her Majesty’s Revenue and Customs to make provision for, or in connection with, a licensing scheme for persons carrying out certain activities in relation to tobacco products manufacturing machinery.

37. THIRD COUNTRY GOODS FULFILMENT BUSINESSES

Resolved,
That (notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills) provision may be made for the approval and registration of persons carrying on a third country goods fulfilment business.

38. DIGITAL REPORTING AND RECORD-KEEPING

Resolved,
That provision may be made for and in connection with digital reporting and record-keeping for businesses within the charge to income tax and for partnerships.

39. DIGITAL REPORTING AND RECORD-KEEPING FOR VAT

Resolved,
That—
(a) provision may be made for and in connection with reporting and record-keeping for value added tax, and
(b) (notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills) provision may be made taking effect in a future year for and in connection with digital record-keeping for value added tax.

40. PARTIAL CLOSURE NOTICES

Resolved,
That provision may be made in relation to enquiries made by Her Majesty’s Revenue and Customs into tax returns.

41. ERRORS IN TAXPAYERS’ DOCUMENTS

Resolved,
That provision may be made amending Schedule 24 to the Finance Act 2007.

42. PENALTIES FOR ENABLERS OF DEFEATED ARRANGEMENTS FOR AVOIDING TAX OR NICS

Resolved,
That—
(a) provision may be made about penalties for persons who enable arrangements for avoiding tax which are defeated, and
(b) (notwithstanding anything to the contrary in the practice of the House relating to the matters that may be included in Finance Bills) provision may be made about penalties for persons who enable arrangements for avoiding national insurance contributions which are defeated.

43. DISCLOSURE OF TAX AVOIDANCE SCHEMES: VAT AND OTHER INDIRECT TAXES

Resolved,
That provision may be made about the disclosure of avoidance schemes relating to VAT or other indirect taxes.

44. REQUIREMENT TO CORRECT OFFSHORE TAX NON-COMPLIANCE

Resolved,
That provision may be made for and in connection with requiring persons to correct offshore tax non-compliance which relates to income tax, capital gains tax or inheritance tax and subsists at the end of the tax year 2016-17.

45. PENALTY FOR TRANSACTIONS CONNECTED WITH VAT FRAUD

Resolved,
That provision may be made for and in connection with the imposition of penalties in cases where a person enters into a transaction connected with the fraudulent evasion of VAT by another when the person knew or should have known that the transaction was so connected.

46. DATA-GATHERING POWERS

Resolved,
That provision may be made amending Part 2 of Schedule 23 to the Finance Act 2011 in relation to money service businesses.

47. NORTHERN IRELAND WELFARE PAYMENTS

Resolved,
That provision may be made amending section 44(2) of the Finance Act 2016 so as to take account of the Housing Benefit (Amendment No. 2) Regulations (Northern Ireland) 2016.
48. INCIDENTAL PROVISION ETC

Resolved,
That it is expedient to authorise—
(a) any incidental or consequential charges to any duty or tax (including charges having retrospective effect) that may arise from provisions designed in general to afford relief from taxation, and
(b) any incidental or consequential provision (including provision having retrospective effect) relating to provision authorised by any other resolution.

Ordered,
That a Bill be brought in upon the foregoing Resolutions;
That the Chairman of Ways and Means, the Prime Minister, Mr Chancellor of the Exchequer, Secretary Boris Johnson, Secretary Sajid Javid, Secretary Justine Greening, Elizabeth Truss, Mel Stride, Stephen Barclay and Andrew Jones bring in the Bill.

FINANCE BILL

Presentation and First Reading
Mel Stride accordingly presented a Bill to grant certain duties, to alter other duties, and to amend the law relating to the national debt and the public revenue, and to make further provision in connection with finance.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 102).

PETITION

Local Bus Services in Torbay

7.44 pm

Kevin Foster (Torbay) (Con): I am delighted to have such an audience for the presentation of a petition.

I rise on behalf of residents in my constituency in relation to a petition they have gathered about the loss of their valued bus services. The petition has been organised by my constituent, Val Baker, and has been signed by 1,278 residents. I am pleased to be able to present this petition in the Chamber, given that some jobsworths at Torbay Council have decided that they wish to reject it. It is welcome that this House is more responsive to my residents’ views than some of the officers at their local council.

The petition declares:

The petition of users of the No. 65 bus service in Torbay,
Declares that the cancellation of the number 65 bus service between The Willows to Torquay via Hele, Babbacombe, Quinta, Ellacombe and St Marychurch will have a detrimental impact on local residents, in particular, elderly residents.

The petitioners therefore request that the House of Commons urges Torbay Council to commit to providing a similar service to the previous No. 65 service for the sake of the local residents as soon as possible.

And the petitioners remain, etc.  [P002052]

Knife Crime

Motion made, and Question proposed, That this House do now adjourn.—(Chris Heaton-Harris.)

7.46 pm

Sarah Jones (Croydon Central) (Lab): Thank you, Mr Deputy Speaker, for allowing this debate following a summer in which once again we have seen the devastating impact of knife crime.

A month ago tomorrow, 15-year-old Jermaine Groupall was stabbed to death in Croydon. Jermaine was the 15th teenager to die in a knife attack in London this year—15 young lives wasted. These devastating stories are in the news every time we switch on the TV or open a newspaper, but behind every headline is a family ruined; a local community in shock; more parents afraid to let their children out of their sight; and, tragically, a generation of young people who are becoming increasingly anxious and, in many cases, desensitised to the existence of dangerous weapons in their communities.

I asked for this debate because I believe, as I am sure everyone in this House believes, that every single life matters and that the epidemic of youth violence in this country will continue to escalate unless we do more to intervene.

I spent much of the summer talking to people in Croydon about knife crime, trying to understand why it has almost doubled in the past year. I spoke to young people involved in criminal gangs, youth workers who work with young people, local organisations that go into schools, mentor children, help provide advice and support or just give some love; and to the police, the local council, football clubs in local communities, large charities and tiny, two-person organisations in Croydon. I want to thank them all for their time and for what they do. They are all incredibly inspiring and strong.

I heard stories which broke my heart, including about policemen battling to save a life by putting their fingers in a wound to stop the streaming blood. The boy survived only to be picked up the very next week while out looking for revenge. I heard about young people who have been in care all their lives and find their only sense of love and belonging when they are in a gang; girls whose boyfriends ask them to carry their knives, and they do it because they believe that is what is expected of them; and horrific images of stabbings, of strippings, shown far and wide on social media. I was told of older men grooming young boys to carry drugs or commit other crimes with the promises of great riches that never materialised.

But this summer I also met towering figures who are giving their all to fight this problem, and some amazing young people who, against the odds, have turned their lives around. I was inspired and I learned a huge amount.

This is what I know: first, knife crime and knife carrying are increasing, and although they are greatest in London, they are increasing across the country. They are up by one fifth across England and Wales, according to recent statistics provided by the Office for National Statistics.

Jim Shannon (Strangford) (DUP): I sought the hon. Lady’s permission to intervene. I thank her for giving way and congratulate her on speaking on a massive issue. Northern Ireland has a relatively small amount of knife
crime, with only 789 crimes involving knives and sharp objects in 2015-16. The fact remains, however, that there is a real need to educate our young people on the dangers of even bringing a knife out of the house. Does the hon. Lady agree that the Department of Justice and the Ministry of Justice must do more work with the Department for Education to target attention on the 12 to 17-year-old age bracket, because that is where the problem is?

Sarah Jones: The hon. Gentleman is absolutely right, and I will refer later in my remarks to education, which is key.

Knife crime is increasing. Comparative data from NHS hospitals show us that there was a 13% increase in admissions for assault by sharp object between 2015 and 2016. The Minister will be aware of the growing concern about county lines operated by urban criminal networks.

Will Quince (Colchester) (Con): I congratulate the hon. Lady on securing this important debate on the scourge of knife crime, which is one of the most important issues facing the country. She mentioned county lines. Does she agree that we need to get police forces outside London to work far more closely with the Metropolitan police to try to break some of those county lines, and particularly to tackle the practice of cuckooing, which preys on the most vulnerable in our society?

Sarah Jones: Yes, I agree with the hon. Gentleman. That is key. Knife crime is increasing. Comparative data from NHS hospitals show us that there was a 13% increase in admissions for assault by sharp object between 2015 and 2016. The Minister will be aware of the growing concern about county lines operated by urban criminal networks.

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Sarah Jones: Yes, I agree with the hon. Gentleman. That is key. Knife crime is increasing. Comparative data from NHS hospitals show us that there was a 13% increase in admissions for assault by sharp object between 2015 and 2016. The Minister will be aware of the growing concern about county lines operated by urban criminal networks.

The second thing I know is that the age of the young people involved is getting lower and lower. Every single agency I spoke to over the summer said that it was used to seeing young people between the ages of 16 and 24, but that the age of the children it saw was dropping to 12, 13 and 14.

Mr Steve Reed (Croydon North) (Lab/Co-op): I echo the words of congratulation to my hon. Friend on securing this important debate. To what extent does she believe that the severe cuts to council services—they have led to cuts in services such as crime prevention, early intervention and family support—and the severe reductions in neighbourhood policing have contributed to Croydon having the second highest level of knife crime in London?

Sarah Jones: My hon. Friend is absolutely right. Over the summer, I walked around with the police looking for knives, and I talked to senior police officers and many others about the impact on their work of the cuts to their budgets and to other services. I heard about policemen buying food for children whom they had picked up before taking them home, because those children did not have enough food to eat. There are a huge range of issues that we need to tackle, but police cuts and local government cuts are an important part of the picture.

The third thing that I discovered over the summer is that the problem stretches beyond the children who are involved in crime and who carry knives themselves. Teenagers are growing up attending the funerals of school friends, with parents who are under-supported or overworked, and often both. Those children have growing anxiety and fewer ways to express it. A counselling service in my borough described deep-seated traumas among a growing number of young people, with half of the people who made up its case load having experienced suicidal thoughts. Many of our children now see the carrying of knives and the exploitation of men and women as normal. They see a world that, in many ways, we do not see.

The fourth fact that I learned is that the issue is complex. We cannot just say, “This is about kids in gangs who want to make money.” In fact, most knife crime is not gang-related. The causes range from policing, to jobs and training, to education, mental health and youth service provision; from silos in the care system to social media, parenting and street design. Every crime is different, every cause is different and every response must be adapted.

My fifth finding is that we know what works. A lot of people are already showing us the way, working hard and finding the answers. Although the picture is complex and the scale of the problem pretty big, there is a lot of evidence about what works and what needs to be done. I would not be standing here today if I did not think we could develop cross-party consensus about what needs to happen and how to tackle knife crime. The case that I want to make today is that we are simply not doing enough to tackle this blight on the lives of individuals and communities. I say that while welcoming the Home Secretary’s recent promise to crack down in law on the online sale of knives. I also welcome the continued commitment to Operation Sceptre by police forces up and down the country.

Helen Hayes (Dulwich and West Norwood) (Lab): I congratulate my hon. Friend on securing a debate on such a critical issue and on her truly excellent speech. Although the causes of and the solutions to knife crime are complicated, does she agree that the absolutely first base needed to solve it is properly resourced neighbourhood policing? Such policing builds trust, and is the bedrock of the trust between the police and local communities. It is absolutely critical in fostering a culture in which our young people believe that the police are there to keep them safe, and that they therefore do not need to carry weapons of their own.

Sarah Jones: My hon. Friend is absolutely right. When I was walking around with the local police looking for knives on a local council estate, I talked to them about the impact of the cuts on their job, and they said the impact was very severe and that they could not do the things they wanted to do. For example, one of the things they do not have the resources to do is to go into schools to normalise the relationship between children and the police so that a bit more trust can be built up between them. Such interventions are absolutely crucial, but at the moment they are not happening in the way they should.

I welcome the Mayor of London’s recent knife crime strategy, as well as the work of many colleagues, such as that of my hon. Friend the Member for Lewisham,
Deftord (Vicky Foxcroft), in setting up the Youth Violence Commission. The Home Office’s flagship scheme on ending gang violence and exploitation is well intentioned, but with just under £100,000 of funding for this year, it does not have enough money, and it also focuses predominately on gangs. It does not reflect the complex reality that has developed during the past few years, and it requires cash-starved local authorities to fund half the cost of the programme if they want it to be implemented in their areas.

I want to press the Minister to give this issue the breadth of focus it deserves. The Metropolitan Police Commissioner, Cressida Dick, has herself said that “we absolutely cannot deal with this problem through enforcement alone.”

Specifically, I am calling on the Government to develop a coherent, 10-year knife crime strategy that co-ordinates work across departmental and party lines, puts preventive and acute resources on an equal footing, and recognises the interdependent nature of the public services in play. The hugely successful teenage pregnancy strategy implemented by the previous Labour Government resulted in record lows of teenage pregnancy, with a 51% drop over 16 years. Two things characterised that programme: the first was the length of time devoted to it—10 years; and the second was the recognition that no single Department could solve the problem alone.

I will not set out tonight, nor could I, what a 10-year strategy should look like, but I know plenty of people who could help us to write one. I want to highlight four things that must be part of the mix. The first is resources. At many stages of a young person’s life, the help they need is to be shown that they have choices, that getting involved in violence is not the way, that they can have a future and that people care, but such interventions simply do not exist. Such interventions might be in schools, to teach people about positive relationships and emotional responses, or through child and adolescent mental health services. They might take the form of a conversation with a policeman or a youth worker, or someone who can help them to think about their CV and their job options. Funding cuts across our public services—policing, youth work, education and health—have left a huge vacuum that social media and criminal gangs are filling, so we cannot duck the issue of resources or the lack of them. It comes up at every turn when we talk to anyone with first-hand experience of the problem.

My second point is that when I ask young people what has changed over the past couple of years, the conversation repeatedly returns to social media and the online world. Social media is undeniably fuelling an escalation in the cycle of violence among young people. There is a growing trend of documented attacks and escalation in the cycle of violence among young people. This content, often distributing it to thousands of people, and it can escalate to face-to-face confrontation in a matter of hours. I urge the Minister to raise this issue with the Home Secretary. The Government have taken a strong approach to extremist content online, but this type of content is in many ways equally alluring and damaging.

My third point is that there are widespread concerns that schools are being overwhelmed by the scale of the issues they face and, as with the police, the spill-over issues of other services not being able to cope. Funding is absolutely key in that respect, but there are also increasing pressures to do with academic attainment. We have to ask whether some schools are bypassing their broader social responsibilities in the drive to make good on their bold claims about pass rates. There is particular concern about some academy chains. Every single agency that I have spoken to over the summer reports increasing levels of managed moves or expulsions, often for children with undiagnosed behaviour or mental health disorders, when the school simply cannot cope or does not want the child there.

Moving children to other schools or pupil referral units is a worrying trend. One organisation described to me the straight line between PRUs and gangs. We should look hard at whether there is sufficient accountability, particularly in academies, before condemning a child to a PRU.

Voluntary groups are an important bridge to young people, but they report increased difficulties in accessing schools. Again, academies seem particular culprits, preferring internal processes and systems to the learned experience and cultural competence that many voluntary sector organisations offer.

Ross Thomson (Aberdeen South) (Con): I congratulate the hon. Lady on bringing this important debate to the Chamber. Sadly, a young boy in my constituency lost his life while at school because another pupil had taken a knife with him. Every parent should be able to send their child to school in the knowledge that they will be safe there. Does the hon. Lady agree that there is some merit in looking at teachers’ powers and whether they should have the right to search pupils if they are suspicious or concerned that there could be a weapon in the classroom?

Sarah Jones: It is something that we need to look at. Teachers are overstretched in many ways: many support staff posts have been cut and teachers have to deal with children with special educational needs without the necessary resources. It is therefore hard to give them extra responsibilities for intervening if they believe a knife has been brought into school. However, we have to take action. The 10-year knife crime strategy, which would comprise a suite of actions and many different interventions, is the solution rather than one thing or another. There is talk of screens to walk through to go into school, but to me and many others that is an alarming prospect that we need to try to avoid if we can. However, if people are taking knives into school, we have clearly reached the point when intervention is required.

My final point is that we might look at the growing body of evidence that suggests we should view knife crime and youth violence as a public health issue. There is much good work on that in this country and abroad. The Minister will know that in America, across major cities such as Chicago, Boston and New York, youth violence is approached as a major public health issue,
and tackled as an infectious epidemic. That includes interrupting activity at source, with people from the local community trained to intervene and work with young people; outreach workers working intensively with young people for six months or a year; and a programme of community and education activity to shift the norms around behaviour and expectation.

Luke Graham (Ochil and South Perthshire) (Con): I congratulate the hon. Lady on winning the ballot to hold the debate this evening, and I thank her for raising the issue, which affects the whole United Kingdom. It is especially pertinent to Clackmannanshire in my constituency, where there has been a significant increase in knife-related incidents in the past year alone, including one incident involving samurai swords in Alloa town centre. I welcome many of the measures that the hon. Lady has suggested and I hope to work with my hon. Friends to help to progress them. However, does she agree that measures on knife sales and imports of weapons to the UK should also be included in a future strategy?

Sarah Jones: The hon. Gentleman is right. I welcome the steps that the Home Secretary has already taken and I think we could do more. It is abhorrent that young people—children—find it easy to buy knives online or in shops. We should do everything we can to prevent that.

The direct intervention in America and in pockets here works and has high levels of success. I have visited projects and met people running projects here who are ex-gang members mentoring children, youth workers working with children in hospital directly after they have been stabbed, or former offenders working with kids in PRUs on training for job interviews and looking for other options in life. Those sorts of direct intervention work, and those pockets should become our response across the board. They need to be funded and co-ordinated.

Mrs Kemi Badenoch (Saffron Walden) (Con): I congratulate the hon. Lady on securing the debate. I agree that the Government should do all that they can, but policing is a devolved issue, and the first line of defence is the Mayor of London. As a member of the London Assembly, I scrutinised much of the work that the hon. Lady did in the Mayor’s Office for Policing and Crime, and I know that he has some leeway in addressing issues. In particular, in the Mayor of London’s Office for Policing and Crime, the operational decisions are the Mayor of London, leaders, with the police and crime commissioners—make. It is the Mayor of London, working with the Metropolitan police, who decides how the operational decisions are made.

Mrs Badenoch: I congratulate the hon. Lady on securing the debate, and I entirely share the hon. Lady’s passionate determination to consider the proposals that I have outlined, meeting to discuss them further, and hearing about the work of the APPG that I have set up and will be launching next week.

There are people here tonight who are working on the front line with children in Croydon to give them routes away from violence and crime. If we can match their commitment and bravery, we shall be doing a good thing.

Sarah Jones: I support the Mayor’s knife crime strategy. I do not think he is in a position to bridge the funding gap in the way that is required both for policing and for interventions in youth services and other services throughout the capital, but I know that he too is lobbying the Government for the funds that we need to tackle the problem. I know that he is doing absolutely everything he can, as are Cressida Dick and the Metropolitan police in London. I have met representatives of the Met, and have discussed the issue with them.

Let me end by returning to my original plea to the Minister for a cross-Government knife crime strategy. Governments have the job of deciding where and how resources should be allocated, and that is not an easy job, but this issue has been sidelined by the present Government for too long, and the consequences are very real. I hope that the Minister will commit herself to considering the proposals that I have outlined, meeting to discuss them further, and hearing about the work of the APPG that I have set up and will be launching next week.

There are people here tonight who are working on the front line with children in Croydon to give them routes away from violence and crime. If we can match their commitment and bravery, we shall be doing a good thing.

8.6 pm

The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton): I welcome the debate, and pay tribute to the work done by the hon. Member for Croydon Central (Sarah Jones) over the summer recess. She has obviously not had a holiday at all, but has spent a huge amount of time living up to the clear commitment that she made during the general election campaign, when she said that she would do everything she could to stamp out knife crime in Croydon. I am delighted that she has shared all her learning in the House this evening. I am also grateful to the wide variety of colleagues on both sides of the House who have stayed behind, and have made such important contributions.

I entirely share the hon. Lady’s passionate determination that we should do all that we can to stamp out the appalling knife crimes that we have been seeing. She talked about the horrendous instances in her constituency; however, this is happening far too frequently, not just here in London but in other parts of the country. I welcome the creation of an all-party parliamentary group, which will enable me to work with the hon. Lady and other Members, sharing local experiences and the work that we are doing nationally so that together we can try to make the differences and changes that we all want so much to see.

Sandy Martin (Ipswich) (Lab): The Minister has said that she would be happy to do everything to stamp out the growth of knife crime. Does that include reversing the cuts in police officer numbers that we are seeing in constabularies around the country? In Suffolk, for instance, in one of the least policed areas in the country, the number of officers has been cut by 300 over the past 10 years.

Sarah Newton: Of course resources are important, but let us be clear: the Government are not cutting the money that goes to police forces. Since 2015, their money will have been going up in cash terms, especially if they use their precepting powers. It is not fair to say that we are cutting that money. Police officers—police leaders, with the police and crime commissioners—make the operational decisions. It is the Mayor of London, working with the Metropolitan police, who decides how London is to be policed and how communities are to be kept safe. Of course the Home Office has a role to play in supporting them, and, since 2016, our modern crime prevention strategy has focused on the reduction of violent crime, including knife crime. That strategy is very clear. When we meet the all-party group—in the few minutes I have got this evening, I cannot do justice to the breadth of work the Government are doing to bear down on this issue—I will, with officials, explain to...
Sarah Newton: I absolutely agree with the hon. Gentleman that prevention is vitally important—working with young people to explain the risks they are taking if they carry a knife and, once they get into the criminal justice system, making sure they get all the support they need to be diverted from such harmful behaviour. A key part of the announcement we made in July was that we will be doing more work at a community level. We are setting up the new £500,000 community fund to support those very successful grassroots organisations we have heard about this evening, which are key partners for us in the Home Office, such as St Giles and Redthread. I am sure the hon. Member for Croydon Central has had meetings with those excellent organisations in London. We work with and partner such organisations and part-fund them, along with the Mayor’s Office for Policing and Crime and the Mayor of London, to make sure the services are there, and that we are identifying the most vulnerable young people and giving them the support they need to make different choices in their lives.

Building on that evidence base and what we have learned in London, services are being expanded across the United Kingdom. We have heard about the excellent work done in A&E departments—the “teachable moments” that happen in our major trauma centres here in London. The Government are part-funding the expansion of that into cities around the UK this year. So we are working at pace with determination using the evidence base of what works—a lot of that has been learned in London—to make sure other parts of the country and communities that are experiencing such problems are getting the support they need.

That brings me back to the hon. Lady’s primary ask that we work together across the House to look at both a national and a local response. Since we launched our strategy, we have been building the capacity in the system to understand this very complex issue: it is sometimes driven by gangs, and sometimes by organised and serious crime; and whereas carrying knives and participating in knife crime disproportionately involves young people, people of other ages are involved as well. We have funded a whole series of local and area-based reviews. One was done in Croydon; the hon. Lady might not have had a chance to speak to the chief executive of her local authority or her borough commander about that work, but it was very useful. We have had very good feedback from boroughs and places all over the country, enabling all the agencies in the community—social services, youth offending services, schools and teachers, voluntary groups, communities and councillors—to share data and build a picture of what is happening in their communities, so that they can properly target their resources to join up those services to support young people in the communities to make different choices.

That work extends beyond the immediate localities to deal with the county lines issues. This sort of crime is being exported out of London, Manchester and Liverpool to other parts of the country, so we are funding not only local area reviews but national strategic reviews. With that better intelligence and data, we are making a real difference by joining up the different parts of the public services with businesses and voluntary sector organisations, which are so capable of working with young people, to restrict access to knives. That work is being scaled up at pace to meet the challenge that we undoubtedly face today.

Ross Thomson: The Minister talks about knife crime being exported out of London and other cities; it plagues the whole of the United Kingdom. Education, justice and health are devolved matters in Scotland, but will she commit to engaging with the Scottish Government to look at how we could adopt a consistent approach to dealing with this issue across the United Kingdom?

Sarah Newton: I can absolutely assure my hon. Friend that I am already doing that in relation to all the new measures on preventing young people from getting access to knives and on banning zombie knives. We have asked the Scottish Government to do those things. I have not had time to do justice to the huge amount of information that we have been given this evening, but I want to carry on this discussion. I very much welcome the way in which the hon. Lady has presented the debate. This is a nationwide issue that requires all of us in this place to reach out and work with each other to bring an end to these appalling crimes—

8.16 pm

House adjourned without Question put (Standing Order No. 9(7)).
House of Commons

Thursday 7 September 2017

The House met at half-past Nine o’clock

PRAYERS

[MR SPEAKER in the Chair]

Oral Answers to Questions

EXITING THE EUROPEAN UNION

The Secretary of State was asked—

Membership of the European Economic Area

1. Stephen Kinnock (Aberavon) (Lab): What discussions he has had with Cabinet colleagues on plans for the House to vote on continued UK membership of the EEA.  

The Secretary of State for Exiting the European Union (Mr David Davis): The United Kingdom will no longer participate in the EEA agreement once we leave the European Union. The United Kingdom is a party to the EEA agreement in its capacity as an EU member state, so on exit day the EEA agreement will cease to operate in respect of the UK. It will no longer have any practical relevance to the United Kingdom. We are considering what steps, if any, we might need to take to confirm formally our withdrawal from the EEA agreement as a matter of international law.

Stephen Kinnock: I thank the Secretary of State for his answer, but I am afraid that article 127 of the EEA agreement, to which the United Kingdom has been a signatory since 1993, clearly states that any country wishing to leave the European economic area must give formal notice of at least one year. Will the Secretary of State therefore please confirm that such notice would have to be given to leave the EEA and that, given the fundamental constitutional, political, legal and economic importance of such a decision, the decision to leave the EEA would be subject to a debate and a vote?

Mr Davis: There is actually agreement that when the UK ceases to be a member of the EU, the EEA agreement will no longer operate in respect of the United Kingdom. As such, the Government’s legal position is clear: article 127 does not need to be triggered for the agreement to cease to have effect, but we are looking at it just to make sure, for clarity purposes, that we meet its requirements.

Mr John Whittingdale (Maldon) (Con): Does my right hon. Friend agree that continued membership of the European single market, which some Opposition Members seem now to be advocating, would negate many of the advantages of leaving the European Union, while requiring us still to accept decisions that we could no longer influence? To that extent, it would actually be worse than continued membership as a full member.

Mr Davis: Yes, my right hon. Friend is quite right. The simple truth is that membership of the European Free Trade Association, for example, which would be one way to retain EEA membership, would do exactly that: it would keep us within the acquis, and it would keep us within the requirements of free movement, albeit with some limitations, but none of those have worked so far. In many ways, it is the worst of all outcomes. We did consider it—I gave it some considerable thought, maybe as an interim measure—but it seemed to me to be more complicated, more difficult and less beneficial than other options.

Tom Brake (Carshalton and Wallington) (LD): The Secretary of State has given an equivocal answer on whether there might need to be a vote on the EEA. Will he consider whether we should also have a vote on the settlement bill and, indeed, on the cost of the Nissan deal set out in the rather heavily redacted letter I have here?

Mr Davis: Well, the heavily redacted letter was not from me, so I am not entirely sure what the right hon. Gentleman is referring to, but the answer, generally, is no.

Mr Nigel Evans (Ribble Valley) (Con): Does the Secretary of State agree that we have already had a vote, and that was on 23 June last year? The British people decided to leave the European Union. Does he agree that one of the things we can now look forward to is being able to do trade deals with a number of countries throughout the world, which we are now constrained from doing as members of the European Union?

Mr Davis: My hon. Friend makes exactly the right point: we are able to make trade deals once we leave the European Union, and that will give us enormous benefits, because as the European Commission itself admits, 90% of world trade will be outside the EU, not within it, in the coming decades.

Keir Starmer (Holborn and St Pancras) (Lab): The Secretary of State set out his position on the EEA. On 15 August, he told the “Today” programme that transitional arrangements should be “as close as possible to the current arrangements”. Two days before that, the Chancellor and the International Trade Secretary said in a joint article that Britain would leave the customs union and leave the single market. Both positions cannot be right. Will the Secretary of State step up to the Dispatch Box and tell us what form of transitional arrangements the Government are seeking to negotiate?

Mr Davis: I did that only a couple of days ago. I will come back to the point, but for the House’s interest, I will read a small part of a LabourList article—I read LabourList all the time, of course—by the hon. Member for Aberavon (Stephen Kinnock), who opened this question. He said:

“On Sunday Keir Starmer used an article in The Observer to call time on the ambiguity that had come to define Labour’s approach to Brexit since the referendum”—the ambiguity, right? He said, “It was an approach”—this is the best bit—“that...served us well on 8 June”.

Mr Brake: The Secretary of State has said that the Government will confirm formally that the United Kingdom is leaving the EEA. Is it possible that those who work in the service of the European Economic Area could have some misgivings about that, and will he confirm that he intends to do nothing to make it harder for those workers to stay in the United Kingdom?
What was that ambiguity? Tell leavers you want to leave; tell remainers you want to remain. That ambiguity, of course, could not last, and, as the hon. Gentleman said, it was never sustainable. That is the ambiguity of the right hon. and learned Gentleman who has just asked his question.

Now, our position is very clear. The transition arrangements will meet three different requirements: to provide time for the British Government, if need be, to create new regulatory agencies and so on; time for companies to make their arrangements to deal with new regulation; and time for other countries to make arrangements on, for example, new customs proposals. That is what will be required. That is why we need to be as close as we are to our current arrangements. It does not mean that, in the long run, we are in either the customs union or the single market.

Mr Speaker: There is plenty of material for colleagues to include in their Second Reading debate speeches if they so wish. The material might be better located there.

Keir Starmer: I asked the Secretary of State his position and he started with my position. If he wants to swap places—any time.

Given the progress to date, and knowing that we will go back to this answer, what prospects does the Secretary of State genuinely believe there are for bespoke transitional agreements being agreed, negotiated and implemented by March 2019? Knowing how anxiously businesses are looking at this, when does he anticipate being able to tell them what the arrangements will be, because they need to make arrangements?

Mr Davis: That is a very legitimate and sensible question. I believe that the benefits of a transitional arrangement go both ways—they are symmetrical. They apply equally to France, Holland, Germany or Denmark as they do to us. That is some of the read-back we have been getting. I know that the right hon. and learned Gentleman has been travelling around Europe himself and he will no doubt have picked up that same read-back.

We are finding that the Commission is open to discussion of transition. We have raised it only briefly at each of the last two meetings because it does not fit within the current four groups of negotiation, but I think there is a very good prospect.

**European Union (Withdrawal) Bill**

2. Dr Paul Williams (Stockton South) (Lab): What assessment the Government have made of the potential effect of the EU (Withdrawal) Bill on (a) workers’ rights and (b) environmental protection.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): The UK already has one of the most competition-friendly economies in the world, according to the OECD, but some Conservative Members want to use Brexit to dismantle workers’ rights and erode environmental protections. [Interruption.] The EU brought us—[Interruption.]

Mr Speaker: Order. I am sorry, but there is huge pressure of time today, and we do not have time for descriptions. What we need is short, pithy questions, preferably not heckled extensively, so that we can get down the Order Paper.

Dr Williams: The EU brought us parental leave for families, it brought us—

Mr Speaker: Order. I am sorry, but I explained that what I need is a single-sentence question, not a series of descriptions.

Dr Williams: Will the Minister assure the residents of Stockton South that their rights will not be eroded and that workers and the environment will not end up paying the price of Brexit?

Mr Baker: Yes, I am happy to reassure the hon. Gentleman and his residents. I can reassert the Government’s commitment not to roll back workers’ rights. As I have said, the UK already goes beyond EU minima, and it will be for Parliament in future to determine the future course of the law.

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): First, may I welcome my hon. Friend to the Dispatch Box? In the course of the debates about the so-called Henry VIII powers, will he remind everybody that section 2 of the European Communities Act 1972 actually, for 40 years, gave a British Government the kind of Executive authority that was never granted before, and that in leaving the European Union we will be giving Parliament back its power to scrutinise?

Mr Baker: I am extremely grateful to my right hon. Friend; of course I agree with him. I am invigorated and excited to find that Parliament is reawakening to the need for full and proper scrutiny of secondary legislation.

Caroline Lucas (Brighton, Pavilion) (Green): Does the Minister recognise the risk of an impending governance gap with regard to environmental legislation? At present, the Commission and the European Court of Justice perform the vital role of both monitoring and enforcing laws. Domestic mechanisms like judicial review simply do not go far enough. What new institutional mechanisms is he going to look at to make sure that he leaves the environment in a better state than he found it?

Mr Baker: I am grateful to the hon. Lady for reminding the House that we are committed to leaving the environment in a better state than we found it.

Caroline Lucas: How will you do it?

Mr Baker: She asks how we will do it. The Bill makes provision for Ministers to bring forward statutory instruments that will correct deficiencies that would
otherwise arise as we bring EU law into UK law. I very much look forward to the debate on the particular instruments.

Mr Owen Paterson (North Shropshire) (Con): May I also welcome my hon. Friend to the Front Bench? I welcome his comments to the hon. Member for Brighton, Pavilion (Caroline Lucas), who is completely wrong, because leaving the European Union will enable us to take our full role on international bodies such as the International Plant Protection Convention, the World Organisation for Animal Health and the Codex Alimentarius Commission. We will be able to adapt the world conventions Ramsar and Bern to our own environment, our own landscape, our own flora and our own fauna. Does my hon. Friend agree?

Mr Baker: I do agree with my right hon. Friend, and I am most grateful to him for giving me the opportunity to put on the record again that we will uphold all our commitments to international law in relation to the environment.

Mr Baker: The powers in the Bill have been drawn widely in order that this country and this Parliament can meet the imperative of delivering a working statute book on the day we leave the European Union, to deliver certainty, continuity and control and, on the area that the hon. Gentleman raises, in order to implement the withdrawal agreement in a way that allows us to leave the European Union smoothly and successfully.

I will not give the hon. Gentleman the assurance that he is looking for today, but I will say to him that as the junior Minister responsible for the Bill on behalf of the Secretary of State, I will look with the utmost seriousness at the amendments that are tabled. What we will not do is accept any amendment that compromises the fundamental purpose of the Bill, which is to deliver certainty, continuity and control as we leave and to allow us to make the necessary changes to UK law to implement the necessary withdrawal agreement.

Peter Grant (Glenrothes) (SNP): Despite the Minister’s assurances a few minutes ago, clause 9 as it stands will give the Minister the almost unlimited right, with minimal parliamentary scrutiny, to wipe out any workers’ protection that he chooses. Given that they are promising not to do that, will the Government commit today to amending that clause at Committee stage so that the erosion of workers’ rights is explicitly excluded from the powers that that clause will bring?

Mr Baker: The powers in the Bill have been drawn widely in order that this country and this Parliament can meet the imperative of delivering a working statute book on the day we leave the European Union, to deliver certainty, continuity and control and, on the area that the hon. Gentleman raises, in order to implement the withdrawal agreement in a way that allows us to leave the European Union smoothly and successfully.

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Peter Grant: The Government believe that clause 9 is necessary because of the huge volume of legislation that will have to go through simply to tidy up potential anomalies in legislation. I am offering them a way out. Why are they so determined to bring in legislation that they do not intend to use, when they will have their work cut out for them to bring in the legislation that they do need? Why will the Minister not commit to putting into legislation the promise that he has just given to the House at the Dispatch Box?

Mr Baker: With respect, the hon. Gentleman may be confusing clauses 7 and 9. I look forward to the fullest debate on these matters on the Floor of the House when we come—I hope, Parliament willing—to Committee stage.

Mr Bernard Jenkin (Harwich and North Essex) (Con): May I add my congratulations to my colleague on his appointment to the Front Bench? It is very well deserved. Is not the right way for the hon. Member for Stockton South (Dr Williams) to secure the rights of workers, and to secure the environmental protections that he wants, to vote for the EU (Withdrawal) Bill? If the Labour party succeeds in blocking the Bill, those protections will no longer exist.

Mr Baker: I am most grateful to my hon. Friend for his congratulations and his support, and I look forward to his support in future. He is absolutely right: the best way for Members of this House to ensure that they serve their constituents by delivering a working statute book, and delivering the continuity of the rights and protections currently in EU law and applying to the UK, is to vote for this Bill and to support its passage through the House.

Citizens’ Rights

3. Mr Virendra Sharma (Ealing, Southall) (Lab): What assessment he has made of the progress during negotiations on reaching agreement on the future status of EU citizens in the UK and UK nationals in the EU27 after the UK has left the EU.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): As the House will be aware, and as my right hon. Friend the Prime Minister has set out, our Department has prioritised this strand in negotiations. We recognise the importance of providing swift reassurance to 4 million people—EU nationals living in the UK and UK nationals living in the EU. In August, we agreed to protect the rights of frontier workers, cover future social security contributions and protect existing healthcare rights and arrangements for EU citizens in the UK and UK citizens in the EU.

Mr Sharma: Businesses across my constituency and throughout the country are worried, not just about retaining staff but about attracting the brightest and the best. Heathrow, which is just outside my constituency, employs thousands locally, and medical research firms contribute massively across the country. What can the Minister say to assure them that Brexit will not destroy their competitiveness?

Mr Walker: The hon. Gentleman makes an important point. We do want to make sure that as we look towards the future and towards a new immigration policy after we have left the European Union, we can meet the needs of business and our economy. I am glad that the Home Office has commissioned work from the Migration Advisory Committee looking at all sectors of the economy and all parts of the UK, to make sure that we can continue to attract the brightest and the best.

Theresa Villiers (Chipping Barnet) (Con): Will my hon. Friend reiterate and emphasise the Government’s commitment to settling the question of EU nationals, giving them the stability they need through securing their rights, including keeping families together?

Mr Walker: Absolutely. My right hon. Friend is right to raise this issue. We have set out in our paper a fair and serious offer to maximise certainty for people—
individuals and families—and it is important to remember that this applies equally to EU nationals living in the UK and many of our own nationals living across the EEA.

Paul Blomfield (Sheffield Central) (Lab): Some of the proposals the Government have apparently been considering on the future of EU migration may apply from the day on which we leave the European Union. Irrespective of the status of any leaked document, does the Minister agree that the Government should not make any changes that would prevent them from securing a transitional deal to protect jobs and the economy?

Mr Walker: As the hon. Gentleman knows, I will not comment on any leaked documents, but of course it is important that we secure certainty and continuity for citizens in this process. My right hon. Friend the Secretary of State has set out very clearly our commitment to establishing interim arrangements, and we look forward to discussing those issues in the context of the future partnership, which will be crucial to securing results on both.

Stephen Crabb (Preseli Pembrokeshire) (Con): Does my hon. Friend agree that striking a positive position with respect to future migration from the EU will be really important not just for the labour market, where we have skills shortages at all skill levels in the economy, but as one of the keys to help secure the best possible final trade deal with the EU?

Mr Walker: My right hon. Friend makes a very good point. It is very clear from what the Prime Minister has said that even after we have left the EU we will continue to want to seek talent from Europe. We will continue to strike that positive attitude, but it is important in the interests of both UK and European citizens that we get on with the discussions, proceed at pace and secure a deal that provides maximum certainty.

Paul Blomfield: Perhaps I have given the Minister time to think about actually answering my question about making a commitment not to introduce any new migration rules from 2019 that will impact on a transitional deal. Looking beyond 2019, let me also ask: given that the Government are committed to the principle of reciprocity in any deal on citizens’ rights, would he be happy for UK citizens living and working in the EU to be subject to biometric screening and fingerprinting?

Mr Walker: The hon. Gentleman has asked very theoretical questions about future policy, and I am not going to get into commenting on other Departments’ policies that have not yet been published. What is important is that we negotiate in good faith to secure the best outcome for UK citizens and for EU citizens, and that is exactly what we are doing.

Support for Farmers

4. Nigel Huddleston (Mid Worcestershire) (Con): What recent discussions he has had with the Secretary of State for Environment, Food and Rural Affairs on support for farmers after the UK leaves the EU.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): We have been working closely with the Secretary of State for Environment, Food and Rural Affairs on support for farmers. The Government will provide the same cash total in funds for farm support until the end of the Parliament. We are working closely with a range of stakeholders, as well as the devolved Administrations, to maintain stability for farmers. The Department for Environment, Food and Rural Affairs will introduce an agriculture Bill to support our vision for a thriving and self-reliant farming sector that is more competitive, productive and profitable, as well as to protect our precious natural environment for future generations and to deliver on our manifesto commitment to provide stability for farmers as we exit the EU.

Nigel Huddleston: I thank the Minister for that comprehensive response. He is aware that the UK farming sector is highly reliant on EU labour. What discussions has he had with DEFRA and others about the potential reintroduction of a seasonal agricultural workers scheme?

Mr Baker: I am happy to tell my hon. Friend that the Government keep our position on seasonal workers under review. Until we have left the EU, employers in the agricultural and food processing sectors are free to continue to recruit EU workers to meet their labour needs. It remains the Government’s policy not to operate migration schemes for non-EEA nationals coming to fill vacancies at lower skill levels while employers have unrestricted access to labour from elsewhere in the EU. I note, however, that the Home Office told the Environment, Food and Rural Affairs Committee earlier this year that a new SAWS could be introduced very quickly—in five or six months—once the need for such a scheme has been identified. I hope my hon. Friend is reassured that we will have the agility to meet those needs.

Kerry McCarthy (Bristol East) (Lab): I hope that Ministers are listening to the people who gave evidence to the EFRA Committee that food will end up rotting in the ground if we do not have the labour force to dig it up. May I urge the Minister to accept that this is not just about subsidies for farmers, but about access to the market—and tariff-free access to the market? Unless that is resolved, our farming industry will collapse.

Mr Baker: Of course we wish to secure tariff-free access to European markets, and indeed to markets across the world, but these are matters for negotiation. I am sure the hon. Lady would join me in saying to the EU that it is in all our interests to move swiftly to discussions on our future agreements.

Mr Philip Hollobone (Kettering) (Con): British farmers are among the most efficient in Europe. Will Brexit not give us a chance to design an agricultural policy in their interest, not that of inefficient farmers in Europe?

Mr Baker: My hon. Friend is absolutely right. This is a unique opportunity for the UK to craft agricultural policies that suit our unique needs, which I hope will be to the benefit of the UK and our farmers.
on agriculture and fisheries take place in the next three months, and will these meetings be open to formal scrutiny?

Mr Baker: I am very grateful for that detailed question, and I look forward to answering the hon. Lady in writing.

Leaving without a Deal

5. Hannah Bardell (Livingston) (SNP): What recent assessment he has made of the potential effect on (a) the economy and (b) employment levels of the UK leaving the EU without a deal.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): A future partnership between the UK and the EU is in the interests of both sides, and I am confident that we will secure a good deal for the UK as a whole. A responsible Government, however, should prepare for all potential outcomes, including the unlikely scenario in which no mutually satisfactory agreement can be reached. The Government are undertaking a comprehensive programme of analytical work across a range of scenarios to assess the economic impacts of exiting the EU. As the House has agreed twice, however, we will not be publishing any information that would prejudice our negotiations.

Hannah Bardell: The CBI president, Paul Drechsler, has said that the implications of falling back on to World Trade Organisation rules and a no-deal scenario would open up a “Pandora’s box of economic consequences” and that the UK could face tariffs on 90% of its EU exports by value. Will the Minister reassure business, therefore, that the UK will not walk away from these negotiations with no deal?

Mr Baker: It is our intention to do what is in all our interests—the mutual interest of all the nations of the EU and the UK—which is to secure a deep and special partnership, including a broad and deep free trade agreement, and I look forward to doing so. I think, however, that the WTO is one of the great achievements of liberalism against the forces of economic nationalism, and I look forward, in whatever circumstances we leave, to the UK playing the fullest part in the improvement and development of the WTO.

Mr Speaker: I thought that the hon. Gentleman was about to refer to Ludwig von Mises, but no doubt that awaits another of his answers in due course.

Sir Desmond Swayne (New Forest West) (Con): I hope that the Minister still believes that no deal is better than a bad deal.

Mr Baker: I agree with my right hon. Friend and refer him to what the Chancellor famously said on “Marr”: what we cannot do is accept some kind of punishment deal. An environment in which the UK trades with the world while having control of our own tariffs, taxes and domestic regulation is one of which we should not be afraid.

Stephen Timms (East Ham) (Lab): Does it remain Ministers’ ambition to secure barrier-free access for the UK to the European single market, and is not the only way to enjoy the benefits of the single market to comply with the rules of the single market?

Mr Baker: We recognise that the freedoms of the single market are indivisible and that the people of this country wish for Parliament to set its own laws and for a UK migration policy that meets with their democratic consent. It is the ambition of Ministers to secure trade with the absolute minimum of frictions, and I hope and look forward to doing so.

19. [900661] James Cartlidge (South Suffolk) (Con): The potential of not having a deal raises the issue again of a transition, and the Secretary of State said earlier he thought that there were very good prospects on that point. Given that the purpose of a transition is to give certainty to business, is not the only logical timeframe for a transition one that runs from when we leave to when a new comprehensive deal is signed?

Mr Baker: The Government have agreed that the country would benefit from a period of implementation, but how that works and the destination to which we will be heading remain matters for negotiation.

Dublin III Regulation

6. Norman Lamb (North Norfolk) (LD): Whether the Government plan to continue to apply the Dublin III Regulation after the UK leaves the EU.

Mr Baker: It is our intention to do what is in all our interests—the mutual interest of all the nations of the EU and the UK—which is to secure a deep and special partnership, including a broad and deep free trade agreement, and I look forward to doing so. I think, however, that the WTO is one of the great achievements of liberalism against the forces of economic nationalism, and I look forward, in whatever circumstances we leave, to the UK playing the fullest part in the improvement and development of the WTO.

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Norman Lamb: Will the Minister guarantee that unaccompanied children who are orphaned or have no idea where their parents are will still have the right to be reunited with family members—whether they are brothers, sisters, uncles, aunts or grandparents—who are living in the United Kingdom once we have left the European Union? They are, after all, the most vulnerable children: the most vulnerable to traffickers and to others who seek to abuse them.

Mr Walker: The right hon. Gentleman is right: we should absolutely seek to continue our policy of generosity towards those children and ensure that our family reunion policy remains generous. We have reunited, and continue to reunite, many refugees with their immediate families: we have granted more than 23,000 family reunion visas...
over the past five years. Obviously, I cannot set out the details of what we will agree with the EU, but we intend to agree on significant co-operation in this space to ensure that we can continue to bring families together.

Several hon. Members rose—

Mr Speaker: I would call the hon. Member for Blyth Valley (Mr Campbell) if he were here, but he is not, so I will not—but we will hear Mr Andrew Slaughter.

Andy Slaughter (Hammersmith) (Lab): The problem with Dublin III, apart from the fact that we do not implement it very well, is that unaccompanied children have to get into the EU, often making perilous journeys, to apply under its provisions. Will the Government consider extending the provisions if we leave the EU, so that wherever people are in the world, they can apply under those terms?

Mr Walker: I think that the hon. Gentleman’s question will have been heard. It is not really a question for my Department, but we certainly intend to establish co-operation with the EU on these matters and to continue to have as generous a policy of family reunion as we have had to date.

UK Food Safety Standards

7. Patricia Gibson (North Ayrshire and Arran) (SNP): What recent discussions has he had with Cabinet colleagues on the maintenance of UK food safety standards after the UK leaves the EU.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): The UK Government are committed to maintaining food safety standards and ensuring that the UK has an effective food safety regulator. The Food Standards Agency is a science and evidence-based Department, responsible for protecting public health and consumers’ other interests. Any proposed changes in UK food safety rules once we have left the EU and are no longer subject to EU regulations would be subject to a rigorous risk assessment by the agency. Our absolute priority is to protect public health and consumers’ other interests in relation to food, and we will continue to base that on the best scientific evidence available.

Patricia Gibson: Does the Minister agree with the Secretary of State for International Trade, who is on the record as having said that he is “relaxed” about the diminution of food safety standards post-Brexit, or will he now distance himself from those remarks?

Mr Baker: The Government are committed to maintaining food standards, which will be a matter for the House of Commons to decide in future. I remind Members that the European Union (Withdrawal) Bill will bring EU law, as it applies to the UK, into UK law, so that it will continue to apply.

Jenny Chapman (Darlington) (Lab): The Government know that the UK relies on the EU for 25% of our food and that we grow just 15% of our own fruit and 55% of our own vegetables. The Minister is nostalgic for decades past, but—assuming that the Government do not intend UK households to return to consuming Spam and tinned peaches—can he assure us that he is not considering imposing tariffs on EU food imports?

Mr Baker: The House has heard the word “fantasy” since it reconvened after the recess, and the hon. Lady has now put before it a fantastical proposal. We will ensure that the UK continues to enjoy the widest range of products available in our shops.

Government Negotiations

8. John Stevenson (Carlisle) (Con): What steps his Department is taking to ensure a flexible approach in the Government’s negotiations on the UK leaving the EU.

The Secretary of State for Exiting the European Union (Mr David Davis): Both sides in the negotiation are clear about the fact that we want to achieve the best possible outcome and the strongest possible partnership. We have said repeatedly that, to achieve that end, both sides must demonstrate a dynamic and flexible approach to negotiations. In papers published by the Government, for instance, we have made it clear that we stand ready to protect the voting rights of EU nationals living in the UK. There will be give and take as the negotiations progress, but the destination is clear: a deep and special partnership that sees both parties emerge strong and prosperous, capable of projecting our shared values, leading in the world and demonstrating our resolve to protect the security of our citizens.

John Stevenson: Given that a transitional arrangement is likely to be required, and if the Government are to be flexible, a simple solution to consider is an off-the-shelf arrangement with some modifications. Would the Government be willing to consider rejoining the European Free Trade Association and then the European economic area, with suitable and appropriate amendments and modifications?

Mr Davis: As my hon. Friend will understand—he heard me say this earlier—we considered that in some detail before the Lancaster House speech. We concluded that it did not meet the requirements for which the British people voted and that it would not be as easy to negotiate as an alternative bespoke transitional arrangement might be.

Hilary Benn (Leeds Central) (Lab): Now that the Secretary of State has accepted that there will need to be transitional arrangements, is it the Government’s policy that the UK will continue to make payments into the EU budget for that period, however long it lasts?

Mr Davis: I think this must be the 20th time I have said to the right hon. Gentleman that I am not going to negotiate from this Dispatch Box, and he should know that. What I will say to him is that the transitional arrangements as we have described are an implementation period—or phase, or any of all the other different words used for it—and are there for one purpose: to ensure, in his words, that we avoid a cliff edge. That is not just true of us: it is not just the UK that has come to this conclusion—some time ago as it turns out—but so have the other members of the European Union, and
one of the things we have been doing in the past six to nine months is ensuring that they understand from their point of view precisely how valuable to them a transitional arrangement will be.

Kevin Hollinrake (Thirsk and Malton) (Con): It is right that we meet our financial obligations when we leave the European Union, but past contributions we have made have funded vital infrastructure across Europe, including eastern Europe, which will have a long-term financial benefit for the EU. Has this been discussed in negotiations and used to mitigate our final bill when those negotiations conclude?

Mr Davis: We have made that very plain: the words used are that we expect to respect our international obligations but also to have our rights respected. That point has been made very clear. One of the reasons why the last negotiating round was perhaps a little tenser than the previous one is that we were making it very plain what we judged the legal basis to be, and that was not always comfortable.

Sir Vince Cable (Twickenham) (LD): What assurances can the right hon. Gentleman give to financial services companies and other firms that are seriously concerned that they now face the cost and uncertainty of three successive rule books: the single market, the post-single market transition and the post-transition agreement?

Mr Davis: As ever, the right hon. Gentleman makes a good point, and that does mean that we will want to ensure there is a single transition, not two different transitions in and out of the transition period. That is why, as the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) quoted me as saying, I said we want the transition arrangement to be as close as possible to the current circumstance. It will be remembered, too, that when I responded to the right hon. and learned Gentleman I said there are three effective sets of criteria: one, time for the Government to accommodate; two, time for other Governments to accommodate; but, importantly too in his context, time after the decisions for financial services and other industries to do their own accommodations.

Lucy Frazer (South East Cambridgeshire) (Con): Last week, Michel Barnier said it was not fair that EU taxpayers should continue to pay for Britain’s obligations, but is it fair that British taxpayers should continue to pay for the EU’s obligations in circumstances where we may not be benefiting from subsidy schemes post-withdrawal?

Mr Davis: My hon. Friend raises a point that we have already raised with Michel and the remainder of the team. At the moment, the Union’s negotiating team are taking the approach of stressing what they term legal responsibilities, and we are challenging them. When we get to the end of that, we will make some decisions about political and moral responsibilities, and also negotiating outcomes, and that is where the decision will, I suppose, be made.

Matthew Pennycook (Greenwich and Woolwich) (Lab): The Government took flexibility to new heights over the summer, taking just under three weeks to jettison one of only two proposals set out in their customs arrangement paper on the basis that they represented “blue sky thinking”. Can the Secretary of State tell us how many of the other proposals set out in the various future partnership papers are effectively just creative ideas that are unlikely to survive contact with reality?

Mr Davis: I do not think the hon. Gentleman was paying attention the day before yesterday: I said to him then that blue sky thinking, talking to an American audience, is a description of an imaginative approach.

Anna Soubry (Broxtowe) (Con): May I gently say to my right hon. Friend that I would have thought that what everybody is trying to do is to form some kind of consensus? I think we all agree that we have a very, very short period to negotiate all manner of highly complex agreements, including a transitional period agreement. So may I suggest to him that, rather than keep ruling things out, we put everything back on the table and look at what we call “Norway for now”, which we would simply adopt as a transitional period until such time as we come to a final arrangement with the EU?

Mr Davis: Well, my right hon. Friend can be as gentle with me as she likes. The simple truth is that, before the Lancaster House speech, we went through a process of considering what the best negotiating strategy would be, in some detail. We looked at who would have to negotiate with, where the compromises would have to be made and what the gains would be. We came to the conclusion that the route we are now taking, involving discussions with the member states initially and now with the Union and a transition based on maintaining the important components of what we currently have, is the best way to do it.

VAT Rates

9. Sarah Jones (Croydon Central) (Lab): What discussions he has had with the Chancellor of the Exchequer on changes to VAT rates after the UK leaves the EU. [900649]

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): The Secretary of State and the Chancellor are working together to deliver the UK’s departure from the European Union. Our future relationship with the EU, including on VAT, will be subject to negotiations. Any decisions on VAT rates will be taken by the Chancellor as part of the normal Budget process.

Sarah Jones: Our children go back to school this week, and parents are still paying a fortune for branded school uniforms. Cutting VAT on uniforms for older children would save some £200 million, but this cannot be done under current EU law. My constituents have asked me to ask Ministers to raise this matter whenever the negotiations turn to VAT.

Mr Baker: The hon. Lady raises an interesting point, which I know has been heard by those on the Treasury Bench and will be heard by the Chancellor. However, I would gently point out to her that VAT raised £120 billion in 2016 and provides essential funding for public services, including education.
Mr Gregory Campbell (East Londonderry) (DUP): Does the Minister look forward, like me, to the days when these protracted discussions are concluded and the Chancellor will have the liberty, which we did not have as members of the EU, to set tax rates across the whole range?

Mr Baker: That is exactly right.

Universities

10. Jo Churchill (Bury St Edmunds) (Con): What discussions his Department has had with universities on their priorities for the negotiations on the UK leaving the EU. [900650]

17. Alex Chalk (Cheltenham) (Con): What discussions his Department has had with universities on their priorities for the negotiations on the UK leaving the EU. [900658]

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): As we leave the European Union, the Government are committed to ensuring that Britain remains a global hub for education, science and research. I am delighted to see this week that the Universities of Oxford and Cambridge have been ranked as the top two universities in the world. To maintain our success, the Government are listening carefully to the sector's views. This week, we published our discussion paper on science and innovation. As the UK leaves the EU, one of our core objectives is to continue to collaborate with European partners on major science, research and technology initiatives, and the paper explores how the UK and the EU can achieve that objective together.

Jo Churchill: This country has three of the world’s top universities, as well as a vibrant life sciences sector, as indicated by the life sciences industrial strategy. The sector needs global talent and reassurance, but I know from talking to people at the University of Suffolk and the University of Cambridge that some have sought not to give academics and students that reassurance. What reassurance can the Minister give me that the scaremongering is untrue and what assurances can he give to our university sector?

Mr Walker: My hon. Friend is rightly a champion for the excellent universities in her area. As the Prime Minister has made clear in the EU exit White Papers, one of our greatest strengths as a nation is the breadth and depth of our academic and scientific communities. Britain remains the second most popular destination in the world for academic study. We have already offered assurances to EU students starting a course in the 2018-19 academic year or before, and they will continue to be eligible for home fee status tuition fee loans and applicable maintenance support. I share my hon. Friend’s ambition for our university sector to act as a magnet for talent from around the world.

Alex Chalk: The University of Gloucestershire in my constituency admits students from across the world, including the EU, benefiting the local economy and community. What steps are being taken to amplify and underscore the message that the UK continues to warmly welcome overseas students to study here, in Cheltenham and beyond?

Mr Walker: I refer my hon. Friend to the answer I have just given. He is absolutely right, and I would add that the Home Secretary has asked the Migration Advisory Committee to examine student migration and to report back next year. As she made clear in her commissioning letter, and has been echoed in our own science paper, international students enhance our universities, both financially and culturally, and often become important ambassadors for the United Kingdom in later life, so we will continue to welcome them long into the future.

Chris Bryant (Rhondda) (Lab): The Prime Minister boasted yesterday about the number of Nobel prize winners that this country had had, but the truth is that many of them were migrants who started their lives elsewhere in the world and came to this country to study in our universities. Should we not be proclaiming that fact as part of our proud inheritance?

Mr Walker: We are, and we will continue to do so.

Thangam Debbonaire (Bristol West) (Lab): Will the Minister please reassure the University of Bristol and the University of the West of England that he values their collaboration with their EU counterparts and that he will prioritise doing everything he can to ensure that collaboration continues?

Mr Walker: I refer the hon. Lady to the paper we published this week, which sets that out clearly. We see a huge advantage both to the UK and the EU in continuing that collaboration, and we look forward to discussing it as we move towards talks on the future partnership.

UK Workers’ Rights

11. Dan Carden (Liverpool, Walton) (Lab): If he will include within the European Union (Withdrawal) Bill proposals for a mechanism to ensure that UK workers’ rights and protections remain in line with EU rights and protections after the UK leaves the EU. [900651]

21. Alex Norris (Nottingham North) (Lab/Co-op): If he will include within the European Union (Withdrawal) Bill proposals for a mechanism to ensure that UK workers’ rights and protections remain in line with EU rights and protections after the UK leaves the EU. [900663]

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): We do not need to be part of the EU to have strong protections for workers. As I explained earlier, the UK already goes beyond EU minimum standards, and the European Union (Withdrawal) Bill will not change that. In future, it will be for Parliament and, where appropriate, the devolved legislatures to decide on changes to employment law. The Government have committed not to roll back workers’ rights and to ensure that we keep pace with the changing labour market.
Dan Carden: That is very interesting, because the Secretary of State for International Trade wrote in the Financial Times in 2012:

“To restore Britain’s competitiveness we must begin by deregulating the labour market. Political objections must be overridden... It is intellectually unsustainable to believe that workplace rights should remain untouchable”.

Is it not the case that we cannot trust the Tories with workers’ rights?

Mr Baker: It is certainly not the case. I will say to the hon. Gentleman once again that this Government are committed not only to protecting workers’ rights, but to ensuring that workers’ rights keep pace with the changing labour market, as evidenced by the Taylor report, which the Government are currently considering.

Alex Norris: We have heard very warm words about protecting workers’ rights, something which will be tested over time, but will Ministers detail today the precise mechanism that they will use to work with trade unions and employers to ensure that Britain does not become the low-standards capital of Europe post-Brexit and to maintain workers’ rights over time?

Mr Baker: This Government want to win the race to the top. I think I can say that we want to ensure that this country is either at or heading towards the top of every index of human prosperity, wellbeing and happiness, and we will work towards that end.

Suella Fernandes: We have heard very warm words about protecting workers’ rights, something which will be tested over time, but will Ministers detail today the precise mechanism that they will use to work with trade unions and employers to ensure that Britain does not become the low-standards capital of Europe post-Brexit and to maintain workers’ rights over time?

Mr Baker: Of course my hon. Friend makes an important point, for which I am most grateful. An easy way to automatically keep pace with EU law, whatever it might be, would have been to remain in the EU, but the public did not choose to do that, so Parliament will decide the law in future and it will be for Parliament to scrutinise any proposed changes.

Michael Tomlinson: I warmly welcome the Minister to his place. Does he agree that the European Union (Withdrawal) Bill is not the great repeal Bill but the great continuity Bill? Workers’ rights will not be undermined by the Bill; they are already enhanced when compared with the EU.

Mr Baker: My hon. Friend is absolutely right. The original name—the great repeal Bill—was inspired by the greatness of its constitutional significance and is not because of any changes it makes to workers’ rights which, as we have said, will continue unchanged.
will allow people and businesses in both the UK and the EU to adjust in a smooth and orderly way to new arrangements. That will minimise disruption, give as much certainty as possible and meet the wishes of my hon. Friend’s constituents.

Jim Shannon (Strangford) (DUP): Nowhere is the timetable for leaving the EU more important than in Northern Ireland and the Republic of Ireland. Press reports today indicate that there will be a special relationship in how we work the border between the Republic of Ireland and Northern Ireland. Can the Minister give us some idea of those discussions and of what has happened so far?

Mr Davis: At the moment, I can talk only to the discussions within the European Union negotiating group. From the beginning we were very keen to start on this as quickly as possible. We understand, of course, that the conclusion we get will be dependent, to some extent, on all the other decisions on borders. How much special arrangement we have to make will depend on how open the borders are generally. We have made very good progress. At the last round in particular, the Commission was concerned that continuing with the common travel area would impinge on European Union citizens’ rights. We have persuaded the Commission that that is not true, and it has basically accepted our argument.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Secretary of State not realise that, every time he speaks at the Dispatch Box, the key wealth-creating areas of this country feel more and more uncertain about their future? We are haemorrhaging people. We cannot recruit people to the City of London and financial services, we cannot recruit people to universities and we cannot recruit people to manufacturing. For goodness’ sake, man, get on with the job.

Mr Davis: Perhaps I will organise a visit for the hon. Gentleman to see Mr Barnier himself. We have taken action in all those areas. We have taken action to underpin the funding of universities. In industry, we have seen the Nissan arrangements. We have talked to the financial services sector about what we expect to happen, and we have particularly talked about an implementation period with them in mind—not just them, but them in particular. Plenty of action is being taken to improve the certainty and clarity on where we are going.

Mr Speaker: Finally, Charlie Elphicke.

18. [900660] Charlie Elphicke (Dover) (Con): It is important to be robust on the timetable, but it is also important to be robust in the face of Brussels’ demand that we send more money. We should not be bullied or blackmailed; we should be strong as a nation.

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): I can assure my hon. Friend that the Government fully support the European Union (Mr Robin Walker): I hear my hon. Friend loud and clear. We have been very clear that the UK and the EU will have financial obligations to each other that will survive our exit from the EU. The Commission set out the EU position in July, and we have a duty to our taxpayers, as he says, to interrogate that position rigorously, which is what we did line by line in the last round of negotiations.

Mr Speaker: Order. We had not moved on to a new question. We were on the same question, but two different Ministers appeared at the Dispatch Box. The hon. Member for Dover (Charlie Elphicke) should feel very gratified to have a dedicated Minister to attend to his particular inquiry. That is something he can tell his grandchildren in years to come.

Topical Questions

The Secretary of State for Exiting the European Union (Mr David Davis): Since our last Question Time, the Government have made important progress towards delivering the result of the European referendum and grasping the opportunities that Brexit can provide. In the negotiations with our European counterparts, we have found important areas where we agree—on pensions, healthcare and Northern Ireland, for example—and we are now working on those areas where we do not agree. We have provided more clarity by publishing papers on a range of issues. Finally, later today we will debate the repeal Bill, which will give effect to the result of the referendum while providing the legal certainty that will avoid unnecessary disruption. I believe the Bill should command the support of all those who believe in securing a smooth and orderly exit from the European Union.

Mr Davis: No, I will not. The vote of the British people was very clear: they wanted to leave the European Union and take back control, of both borders and laws. That would not be possible if we simply stayed inside the single market under the current terms.

Mr Davis: Perhaps I will organise a visit for the hon. Gentleman to see Mr Barnier himself. We have taken action in all those areas. We have taken action to underpin the funding of universities. In industry, we have seen the Nissan arrangements. We have talked to the financial services sector about what we expect to happen, and we have particularly talked about an implementation period with them in mind—not just them, but them in particular. Plenty of action is being taken to improve the certainty and clarity on where we are going.

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Mr Pat McFadden (Wolverhampton South East) (Lab): The purpose of any transitional arrangement is, as the Secretary of State said, to avoid a cliff edge; and to give continuity and certainty to the UK economy. But the Chancellor and the Trade Secretary published an article last month saying that during any such period the UK would not be in the single market or the customs union. What is the purpose of a transitional arrangement that undermines the very stability and continuity it is supposed to achieve?

Mr Davis: The right hon. Gentleman makes a good point and I suspect it would have been in his question earlier if he had had the chance to ask it. The simple truth is, as I have said, that we are starting from the aim of maintaining as much continuity as is necessary to anything that might change in the final settlement. So we will do that. Because we are not in the European Union at that point—legally, we will not be—we will not be formally members of the single market and the customs union. We may well seek a customs agreement for that period and a similar arrangement on the single market provisions, but we cannot make that decision ourselves; there is a negotiation to be carried out with the EU.

Mr David Davis: It would probably be a unique foray at this Dispatch Box for a Minister to admit error, but let me say this to the hon. Gentleman: I said at the beginning that this is a negotiation; it will take time and go in directions that we do not necessarily expect, and there will be give and take in it. That is as close as I can get.

Mr Davis: I am afraid that my hon. Friend is precisely right. The purpose of the Bill is to establish continuity, for several reasons. The first is to provide certainty for business, an issue raised by the hon. Member for Huddersfield (Mr Sheerman). The second is to ensure our ability to carry out a free trade deal which will be unique in the world. The third is to underpin all the rights and privileges that we have promised to our country down the years, including employment rights, consumer rights and environmental rights. All those things are vital in the national interest, so he is exactly right.

Mr David Davis: My hon. Friend is exactly right about that, and she allows me to reiterate one other point: all the talk from Opposition Members has been about changing things in this Bill. The Bill is about maintaining continuity; it is about keeping in place the aims and purposes of all the European law that we currently have—and will have the day after we leave.
Mr Baker: I do agree with my hon. Friend, and I think we have had a good canter around the issue today. I am grateful to him for giving me the opportunity to once again say that the Government are committed to protecting workers’ rights to ensure that they keep pace with the changing labour market and that nothing in the withdrawal Bill will change that.

Several hon. Members rose—

Mr Speaker: I am in an indulgent mood. I call Rachael Maskell.

Rachael Maskell (York Central) (Lab/Co-op): Thank you, Mr Speaker. Businesses are in desperate need of confidence. When will the Secretary of State confirm that he will have the transition arrangements in place, because we will leave the European Union in just over 18 months? Businesses are making their plans now and need answers.

Mr David Davis: I would say two things to the hon. Lady: first, we will do that as soon as is feasible within the constraints of the negotiation; and secondly, if she is concerned about business confidence, I say to her that the best way to guarantee stability is to vote for the Bill this afternoon.

Chris Davies (Brecon and Radnorshire) (Con): Many farms in Wales straddle the border with England. Will my hon. Friend outline how he is ensuring that the voice of cross-border communities is not being ignored in discussions over Brexit and devolution?

Mr Robin Walker: My hon. Friend makes a very good point. We would be happy to meet him and his constituents to address this important issue. The Bill sets out a framework that protects common UK frameworks while we have the conversation with the devolved Administrations as to where they are needed. I think that is a sensible approach to protect the interests of farmers and businesses across the UK.
**Business of the House**

10.33 am

Valerie Vaz (Walsall South) (Lab): Will the Leader of the House please give us the forthcoming business?

The Leader of the House of Commons (Andrea Leadsom): The business for next week will be as follows:

**Monday 11 September**—Conclusion of the Second Reading of the European Union (Withdrawal) Bill (day 2).

**Tuesday 12 September**—Second Reading of the Finance Bill followed by motions relating to House business.

**Wednesday 13 September**—Opposition day (1st allotted day). There will be a debate on an Opposition motion. Subject to be announced.

**Thursday 14 September**—General debate on abuse and intimidation of candidates and the public during the general election campaign.

**Friday 15 September**—The House will not be sitting.

The provisional business for the week commencing 9 October will include:

**Monday 9 October**—General debate. Subject to be confirmed.

I am sure the whole House will join me in sending our thoughts and prayers to those caught up in Hurricane Irma, which is causing great damage to many areas of the Caribbean.

Today, the European Union (Withdrawal) Bill will have the first of its two days of Second Reading on the Floor of the House. It is a key piece of legislation that paves the way for an orderly exit from the EU and fulfils the will of the British people.

Finally, Select Committees provide vital scrutiny in this place. I have been working hard to ensure that we establish them as soon as possible, and I am grateful for the co-operation of colleagues from right across the House who have worked quickly to bring forward the names of elected Committee members. I am delighted to draw colleagues’ attention to the motion in my name that will ensure that the Select Committees can begin their important work next week.

Valerie Vaz: I thank the Leader of the House for giving us the forthcoming business and for tabling the motion on Select Committees. It has been drawn to my attention that the Chair of the International Development Committee does not appear to be on the list; I hope that will be rectified soon. Her Majesty’s Opposition have been ready for the Select Committees to start since July; nevertheless, they will be taking evidence next week, so I thank the Leader of the House for arranging that.

We have had R and R—rest and relaxation—and we have had rock and roll, although I did not get an invitation to Glastonbury. All that is left now is restoration and renewal. Will the Leader of the House please tell us when we are likely to have the debate on restoration and renewal? The House needs to consider the proposals as soon as possible.

Look at what the Government have done to our children who were expelled because they missed out on a few grades. We teach our children that it is okay to fail; that is how we learn from our mistakes, and sometimes that is the spur that leads children to go on to do better things. We had the bizarre situation of parents having to threaten judicial review just to get their children back into education. May we have a statement from the Secretary of State for Education to make it clear that every child can have an education? Some headteachers do not appear to be abiding by the law.

Will the Leader of the House ask the Chancellor to make a statement on the fiscal rules? It seems that the Ministry of Justice broke Treasury pay rules for civil servants for a six-month period from last October by increasing the overtime pay rate for prison staff by £5 an hour. The Opposition agree with that increase, but I understand that there are Treasury rules. We need a statement on whether or not there are fiscal rules. We could do with that clarity for the NHS, because our nurses need to be paid.

The cherry-picking season is over. Look at what the Government have done to our health service. The Secretary of State for Health picked a fight with Professor Stephen Hawking, who rightly told him to stop the slide towards privatising the health service—a person who can explain a black hole against a Secretary of State who cannot even recognise a financial black hole. The sustainability and transformation plans are the second reorganisation of the NHS under this Government. There is a crisis in social care, £100 million will be spent on recruiting GPs from abroad, and the health service needs a cash boost of £350 million. After the Government’s defeat in the House of Lords yesterday on their decision to abandon the 18-week target time for treatment, will the Leader of the House please ensure that the Secretary of State does not now be seeing the whole thing unravelling.

There has been more pain and distress for our constituents, as highlighted in last week’s United Nations report on people with disabilities. The report said that the UK has failed to ensure that the UN convention on disabled people’s rights is reflected in current law. Will the Leader of the House tell us when the Government will respond to the report, which found a persistent employment and pay gap for disabled people?

The Leader of the House mentioned the Brexit Bill; look what the Government have done to the Brexit negotiations. They should have allowed the civil service to use position papers to present the facts. That way, we would not now be seeing the whole thing unravelling. Clauses 7, 8 and 9 of the Bill state:

“A Minister of the Crown may by regulations make such provision as the Minister considers appropriate.”

Never before have Ministers been given such unfettered powers. Will the Leader of the House confirm how many statutory instruments will come before the House? Is it likely to be more than 500? Fewer than 1,000? Anyone from any party who believes in parliamentary democracy, the sovereignty of Parliament and the separation of powers should be against the Bill. The Government are playing Jenga with our economy and our rights.

As if that is not enough, the Government want to fix the Standing Committees. They do not have a majority in Parliament, but they want a majority on Standing Committees. Can the Leader of the House confirm that the Government will not insult the British people, who...
did not give them a majority, and that they will ensure that the result of the election is reflected in the Standing Committees?

I wish to touch on the eminent people who have recently died: our friend in the other place, Lord Garry, recently died: our friend in the other place, Lord Garry; and of course Heather Heyer, who was mown down in Charlottesville for opposing racism and anti-Semitism.

The hon. Lady has raised a number of broad issues. I agree with the hon. Member for Bolsover (Mr Skinner), because, in trying very hard to help a potential colleague of mine to unseat him —

Mr Dennis Skinner (Bolsover) (Lab): It didn’t work, did it?

Mr Speaker: Splendid. The hon. Member for Bolsover (Mr Skinner) is even smiling. Marvellous.

Mrs Leadsom: It was great pleasure to visit Bolsover and to see at first hand what an excellent job he has done over so many years. It is a great pleasure to see him here, but there is always another election. That is the great thing about our democracy —there is always another one.

The hon. Lady has raised a number of broad issues. I will try to deal with them all in turn. First, she caught me slightly unawares when she mentioned a Committee that may be missing from the list on Monday’s motion. I am checking that as we speak, but may I assure all colleagues that all of these scrutiny Committees will be established on Monday at the close of business following a decision by the House. Let me be clear that if there has been an omission, it will be rectified. She and I both played a part in last night’s farce, where we were running around like idiots trying to sort out the order. I am very grateful to her for her help yesterday.

The hon. Lady talks about education and wanting to hear more about inclusion. May I assure her that this Government are determined to see that every child has a good education? There is much to be proud of. 1.8 million more children are in good and outstanding schools than in 2010. That is really something of which we can be proud. Delivering a good education to every child is vital.

The hon. Lady mentioned the fiscal rules. There are very clear Treasury fiscal rules. She will be aware that, because of the difficulties in certain prisons, there has been some short-term support for prison officers. I am not aware of all the details that she mentioned, but I will certainly take them away and write to her about them.

Stephen Hawking is a very eminent and highly regarded person, but I am afraid that I absolutely agree with the Secretary of State for Health, who said that he is just completely wrong to be talking about privatisation of the NHS. The Government are fully committed to a free health service at the point of delivery, as are all parties across the House.

On the UN inquiry into the rights of persons with disabilities, we are very disappointed that the report does not accurately reflect the evidence that we gave to the UN. The Government are working to improve accessibility, including by improving building regulations and guidance to local authorities, strengthening accessibility requirements for transport and working right across Government services to improve the accessibility of the information that we provide for those with disability.

Very importantly, on the European Union (Withdrawal) Bill, the hon. Lady talks about Henry VIII powers. I want to assure all Members that what the Bill seeks to do is to bring into UK law the entire body of EU law. The point of doing that is to provide continuity and certainty and a smooth transition as we leave the EU. Let me talk about the powers that are used to do that. May I give the example of the Psychoactive Substances Act 2016? We can all understand that Henry VIII powers are used there so that as any new legal high is created, we can update the legislation to ensure that it is then banned to keep people safe. The Bill is about that kind of use of Henry VIII powers, so that we can finally define the terms that are necessary. About half of the legislation in the last Parliament contained Henry VIII powers; there is nothing new or unusual about their use. They are of course always subject to scrutiny, either by a Committee of the Whole House or by Committees as a part of this House.

Finally, I join the hon. Lady in noting the passing of a number of eminent and high-profile people who have contributed a great deal to our communities over many years.

Bob Blackman (Harrow East) (Con): I thank my right hon. Friend for the update on the business. We should also pay tribute to Edward du Cann, the former chairman of the 1922 committee and an eminent Member of this House, who has sadly passed away.

Mr Speaker: [Interruption]

May we have a debate in Government time—I note that the House does not have the ability to do that—on housing policy? It is the single biggest issue affecting this country right now, and the need to get young people the opportunity to have a home of their own is absolutely crucial. We need a strong debate to get answers from the Government on how this will be implemented in the future.

Mrs Leadsom: My hon. Friend raises a very important point, and I think we all agree that being able to get a home of one’s own is crucial for every young person and for everyone in our society. I am pleased to tell him that nearly 900,000 new homes have been delivered since 2010, including nearly 333,000 affordable homes. Annual housing supply in England amounted to 189,000 additional homes between 2015 and 2016, an 11% increase on the previous year. My hon. Friend will know plenty of ways to ensure that the subject is debated in the House, and I am sure that a lot of colleagues will be interested in taking part.
Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the business for next week. It is a pity that the hon. Member for Bolsover (Mr Skinner) has just left the Chamber because I think that we are looking forward to sequel after sequel of the film—I particularly look forward to “Beast II: The Return”. Let us hope we have many more of these events.

I welcome back all right hon. and hon. Members. Today we have the first day of a two-day debate on the Second Reading of the repeal Bill, as we continue to progress in this clueless, delusional Brexit folly. Two days to debate this unprecedented power grab with all the horrors of these Henry VIII powers. It is almost certain that these two days of debates will be heavily subscribed, with many Members having only a few minutes to put their constituents’ many concerns to the House.

It gets worse than that, Mr Speaker, because according to the programme motion there will be only eight days for the Committee of the whole House to negotiate setting up of a new legal framework for the UK and disentangling ourselves from an institution that we have been a member of for decades, with all the attendant regulations, directives and treaties. To put that in context, there were 41 days for the Maastricht treaty, 25 days for the Lisbon treaty and 39 days on entering the European Union when it was just the Common Market. Eight days for leaving the European Union—it is almost beyond a joke, and the Leader of the House must come to the programme motion there will be only eight days for the Committee of the whole House to have all their views taken into account. As we have said time and time again, it is absolutely clear that we want to be a consulting Government, to take into account views right across the House and to provide sufficient time for all colleagues to make their views known.

The hon. Gentleman’s other points about Committees are rather churlish. We have made every effort to establish the Select Committees as soon as we possibly could. They have been established faster than in the previous two Parliaments. It is extremely churlish; what he actually demonstrates is opposition for opposition’s sake. He does not even have the decency to recognise that the House is responding to a genuine request from Select Committee Chairs right across the House to get a move on and do it, and we have done it. He does not have the grace to say thank you or to appreciate that fact. He merely—this is important—wants to oppose for opposition’s sake. That is simply not constructive. It is a great shame that he takes this approach at a time when the House needs to come together to look at what we can agree on, not simply make small and petty points.

Several hon. Members rose—

Mr Speaker: I must advise the House that although there is extensive interest, as always, in business questions, there is a ministerial statement to follow. Approximately 60 Members also wish to contribute to the debate on the European Union (Withdrawal) Bill, and I have to take account of their interests. So exceptionally—and colleagues know it would be exceptionally—it may not be possible today to get everybody in. The chances of my doing so will be greatly enhanced if the premium on brevity from Back Benchers and Front Benchers alike is observed.

Wendy Morton (Aldridge-Brownhills) (Con): Over the summer, many of my constituents in Aldridge-Brownhills have once again had to endure the litter, rubbish, antisocial behaviour and noise caused by unauthorised Traveller encampments on public open spaces and village commons. Even our local football club, Walsall Wood, has been affected. I am sure the House understands the upset and frustration this caused. Can we please have a debate in Government time to look at the matter, including at the powers available to councils and police, and—really importantly—the impact on our local communities?

Andrea Leadsom: My hon. Friend raises an important point, which is of great interest to Members throughout the House. I am sorry to hear about the issues she has faced in her constituency. The police and local authorities have a wide range of powers available to address the issue. They can direct trespassers to leave the land, and remove any vehicle and property if there is a suitable pitch available on a caravan site elsewhere. Failure to comply with a police direction is a criminal offence. It is really important that the police and local authorities work together to address the issue.

Ian Mearns (Gateshead) (Lab): I think the phrase that the Leader of the House was looking for earlier was “scalded cats”. In Tyneside, we would say, “scalded cats”. I note that there are two days of general debates in the business that she announced this morning. One is next Thursday and the other is on the first day back
after the conference recess. As she is aware, the Backbench Business Committee has not yet been established but I, as elected Chair, am already receiving inquiries from Members about the availability of time. Will she ensure that when the Committees are established on Monday, that includes the membership of the Backbench Business Committee? I understand that there are still some vacancies on the Conservative side, but can we ensure that the Committee is established notwithstanding any such vacancies?

Andrea Leadsom: I can assure the hon. Gentleman that I am trying to get every Committee established just as soon as possible. I will look into that specific point and let him know perhaps later in the day.

Dr Julian Lewis (New Forest East) (Con): I thank the Leader of the House and her assiduous Parliamentary Private Secretary for responding so quickly to the requests led by the Chair-elect of the Public Accounts Committee. Indeed, I thank you, Mr Speaker, for your intervention in getting the Select Committees up and running from next week.

May we take advantage of the fact that there is a suspension of the usual arrangements in Northern Ireland to get a statement from the Government once and for all bringing forward a plan for a statute of limitations to protect our veteran servicemen from prosecution for acts that occurred during the troubles—many years ago—that have been investigated many times in the past? It is not right that criminals and terrorists go free while veteran servicemen face the possibility of long terms of imprisonment.

Andrea Leadsom: I am grateful to my right hon. Friend for reflecting particularly on your role, Mr Speaker, in ensuring that we have Select Committees up and running soon. He raises an important point about the statute of limitations. Yesterday, the Prime Minister made it clear that there has been a review of bodies looking at legacy issues, and I am sure my right hon. Friend will take the issue up separately with the Secretary of State for Justice.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): I welcome the fact that Select Committees will be appointed on Monday. Further to the previous answer from the Leader of the House, I would be grateful if she could assure the House that the International Development Committee will be added to the list for the vote on Monday so that it can meet for the first time next week.

Andrea Leadsom: The hon. Gentleman raised this point earlier. He is right: there was an administrative oversight in the last-minute running-around, and it will be rectified. I can assure him that his Committee and the Brexit scrutiny Committee will be on the Order Paper for Monday.

Mr Speaker: They might momentarily have been forgotten. The hon. Gentleman has never been, and will never be, forgotten.

Fiona Bruce (Congleton) (Con): May I thank the Leader of the House for taking time out of her busy day yesterday to attend the launch of “A Manifesto to Strengthen Families”, which is supported by 44 Back-Bench Conservative MPs? It contains 18 practical policy proposals, such as strengthening prisoners’ family ties and promoting greater support for veterans’ families and for fatherhood. Does she agree that this subject has long needed more consideration by Members of this House, and will she meet a small group of those 44 MPs to discuss how more parliamentary debate time can be provided for it?

Andrea Leadsom: I strongly congratulate my hon. Friend on the excellent work that has gone into the families manifesto. It is a very important piece of work. A number of Ministers are very interested in it, and I would be delighted to meet her.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Has the Leader of the House noticed that Huddersfield University has won the prestigious global teaching university of the year award? In a year when Huddersfield has also become a premiership football club and the new Doctor Who comes from Huddersfield, will she congratulate our university and our team on their success?

Andrea Leadsom: I am delighted to congratulate Huddersfield. That sounds like a bit of a hat trick. Carry on!

Antoinette Sandbach (Eddisbury) (Con): May I echo the request of my hon. Friend the Member for Harrow East (Bob Blackman) for a general debate on housing, to deal with the issue of leasehold reform? There are substantial abuses of leaseholders in my constituency and many other constituencies. If that bid fails, I would request that the regeneration of town centres—particularly the town centre of Winsford—be included for debate.

Andrea Leadsom: My hon. Friend raises a point that constituents raise with a number of MPs. It is very important, and I certainly share her desire to see its resolution. I encourage her to seek the opportunity for a debate on it.

Norman Lamb (North Norfolk) (LD): The Leader of the House may be aware of the real anxiety of organisations such as Mencap, which provide vital services for people with learning disabilities, that they face demands for back pay of up to six years following a change of guidance on so-called sleep-in shifts. Many organisations fear that this will push them under, and they need the Government to step in to provide support. There has been a moratorium on enforcement action until 2 October, but with the House not sitting then, will the Leader of the House ensure that the Business Secretary comes to the House to clarify the position and provide reassurance for these organisations?

Andrea Leadsom: I am well aware of the issue the right hon. Gentleman raises, and the Government are looking at it. I will certainly make a point of taking it away and seeking feedback from the Department.

Jeremy Lefroy (Stafford) (Con): In the recess, the Government made a welcome announcement about action to counter the risk posed to aviation by drones. What follow-up will there be so that we can see that action implemented as soon as possible?
Andrea Leadsom: I am grateful to my hon. Friend for that very important question. This is an exciting and innovative new industry, and we are very keen to harness it effectively, but he rightly raises concerns around safety that the Government take equally seriously. He will be aware that registration and testing will be introduced for users of drones of 250 kg and above. Further measures, such as a ban on drones flying at certain distances from airports and at certain heights, are being considered, and we will make further announcements on that in due course.

Mrs Emma Lewell-Buck (South Shields) (Lab): Months ago, a report commissioned by the Government and only released after freedom of information requests found that the Ministry of Justice's own approved methods of restraining children in young offender institutions and secure training centres can actually kill children or leave them disabled. Will the leader of the House ask her colleagues in the Ministry of Justice to make a statement explaining why the Government have continued to preside over this and failed to act on it yet?

Andrea Leadsom: The hon. Lady raises an incredibly important point. It is not something that I am particularly aware of, but if she would like to write to me I will certainly raise it with the Ministry of Justice.

Mr Peter Bone (Wellingborough) (Con): I used to serve on the Joint Committee on Statutory Instruments, which is little known in this House but which looks at statutory instruments to advise on whether they fall within certain criteria. When EU directives came before the Committee, even if they made no sense at all and did not so comply, we still had to recommend to this House that they were passed. Will the Leader of the House confirm that if we are going to use Delegated Legislation Committees to discuss important EU matters, those Committees will, as usual, be open for any Member to attend and speak at, the instruments will be voted on, and, more importantly, will then come to the whole House to be voted on, so that, whatever the Opposition like to believe, there will be proper scrutiny?

Andrea Leadsom: My hon. Friend, as ever, makes a really important point, which is that this House will scrutinise all legislation relating to EU withdrawal and to our future policies post EU in the usual way, and that democratic oversight will be continued for the duration of this period.

Rachael Maskell (York Central) (Lab/Co-op): Despite serious underfunding and rationing in Vale of York clinical commissioning group and the acute trust, it has been placed in the capped expenditure process. Over the summer, it emerged that this process seems to be changing day by day. May we have a statement from the Secretary of State for Health to say exactly what the process is to meet local demand?

Andrea Leadsom: As the hon. Lady will be aware, NHS funding will be over half a trillion pounds from 2015 to 2020, and we have protected and increased health funding. As regards local sustainability and transformation partnerships, where work is under way to change processes locally, there is broad consultation under reconfiguration tests, where there must be support from clinical commissioners, clinical evidence, patient and public engagement, and support for patient choice.

Will Quince (Colchester) (Con): Colchester’s Lib Dem and Labour-run borough council has recently introduced a very unpopular fortnightly black bag scheme that is leaving my residents to deal with rats, other vermin, flies and maggots. It is totally unacceptable. Will my right hon. Friend allow a debate in Government time to discuss local councils ignoring the wishes of residents and failing to address their concerns?

Andrea Leadsom: Speaking as an ex-Secretary of State for the Department for Environment, Food and Rural Affairs, it is interesting how litter is always one of the biggest concerns of everybody in our country. Litter is right up there, and so what happens to it is a vital issue. [Interruption.] The hon. Member for City of Chester (Christian Matheson) shouts “Rubbish!”, and he is quite right—it is a very important issue. Regular litter collections are incredibly important. I am sure that my hon. Friend will take every chance to raise that with the Department for Communities and Local Government.

Ann Clwyd (Cynon Valley) (Lab): Although I was present to vote in the first vote last night, I was not able to do so because I was locked not in the lavatory but in the lift. Were it not for a Conservative party researcher, I suspect I would still be in the lift. It is very unsatisfactory, in our first week back after the recess, that there are problems with the lifts. Will the Leader of the House ensure that they are serviced? Surely, with all the maintenance men around, they ought to be.

Andrea Leadsom: I am sure, Mr Speaker, that you are as concerned as I am to hear about that. I will certainly look into the matter; I assure the right hon. Lady that I will take it up later today.

Mr Speaker: The situation is extremely irregular, and the right hon. Lady has my sympathies. I hope that she will not take it out of good humour if I say that I am rather surprised that the lift dared.

Mr Philip Hollobone (Kettering) (Con): In August, 15 Gypsy and Traveller motorhomes and caravans invaded the popular open green space at the foot of the Ise Lodge residential estate in Kettering. Rubbish and human faeces were left in the undergrowth; the local convenience store had to employ a security guard; and widespread harassment, alarm and distress were caused to the local settled community. The police refused to use the section 61 powers open to them to request the Travellers to move on. May we have an urgent statement from the Home Office that it will review the powers available to the police so that we can have an effective system to protect the settled community from the intimidation caused by Gypsies and Travellers?

Andrea Leadsom: This is an incredibly important issue that is raised time and time again at business questions and at other times. I know that all Members suffer from the problem of unauthorised Travellers’ camps. The reality is that the powers to tackle them do
exist, but the police and local authorities need to work together to make sure that they use them, and that they use the enforcement possibilities that are open to them.

Kate Green (Stretford and Urmston) (Lab): May we have a debate on the labour market and labour shortages? Yesterday the all-party group on migration published a report highlighting employers’ concerns about so-called low-skilled jobs after Brexit—that they will no longer be able to recruit EU workers to these roles, and that the language stigmatises such roles, which makes it more difficult to recruit UK workers to them. Will the Leader of the House read the all-party group’s report and encourage her ministerial colleagues to do so?

Andrea Leadsom: I am always delighted to read all-party group reports, so I am happy to do that. The hon. Lady will be aware that the Home Office will be coming forward with proposals on new immigration rules as we take back control of our borders, and that the Home Secretary has made it very clear that she will ensure that we have the right balance between the excellent work that is done by many EU and other migrant communities in this country, and, at the same time, taking back control of immigration. She will ensure that there is the right balance between what our country needs by way of immigration and fairness to those who already live here.

Robert Jenrick (Newark) (Con): Almost 1,000 of my constituents are Travellers. I know many of them, and they are good people. Their reputation is being destroyed in our community by the action of a small minority, who over the summer have destroyed gravestones, damaged village greens, intimidated residents and damaged businesses. This cannot go on. Nottinghamshire police are highly constrained by the powers available to them and looking to the Government, and to a cross-party agreement, to move things forward. May I echo the comments of other Members from across the House who have called for a debate in Government time about how we can move this issue forward, for the benefit of the whole community, and specifically of the Traveller community whose reputation is at stake?

Andrea Leadsom: My hon. Friend is looking at a different aspect of the matter, namely that legitimate and well-mannered Travellers who take account of local communities are being run down by those who behave appallingly and who cause so much heartache, mess and concern in so many communities. Hearing the mood of the House, I am happy to take the question away and look at whether we can provide time. The hon. Member for Gateshead (Ian Mearns), the Chairman-elect of the Backbench Business Committee, is also hearing this, and he may well be prepared to make time for it in his Committee.

Grahame Morris (Easington) (Lab): Will the Leader of the House give us some Government time to have an urgent debate about the quality of decision making of the Department for Work and Pensions and Atos—or Independent Assessment Services, as it now seems to be known? I have a paraplegic constituent with schizophrenia who was called for a medical. When I raised concerns with the MP complaints team, I received the stock reply that PIP entitlement is determined by how a disability affects an individual rather than a particular diagnosis. Does the Leader of the House share my concern that the DUP are devoid of compassion and common sense? How many paraplegic schizophrenics does she think would not qualify for enhanced care in the mobility component of PIP?

Andrea Leadsom: I must say that individual members of staff of—I think the hon. Gentleman means—the DWP are actually working incredibly hard, very often in very difficult circumstances. We all have particular constituency cases that we need to pursue with quite a lot of vigour to make sure that constituents can get through a system that is sometimes not sufficiently attuned to their individual needs. I certainly encourage him to talk to Work and Pensions Ministers, who I am sure will be very interested in the case and keen to help him.

Rehman Chishti (Gillingham and Rainham) (Con): As somebody who lost many relatives, including my grandfather, in the Kashmir earthquake, I know the dire consequences of natural disasters. May we have an urgent statement on the Floor of the House about the floods in south Asia? They are affecting 41 million people, have cost 1,200 lives and are affecting our fellow Commonwealth members.

Andrea Leadsom: I thank my hon. Friend for his question, and I am very sorry to hear of his own very sad personal experience. I can tell him that in Nepal the Department for International Development has set aside £400,000 for the Red Cross and the Nepal Red Cross Society for monsoon flood response to help 30,000 people, most of which is earmarked for water, sanitation and hygiene. In Bangladesh, the UK’s contribution of £660,000 to the flood response will help over 60,000 people. In India, as the Government have not requested international assistance, DFID’s response has been through the Start Fund global consortia of non-governmental organisations, which responds to small and medium-sized emergencies, with a donation of £325,000 for Nepal and £400,000 for India.

Ruth Smeeth (Stoke-on-Trent North) (Lab): At the end of this month, Sneyd Green community centre in my constituency may well be closing its doors, after seven years of attempting to carry out a community asset transfer. Local volunteers, led by John Reynolds, have worked tirelessly, but have simply not received the support they should have received from the local authority. May we have a debate in Government time about what the big society really looks like now, and about what support can be provided to volunteers in such a situation?

Andrea Leadsom: I pay tribute to the excellent work of volunteers. I know that a lot of people work tirelessly as volunteers and find it very frustrating when trying to get such things done. I encourage the hon. Lady to talk to one of the Communities and Local Government Ministers and see whether anything can be done at this late stage to try to help this along. Otherwise, she may wish to apply for an Adjournment debate to get the Minister to respond on the Floor of the House.
Stephen Kerr (Stirling) (Con): Will my right hon. Friend allow time for a debate on the proposals announced yesterday by Babcock DSG to close three of its sites across the UK, including the only military land support repair workshop in Scotland—at Forthside in my Stirling constituency—with the threatened loss of 56 highly-skilled jobs?

Andrea Leadsom: We are always incredibly concerned to hear about the prospect of job losses. My hon. Friend will be aware that there are very strict rules on consultation and about working closely with those affected to ensure that all decisions taken are fair. However, if he wants to write to me specifically about this, I will see whether I can bring it to the attention of the relevant Ministers.

Nic Dakin (Scunthorpe) (Lab): British Steel pensioners are concerned that proposed changes will result in their losing out on the proper uplifting of their pre-1997 service. May we have a statement from the Government on the proposed changes to the British Steel pension scheme and on how they will ensure that pensioners are not short-changed?

Andrea Leadsom: I am happy to take up that matter with the relevant Department on the hon. Gentleman’s behalf.

Chris Davies (Brecon and Radnorshire) (Con): During the recess, I visited Abercave farm and the Dan-yr-Ogof show caves in my constituency, where the owners have installed small-scale hydroelectric schemes. These are outstanding examples, being invisible to the eye in beautiful national park countryside, based on private investment and providing much-needed green energy. May we have a debate on how we can help rather than hinder the development of further hydro schemes around the country?

Andrea Leadsom: I do not think we hinder in any way, but are keen to encourage the development of renewable electricity. It is something that this country has done extremely well at—we are one of the top performers across the EU in terms of the speed at which we are starting to use green electricity—and I would be happy to talk further to my hon. Friend about what measures we can take. Or he might want to arrange an Adjournment debate.

Several hon. Members rose—

Mr Speaker: Order. I am afraid that we are now running very short of time, so I am looking for single-short-sentence questions. It is really a matter of good faith. If people want to ask a single short-sentence question, that is fine, but if they want to include a long preamble, it is better they keep it for the long winter evenings that lie ahead.

Ben Lake (Ceredigion) (PC): May we have a debate in Government time on the impact on higher education institutions of the UK’s immigration policy throughout the Brexit process and beyond?

Andrea Leadsom: The hon. Gentleman raises an incredibly important issue that is of great interest to all of us. There will be lots of opportunities over the next few days, during the debate on the European Union (Withdrawal) Bill, to raise the issue, and later in the year during our discussions on immigration.

Mrs Pauline Latham (Mid Derbyshire) (Con): Big Ben’s bongs are silenced. They are loved by the community and international visitors. May we please have a debate about why this has happened? Is it beyond the wit of man for ear defenders to be worn by the workers? [Interruption.]

Andrea Leadsom: My hon. Friend will be aware that there are strong views on this matter—she will have heard Opposition Members shouting her down over the prospects of a debate—but my view is that this is an important issue. The House of Commons Commission met last night and agreed to continue with the cessation of the bongs for the time being but also to consider alternatives to leaving the bells off.

Vernon Coaker (Gedling) (Lab): May I add my calls to those of other hon. Members for an urgent debate on Travellers? There have been very real problems with them in my own constituency. The legislation is in need of urgent review.

Andrea Leadsom: As I have said to others, I can hear that this is an important matter. There have been big problems over the summer, and I will certainly take this up.

John Stevenson (Carlisle) (Con): The growth in the spirits market, particularly gin, whisky and other spirits, both here and in exports, is important to our economy. Indeed, there is a Lakes distillery now in Cumbria. Will the Leader of the House agree to a debate on the importance of this sector and of reaching a sector deal, and does she agree that such a deal must be UK-wide, not limited to any particular part of the country?

Andrea Leadsom: My hon. Friend raises a valuable point. I travelled around Europe this summer and saw the fantastic UK spirits now available there and the increasing exports. Spirits are an increasingly important UK export, and I would support any efforts he wants to make to ensure we give them the right level of priority.

Christian Matheson (City of Chester) (Lab): Over the next couple of months, the new Mersey crossing will open, and it will be tolled, contrary to promises made by Conservative Ministers. May we have a debate either on the tolls on the new Mersey crossing or, failing that, on why Ministers are so willing to break their promises?

Andrea Leadsom: The Government are guilty of investing a huge amount in infrastructure, particularly transport infrastructure, right across the country. I am not aware of the specific issue the hon. Gentleman raises about broken promises, but if he wants to write to me, I can take it up. I want to reiterate, however, that we are fully committed to improving road and rail transport across the UK, and our record is extremely strong.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): May we have a statement from the Home Secretary on the shocking and sickening revelation on BBC’s “Panorama” about Brook House immigration
detention centre? It showed the shocking behaviour of G4S staff and how our immigration detention system is not working, with committed criminals who should have been deported being held alongside asylum seekers not convicted of any crime.

**Andrea Leadsom:** We would all agree the footage was shocking. The hon. Gentleman might well wish to raise the matter at the next Home Office questions.

**John Grogan (Keighley) (Lab):** Given that the Chancellor has said in Leeds this week that the Government are now willing to consider devolution proposals from 17 Conservative and Labour councils in Yorkshire, is it time for a statement next week on devolution in Yorkshire?

**Andrea Leadsom:** It is certainly time for the hon. Gentleman to raise this at oral questions, with Ministers separately or through an Adjournment debate.

**Jim Shannon (Strangford) (DUP):** Awamiyah, a predominantly Shi'a district in Saudi Arabia, has been surrounded by siege barricades since Government attempts to relocate residents in order to redevelop the neighbourhood in May 2017. There are many reports of heavy clashes between Saudi citizens and military forces, and entire blocks have been demolished. Thousands of local citizens have fled—

**Mr Speaker:** Order. I am sure that the hon. Gentleman has breached his one short sentence. I am waiting for the question mark.

**Jim Shannon:** Will the Leader of the House agree to a statement or debate on the matter?

**Andrea Leadsom:** As ever, the hon. Gentleman has raised a very specific and incredibly important issue, and the Foreign Office will certainly examine it closely. I should be happy to raise it on the hon. Gentleman's behalf; alternatively, he can raise it in the usual way through the Foreign Office.

**Justin Madders (Ellesmere Port and Neston) (Lab):** May I pursue the question asked by my hon. Friend the Member for City of Chester (Christian Matheson)? Many of my constituents tell me that they will have to pay up to £80 a month more just to get to work as a result of the Mersey crossing toll charges. May we have a debate on what the Government will do to prevent them from being penalised by what is, in effect, a jobs tax?

**Andrea Leadsom:** As I said to the hon. Member for City of Chester, the Government have invested a huge amount in infrastructure. This sounds to me like a question that needs to be put during Transport questions, but if the hon. Gentleman wants to write to me, I can take it up with the Department for Transport on his behalf.

**Dr Paul Williams (Stockton South) (Lab):** Will the Leader of the House make time for a debate on the viciously successful campaign by the British company Bell Pottinger to stir up racism in South Africa by working for the corrupt Gupta brothers, who are linked to President Zuma?

**Andrea Leadsom:** I read about that myself, and on the face of it, it seems very concerning. As the hon. Gentleman knows, Bell Pottinger has been removed from its trade body as a result. He may well wish to raise the matter in an Adjournment debate, or in a question to a Minister.

**Albert Owen (Ynys Môn) (Lab):** May we have a debate in Government time on bank closures, which are ripping the heart out of communities across the country? In my constituency, the last bank in the northern town of Amlwch has now been closed without consultation. The public want to know why the Government are saying nothing, and why Parliament is not discussing the issue.

**Andrea Leadsom:** I hope to give the hon. Gentleman a bit of good news about that. There are very clear rules governing how banks can close—there must be broad consultation and assessment—but not enough people know that the Post Office has now agreed with all the major banks to provide basic banking services. Given that post offices are open at weekends and for longer hours, that can often provide a very good alternative.

**Martyn Day (Linlithgow and East Falkirk) (SNP):** My constituent David Hemphill suffers from myotonic dystrophy, and previously qualified for a mobility allowance of £224 a month. When that was removed in December, he lost his mobility vehicle and was instead given an Access to Work grant for taxis, which costs £560 a month. May we have a statement, or a debate in Government time, about the detrimental costs of such changes to the public purse?

**Andrea Leadsom:** That does sound like a bizarre decision. The hon. Gentleman will, of course, want to raise the matter directly through one of the MPs’ hotlines or with Ministers, and I encourage him to do that.

**Kerry McCarthy (Bristol East) (Lab):** In June we were told that the much-delayed clean growth plan would be published after the summer recess. Will the Leader of the House ensure that when it is published, there is a parliamentary debate about it?

**Andrea Leadsom:** As the hon. Lady would expect, in such circumstances there is normally some kind of ministerial statement, either written or oral. Alternatively, she may wish to organise a Back-Bench debate when the plan is published.

**Tony Lloyd (Rochdale) (Lab):** The question of the shortage of nurses in Rochdale—which reflects the national shortage—was raised with me during the summer. May we have a debate in Government time about how the Government plan to increase nurses’ pay, and also to ensure that we are training enough nurses?

**Andrea Leadsom:** I can tell the hon. Gentleman that the number of nurses on wards is up by nearly 12,000. We are increasing investment in the NHS, increasing the number of training places, and so on. If the hon.
Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): Across Stoke-on-Trent and north Staffordshire, the closure of community care beds is causing great concern to my constituents and those of my neighbours. The decisions were referred to the Secretary of State for Health under the 2013 regulations, but there has been no response. May we have an urgent debate in Government time on the accountability of clinical commissioning groups? Those who spend public money and commission public services should not be outside the realm of public scrutiny.

Andrea Leadsom: I do not think it would be true to say that clinical commissioning groups are not subject to public scrutiny—they most certainly are—but I am sure that if the hon. Gentleman has a particular concern about a CCG, Ministers will respond to it.

Patrick Grady (Glasgow North) (SNP): May we have a debate on the Home Office’s shambolic visa system, with case after case throughout the summer of artists and academics, especially from Africa and the middle east, being denied entry to the United Kingdom, affecting festivals, research tours and business? Will a Home Office Minister come to this House and answer the concerns of my constituents and those of my neighbours? The decisions were referred to the Secretary of State for Health under the 2013 regulations, but there has been no response. May we have an urgent debate in Government time on the accountability of clinical commissioning groups? Those who spend public money and commission public services should not be outside the realm of public scrutiny.

Andrea Leadsom: The hon. Gentleman will be aware that there are millions of visitors to this country every year; the Home Office manages those processes extremely effectively. If he has specific concerns about individuals, he might wish to take that up with Ministers, but there is no sense in which there are any travel bans operating in the United Kingdom, and nor is the system unjust or inefficient.

Paul Flynn (Newport West) (Lab): Drug policies in Holland have delivered a prison crisis in that they do not have enough prisoners to fill their prisons. Drug policies here have created chaos in our prisons and a record number of drug deaths, including psychoactive drug deaths, last year. May we debate which country has got its policies right?

Andrea Leadsom: In the UK we have always been very clear: we do not believe that permission to use drugs is of any benefit whatsoever, and we will continue to make every effort to reduce drug offending and to encourage people to get clean from drugs.

Ian Murray (Edinburgh South) (Lab): May we have a statement from the Government on when they plan to reconvene the Joint Ministerial Committee, so that devolved Administrations can be fully involved and consulted on the Brexit process?

Andrea Leadsom: There is a great deal of consultation going on, as the hon. Gentleman knows, between the devolved Administrations and the Westminster Government. That will continue, and there will be plenty of opportunities for further consultation in the weeks and months ahead.

Chris Bryant (Rhondda) (Lab): When Tony Newton was Leader of the House in 1995, in a Conservative Government, he accepted that if the Government lost their majority in the House of Commons they should not have a majority in the Committees of this House considering legislation. Why on earth does this Conservative Leader of the House think that this Government are any different? They have no majority in the House; they should have no majority in the Committees.

Andrea Leadsom: The House is speaking through the usual channels about the business of the House and there will be more discussion about that next week. Motions will be on the Order Paper in good time for the House to be able to consider and discuss it.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): During the recess I met with I Am Me Scotland, an inspiring group working to tackle disability hate crime in Renfrewshire and beyond. With 62,000 hate crimes being committed against disabled people each year in the UK, may we have a debate on this most heinous of crimes?

Andrea Leadsom: It is a very important point to make that it is horrible to see any abuse of individuals, particularly those with disabilities, and I absolutely encourage the hon. Gentleman to seek an Adjournment or Westminster Hall debate on that subject.

Andy Slaughter (Hammersmith) (Lab): It was clear from this week’s statement on Grenfell that little progress is being made, especially on rehousing residents, so may we have weekly reports to the House until further notice, to concentrate Ministers’ minds on this issue?

Andrea Leadsom: I think that is really very unfair: Ministers have been very focused on trying to alleviate the suffering of those victims of Grenfell. The Secretary of State, the Prime Minister and others have come before this House many times to update. What they have not wanted to do is force residents into accommodation that those residents do not wish to take. The offers have been made, and there is a total focus on ensuring we do everything we can for those people.

Alan Brown (Kilmarnock and Loudoun) (SNP): As a Government Minister, the Leader of the House voted to give an additional £16 billion for private renewal and then a £34 billion tax giveaway package for the wealthiest, while maintaining the public sector cap. Will she make a statement explaining why she thinks that is fair and saying whether the UK Government are going to follow the Scotland Government’s lead and scrap the cap?

Andrea Leadsom: To be very clear, what we have to do in any Government is have the right balance in priorities for spending. It has to be right for the people who are doing the amazing work they do in our public services, but also right for the taxpayers who have to foot the bill. When we came into office, we had the largest peacetime deficit ever, and in the ensuing years we have been trying to get back to living within our means. The alternative
[Andrea Leadsom]

is that we leave the debts for the next generation, and that would be completely unfair. So balance in spending priorities is absolutely key.

Mrs Madeleine Moon (Bridgend) (Lab): In 2015, Wales introduced the opt-out system for organ donation. In the following year, there was a 19% increase in kidney donations. Scotland is about to introduce a similar system. Is it not about time that those awaiting organ donations in England were also given a right to live?

Andrea Leadsom: The hon. Lady raises a really important point, and I am very sympathetic to it. Last year, we saw the highest ever rates of organ donation, but we want that number to rise further so that everyone who needs a transplant has the best chance of receiving one. This is organ donation week, and the campaign is focusing on the importance of people talking about this and telling their family about their wishes. We are committed to continuing with campaigns that raise awareness, but we will also be looking closely at how the situation in Scotland and Wales affects donation rates. I also want to highlight the need to encourage black, Asian and minority ethnic donors, and we are looking at more ways of doing that.

Martin Whitfield (East Lothian) (Lab): Will the Leader of the House comment on the possibility of including topical questions in the devolved nations’ questions that fall before Prime Minister’s Question Time? We seem to be shortlisted on a number of questions, week in and week out, and we can hold no one to account.

Andrea Leadsom: The hon. Gentleman raises an interesting point, and I am very happy to take it away and discuss it with colleagues.

Nick Smith (Blaenau Gwent) (Lab): May we have a statement on the powers of the Financial Conduct Authority? Its slowness in taking action against sky-high interest rates in the rent-to-own sector has left hard-up families paying through the nose for cookers and for cots.

Andrea Leadsom: It is incredibly important that financial conduct is carried out meticulously, and the regulator has strong powers to ensure that people behave appropriately. There are all sorts of issues around financial conduct at all times, and I think the FCA does a good job, but if the hon. Gentleman wants to raise a particular issue, I recommend that he tries to arrange a Westminster Hall debate on that specific point.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): Two years on from the Syrian boy being washed up on a beach in the Mediterranean, there is still a crisis affecting children in Europe. May we have an urgent debate on what can be done to speed up the process of reuniting the child refugees who are sleeping rough in Calais with their families in Britain?

Andrea Leadsom: The situation for children is incredibly harrowing. This country has made huge strides in trying to reunite refugee children with their families, with relatives and with other people in the United Kingdom. We continue to be one of the most generous donors in trying to establish safe havens for children closer to home, to avoid their getting into the hands of people traffickers, making appalling journeys and losing relatives on the way. There is always more to be done, and the hon. Gentleman might well want to arrange for an Adjournment debate on that subject.
Hurricane Irma

11.33 am

The Minister for Europe and the Americas (Sir Alan Duncan): I am grateful to you, Mr Speaker, for this opportunity to make a statement on Hurricane Irma, which is already affecting and is set further to affect Caribbean islands and the south-east United States with devastating effect. Much as I appreciate the wish of the House to move on to the Second Reading of the European Union (Withdrawal) Bill, I am sure everyone appreciates the importance of informing the House about the latest position on this unfolding catastrophe.

As with any hurricane, one can never be sure of its ultimate effect until the extent and location of its inevitable damage has become clear. However, its predicted force has put everyone on the highest state of alert and preparedness, to which end the Foreign Office crisis centre and Department for International Development planning were all put on to the highest state of readiness over two days ago. The FCO crisis centre has two important functions: one is to organise the fullest possible consular assistance to UK citizens abroad; the other is to monitor the path of the hurricane and co-ordinate every conceivable UK response, in particular to those British territories affected.

Hurricane Irma, having reached category 5—the highest possible category—hit three British overseas territories yesterday: Anguilla, Montserrat and the British Virgin Islands. Today, we expect the hurricane to affect a further UK territory: the Turks and Caicos Islands. The hurricane yesterday also caused damage in the independent Commonwealth countries of Antigua and Barbuda and St Kitts and Nevis, and we expect it to affect the Dominican Republic, Haiti and the Bahamas today. It will most likely affect Cuba and south-eastern Florida tomorrow. The hurricane is heading westwards and remains strong. We have an initial assessment of the severity of the damage it has caused. I will outline for the House what we know so far. Montserrat was swiped by the hurricane yesterday, but our initial assessment is relatively positive. Fortunately, the damage is not as severe as first thought. In contrast, however, Anguilla received the hurricane’s full blast. The initial assessment is that the damage has been severe and, in places, critical. We expect further reports to make clear the full nature of the devastation, and Anguilla’s port and airport remain closed. The British Virgin Islands were also not spared the hurricane’s full force when it passed through yesterday morning. Our initial assessment is of severe damage. We expect that the islands will need extensive humanitarian assistance, which we will of course provide. The hurricane is expected to hit another British overseas territory later today. The Turks and Caicos Islands lie in the hurricane’s predicted path, and officials in London and in the territories are working intensively on disaster preparedness. They are also liaising with their counterparts in the Cayman Islands for assistance. The French and Dutch territories on Guadeloupe and St Martin have also been hit. The initial assessments are of widespread damage, but the more detailed assessment continues. No British nationals have yet contacted us to ask for assistance from these islands. Two Commonwealth realms were affected by hurricane Irma yesterday. Antigua and Barbuda’s less populated island, Barbuda, was most severely affected. Antigua, and St Kitts and Nevis were less badly affected than many had feared, with only minor damage. We expect that the hurricane will affect the Dominican Republic and Haiti today. It will sweep on through the south-east of the Bahamas later, and tomorrow is predicted to hit Cuba and southern Florida.

Officials in London and the territories have been working throughout the day and night to assess and quantify the needs of our territories, and to co-ordinate a cross-Government response. Officials in London are maintaining contact—although sometimes difficult—with our Governors’ offices in the territories. The Governors’ teams are themselves working closely with the territories’ Governments to respond to the crisis. The Royal Naval ship Royal Fleet Auxiliary Mounts Bay is already in the Caribbean and should reach the affected territories later today. The ship carries Royal Marines and Army engineers, and her primary task is the protection of our overseas territories. She is loaded with a range of equipment, vehicles, tents, stores and hydraulic vehicles specifically intended to respond to such disasters. In addition, DFID stands ready to charter flights to deliver additional supplies as appropriate.

I spoke last night to the London representatives of the British Virgin Islands. I was in our crisis centre yesterday afternoon and last night and have been based there this morning. At 8.45 pm last night, the Foreign Secretary spoke to Anguilla’s Chief Minister Victor Banks. The Foreign Secretary also tried but was unable to contact the Premier of the British Virgin Islands, but Lord Ahmad has been in contact with the Governor this morning. We will be working in support of the overseas territories’ Governments to develop the best possible assessment of their immediate and longer-term needs. To that end, my right hon. Friend the Secretary of State for Defence will chair a meeting of COBRA at 2 o’clock this afternoon. Our priority is to support the territories’ Governments in meeting their immediate humanitarian and security needs, including shelter, water and accommodation. We have four UK Aid humanitarian experts in the region who are helping to co-ordinate the response. We will assess, with the territories’ Governments, their long-term reconstruction requirements, as we have done in the past.

As the House will appreciate, the relationship between overseas territories and their parent countries differs. While French territories are directly governed, that is not the case with our overseas territories. While that means that our responses will, of course, be different, we will seek to achieve the same objectives and are taking immediate steps to do so.

The Prime Minister called President Macron this morning to discuss our respective responses to Hurricane Irma. They agreed that the devastation the hurricane has wreaked is terrible, with unconfirmed reports emerging of a number of fatalities. The Prime Minister updated the French President on our response, noting that DFID humanitarian advisers have already deployed to the region to conduct damage assessments and provide humanitarian support, and that RFA Mounts Bay is already near the area. They agreed to co-operate closely, including with the Dutch, to understand the extent of the damage and to co-ordinate our relief efforts.

We will all do our utmost to help those affected, and I undertake to keep the House updated as required.
Sir Alan Duncan: I am grateful to the hon. Lady both for what she said and for the tone in which she said it, because the House will want to send a united message of concern. We all just want to do the very best for those who, in many cases, have been devastated by the ferocity of this hurricane.

Of course, many tourists will have left because there was some notice that this hurricane was likely to come, and this is not peak tourist season. We have not yet had any direct individual requests for consular assistance, but we all have concern that, beneath the rubble, there will be cases that require our urgent personal response.

Our focus, of course, is not just on tourists; it is on everybody. We have completed overall concern, particularly for our overseas territories that are affected, and to that end we have £12 million immediately available through our rapid response mechanism for disaster relief and recovery. The Secretary of State for International Development is here with me, and her Department, like the Foreign Office, is on full alert and is doing its utmost. The Department has a great wealth of expertise to deploy, and I speak not only as a Foreign Minister but as a former DFID Minister. In the long-term, we will of course always meet our full legal obligations under the International Development Act 2002 to our overseas territories. I assure the House that we are pulling out all the stops to make sure that we do our utmost to provide urgent assistance, once we, using the professionalism DFID has, have carried out the assessment to make sure we know who is in greatest need. We can then use our adeptness and flexibility urgently to address those who most need our help.

Crispin Blunt (Reigate) (Con): I thank my right hon. Friend for his statement, for the comprehensive nature of the response we appear to be preparing and for the undertaking that we will provide all necessary immediate humanitarian assistance. I welcome the fact that he has spoken to the London representatives of the BVI. Will he confirm that he will be happy to act as the personal contact of the London representative of the Government of Anguilla, too, so that she can keep him personally updated? For the longer term, there is some anxiety that the overseas territory of Anguilla does not receive direct aid from DFID; it receives it only indirectly through the European Union. May I take it that the welcome notification about the £12 million will mean that we are equally as committed to the long-term recovery and reconstruction of Anguilla as we are to meeting the immediate humanitarian need?

Sir Alan Duncan: First, let me say that we are endeavouring to contact everybody, although this is difficult in some cases. There is always a distinction between DFID funding that is Official Development Assistance-eligible and that which is not, but we will make all the assessments we possibly can, in order to give the help that we would like to give wherever we find that the need is severe. We will, as my hon. Friend requests, focus on all the help, and we have dealt with many hurricanes and typhoons in the region before. Indeed, four years ago, as the Minister, I gave some assistance to St Lucia and St Vincent, which had had all their bridges swept away. It was because we had the professionalism required to assess the damage that we knew how best to respond to it. Our response is flexible, which again reflects DFID’s professional competence.

Chris Law (Dundee West) (SNP): I, too, am grateful for advance sight of today’s statement. There is no doubt that the devastation across the Caribbean is both grave and a tragedy. Naturally, our thoughts and wishes go out to all those waiting to find out whether or not they are in the path of Hurricane Irma—those in the Dominican Republic, Haiti, the Bahamas and Florida; and to those who have already been hit in the Virgin Islands, Anguilla, Puerto Rico and St Martin, which we hear is “almost destroyed” and in Barbuda, whose Prime Minister says that the island is “totally demolished” and “nearly uninhabitable”. We encourage the Minister to send as much urgent aid as possible to them.

The upgrading to hurricanes of storms Jose and Katia, making it three in the Caribbean basin, is terrifying. The prospect of Jose hitting locales we have already
Sir Alan Duncan: I quite understand what the hon. Gentleman is saying in respect of Anguilla, because there have been some comments in the media comparing our response with that of the French, but I very much hope I can give him and the House genuine reassurance. We are very well practised in emergency response. We place a Royal Fleet Auxiliary vessel in the area almost every year—I think it is every year—in anticipation of hurricane risk. In this case, the hurricane has been extraordinarily severe, but the advantage of having the Royal Fleet Auxiliary vessel is that we do not trap response resources in a country or on an island when they might be more importantly needed on a neighbouring island.

The Royal Fleet Auxiliary vessel has flexibility. It has the ability to make and deliver water. It has bulldozers and a helicopter. Crucially, we may have resources on an island and the roads get blocked, but if we have a Royal Fleet Auxiliary vessel with a chopper, we can get to the people in need very quickly. The Royal Fleet Auxiliary vessel is a fantastic resource of which we should be very proud. It has marines, military engineers, resources, food and supplies, and it can deploy flexibly according to the urgency and need caused by the devastating path of a hurricane, because we never know where the need is greatest until the hurricane has happened. I say again that we can supplement the initial urgent response with other relief flights provided by DFID out of the disaster relief funding we have. Over time, the House will see that our response proved effective and good for the people we are there to look after.

Wendy Morton (Aldridge-Brownhills) (Con): I would like to add my thanks to the Minister for coming to give a statement to the House today. Clearly this is a very devastating but unfolding situation. Can he reassure us that he will continue to keep us updated on the work and progress of his Department and those involved?

Sir Alan Duncan: I am happy to give that assurance. I can tell the House that in my experience these things come in phases. We have to start with the urgent cases of injury and homelessness and the need for food and water. Then there is the very important process of the follow-up to ensure that issues of infrastructure and reconstruction are properly planned for and delivered.

Toby Perkins (Chesterfield) (Lab): I spoke a few moments ago to Kennedy Hodge, an Anguillan student who has arrived just today in Chesterfield. He laid out the scale of the devastation in Anguilla, which is quite unlike anything they have seen before. The Minister was at pains to explain the difference between our relationship with our overseas territories and that of the French Government with theirs, but if he is to make good on achieving the same objectives that the French have set out, he will know that we need a great deal more resource. The French Government have put a lot more into St Martin than we have into Anguilla. Will the Minister lay out the resources we will be able to provide not only militarily to deal with the immediate humanitarian catastrophe, but to support the Anguillan Government with the help they will need with schools, hospitals, the airport, the prisons and all the devastated infrastructure? They will need that support to get back on their feet.

James Duddridge (Rochford and Southend East) (Con): My thoughts go out to people such as Victor Banks, Orlando Smith and Don Romeo, whom I worked closely with and have been trying to contact. Does this immediate crisis not highlight a conundrum? While the overseas territories have preferential treatment and first call on the DFID budget, the nature of middle-income status does not recognise the real environmental risks that small island states have. How can the Minister leverage his time at DFID and the Foreign Office to ensure that little conundrum can perhaps be solved under his time and service?

Sir Alan Duncan: May I first acknowledge my hon. Friend’s service as a Foreign Office Minister? He has great knowledge of this field. He is really asking me to dissect and explain, or even give an intellectual thesis on, what one might call the “ODA conundrum”, in which some cases qualify for overseas development assistance funding but not others. When it comes to hurricanes and typhoons, the argument may well be, “We wish you had spent money in advance,” and so on. I am sure that greater thought will be given to the issue, but DFID will do its utmost with the resources it has to address need wherever it is able to do so.
Jo Swinson (East Dunbartonshire) (LD): A Massachusetts Institute of Technology professor states that had Hurricane Harvey happened 20 years ago, it would have been a “1-in-2,000-year event”. We now have Irma, with a new trail of devastation and loss of life, as well as appalling deadly floods in south Asia. Helping those in danger rightly has to be the immediate priority, but will the Minister engage with the wider question of what the Government are doing to get global climate change action back on track? It is vital and urgent that we do, and we are currently failing.

Sir Alan Duncan: That priority cuts across the Government. Our main focus today is on emergency relief, but preparedness for severe weather incidents is part of many DFID programmes, to ensure that flooding is reduced, buildings are solid and infrastructure holds up. The kind of the advanced work to which the hon. Lady implicitly refers is deeply entrenched in many of the programmes around the world on which DFID spends its money.

Ms Nusrat Ghani (Wealden) (Con): I welcome the Minister’s statement. The Foreign Office crisis centre and DFID have done us proud by springing into action, and I welcome the £12 million fund that my right hon. Friend mentioned earlier. However, the devastation caused by Hurricane Irma will be exacerbated by another storm: Hurricane Jose. Has the Minister had the time to take into account the extra damage that Hurricane Jose could cause and what that might mean for any relief efforts in the region?

Sir Alan Duncan: I have been concentrating very much on Irma, but I shall go immediately and find out what I ought to know about Jose. The serious point is that the Government wanted to come to the House at the earliest possible opportunity to let the House know what we know and to share, openly and transparently, a clear picture of what we had prepared and what we wish to do. As I said earlier, I am sure we will update the House in due course, or as appropriate, to explain what we have done subsequently.

Ann Clwyd (Cynon Valley) (Lab): First, I was involved in getting aid to Montserrat in the past; will the Minister explain further what damage the hurricane has done to the island? He said it was swiped by the hurricane, but I do not know what that means. Secondly, there was an interesting BBC science programme last night on preparing to go to Mars, with scientists in the United States seemingly well advanced in the process. If we are preparing to go to Mars, why can we not predict hurricanes much earlier? The Minister may not be able to answer that question, but it is an interesting one.

Sir Alan Duncan: The right hon. Lady will forgive me if I focus more on Montserrat than on Mars. I am very familiar with Montserrat, which of course had its own problem with the volcanic eruption many years ago. The damage assessment we have is that fortunately Montserrat has not been severely hit. The hurricane passed over and did not cause the widespread disruption and demolition that at first we feared.

John Stevenson (Carlisle) (Con): Our attention is currently on those countries affected by the hurricane, and it is right that the Government’s focus should be on them. However, back in 2015, Storm Desmond initially had a great impact on America before subsequently having a huge impact on this country, particularly affecting the lives of many people in Carlisle and Cumbria. Will the Minister confirm that, although his priority is clearly the countries in the Caribbean, other parts of the Government will ensure that this country is prepared for the potential fallout from such hurricanes and future ones?

Sir Alan Duncan: Yes, I would like to think that, as a sophisticated first-world country, we do as a matter of fact always have contingency plans—plans for a civil response of that sort. I am sure that the answer to my hon. Friend’s question is yes. As regards a specific backlash from this hurricane, I am sure that the scientists will be working on it very energetically already.

Chris Bryant (Rhondda) (Lab): Our heart goes out to all those who have been affected. Some of the very poorest people will be those who have lost absolutely everything in this, as so often happens. The rich will be able to rebuild their mansions, but the poor will not. The Minister is right to focus on the immediate issues, but if we are to build resilience—there will be another incident like this—do the British Virgin Islands and Turks and Caicos need to have a broader tax base in the end?

Sir Alan Duncan: As a Minister in the Department for International Development, I focused in great detail on the Turks and Caicos Islands, which was pretty well bankrupt and its deficit was growing. So, yes, part of the set of conditions that we set down for them for restoring their finances was to improve their tax base. I can point to a very positive record of this Government, answering exactly the question that the hon. Gentleman has asked. Implicit in his question is that, if we are to reconstruct a devastated island, we must ensure that it builds things that will withstand hurricanes in the future. If we have rivers that will not flood, riverbanks that have gabion baskets to make sure that they can contain the water and houses that can withstand a greater ferocity of wind, then out of this disaster can come an opportunity for better resilience in the future.

Mr Philip Hollobone (Kettering) (Con): I commend my right hon. Friend for his statement, which, in its comprehensiveness and succinctness, was a model that other Ministers would be well advised to follow. In relation to his last point, we have an absolute duty to protect our overseas realms and territories from environmental disasters. Is there a plan to hurricane-proof as much as possible key infrastructure in these realms and territories?

Sir Alan Duncan: I like to think that being short and precise is my hallmark.

Across many of DFID’s programmes around the world—for example, ones in Bangladesh, which suffers from flooding—building in resilience is a crucial part of its entire philosophy. In as much as that can also be incorporated into a country’s planning, it must be both welcomed and encouraged. I must point out to the House that we do not govern those countries, but we
can encourage them to govern themselves in a way that introduces exactly the sort of standards that my hon. Friend has described.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I have been shocked to see the absolute devastation in places that I have personally visited. Having been through a hurricane and a tornado myself, I know just what a frightening and unpleasant experience it can be. It is absolutely shocking, and our thoughts and prayers are with all those people. I welcome very much what the Minister has had to say, particularly about RFA Mounts Bay and the facilities that it can provide. Will he look at the possibility of a second RFA vessel going into the region one or two weeks later with necessary infrastructure supplies and relief efforts, particularly if there is further devastation in the Turks and Caicos? Are our search and rescue personnel on standby to provide assistance? They do an excellent job in these crises. Have they been used yet?

Sir Alan Duncan: On search and rescue, the answer is, yes, those personnel will be deployed. The Cobra meeting at 2 o’clock this afternoon will discuss all those options. Sitting in the crisis centre this morning, looking at the auxiliary vessel going, I can say that one of its great advantages is that it has a helicopter. One issue that we are looking at very urgently is trying to get a second helicopter. Then we will consider supplementary relief flights and possibly a second naval vessel—I am not committing to that now. In the hope that we might be able to do that when we look at the disaster and assess it, then, hopefully, the answer to the hon. Gentleman’s question will be yes. We must appreciate that this is a massive, perhaps unprecedented, natural disaster. We have not seen a hurricane on this scale in our lifetime, so we will have to assess the damage and respond as best we possibly can, knowing that this is—as I would put it—a whopper.

Bob Blackman (Harrow East) (Con): I thank my right hon. Friend for his statement and the commitment made by the Government to help those who are suffering. Clearly, in advance of the hurricane the United States ordered the complete evacuation of Key West. That was not practical on many of the islands that have been devastated, but has there been any request, for example, for Barbuda to be completely evacuated given that reports suggest that it is uninhabitable?

Sir Alan Duncan: We are not in power to demand the evacuation of countries that are self-governing, Mr Deputy Speaker—but we do our best to ensure that they are fully informed, and modern science does help inform people. People have had greater prior notice of the danger than they would have had even two decades ago.

Caroline Lucas (Brighton, Pavilion) (Green): I welcome the Minister’s commitment to immediate relief, but, with respect, I think that today is precisely the day on which we need to talk about those broader causes. As we have just heard, Gaston Browne, the leader of Antigua and Barbuda, is talking about climate change today. Will the Minister reassure the House that we will not have to wait for a hurricane to hit the UK before we have the policies we need from this Government to tackle climate breakdown? Without that, we will not see the climate leadership that his Government like to claim in theory being shown in practice.

Sir Alan Duncan: First, Mr Speaker, I apologise for demoting you—you miraculously reappeared in the Chair and I did not see you out of the corner of my eye.

I think that the hon. Lady has deeply misjudged the tone of the House today. We are seeing people in deep and urgent immediate need and we are also leading the world on climate change. She ought to show a bit more urgent and immediate humanity, rather than making the point that she has made today.

Rehman Chishti (Gillingham and Rainham) (Con): I welcome the Minister’s statement. On rescue and relief, the Minister says that Royal Navy ships are on route and will reach the area later today. The United States has carriers there already, as well as choppers and field hospitals. Are we in touch with the US to ensure that we have a joint operation, so that all that can be done is done at this difficult time?

Sir Alan Duncan: One of the positive elements of such a grave international phenomenon is that countries do their utmost to work together. We are working with France and the Dutch, and I have no doubt that there will be close co-ordination with the Americans, but they will of course be primarily focused on Florida. I hope that where one country can help another, they will all do so, and I am sure that there will be such incidents in the days ahead.

Chris Elmore (Ogmore) (Lab): I appreciate the speed with which the Minister has come to the House to update us on what is happening. In his statement, he talked briefly about Haiti, and all reports say that the storm will be travelling there, so what will the Foreign Office and DFID be doing to improve relief for Haiti as and when the storm hits? He will appreciate, as will the Secretary of State, that Haiti has had multiple disasters over a number of years with difficult terrain, so what is he doing to address that?

Sir Alan Duncan: This is such an enormous hurricane, which is hitting so many islands and so much landmass, that there will need to be a massive and comprehensive response. We have deep and extensive experience of going into Haiti following hurricanes in the past, but I say again that our first priority will be to protect and assist British overseas territories.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I, too, welcome the Minister’s statement and, in particular, his commitment to keep the House updated. May I invite him once again publicly to thank all those working at the FCO crisis centre? He has seen their work first hand, but so often it goes unseen, particularly their important work in communications and ensuring that British citizens are safe—or as safe as possible—when they are abroad.

Sir Alan Duncan: I particularly appreciate what my hon. Friend has just said, and it applies equally to DFID, where officials have been working throughout the night. As I say, I was at the crisis centre yesterday afternoon, at about half-past 8 last night and again
early this morning. They have been manning this round the clock, and they are constantly in touch with the overseas territories and other political groupings to ensure that we can be as co-ordinated as we possibly can. I publicly thank them all, and I am sure that everyone in this House would do so, too.

Kerry McCarthy (Bristol East) (Lab): I absolutely appreciate the importance of the immediate humanitarian effort and hope that at the Cobra meeting this afternoon the Government will consider the possible impact of Hurricane Jose, as the reports we are receiving are quite alarming. May I also urge Ministers to consider seriously the issue of climate risk insurance in future? I know that there were efforts to move this forward at the G20 and it does need to be on the political agenda.

Sir Alan Duncan: Yes, I can give a positive answer. This is a positive and ongoing policy stream within DFID. The UK and DFID are in the lead on this across the world, so I can confidently reassure the hon. Lady.

Nigel Huddleston (Mid Worcestershire) (Con): The hurricane has been devastating but the islands will recover. Past experience tells us that they often recover well before they are perceived to have recovered. Will we therefore help to provide assistance in communicating that fact and promoting the islands once they are in a position to communicate that they are open for business again?

Sir Alan Duncan: Well, let me do my bit now by saying that I hope people will still plan to go on holiday to all the islands, which will be pieced back together again. The worst thing that could happen to them is that they face a long-term economic cost because people turn their back on the islands but to think positively of going there to get some sunshine and to share in the recovery.

Jim Shannon (Strangford) (DUP): I am greatly encouraged by the Minister’s comprehensive and substantial response. He has set an example for other Departments and offices to follow; I am sure they will try to emulate his efforts. What support is available for British nationals on holiday in the path of Hurricane Irma? There are more hurricanes on the way so, of course, they are concerned. Some of my constituents are in rented accommodation in the region now. What discussions have taken place with the embassy to get safety advice to people in those places?

Sir Alan Duncan: The advice is very clear from the public media. There is also travel advice on the Foreign Office website. We have not yet had any direct requests for consular assistance, but our crisis centre is there on full alert to ensure that we can respond to maximum effect if we do receive such requests.
another chair? I would also be interested to know to what extent this decision is made by the House and to what extent it is made by the Government. I note that the Prime Minister is in her place. I think many people would want to hear from her on this matter.

Mr Speaker: I thank the hon. Gentleman for his point of order. The House will not want a dilation on the matter. Suffice it to say that an initial contract was awarded. As I understand it, the contract for the main works has yet to be awarded. Nevertheless, I take head-on what the hon. Gentleman perfectly legitimately and reasonably puts to me. The House of Commons Commission considered this issue yesterday, and we are seeking reassurance from the company, not least in the light of the facts that the hon. Gentleman has just articulated and in the light of his remarks in the Westminster Hall debate yesterday, which colleagues and I have studied.

As I believe the hon. Gentleman indicated, blacklisting is now illegal. This House will expect any contractor to observe the letter and spirit of the law. That is point one. Point two is that any contractor will be expected to conform to the highest standards in such matters. I hope the hon. Gentleman understands that I cannot be expected to say more than that today, but I am not knocking what he said. It is important. We are sensitive to it and we will be conscious in the days ahead of the reputational importance of what he has raised. Perhaps I can leave it there for now.

BILLS PRESENTED

House of Lords (Exclusion of Hereditary Peers) Bill

Presentation and First Reading (Standing Order No. 57)

David Hanson, supported by Clive Efford, Matthew Pennycook, Barbara Keeley, Bill Esterson, Jack Dromey, Louise Haigh, Kate Green, Lyn Brown, Liam Byrne and Paul Blomfield, presented a Bill to amend the House of Lords Act 1999 to remove the by-election system for the election of hereditary peers from the House of Lords over time; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 27 April 2018, and to be printed (Bill 104).

Pensions (Review of Women’s Arrangements) (No. 2) Bill

Presentation and First Reading (Standing Order No. 57)

Carolyn Harris, supported by Tim Loughton, Caroline Lucas, Stephen Lloyd, Ian Blackford, Christine Jardine, Maria Caulfield, Peter Aldous, David Hanson and Chris Elmore, presented a Bill to establish a review of pension arrangements for women affected by changes made by the Pensions Act 1995 and the Pensions Act 2011; to require the review in particular to undertake costings for a compensation scheme and consider the operation of section 1(4) of the Pensions Act 2011; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 27 April 2018, and to be printed (Bill 105).

European Union (Withdrawal) Bill

Second Reading

12.18 pm

The Secretary of State for Exiting the European Union (Mr David Davis): I beg to move, That the Bill be now read a Second time.

When I introduced the European Union (Notification of Withdrawal) Bill earlier this year, I said that that Bill was just the beginning—it was the beginning of a process to ensure that the decision made by the people in June last year is honoured. Today we begin the next step in the historic process of honouring that decision. Put simply, this Bill is an essential step. Although it does not take us out of the European Union—that is a matter for the article 50 process—it does ensure that, on the day we leave, businesses will know where they stand, workers’ rights will be upheld and consumers will remain protected. The Bill is vital to ensuring that, as we leave, we do so in an orderly manner.

Let me start with a brief summary of the Bill before going on to set out its key provisions in more depth. The Bill is designed to provide maximum possible legal certainty and continuity while restoring control to the United Kingdom. It does so in three broad steps. First, it removes from the statute book the key legislation passed by this Parliament in 1972—the European Communities Act 1972. That Act gave European Union law supreme status over law made in this country. It is therefore right that it be removed from our statute book on the day the UK leaves the European Union, bringing to an end the supremacy of European law over laws made in the United Kingdom.

Secondly, the Bill takes a snapshot of the body of EU law that currently forms part of the United Kingdom legal system and ensures that it will continue to apply in the United Kingdom after we leave. This is to ensure that, wherever possible, the same rules and laws will apply the day after exit as they did before. Without that step, a large part of our law would fall away when the European Communities Act is repealed.

But simply preserving European Union law is not enough. There will be many areas where the preserved law does not work as it should. So, as its third key element, the Bill provides Ministers in this Parliament and in the devolved legislatures with powers to make statutory instruments to address the problems that would arise when we leave the European Union.

Ian Murray (Edinburgh South) (Lab): Will the Secretary of State give way?

Mr Davis: In a moment.

These powers allow Ministers to make those changes to ensure that the statute book works on day one. This will be a major shared undertaking across the United Kingdom.

Tom Brake (Carshalton and Wallington) (LD) rose—

Stephen Timms (East Ham) (Lab) rose—

Mr Davis: I will give way to both right hon. Gentlemen in a few minutes.
[Mr David Davis]

Following this, it will be for United Kingdom legislators to pass laws, and for the United Kingdom courts to adjudicate those laws.

The Bill enables us to leave the European Union in the smoothest and most orderly way possible. It is the most significant piece of legislation to be considered by this House for some time, and it will rightly be scrutinised clause by clause, line by line on the Floor of the House.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op) rose—

Stephen Timms rose—

Mr Davis: I will give way in a moment.

I stand ready to listen to those who offer improvements to the Bill in the spirit of preparing our statute book for withdrawal from the European Union.

The right hon. and learned Member for Holborn and St Pancras (Keir Starmer) likes to remind me of my past incarnation as a Back Benchers' champion and my dedication to holding the Government to account. I have not changed my views one jot. Let me be clear: this Bill does only what is necessary for a smooth exit and to provide stability. However, as I have repeatedly said, I welcome and encourage contributions from those who approach the task in good faith and in a spirit of collaboration. All of us, as legislators, have a shared interest in making the Bill a success and in the national interest.

Ian Murray: The Secretary of State mentioned in his opening remarks that the Bill gives Ministers the power to change laws through statutory instruments and other mechanisms. Does that include changing laws in terms of devolved Administrations?

Mr Davis: If the hon. Gentleman is patient, I will come later in my speech to the detail of that and how that process will work.

Tom Brake: Will the Secretary of State take this opportunity to confirm that the Government will not use this Bill to make policy changes?

Mr Davis: Again, I will go into that in some detail. There is one exception to this, but the primary aim behind the Bill is to maintain policy as it is now. The only exception to that is under the withdrawal arrangements, and that will be time-determined and limited. I will detail that in a second.

Stephen Timms: George Osborne, in his headline in the Evening Standard last night, referred to the Secretary of State's approach as "rule by decree". Why is the Secretary of State taking this high-handed approach to the practices of this Parliament?

Mr Davis: I have to tell the right hon. Gentleman that I do not read the Evening Standard—it sounds like with good reason. I have to tell him that if I am going to take lectures on rule by decree, it will not be from the editor of the Evening Standard.

John Redwood (Wokingham) (Con): Will my right hon. Friend confirm that if the Government wish to make a change by statutory instrument, that is a parliamentary process? It would be entirely in Parliament's control. It is a synthetic nonsense to suggest that Ministers are bypassing Parliament.

Mr Davis: My right hon. Friend is entirely right—it is a point I will elaborate on later—and the editor of the Evening Standard should know that from his own experience.

The key point of this Bill is to avoid significant and serious gaps in our statute book. It ensures that consumers can be clear about their protection, employees can be clear about their rights, and businesses can be clear about the rules that regulate their trade. Workers' rights and consumer and environmental protections will be enforceable through the UK courts, which are renowned worldwide. The Bill provides certainty as to how the law will apply after we leave the European Union, and ensures that individuals and businesses will continue to be able to find redress when problems arise. Without this Bill, all those things would be put at risk.

The Bill must be on the statute book in good time ahead of our withdrawal so that the statutory instruments my right hon. Friend the Member for Wokingham (John Redwood) referred to, which will flow from the Bill, can be made in time for exit day—the House will have time to look at them—and so that we are in a position to take control of our laws from day one.

The Bill provides a clear basis for our negotiation with the European Union by ensuring continuity and clarity in our laws without prejudice to the ongoing negotiations. Without this legislation, a smooth and orderly exit would be impossible. The shape of any interim period will need to be determined by the negotiations, but we cannot await the completion of negotiations before ensuring that there is legal certainty and continuity at the point of our exit. To do so would be reckless.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Will the Secretary of State confirm his view that not transposing the EU charter of fundamental rights will have no impact on the actual rights of the British people, their interpretation or their enforcement in the courts?

Mr Davis: Again, I will come to that later, but if the hon. Lady remembers, when the White Paper was presented to this House I said to the right hon. and learned Member for Holborn and St Pancras, my opposite number, that if any powers were missing, people should come to the Government, tell me and tell the House, and we would put that right. I have not had a single comment since on that.

Several hon. Members rose—

Mr Davis: I will make some progress now, and I will give way a little later. I am conscious of the point made by the Father of the House that time will be tight at least on this day. I will give way as much as is reasonable, but I do not want to dilate too long.

Mr Dominic Grieve (Beaconsfield) (Con): Will my right hon. Friend give way?
Mr Davis: If my right hon. and learned Friend will forgive me, I will not for the moment.

Let me now talk the House through the Bill's main provisions. The first clause repeals the European Communities Act on the day we leave the European Union, ending the supremacy of EU law in the UK and preventing new EU law from automatically flowing into UK law after that point. When the then Prime Minister Harold Wilson led the debate here in May 1967 on the question of the United Kingdom's entry into the European Communities, he said:

“It is important to realise that Community law is mainly concerned with industrial and commercial activities, with corporate bodies rather than private individuals. By far the greater part of our domestic law would remain unchanged after entry.”—[Official Report, 8 May 1967; Vol. 746, c. 1088.]

I think the passage of time has shown that he was mistaken. European Union law touches on all aspects of our lives, in a far wider way than the drafters of the European Communities Act could have envisaged. That means the Bill we have before us today has a difficult task: it must rebuild United Kingdom law in a way that makes sense outside the European Union.

Stephen Doughty: Will the Secretary of State give way on that point?

Mr Davis: In a moment.

To do that, the first step the Bill takes is to preserve all the domestic law we have made to implement our EU obligations. That mainly means preserving thousands of statutory instruments that have been made under the European Communities Act, with subjects ranging from aeroplane noise to zoo licensing. It also extends to preserving any other domestic law that fulfils our European Union obligations or otherwise relates to the European Union.

Equally, the Bill converts European Union law—principally EU regulations, all 12,000 of them—into domestic law on exit day. It also ensures that rights in the EU treaties that are directly effective—that is, rights that are sufficiently clear, precise and unconditional that they can be relied on in court by an individual—continue to be available in UK law.

I have no doubt that there is much about EU law that could be improved, and I know that my right hon. and learned Friend will want to improve it. [Interruption.] Including the hon. Member for Caerphilly (Wayne David), who laughed just then. But that is not the purpose of this Bill. It simply brings European Union law into UK law, ensuring that, wherever possible, the rules and laws are the same after exit as before.

Just as important as the text of EU law is the interpretation of that law.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Will the Secretary of State give way?

Mr Davis: In a moment.

For that reason, the Bill ensures that any question as to the meaning of retained law is to be decided on in UK courts in accordance with the Court of Justice’s case law and retained general principles of European Union law as they stood on exit day. That approach maximises stability by ensuring that the meaning of the law does not change overnight and that only the Supreme Court, and the High Court of Justiciary in Scotland, will be able to depart from retained EU case law. They will do so on the same basis on which they depart from their own case law. Any other approach would either actively cause uncertainty or fossilise EU case law for ever.

Yvette Cooper rose—

Stephen Doughty rose—

Mr Davis: I will make this point and then give way. Future decisions of the Court of Justice will not bind our courts, but our courts will have discretion to have regard to such decisions if they consider it relevant and appropriate to do so, in just the same way that our courts might at the moment refer to cases in other common law jurisdictions such as Australia and Canada. I give way to the hon. Member for Cardiff South and Penarth (Stephen Doughty), who has been patient.

Stephen Doughty: Given the scale of the task that the Secretary of State is setting out in his introduction to the Bill, and the huge impact that our relationship with the EU has on every aspect of our lives—our economy, our workers’ rights, our environmental rights, and our security and law relationships—can he explain why we are only getting eight days to discuss the Bill in Committee when the Bill that took us into Europe had 22 and the Maastricht treaty had 20?

Mr Davis: The first thing I would say is that eight days is quite a long time for this sort of thing. Perhaps the most relevant comparison is with the Lisbon treaty, which recreated—[Interruption.] Yes, it is, because it recreated the European law on a major basis. This Bill does not do that. It does not aim to change law, with a tiny exception that I will come back to; it aims to maintain the laws that we currently have—it is primarily technical in that respect. If the hon. Gentleman sees it as being any different, then I will give way to him again.

Chris Bryant (Rhondda) (Lab): The trouble with relying on secondary legislation is that it is unamendable and gets only one and a half hours of debate. Would it not be sensible, particularly in relation to any secondary legislation brought through under clause 9, to allow a new form of secondary legislation where we can amend it and have substantial debate?

Mr Davis: In essence, remember, the aim of the Bill is to translate European Union into UK law and to make sure that no problems arise, whether that means references to bodies that we are no longer subordinate to, whether it means that the language is different, or whether it applies to reciprocal rights. Much of this will be very straightforward and relatively simple. The point that the hon. Gentleman should look at is that the Bill seeks to make the type of secondary legislation, whether under affirmative or negative resolution, proportionate to that. If he wants to talk about the issue further, I am happy to talk to him. As I have said before, I am not going to reinvent the constitution at the Dispatch Box.
Andrew Selous (South West Bedfordshire) (Con): What conclusion should the electorate draw about respect for democracy from other parties’ refusal to give the Bill a Second Reading?

Mr Davis: I am not going to presume ill intent from the start. I say to everybody in the House that the electorate will draw their own judgment as to whether people are addressing this in a sensible way to maintain the rights of British citizens and to maintain the continuity of British law in good time for our departure from the European Union—which is, after all, a fixed date—or whether they are simply using it as a cynical political exercise. That is not a decision for me to make; it is a decision for the electorate to make, and make it they will.

Several hon. Members rose—

Mr Davis: I will make some progress now.

Overall, then, the Bill provides for very significant continuity in the law, but there are some elements that simply—

Mr Grieve: Will my right hon. Friend give way on that point?

Mr Davis: In a moment.

There are some elements that simply will not make sense if they remain on the UK statute book once we have left the EU and in the years and decades to come. It would not make sense, for example, for the Bill to preserve the supremacy of EU law or to make the preserved EU law supreme over future legislation passed by this Parliament. Laws passed in these two Houses after exit day will take precedence over retained EU law.

We also do not believe that it would make sense to retain the charter of fundamental rights. The charter applies only to member states when acting within the scope of EU law. We will not be a member state, nor will we be acting within the scope of EU law, once we leave the European Union. As I said to the House when I published the White Paper on the Bill, the charter catalogues the rights found under EU law that will be brought into UK law by the Bill. It is not, and never was, the source of those rights. Those rights have their origins elsewhere in domestic law or relate to international treaties or obligations that the UK remains party to—for example, the European convention on human rights.

Mr Grieve: Will my right hon. Friend give way?

Mr Davis: Let me be clear: the absence of the charter will not affect the substantive rights available in the UK. As I have said before at the Dispatch Box, if an Opposition Member or anyone in the House—I am thinking of my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve); I will come to him in a minute—finds a substantive right that is not carried forward into UK law, they should say so and we will deal with it.

Yvette Cooper rose—

Mr Davis: In the several months since I said that, no one has yet brought my attention to a right we have missed. It may be that that will happen in the next two minutes—I will start by taking the intervention of the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) and then come to my right hon. and learned Friend the Member for Beaconsfield.

Yvette Cooper: The Secretary of State will know that the key issue is not what Ministers say is the aim of the Bill, but what are the actual powers in it. So can he tell the House what safeguards there are anywhere in the Bill—in proposed statute—that would prevent Ministers from using clause 7, clause 9 or clause 17 to completely rewrite extradition policy in future, in relation to the demise of the European arrest warrant, without coming back to Parliament with primary legislation?

Mr Davis: I will come to the details in a moment, but there are a number of limitations, one of which is that we cannot impinge on the Human Rights Act 1998. That goes straight to the point that the right hon. Lady raises.

Mr Grieve: I understand my right hon. Friend’s point about the charter, because I agree with him that general principles and the charter should be identical—although that does raise the question of why, in those circumstances, the charter should go—but schedule 1 says quite clearly that after we have done this:

“There is no right of action in domestic law on or after exit day based on a failure to comply with any of the general principles of EU law.”

He must agree that that means that the right of the individual to challenge on the basis of the principle of EU law—the law that will be imported into our law by the Bill—will no longer be possible. That is in our own courts—forget about the European Court of Justice. That seems to me a marked diminution in the rights of the individual and of corporate entities.

Mr Davis: I am afraid that my old and dear right hon. and learned Friend and I are going to have a difference of opinion. We will put in the Library a letter on this specific issue, as we have already said. [HON. MEMBERS: “When?”] Today. But the simple truth is that these rights, as he should know as well as anybody, have a whole series of origins. Some are from British common law, some are from EU law that we will bring in ourselves, and some are from the European convention on human rights—which, he will note, we are continuing with. All these things will provide those undertakings. Why on earth we need an extra layer of declaratory law I do not know. It was brought in under the Blair Government—perhaps that explains it.

Joanna Cherry (Edinburgh South West) (SNP): Will the Secretary of State give way?

Mr Davis: Not for a moment. I will make some progress and come back to the hon. and learned Lady.

The conversion of EU law into UK law is an essential measure to ensure that the UK leaves the EU in the smoothest way possible. However, that action alone is not enough to ensure that the statute book continues to function. Many laws will no longer make sense outside the EU. If we were only to convert EU law into UK law, our statute book would still be broken. Many laws would oblige UK individuals, firms or public authorities to continue to engage with the European Union in a way that would be both absurd and impossible for a country that is not within the European Union. Other laws would leave the European Union institutions as key public authorities in the UK—a role they would not be able to perform or fulfil.
The problems that would arise without our making these changes would range from minor inconveniences to the disruption of vital services we all rely on every day. In practical terms, they would range from a public authority being required to submit reports on water quality to the European Union, to disruption being caused to the City by the removal of the supervision of the credit rating agencies entirely. It is essential that these issues are addressed before we leave the European Union, or we will be in breach of our duty as legislators to provide a functioning and clear set of laws for our citizens.

That is why the Bill provides a power to correct problems that arise in retained EU law as a result of our withdrawal from the European Union. This is clause 7, the so-called correcting power. Unlike section 2(2) of the European Communities Act—this goes straight to the point that the right hon. Member for Normanton, Pontefract and Castleford raised—which can be used to do almost anything to the statute book to implement EU law, the correcting power is a limited power. It can be used only to correct problems with the statute book arising directly from our withdrawal from the European Union. Ministers cannot use it simply to replace European Union laws that they do not like. It is designed to allow us to replicate as closely as possible existing European Union laws and regimes in a domestic context. It is also restricted. It cannot be used, for example, to create serious criminal offences, amend the Human Rights Act, or impose or increase taxation. We have ensured that it will expire two years after exit day so that nobody can suggest that it is a permanent attempt to transfer power to the Executive.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): Will the Secretary of State give way?

Mr Davis: No.

I accept that proposing a delegated power of this breadth is unusual, but leaving the European Union presents us with a unique set of challenges that need a pragmatic solution. Using secondary legislation to tackle such challenges is not unusual. Secondary legislation should remember that of those 20,000 pieces of law, 8,000 went through under secondary legislation and the remaining 12,000 went through without any involvement from this House at all, because they came as regulations. They changed the law rather than maintaining it.

Joanna Cherry: Following on from the point made by the right hon. and learned Member for Beaconsfield (Mr Grieve), the Secretary of State has asked for concrete examples of rights that will be lost to UK citizens as a result of the Act, so I would like to give him one and ask for his undertaking that he will amend the Act to make sure that this right will not be lost.

Earlier this summer, a man called John Walker relied on EU equality law to bring his successful challenge to a loophole in UK law whereby employers could refuse to pay same-sex partners the same pension benefits as those paid to heterosexual couples if the funds were paid in before December 2005. The Supreme Court—our Supreme Court, not the European Court of Justice—agreed that there was a loophole in UK law that was a violation of the general principles of non-discrimination in EU law. Mr Walker was able to use his right of action under the general principles of EU law to close that loophole, so that he and his husband could enjoy the same rights as a heterosexual couple. That would not be possible under this Bill, because, as the right hon. and learned Gentleman said—

Mr Speaker: Order. This is a very lawyerly intervention, which is not altogether surprising in view of its genesis, but I am looking for the question mark.

Joanna Cherry: I am coming to the question, Mr Speaker, but the Secretary of State asked for examples. A challenge such as the one I have described would not be possible under this Bill, because there will be no right to sue. Will the Secretary of State give an undertaking that he will close this loophole in the Bill if we bring forward an appropriate amendment?

Mr Davis: I think that that will be brought forward in the course of the Bill's translation, but if not—[Interruption.] No, I am standing exactly by my undertaking. If not, the hon. and learned Lady should come to me and we will find a way of correcting that problem.

Richard Burden (Birmingham, Northfield) (Lab) rose—

Mr Davis: With respect, we have had one lengthy intervention, and I have to make some progress.

Our current estimate is that the UK Government will need to make between 800 and 1,000 statutory instruments to make exit a reality in UK law. That may seem, in some ways, like a large number—it is a little less than one year's quota, as it were—and I understand that Members have concerns about scrutiny of that volume of legislation, but let me contrast that with the 12,000 European Union regulations and 8,000 domestic regulations—20,000 pieces of law—that have brought forward new policies while we have been members of the European Union.

This one-off task is very different from the flow of new law from the European Union in the last 40 years, and it is ultimately about ensuring that power returns to this House. The people who complain about using secondary legislation should remember that of those 20,000 pieces of law, 8,000 went through under secondary legislation and the remaining 12,000 went through without any involvement from this House at all, because they came as regulations. They changed the law rather than maintaining it.

Wes Streeting (Ilford North) (Lab): Will the Secretary of State give way?

Mr Davis: No. All these changes must happen quickly to maintain stability as we leave the European Union. Many of the changes will be minor and technical, replacing, for example, references to European Union law or to other member states. It would not make sense, nor would it be possible, to make these numerous changes in primary legislation. Some of the changes will, by nature, be more substantial and demand more scrutiny. An example would be a proposal to transfer a function currently exercised by the Commission to a new domestic body that needs to be set up from scratch. We hope to minimise the need for such bodies, but where they are needed I readily accept that such changes require fuller parliamentary scrutiny. That is why the
[Mr David Davis]

Bill sets clear criteria that will trigger the use of the affirmative procedure, ensuring a debate and vote on the statutory instrument in both Houses. Over the course of the two days we spend debating this Bill, I am sure that we will hear calls for the secondary legislation to receive greater scrutiny—

Alison McGovern (Wirral South) (Lab): Will the Secretary of State give way?

Mr Davis: In a moment.

I am sure that we will hear calls for secondary legislation to receive greater scrutiny—the hon. Member for Rhondda (Chris Bryant) has already made such a request—along the lines of that given to primary legislation. I am clear that the way to make significant changes is through primary legislation. That is why the Queen’s Speech set out plans for several further Bills to follow this one, including Bills on immigration, trade and sanctions. Bringing in significant new policy changes is not the task at hand. With this power, we are making corrections to the statute book rather than bringing in new policies to take advantage of the opportunities offered by our withdrawal from the EU.

Several hon. Members rose—

Mr Davis: I will give way in a second.

These corrections need to be made to ensure that we have a functioning statute book. As far as we can see, the power we have proposed is the only logical and feasible way to make those corrections. Our approach remains the only viable plan—we considered others—put forward in this House. Although we have heard complaints from the Opposition, we have not heard any alternatives from them.

Wes Streeting: The central premise of the Secretary of State’s argument is that in order to ensure a smooth exit we need to maintain as much of the status quo as possible on the way out. But this Bill goes much further, because the changes contained in clauses 5 and 6 would effectively rule out being within the customs union and the single market for a transitional period. That represents the single biggest risk to our economy, and that is what is in the Bill.

Mr Davis: The hon. Gentleman is quite right in one respect: that is clear Government policy. That is, in fact, the decision that was taken by the British people last year. They wanted to leave the European Union, which means leaving the single market and leaving the customs union. That point is clear. I know it is confusing for Labour Members, because their deputy leader appears to have a different view from the rest of the party.

Let me make some further progress after that rather silly intervention. The Bill also contains a limited power to implement the withdrawal agreement by statutory instrument if that proves necessary.

Anna Soubry (Broxtowe) (Con): Will my right hon. Friend give way?

Mr Davis: In a moment.

The Government’s aspiration is to agree a new deep and special partnership with the European Union. Under the article 50 process, we are negotiating a withdrawal agreement with the European Union. Provisions of that agreement will need to be implemented in domestic law, and some of that will need to be done before exit day. Given the timetable set by article 50, it is prudent to take this power now so that we are ready, if necessary, to move quickly to implement aspects of an agreement in domestic law. That will be particularly important if the negotiations conclude late in the two-year period. This power will help to ensure that the UK Government and devolved Administrations can implement the outcome of the negotiations. The power is limited; it will be available only until exit day, at which point it will expire. It is aimed at making the legislative changes that absolutely need to be in place for day one of exit to enable an orderly withdrawal from the European Union.

Lady Hermon (North Down) (Ind) rose—

Mr Leslie rose—

Mr Davis: I will give way to the hon. Lady.

Lady Hermon: I have listened patiently to the Secretary of State, who has waxed lyrical about these regulations and delegated legislation being just standard. They are not just standard. I would like him to say something about the status of the delegated legislation made under clause 7, which gives it the status of an Act of Parliament. This is an attempt by the Government to oust review. I would like him to elaborate on that very important issue.

Mr Davis: I am afraid that that is not correct. The point was made by another Member—it may even have been what the hon. Member for Nottingham East (Mr Leslie) wanted to say—about the ability to change bits of primary legislation. The simple truth is that that is a fairly standard set of words used in such legislation. The Enterprise Act 2002 and the Third Parties (Rights against Insurers) Act 2010—both Labour Acts—contain such wording. It is the normal routine, because we want to make sure that nothing in the Bill prevents us from entering a transition phase, for example, or going into the next phase of negotiations.

Several hon. Members rose—

Mr Davis: Forgive me; I will make some progress. The exact use of the power will, of course, depend on the contents of the withdrawal agreement. For example, a power could, depending on what the withdrawal agreement says, be used to clarify the status of UK cases at the CJEU that started before exit but will not yet be concluded on exit day. It could also be used, for example, to enable regulatory approval for UK products that was pending at the point of exit. It will align with the proposals set out this summer in the UK’s position paper on continuity in the availability of goods in the EU and the UK. Those sorts of fairly technical but important issues need to be capable of being changed.

Anna Soubry: Will my right hon. Friend give way?
Mr Davis: I will give way in one second to my right hon. Friend.

We have already committed to bringing forward a motion on the final agreement to be approved by both Houses of Parliament before it is concluded. That vote is in addition to Parliament’s scrutiny of any statutory instruments that we propose under these powers. It is also in addition to the enormous amount of debate and scrutiny that will be applied to the primary legislation, which will cover each and every major policy change relating to our exit from the European Union. Parliament will therefore be fully involved in taking forward a withdrawal agreement.

Anna Soubry: I am very grateful to my right hon. Friend for giving way.

“One of the most offensive kinds of provision that appear in our domestic legislation is the Henry VIII clause, as we call it.”—[Official Report, 16 July 2013; Vol. 566, c. 179WH.] Those are not my words, but the very wise ones of my hon. Friend for giving way.

Mr Davis: I will give way to the Chairman of the Select Committee.

No, no. He is right. Let me say to the House that he is right about one thing in that the two issues—the overall judgment on the outcome and any withdrawal arrangements—run together. The withdrawal arrangements are most likely to come up if it arrives late, and that is why I will have to think through the possible timetable. He will remember that when we talked about how the House will be able to review the negotiated agreement, we said we would use our best endeavours and that we intend and expect to get it to the House before anybody else. That is what we intend, and we had to use that form of words because we were not sure about the timing. However, I will talk to him and come back to him on that matter.

Several hon. Members rose—

Mr Davis: I want to move on to another subject, if I may, which is the subject of devolution. This relates directly to some of the things Opposition Members have been saying, so let me now deal with the Bill’s approach to devolution.

As I have set out, the overall approach of this Bill is to provide for continuity wherever possible at the point of exit, not to seek to initiate reforms immediately. That is the approach that guides the devolution provisions as well. Let me be clear: this Government have a strong track record on devolution. Our commitment to strengthening devolution settlements is clear from the statute book—most recently, the Wales Act 2017 and the Scotland Act 2016. If I remember correctly, the Scotland Act gave tax-raising powers of about £12 billion to the Scottish Parliament, which is not such a small thing. Leaving the European Union allows us to make sure that decision making sits closer to the people than ever before, and we expect a significant increase in the decision-making power of the devolved institutions.

The current devolution settlements have always created common frameworks within the United Kingdom by reflecting the context of the UK’s EU membership, so in areas subject to European Union law all parts of the United Kingdom currently follow common rules and principles, even where matters are otherwise devolved. For example, England, Wales, Scotland and Northern Ireland each pass their own laws relating to food policy, but each nation has to ensure it complies with European Union rules on food hygiene.

When we leave the European Union, it is not in the interests of people and businesses—those living and working across the UK—for all those arrangements to disappear, or for there to be new barriers to living and doing business in our own country. The Bill therefore provides certainty and continuity for people across the UK by recreating in UK law the common frameworks currently provided by EU law, and providing that the devolved institutions cannot generally modify them.

The Bill also ensures that every decision that the devolved Administrations and legislatures could take before exit day, they can still take after exit day. This is a...
transitional arrangement. It is an arrangement that ensures certainty and continuity while the United Kingdom undertakes negotiations with the European Union on its future relationship and the UK Government and devolved Administrations discuss precisely where we need to retain common frameworks in the UK in the future.

Patrick Grady (Glasgow North) (SNP): What the right hon. Gentleman is therefore describing is not devolution but reserving powers to this Parliament. It is a fundamental breach of the principles of the original Scotland Act. Will he tell us whether any statutory instruments affecting the devolved Administrations that go through this House as a result of the Bill will be subject to legislative consent in those institutions?

Mr Davis: I have said already that we will put our overall negotiation through legislative consent motions; I have made that point previously. Let us come back to the core of the argument. The argument being put is that everything that belongs to the European Union now belongs to the devolved Administrations, but that clearly does not work, as I will come on to say in a moment.

The common frameworks will be important as they will enable us to manage shared resources such as the sea, rivers and the air, and they will enable the continued functioning of the UK’s internal market. They will allow us to strike ambitious trade deals, administer and provide access to justice in cases with a cross-border element and enter into new international treaties, including on our future relationship with the European Union.

Peter Grant (Glenrothes) (SNP): Will the Secretary of State give way?

Wayne David (Caerphilly) (Lab): Will the Secretary of State give way?

Mr Davis: I will not give way for the moment.

For example, the common frameworks will mean that a business in Wales knows that it needs to comply with one set of rules on food labelling and safety to sell to the rest of the United Kingdom, or that a farmer in Scotland is able to sell her livestock in other parts of Great Britain, safe in the knowledge that the same animal health rules apply across that geographical area. Certainty on common approaches will be critical for the day-to-day life of people in the United Kingdom on the day we exit the European Union and on into the future.

Stephen Gethins (North East Fife) (SNP): If this is a smooth transition, I am not sure how much worse it is going to get. On the points that the Secretary of State is raising—he is making a very good case for the European Union—I do not see in the Bill any reference to the immigration powers that Scotland was promised during the referendum process. Will he explain?

Mr Davis: I do not remember any such promise. When I was going through the list of practical things that apply to the citizens that SNP Members are supposed to represent, what did we hear? Wow! They do not care; what they are interested in is devolution and political power for themselves, not the interests of their own constituents.

Just as important are the areas where we do not need to keep common approaches in the future. We do not expect that we will need to maintain a framework in every single area the EU has mandated. We can ensure that our common approaches are better suited to the UK and our devolution settlements. The Bill therefore provides a mechanism to release policy areas where no frameworks are needed.

Wayne David: Will the Secretary of State give way?

Mr Davis: No, I will not give way at the moment.

The Bill gives time for us to work with the devolved Administrations to determine where we will continue to need common frameworks in the future. Crucially, it will not create unnecessary short-term change that negatively affects people or businesses. Before the summer recess, my right hon. Friend the First Secretary of State wrote to the Scottish and Welsh Governments to begin intensive discussions about where common frameworks are and are not needed. In the current absence of a Northern Ireland Executive, equivalent engagement has taken place at official level with the Northern Ireland civil service. We will bring forward further detail on the process underpinning these discussions in due course for Parliament to decide on.

Certainty in devolved legislation affected by EU exit is also vital. The key delegated powers in this Bill are conferred on the devolved Administrations so that the task of preparing the devolved statute books for exit can rightly be led from Scotland, Wales and Northern Ireland.

The Government are committed to ensuring the powers work for the Administrations and legislatures. For instance, I have already confirmed that we will always consult the Administrations on corrections made to direct EU law relating to otherwise devolved areas of competence. I firmly believe that the outcome of this process will be a significant increase in the decision-making powers of each devolved Administration and legislature. It will mean that decisions and powers sit in the right place and closer to people than ever before. Crucially, the Bill means that our UK businesses and citizens have confidence and certainty that the laws will allow them to live and operate across the UK as we exit the EU.

As the Prime Minister said in January, the historic decision taken by the British people in June last year was not a rejection of the common values and history we share with the EU but a reflection of the desire of British people to control our own laws and ensure that they reflect the country and the people we want to be. The Bill is an essential building block. It lays the foundation for a functioning statute book on the basis of which future policies and laws can be debated and altered. The Bill itself is not the place for those substantive changes to the frameworks we will inherit from the EU—we will have many more opportunities to debate those, both before and after we leave.

I hope that all Members on both sides of the House will recognise that we are acting responsibly in leaving the EU by prioritising, first and foremost, a functioning statute book. In bringing forward the Bill, we are ensuring
the smoothest possible exit from the EU—an exit that enables the continued stability of the UK’s legal system and maximises certainty for businesses, consumers and individuals across the UK. As we exit the EU and seek a new deep and special partnership with the EU, the Bill will ensure that we do so with the same standards and rules. In the Bill, we are not rejecting EU law but embracing the work done between member states over 40 years of membership so that we might build on that solid foundation once we return to being masters of our own laws. I hope that everyone in the House recognises the Bill’s essential nature: it is the foundation on which we will legislate for years to come.

We have seen this morning the Opposition’s reasoned amendment. I have just emphasised the critical nature of the Bill. A vote for the Leader of the Opposition’s amendment is a vote against the Bill, a vote for a chaotic exit from the EU. It suggests that the Bill provides a blank cheque to Ministers. That is a fundamental misrepresentation of Parliament and our democratic process. Using the Bill’s powers does not mean avoiding parliamentary scrutiny. Secondary legislation is still subject to parliamentary oversight and well established procedures. In no way does it provide unchecked unilateral powers to the Government.

The Government agree that EU exit cannot, and will not, lead to weaker rights and protections in the UK, as I have just said to hon. Members. We have been clear that we want to ensure that workers’ rights are protected and enhanced as we leave the EU. The Bill provides for existing legislation in this area to be retained. After we leave the EU, it will be for Parliament to determine the proper level of rights protection. On devolution, I have just explained in detail the approach we will take.

Finally, the argument that the Bill undermines any particular approach to the interim or transitional period for the implementation of our new arrangements with the EU is completely wrong. It will provide a clear basis for our negotiations by ensuring continuity and clarity in our laws without prejudicing those ongoing negotiations. Without the Bill, a smooth and orderly exit is impossible. We cannot await the completion of negotiations before ensuring this legal certainty and continuity at the point of our exit. To do so, or to delay or oppose the Bill, would be reckless in the extreme.

I have in the past witnessed the Labour party on European business take the most cynical and unprincipled approach to legislation I have ever seen. It is now attempting to do the same today. The British people will not forgive Labour if its end is to delay or destroy the process by which we leave the EU.

Mr Speaker: I must inform the House that I have selected the amendment in the name of the Leader of the Opposition. I remind the House that Front-Bench speakers can speak without a time limit but must be sensitive to the number of people who wish to intervene on them. I merely note—colleagues can make their own assessment—that on current progress probably somewhat fewer than half of those who wish to speak today will be able to do so. Colleagues obviously need to help each other.

1.5 pm

Keir Starmer (Holborn and St Pancras) (Lab): I beg to move,
[Keir Starmer]

it is a true Henry VIII clause; it can modify Acts of Parliament—
“(including modifying this Act).”
The delegated legislation can amend the primary Act itself. That is as wide as any provision I have ever seen.
What are the limits and safeguards? Under clause 9(3), the regulations may not impose taxation, make retrospective provisions—they are usually a very bad idea—create a criminal offence or amend the Human Rights Act. Everything else is on limits under clause 9.

Several hon. Members rose—

Keir Starmer: I will make this point and then give way.

Given that the clause is drawn so widely, one would expect an enhanced procedure or some other safeguards—surely not just ordinary old delegated legislation.

Anna Soubry: Will the right hon. and learned Gentleman give way?

Keir Starmer: I will make this point and then give way to several hon. Members.

What are the procedures? Are they enhanced? No. The opposite. Part 2 of schedule 7 deals with clause 9. It makes it clear that unless the delegated legislation creates a public authority, or the function of a public authority, affects a criminal offence or affects a power to make legislation, it is to be dealt with by—what? The negative procedure for statutory instruments, which means the least possible scrutiny: it means that the widest possible power, with no safeguards, will be channelled into the level of least scrutiny.

That is absolutely extraordinary. Let us be clear about what it means, because I am sure that the Secretary of State and others will say that notwithstanding the number of statutory instruments for which the schedule provides, they can be called up and annulled, and Parliament will have its say. I looked up the last time a negative-procedure statutory instrument had been annulled in the House, and it was 38 years ago. I do not know how many Members have been in the House for 38 years, but many of us will not have had that opportunity. So much for “taking back control”.

There is no point in the Secretary of State or the Prime Minister saying, “We would not use these powers: take our assurance.” If they would not use them, they are unnecessary, and if they are unnecessary they should not be put before the House for approval today.

Charlie Elphicke (Dover) (Con): The case that the right hon. and learned Gentleman is making is for an amendment to clause 9. He is not making a case against the principle of the Bill, which is what Second Reading debates are about, and as he and his party are determined to vote against the principle of the Bill, he ought to make that case.

Keir Starmer: I have only just started.

Alison McGovern: The Secretary of State made great play of the claim that the Bill was necessary for certainty. Given the legal situation that my right hon. and learned Friend has just excellently elucidated, does he agree that the powers that the Bill gives Secretaries of State to regulate every aspect of our lives mean that it is a charter for uncertainty for ordinary British people?

Keir Starmer: I do, and I shall attempt to demonstrate that.

Several hon. Members rose—

Keir Starmer: I will press on. I know that Members want to intervene, but I heard what you said, Mr Speaker, about the number of Members who want to make speeches. I will take interventions at intervals, if that is satisfactory to the House.

Clause 7, “Dealing with deficiencies arising from withdrawal”, takes the same approach as clause 9, as does clause 8, “Complying with international obligations”. All those provisions are channelled into the negative procedure with the least possible scrutiny: they constitute a giant sidestep from parliamentary scrutiny on the most important issues of our day. But let me top it off. If you think that is bad—and I do—try clause 17.

Subsection (1) states:

“A Minister of the Crown may by regulations make such provision as the Minister considers appropriate in consequence of this Act.”

So anything in consequence of the Act can be done under clause 17. Again, this is a proper, robust Henry VIII provision. Let us look at subsection (2). It states:

“The power to make regulations under subsection (1) may…be exercised by modifying any provision made by or under an enactment.”

That means amending primary legislation. In case anyone is in doubt, subsection (3) states:

“In subsection (2) “enactment” does not include primary legislation passed or made after the end of the Session in which this Act is passed.”

So the Government can amend any legislation whatsoever—primary legislation—including legislation in this Session. Everything in the Queen’s Speech that is coming down the track could be amended by delegated legislation under clause 17. I have never come across such a wide power, although I have come across consequential powers. The Secretary of State will no doubt point to other statutes that provide for not dissimilar powers; I have looked at them, but I have never seen one as wide as this.

Members should not just take my word for it. A minute ago, the Secretary of State said that no one could suggest that this was a legislative blank cheque for the Government. Let me read out what has been said by the Hansard Society—not a political body, not the Opposition, but the Hansard Society—about clause 17.

“Such an extensive power is hedged in by the fact that any provision must somehow relate to withdrawal from the EU, but given that this will arguably extend to every facet of national life, if granted it would, in effect, hand the government a legislative blank cheque.”

Those are the words of the Hansard Society.

Vicky Ford (Chelmsford) (Con): Will the right hon. and learned Gentleman give way?

Keir Starmer: I will complete this part of my presentation, if I may.
What is the scope and extent of that legislative blank cheque? How many pieces of delegated legislation are we concerned with? As the Secretary of State said, the White Paper suggested that there would be between 800 and 1,000, the vast majority of which would be dealt with via the negative procedure route. I do not think that the White Paper could, or did, take into account the further instruments necessary to implement the withdrawal agreement, but there could be very many more—well over 1,000 pieces of delegated legislation, given the least possible scrutiny.

Vicky Ford rose—

Chris Philp (Croydon South) (Con) rose—

Keir Starmer: I will complete this point, and then I will give way.

I was glad to see that the Prime Minister was here earlier. Yesterday, during Prime Minister’s Question Time, she told the House that “the approach”—the Government’s approach to the Bill—

“has been endorsed by the House of Lords Constitution Committee.”

—[Official Report, 6 September 2017; Vol. 628, c. 148.]

I read the report again last night, and I have doubts about that endorsement.

Vicky Ford: Will the right hon. and learned Gentleman give way?

Keir Starmer: When I have finished this point.

As the Prime Minister and the Secretary of State will know, this morning the House of Lords published a further report on the Bill, which reached the following conclusion:

“The executive powers conferred by the Bill are unprecedented and extraordinary and raise fundamental constitutional questions about the separation of powers between Parliament and Government.”

The report—published by the Committee that the Prime Minister prayed in aid yesterday—went on to say:

“The number, range and overlapping nature of the broad delegated powers…would fundamentally challenge the constitutional balance of powers between Parliament and Government and would represent a significant—and unacceptable—transfer of legal competence.”

Far from being an endorsement, that is an explicit and damming criticism of the Government’s approach.

Mr Leslie: I entirely agree with my right hon. and learned Friend, who has pointed out what a joke the Bill is. It sets out all those supposed safeguards, but, as my right hon. and learned Friend correctly pointed out, Ministers can make regulations to modify it. We are disappearing down an Alice in Wonderland rabbit-hole of legislation. Is it not also true that it does not matter when Ministers—the Prime Minister, or the Secretary of State—say, “Trust us: we will not use these regulations”?

Vicky Ford rose—

Anna Soubry rose—

Keir Starmer: I will give way to both the Members who have been trying to intervene.

Anna Soubry: Does the right hon. and learned Gentleman believe that under clause 9, what is being called “the divorce bill”—the amount of money that we may have to pay to the European Union when we leave—could be agreed by a Minister, or by the Government, without this place having any say in the amount that was paid?

Keir Starmer: If it did not come under clause 9, it would certainly come under clause 17.

Vicky Ford rose—

Keir Starmer: I give way, and I apologise for giving way to the two Members in the wrong order.

Vicky Ford: As a new Member, I also looked at advice on how Parliament has looked at statutory instruments, and I, too, saw that the last time such instruments were annulled by this House was back in 1979. The issue then was the cost of paraffin, and I remember 1979 and the high cost of fuel; it was a significant issue. However, given that the Secretary of State has said in response to the intervention of my right hon. Friend the Member for Broxtowe (Anna Soubry) that he is prepared to consider a sifting process, which means serious issues do come back to this House, what is the right hon. and learned hon. Gentleman’s alternative—what is he proposing?

Keir Starmer: It is not as if this point is being made for the first time today; these are the points that have been made since the White Paper was published—the moment we dealt with it. That was in March, the Bill was published in July, and there have been numerous reports since then, and I raised at the time the significant issues I am raising now, and there has been no move from the Government.

Chris Bryant: The key point about clause 9 is that the Government have asked Parliament to allow them to alter the Bill themselves by secondary legislation once it has been enacted. If we look through the history of the 20th century, we will not find a single Bill that has ever sought to do that—not in time of war and not in time of civil emergency. In fact, every single emergency powers Act has expressed said that there shall not be a power for Ministers to alter primary legislation.

Keir Starmer: I am grateful for that intervention. It powerfully—

Mr Rees-Mogg: Will the right hon. and learned Gentleman give way?

Keir Starmer: I am on my feet answering the last intervention, which powerfully makes the point that this Bill is unprecedented in its scope. That is significant because the Secretary of State will point to some of the
safeguards under the Bill for the exercise of some of these powers, but if delegated legislation can amend the Bill’s powers once enacted, then notions of exit day, how far the delegated legislation goes and which procedures are used could be amended by the delegated legislation. So it is a very real point.

Several hon. Members rose—

Keir Starmer: I am going to press on.

Mr Rees-Mogg rose—

Keir Starmer: I am going to press on.

Let me turn from parliamentary involvement to the protection of rights. Many rights and protections derived from the EU are protected in delegated legislation under the European Communities Act 1972. Because they are underpinned by EU provisions, they have enjoyed enhanced protection—44 years’ worth. They include some very important rights: the working time rights of people at work; the rights of part-time and fixed-term workers; the transfer of undertakings provision, which affects everybody who is at work if their company is taken over, so that their contracts are preserved, which is something we all believe in; and all health and safety provisions have been handled by delegated legislation under the 1972 Act, too. It did not matter that it was just delegated legislation, because they had enhanced protection because of the 1972 Act and our membership of the EU. The same is equally true of important environmental rights and protections for consumers. Under this Bill, the Secretary of State says they survive, and I accept that, and he does have a commitment to rights at work, but they do not survive with their enhanced status; they survive only in delegated form. From the date of this Bill, they are amendable by delegated legislation. All of those rights at work, environmental provisions and consumer rights are unprotected from delegated legislation.

Victoria Atkins (Louth and Horncastle) (Con): On health and safety protections, the right hon. and learned Gentleman knows, of course, that there is a 1974 statute—the Health and Safety at Work etc. Act 1974—which gives not just employees safety protections, but members of the public who are affected by conditions in the workplace. Surely that in itself acts as the primary protection to workers in this country under health and safety provisions?

Keir Starmer: No, I am afraid it does not. The Manual Handling Operations Regulations 1992, the Management of Health and Safety at Work Regulations 1999 and the Workplace (Health, Safety and Welfare) Regulations 1992 all post-date that, and in any event that does not deal with all the other rights I have mentioned.

Caroline Lucas (Brighton, Pavilion) (Green): The right hon. and learned Gentleman is making an excellent speech. On environmental standards, does he agree that there is another problem—a governance gap? With the lack of the ECJ and the Commission, there is nothing to enforce those environmental standards, and therefore we need a new legal architecture; judicial review is not enough.

Keir Starmer: I am very grateful for that intervention, because one thing that is not on the face of the Bill is any enforcement provision for rights currently enforced in one or other way through EU institutions, or even reporting obligations. It is fair to say that there is the provision in the Bill for the creation of public authorities—by, guess what, delegated legislation—and maybe that could be used for remedies, but it is by no means clear on the face of the Bill, and that is an important deficiency.

Let me complete this point: does it matter that these rights have lost their enhanced protection? Yes, it does. Taking back control obviously carries with it that this Parliament can change those rights, as the Secretary of State rightly set out, but this is to change them by delegated legislation, not primary legislation; that is an important distinction.

Does it matter? Would anybody have a go—surely not in the 21st century? Well, in June 2014 the current Foreign Secretary called for an end to “back-breaking” employment regulations, specifically the collective redundancies directive. The current International Development Secretary during the referendum campaign called for the Government to halve the amount of protection given to British workers after Brexit. And the International Trade Secretary—[Interruption. I am addressing the question of whether it is conceivable that a Conservative Government might change this; I am reading out the statements of three Cabinet members. In February 2012 the International Trade Secretary—I know the Secretary of State for Exiting the European Union has heard about this quote already this morning—wrote: ‘To restore Britain’s competitiveness we must begin by deregulating the labour market. Political objections must be overridden. It is too difficult to hire and fire and too expensive to take on new employees. It is intellectually unsustainable to believe that workplace rights should remain untouchable while output and employment are clearly cyclical.’”

The Secretary of State for Exiting the European Union has a proud record on human rights and protections of people at work, but these are the statements of Cabinet colleagues, and this power in this Bill allows these rights to be overridden by delegated legislation.

Mr Rees-Mogg: Is there not a fundamental contradiction in what the right hon. and learned Gentleman has been saying? A moment ago he was worrying that power would be lost from this House; now he is saying that power should in fact be with the European Union. Is not the fundamental point of this Bill that it is better that laws should be made by our Government and our Parliament than by an unelected EU bureaucracy?

Keir Starmer: I am obviously a very bad communicator: I thought I was suggesting that workplace rights, environmental rights and consumer rights should only be capable of being taken away by primary legislation. If there is any doubt, I can assure the hon. Gentleman that when I say primary legislation I mean legislation in this House; I thought that was taken as read.

Nicky Morgan (Loughborough) (Con): Does not the last intervention point to the fundamental misunderstanding that some have about this Bill—and I am afraid the Secretary of State mentioned it earlier? The point is whether the UK is going to become a rule-taker rather...
than a rule-maker. Our membership of the European Union has allowed us to influence the directives and regulations which have then been taken on board in this House and through our laws. What we are doing in this Bill—I will expand on this in my remarks—is not repealing, but reintroducing European legislation into this country, contrary to the intentions of those who wanted to leave the European Union.

**Keir Starmer:** I am grateful for that intervention and agree with it.

May I move on to other rights, because they are dealt with more severely? Clause 5(4) singles out the charter of fundamental rights for extinction. There are thousands of provisions that are being converted into our law and will have to be modified in some cases to arrive in our law, but only one provision in the thousands and thousands has been singled out for extinction—the charter of fundamental rights. As the right hon. and learned Member for Beaconsfield (Mr Grieve) argued in an article published yesterday, the principles of the charter provide “essential safeguards for individuals and businesses”.

That has been particularly important in the fields of LGBT rights, children’s rights and the rights of the elderly.

The Secretary of State asks why this matters. I have here the High Court judgment in the case of David Davis MP, Tom Watson MP and others v. the Secretary of State for the Home Department. This was in 2015, when the then Home Secretary was Home Secretary. David Davis the Back Bencher was bringing to court the now Prime Minister. He will recall that he was challenging the provisions of the Data Retention and Investigatory Powers Act 2014. He was concerned that they would impinge on the ability of MPs to have confidential communications from their constituents. He continued to make that point in debates that we were having a year or two ago. In his argument, he cited the charter. His lawyers made the argument that the charter was important because it went further than the European convention on human rights and therefore provided added protection.

I will not read out paragraph 80 of the judgment, although I am sure that the Secretary of State is familiar with it. As he knows, the Court found in his favour—he was right: the charter did enhance his rights—and rejected the arguments of Mr Eadie, the distinguished QC representing the then Home Secretary, now the Prime Minister. So when the Secretary of State asks whether this move will make any difference, the answer is yes. We can see that from his case. I suspect that if he were still on the Back Benches, he would now be talking to me and others over a cup of coffee about how we should fiercely oppose clause 5(4) and ensure that it came out of the Bill.

**Mr Grieve:** The right hon. and learned Gentleman makes an important point. Reading the mind of my right hon. Friend the Secretary of State, I think he asked why this mattered because he would insist that the general principles of EU law being preserved would replace the charter. However, if they are not justiciable because we do not found a cause of action in our courts, the ability to assert those rights would evaporate.

**Keir Starmer:** That is exactly the point that was made earlier. To say that the changes do not matter because we can find that right elsewhere, but then to remove the right to do anything about an effective remedy, would mean that the exercise had achieved absolutely nothing.

**Sir William Cash (Stone) (Con):** Would the right hon. and learned Gentleman be good enough to explain why other distinguished gentlemen—namely, Tony Blair and Lord Goldsmith—fought so resolutely to exclude the charter of fundamental rights from the Lisbon treaty and, furthermore, failed because their protocol did not actually work?

**Keir Starmer:** No. I spent 20-plus years as a human rights lawyer interpreting and applying provisions such as the charter and acting for many people to whose lives it made a real difference, as the Secretary of State will know.

I want to move on the question of devolved powers. At the moment, EU law limits the powers of the devolved institutions. On withdrawal, the default position ought to be that the devolved institutions would have power over matters falling within the devolved fields, but clause 11 prevents that and diverts powers that ought to go to Edinburgh, Cardiff or Belfast to London, where they are to be hoarded. That is fundamentally the wrong approach, but it is totally consistent with the Government’s approach of grabbing powers and avoiding scrutiny.

On that topic, let me deal with exit day, a crucially important day in the Bill. It is the day on which the European Communities Act will be repealed. It is also the day on which the role of the European Court of Justice will be extinguished in our law, and that matters hugely, whatever anyone’s long-term view, particularly for transitional arrangements. I heard the Secretary of State say this morning that he wanted transitional arrangements that were as close as possible to the current arrangements. I think he knows, in his heart of hearts, that that will almost certainly involve a role for the European Court of Justice—although he will say that it would be temporary.

Exit day, the day on which the role of the Court is extinguished, is crucial. Without it, we might not be able to transition on the terms that the Secretary of State was suggesting this morning. He knows that. Control over exit day is therefore hugely important. Who will have that control? People talk about bringing back control, and they might think that Parliament would have control over this important issue. But no. Enter clause 14, which states that “exit day” means such day as a Minister of the Crown may by regulations appoint.

This will be in the sole power of a Minister. Anyone simply passing this Bill must be prepared to be a spectator on the question of what the transitional measures should be and how they operate. That is a huge risk to our national interests.

**Wes Streeting:** The Secretary of State said earlier that it was “silly” of me to raise the transitional arrangements in relation to our continuing to be in the single market and the customs union. If the Bill is enacted and we are outside the purview of the ECJ and not subject to EU law, we will effectively be ruling out membership of the...
single market and the customs union during the transition. How will that bring stability and certainty to British businesses? Why is this provision in the Bill?

Keir Starmer: This is the conundrum that the Secretary of State and the Bill have created. If exit day is in March 2019, it is difficult to see how we could transition on terms similar to those we are now on. What could we do? We could choose to push exit day two years down the line. [Interjection. ] No? Well, if we did not do that, but we recognised that the ECJ was necessary to the process, we would end up repealing what was once this repeal Bill, only to have to bring it back in again. That is the extent of the absurdity of the powers in the Bill.

Joanna Cherry: The right hon. and learned Gentleman is making an outstandingly concise and forensic speech dissecting the difficulties in the Bill. He has drawn our attention to the problem with the definition of “exit day”. Does not that problem also feed into the delegated legislative powers? Clause 7(7) states that Ministers cannot make regulations “after the end of the period of two years beginning with exit day.” If exit day is going to disappear down the line, as the shadow Secretary of State has suggested, would not the power to make delegated legislation continue for even longer than the Government are now proposing?

Keir Starmer: It certainly could. The only way out of that would be to have multiple exit days. Members might think I am joking, but someone who drafted the Bill has thought of that, and it is conceivable that there could be multiple exit days, all chosen by a Minister and not by Parliament.

The combined effect of the Bill’s provisions would be to reduce MPs to spectators as power pours into the hands of Ministers and the Executive. This is an unprecedented power-grab—“rule by decree” is not a mis-description—and an affront to Parliament and to accountability. The name of the Bill was changed from the great repeal Bill to the European Union (Withdrawal) Bill. The word “great” should have been preserved, however. The title should have been changed to the great power grab Bill. Labour voted for the article 50 legislation, because we accept the referendum result. As a result, the UK is leaving the EU. That we are leaving is settled. How we leave is not. This Bill invites us to contemplate voting for Second Reading. I will need some assurances before we get there, in particular that there will be sufficient movement on some of the unanswerable points being made about parliamentary democracy and a smooth transition to whatever the alternative is, so that the Bill becomes something other than wrecking legislation if it proceeds. I have not decided yet—I am actually going to listen to the debate, which is a rare feature in this House, because if we were to defeat the Second Reading, the Government would be obliged to bring back another Bill to try to achieve the same purpose. If the Government will not move in the next two days of debate, we may have to force them to go back to the drawing board and try again to produce a Bill that is consistent with our parliamentary traditions and that gives this House the control that leaders of the leave campaign kept telling the British public during the referendum campaign they were anxious to see.

Mr Bernard Jenkin (Harwich and North Essex) (Con): Will my right hon. and learned Friend give way?

Mr Clarke: I will not, because large numbers of people want to speak and I want to touch briefly on the time constraints. During the proceedings on the 1972 Act, I have no doubt that the hon. Member for Bolsover, like me, sat through days and days and weeks and weeks of very high-quality debate. It was a historic moment and it was not constrained by these Blairite notions of family-friendly hours, timetables and so on. I do not want to go back to the all-night filibustering and some of the nonsense that led to those practices being discredited—that is not suitable in the 21st century—but this Government began this process by trying to argue Whip and engineering, mainly by co-operating with the Jenkinsite faction of the Labour party, how we were to get the vote through against the rebellious, imperialist Euro sceptics who were then on our Back Benches. It is therefore an irony that a complete mirror-image debate now presents itself to me rather many years later.

My starting point is where the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) finished. I have to accept that we are going to leave the European Union. I accept that because this House passed the legislation to enact article 50 by a large majority. I argued and voted against it, but it went through, and it is idle to pretend that it is politically possible for that to be reversed. The question now is how we leave. I quite accept my right hon. Friend the Secretary of State’s basic premise that technical legislation is required to ensure that it is practicable to get a smooth legal transition, but I do not think that the Bill confines itself to that aim, as has just been said. A Bill of this kind is necessary, and we will have to vote for it, but the question is whether this particular form of the Bill is remotely acceptable.

I studied the amendments tabled by the official Opposition, and indeed those tabled by large numbers of other Members, and my conclusion was that I found myself agreeing with the overall majority of the sentiments and opinions in all of them. The one thing that gave me a problem was that they all suggest that the House “declines to give a Second Reading” to the Bill, which would stop any possibility of our making the required changes. However, minded as I am to contemplate voting for Second Reading, I will need some assurances before we get there, in particular that there will be sufficient movement on some of the unanswerable points being made about parliamentary democracy and a smooth transition to whatever the alternative is, so that the Bill becomes something other than wrecking legislation if it proceeds. I have not decided yet—I am actually going to listen to the debate, which is a rare feature in this House, because if we were to defeat the Second Reading, the Government would be obliged to bring back another Bill to try to achieve the same purpose. If the Government will not move in the next two days of debate, we may have to force them to go back to the drawing board and try again to produce a Bill that is consistent with our parliamentary traditions and that gives this House the control that leaders of the leave campaign kept telling the British public during the referendum campaign they were anxious to see.

Mr Kenneth Clarke (Rushcliffe) (Con): The Opposition spokesman has just reminded us that this Bill was trailed for a long time as the “great repeal Bill”, which is a very unlikely title. Fortunately, it repeals hardly anything at all, which is one blessing. One thing that it does repeal, however, is the European Communities Act 1972, which is a particular irony for myself and, no doubt, for the hon. Member for Bolsover (Mr Skinner), as we well remember that Act. I was then a Government Whip and engineering, mainly by co-operating with the Jenkinsite faction of the Labour party, how we were to get the vote through against the rebellious, imperialist Euro sceptics who were then on our Back Benches. It is therefore an irony that a complete mirror-image debate now presents itself to me rather many years later.

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that the royal prerogative enabled them not even to bring article 50 before the House. They have been trying to reduce parliamentary scrutiny and votes ever since the whole thing started.

As a simple example, I raised with you a few moments ago, Mr Speaker, the question of the 5 o’clock rule. Apparently we all have to stop at 5 o’clock this afternoon. It would reassure me about the Government’s intentions if the opportunity were taken to lift that limit now. The Leader of the House only has to rise at some time in the next hour or so and say that the 5 o’clock will not be invoked today, and all the time constraints that we face will not be a problem. I hope that the Bill’s programme motion will not confine debate to a comic number of days. The speech of the right hon. and learned Member for Holborn and St Pancras showed how complex some of the debates will be, and we do not want to be told that we have to give legal analysis in five minutes flat or be cut out by some quite unnecessary timetable. We have at least until the end of 2019 to get these procedures right.

There are two broad issues. One of them I will leave alone, because the concerns have been dealt with today and will dominate a lot of today: the Henry VII clause, the sweeping powers and the extraordinary nature of the legislation. I will not try to compete with what I think, with respect, was a brilliant speech from the right hon. and learned Gentleman, and I hope that we will hear some reply to it over the next two days of debate—I am sure that my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) will touch on it.

My own analysis of clauses 7 and 17 is probably not up to the standards that have already been demonstrated, and there is no point in repeating the case, so I will just say one thing to my right hon. Friend the Secretary of State and his colleagues about what I expect in response. We are told that conversations will be held with my right hon. Friend the Member for Broxtowe (Anna Soubry), and I am delighted to hear that. We are told that we will have assurances about how Ministers are going to use the powers, but at every stage in my right hon. Friend the Secretary of State’s speech he actually defended the wording in the Bill, as he had to, and did not make the faintest concession either to the justifiable concerns about the impact on devolution or to the even bigger concerns about whether we are going to fritter away parliamentary democracy in this House by passing the Bill in its present form.

I know that my right hon. Friend is sincere in his assurances. He is one of the people in this House whom I would trust to seek to deliver what he is offering to us, but the reality, as someone has already said, is that we are all transient in politics. He will come under pressure from some of his colleagues, and we have no idea who are all transient in politics. He will come under pressure and will dominate a lot of today: the Henry VII clause, the sweeping powers and the extraordinary nature of the legislation. I will not try to compete with what I think, with respect, was a brilliant speech from the right hon. and learned Member for Holborn and St Pancras showed how complex some of the debates will be, and we do not want to be told that we have to give legal analysis in five minutes flat or be cut out by some quite unnecessary timetable. We have at least until the end of 2019 to get these procedures right.

The second issue, very briefly, is the question of staying in the single market and customs union during the transitional period. Of course we will have a transitional period, of course it has to be a smooth transition and of course by the end of 2019 we will negotiate a basis for future free trading arrangements, but the Government have to move, just as the Opposition have moved. I made a speech in the Queen’s Speech debate explaining why I am in favour of staying in the single market and customs union at least for the transitional period, and I then answered the various arguments that are routinely thrown out, so I will not repeat any of that now.

There is now only a whisker of difference between us. I do not deceive myself that I converted the Labour party, which has tabled an amendment identical to my arguments in the Queen’s Speech debate, with which it did not then agree, but its proposals are remarkably near the Government’s proposals.

We all know, and British business knows, that we need a smooth transition. We do not need change until we are certain that we have some acceptable new arrangements. The Government’s position paper on customs arrangements—I will not read it all—says: “This could involve a new and time-limited customs union between the UK and the EU Customs Union, based on a shared external tariff and without customs processes”. I will not go on, but there is an absolute whisker of difference between the Government’s paper and what the Opposition are now saying, and what everybody of the slightest common sense, in my opinion, is saying—that we should stay in the single market and the customs union until we know that we can smoothly transfer to some new and equally beneficial arrangement. Again, I would like some reassurances on that.

I detect in the wording of the Bill and the Opposition’s amendment that we are crawling towards the cross-party approach that will obviously be required to settle this in the national interest. It is absurd for the Labour party to say that it is all agreed on the new policy it has adopted, and it is absurd for the Conservative party to say, “We’re all agreed on whatever it is the Secretary of State is trying to negotiate in Brussels.” The public are not idiots; they know that both parties are completely and fundamentally divided on many of these issues, with extreme opinions on both sides represented in the Cabinet and shadow Cabinet, let alone on the Back Benches.

Let us therefore resolve this matter. Let us make sure this Bill does not make it impossible to stay in the single market and customs union, and let us have a grown-up debate on the whole practical problem we face and produce a much better Act of Parliament than the Bill represents at the moment.

1.53 pm

Peter Grant (Glenrothes) (SNP): I commend the right hon. and learned Member for Rushcliffe (Mr Clarke) and, in particular, the shadow Secretary of State, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), for their two outstanding contributions.

This Bill, and the whole Brexit process, not only gives us an opportunity but requires us to go right back and think fundamentally about what Parliament is for and what democracy is about. The Scottish National party...
supports as a fundamental principle the ancient and
honoured tradition that sovereignty over the land of
Scotland is inalienably vested in the people of Scotland.
That principle is not for sale now, or at any time, to
anybody.

This Bill seeks to usurp and undermine that sovereignty
in a number of ways, which I will mention later. That
fact alone compels me to vote against the Bill on
Monday night, and it compels anybody who believes in
the sovereignty of the people of Scotland, and anybody
who purports to be here on their behalf, to oppose the
Bill on Monday night, regardless of the party that is
trying to get them to do something different.

As it is Labour’s reasoned amendment that has been
selected, we will be supporting it on Monday night with
some reservations. First, given that 62% of our citizens
voted to remain in the European Union, I am certainly
not ready to give up on that for the people I represent. I
fully understand and respect the fact that two nations of
the United Kingdom voted to leave, but I ask the
Members of Parliament from those two nations to
respect the fact that the other two nations voted to
remain and that their votes cannot simply be cast aside.

Secondly, the reasoned amendment refers to
parliamentary sovereignty. I respect that that is an
important principle for some people, but it does not
apply universally across the nations of these islands.

Stephen Kerr (Stirling) (Con): Is the hon. Gentleman
not aware of the question that was on the ballot paper?
It was a United Kingdom question and a United Kingdom
vote, and we voted as a United Kingdom to leave the
European Union. That is what we decided. Does he not
understand that?

Peter Grant: I do not know which part of “the people
of Scotland are sovereign” the hon. Gentleman does
not understand. The people of Scotland are sovereign,
and I will defend their sovereignty. I urge all Members
of Parliament from Scotland to respect that sovereignty
when the time comes.

My final concern with Labour’s reasoned amendment
is on the transitional period.

Luke Graham (Ochil and South Perthshire) (Con):
Will the hon. Gentleman give way?

Peter Grant: I need to make some progress.

I welcome that we now have a lot more clarity from
Labour on the benefits of membership of the single
market and customs union, and I welcome that it mentioned
those benefits in its reasoned amendment. I am
disappointed, given that everybody now knows—the
Norwegians certainly know—there is absolutely no reason
why being out of the European Union means we have to
be out of the single market, that Labour has not yet
come round to a position of saying that we should
attempt to stay in the single market permanently after
the UK leaves the European Union. Having said that,
Labour’s reasoned amendment is a vast improvement
on allowing the Bill to go ahead unchallenged, so we
will support it on Monday evening.

Peter Grant: I will not give way just now.

In all the reasoned amendments that have been tabled,
MPs from different parties have come up with a huge
number of powerful reasons for rejecting the Bill at this
stage, which tells us that it has a huge number of serious
and sometimes fundamental flaws that mean it cannot
be allowed to proceed in its present format. If that is a
problem for Government timetablers, tough. The interests
of my constituents are far more important than the
interests of Government business managers.

I will address four particular weaknesses in the Bill,
some of which have already been ably covered. First,
the Bill proposes an act of constitutional betrayal. It
gives a Tory Government in London the right to claw
back any powers it fancies from the elected Parliaments
of the three devolved nations of the United Kingdom.
That is not just a betrayal of those who campaigned for
so long for the establishment of those Parliaments, it is
a betrayal of the great parliamentarians of all parties
and none who have worked so hard to make those
Parliaments succeed.

representing Scotland, but let us remember that 1 million
Scots voted to leave. In fact, a third of SNP voters voted
to leave. [Interruption.] Those are public stats. What he
is actually saying is that, if he truly wants to represent
his constituents, he should respect the democratic will
of the United Kingdom, which is what he, like all of us,
is in this Parliament to do. If SNP Members want to be
stronger for Scotland, I suggest that they engage by
tabling detailed amendments rather than trying to create
a wedge between the nations of the United Kingdom.

Peter Grant: I will happily see the hon. Gentleman’s
1 million Scottish votes to leave the European Union and
raise him 1.6 million Scottish votes to leave the United
Kingdom, not to mention the 2 million or so who voted
to remain in the United Kingdom, because he and his
colleagues promised unconditionally that that was the
way to protect our membership of the European Union.

Several hon. Members rose—

Peter Grant: I will take no more interventions from
people whose position on the European Union has
changed so radically over the past couple of years.

Returning to the attempt to grab power back from
the devolved Parliaments that so many of us worked so
hard to establish, many of those who take the greatest
credit for their establishment, such as the great Donald
Dewar, are not here to see the success of what they
created, and I shudder to think what they would have
thought of these attempts completely to emasculate all
three devolved Parliaments.

We are seeing a betrayal of the promises—one could
almost say the “vow”—that certain people made to the
people of Scotland just three years ago: the most powerful
devolved Parliament in the world; they said; Scotland
should lead the Union, they said; parity of esteem and
an equal partnership of nations, they said. What definition
are they using if the Prime Minister, who takes her
authority from this Parliament, decides it is beneath her
status even to meet the First Ministers, who take their
authority from their respective national Parliaments?
What definition of “equality” or “parity of esteem” are
the Government using? Where is the parity of esteem if the Joint Ministerial Committee, trumpeted by the Tories less than a year ago as the epitome of good relations between our four national Governments, has not met for seven months? I note, however, that, completely coincidental to an attempt by my hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) to have an urgent debate on the matter, the Government have now decided they are going to reconvene the JMC at some time in the autumn. I hope they will not fall back on the claim that autumn finishes on 30 November. I welcome the fact that they have given way to some pressure and are now going to reconvene the JMC, but the fact is they have done nothing, even ignoring a request for a meeting by the national Governments of Wales and Scotland, which they had promised to act on within one month. They broke that promise, as they have broken so many other promises to the peoples, Parliaments and Governments of those devolved nations.

Wayne David: Does the hon. Gentleman agree that it would be simple and straightforward for the Government to accept the reality of devolution and that where there is the repatriation of powers from Brussels in devolved areas they should go directly to the devolved institutions?

Peter Grant: Absolutely—that is what devolution means; if the powers are currently devolved, they should remain devolved.

If we cannot trust the Tories to keep their word on something as simple as arranging a joint meeting of Ministers, nobody in any of the devolved nations can trust their assurances that the draconian new powers in this Bill will not be abused. Our experience of promises from the Tories suggests we cannot take them at their word unless the legislation is nailed down so tightly that they have no wriggle room to go back on their word.

We have heard a lot of rhetoric about some issues needing a “UK-wide approach”. I wonder how the UK-wide approach to agriculture, animal welfare and food standards is going to work in Northern Ireland, because regardless of what the legislative or constitutional position will be, the matter of business survival means that the food industry in Northern Ireland will follow the same standards as are followed in the Republic of Ireland—the same standards as apply in the EU will be followed. So we are talking about different animal welfare standards in Northern Ireland from those in the rest of the UK, and I cannot really see how that is working.

What a UK-wide approach has been shown to mean in practice is that the Prime Minister and a few hand-picked colleagues get the right to dictate to the peoples of these islands and to our elected Governments. For example, the need for a “UK-wide approach” led to Scotland’s fishing industry being sold out by the British Government when we first joined the EU and there is a serious danger that it will lead to those fishermen being sold out yet again as part of the process of leaving.

My second concern is about the all-encompassing powers set out in clause 9, which was superbly torn to shreds by the shadow Secretary of State a few minutes ago. One of the Prime Minister’s own Back Benchers, the right hon. Member for Broxtowe (Anna Soubry), described this on Wednesday as an “unprecedented power grab”, and there is no other way it can be described; 649 elected MPs will be expected to stand by and watch while a single Minister, with a single signature, can make new legislation. This includes the right to make legislation that should require an Act of this Parliament. The only requirement there will be on the Minister is that she or he thinks the legislation is a good idea. When we have Ministers who think that welching on the Dubs amendment and introducing the rape clause were good ideas, I am looking for a slightly harder test than a Tory Minister thinking that something is a good idea.

These new powers are often referred to as Henry VIII powers. Henry VIII was a despot with no interest in democracy, who thought Scotland and Wales were just places to be conquered and trampled on, so perhaps this is not such a bad name for something this Government are doing, but using that nickname hides the danger of these proposed powers. Despite his murderous deeds, a lot of people see Henry VIII as a figure of fun and pantomime villain—someone who even got to star in a “Carry On” film. But the fact is that the powers in this Bill are more “Nineteen Eighty-Four” than “Carry On Henry”. The powers that bear his name are anything but funny. They represent a significant erosion of parliamentary democracy; indeed to those Members here who believe in the doctrine of parliamentary sovereignty, I say that the powers in this Bill are utterly incompatible with that idea. This is not about taking back control to Parliament and resuming parliamentary sovereignty for those nations of the UK where parliamentary sovereignty exists. This Bill threatens to destroy it, once and for all. The powers are designed to allow Ministers to bypass all pretexts of parliamentary scrutiny. It is even possible that we could see an Act of Parliament receive Royal Assent one day and then be repealed by a Minister the next, simply because they thought it was a good idea.

The Government will argue that delegated powers are an essential part of modern government, and I agree. We do not have an issue with the principle of using delegated legislation. We do have an issue with allowing delegated legislation to be abused in order to bypass proper scrutiny. The only way this House can be satisfied that the powers will not be abused is if the Bill is reworded to make it impossible for them to be abused in that way.

The third significant weakness in the Bill has been touched on and it relates to our membership of the biggest trade agreement in the world. We are going to throw that away. We are talking about the loss of 80,000 jobs in Scotland and the loss of £11 billion per year coming into our economy as a result. The figures for the rest of the UK will be proportionate to that. This is being done simply to pacify the extreme right wing of the Conservative party and their allies, whose obsession with the number of immigrants has blinded them to the massive social and economic benefits that these EU nationals have brought to my constituency and, I suspect, to every constituency in the UK. The sheer immorality of the isolationist, xenophobic approach that the Conservatives are trying to drag us down is there for all to see, but it is not just immoral—it is daft. It threatens to destroy our economy. Already we are seeing key sectors in industry and key public sector providers struggling to recruit the staff they need. It was reported a week or two ago that a private recruitment firm is
being offered £200 million just to go to persuade workers to come to the UK to work in our health service. I have a hospital in my constituency that we could rebuild for £200 million quite comfortably, yet this money is going to be handed to a private firm to try to undo some of the damage that has been done by the Government’s obsession with the immigration numbers. With the collapsing pound making British wages are worth a lot less to European workers than they were before, with the anti-European rhetoric and hysteria that we still get from Government Members and with the Government still refusing to give European nationals the absolute, unconditional and permanent guarantees that they deserve if they choose to come and live here, those recruitment difficulties are going to become much, much worse before they get any better. The Secretary of State wants our EU partners to be innovative, imaginative and flexible. I urge him to apply these same qualities to his Government’s attitude to membership of the single market.

I have mentioned the plight of EU nationals, and another major concern, which again has been raised, particularly by the shadow Secretary of State, is that this Bill threatens to undermine the rights of not only EU nationals but of everyone, regardless of their nationality or citizenship, who lives on these islands. I hear the promises from the Government, but we have had promises from this Government before. They are not worth the paper they are written on, even if they are not written down on paper at all.

At yesterday’s Prime Minister’s questions we had the usual charade of a Tory Back Bencher asking a planted question so that the Prime Minister could confirm how successful the Government have been in bringing down unemployment. She went so far as to say that unemployment in the UK is at its lowest for more than four decades, so let us just think about that. The Prime Minister is telling us that unemployment is lower now than it was when we went into the European Union and the single market. How can the Conservative party boast about having almost done away with unemployment altogether and then say that immigrants are to blame for the huge unemployment problem? The fact is that the free movement of people—free movement of workers—and membership of the single market has not caused unemployment; it has caused employment. It has benefited our economy and helped our businesses to thrive. It keeps schools open in places where they would otherwise have closed. All the evidence suggests that the most successful, wealthiest and happiest countries in the world—those with the highest standard of living, whether material or in the things that really matter, are countries that are open and inclusive. The Government are trying to move us away from that to become one of the most isolationist and isolated economies in the world. Only five countries are not part of a trade agreement, but none of them is a country we would want to see as an example.

The Government’s mantra on Brexit has been about taking back control, but that will not happen—at least not in the way that the people who voted to leave hoped it would happen—because it is not about taking back control to the 650 people who collectively hold a democratic mandate from our constituents to represent them; it is about taking back control from this Parliament and putting it into the hands of a few Ministers. It is about taking back control from the devolved and elected national Parliaments and Assemblies of Scotland, Wales and Northern Ireland and putting it into the hands of a few chosen Members of a political party that cannot get elected into government in Scotland, Wales or Northern Ireland. The Bill allows Ministers to usurp the authority of Parliament and gives them absolute power to override the will of Parliament.

A lot has been said about the UK Government’s red lines in the Brexit negotiations, and I will give the Minister one red line from the sovereign people of Scotland: our sovereignty is not for sale today and will not be for sale at any future time—not to anyone and not at any price. The Bill seeks to take sovereignty from us, probably more than any Bill presented to this Parliament since we were dragged into it more than 300 years ago. That is why I urge every MP who claims to act on behalf of the people of Scotland, who believes in the sovereignty of the people and who believes in the sovereignty of democratic institutions to vote with us and against the Bill on Monday night.

Mr Speaker: Order. A 10-minute limit on Back-Bench speeches will now apply.

2.11 pm

Mr Iain Duncan Smith (Chingford and Woodford Green) (Con): I will endeavour to be brief. In rising to support the Bill in principle and in many cases in fact, I also offer my support to my right hon. Friend the Member for Haltemprice and Howden (Mr Davis). He remembers that in the lead-up to the Maastricht debate, we had quite a long Second Reading.

Mr David Davis: I organised that.

Mr Duncan Smith: Exactly. I wonder whether, through my right hon. Friend’s good offices, the powers that be might make it possible to have a further extension on Monday to give more Back-Benchers an opportunity to speak. I say that because I remember the Maastricht debates, where we went through the night on the first day and ended the second day at 10 o’clock. Everyone got to speak—as many people wanted to speak then as now—and there was no time limit, as I recall, Mr Speaker, although I make no criticism of your imposing a time limit on me, as I am sure I will manage to fit within it. I just gently urge that there might be some scope for such an extension, even by Monday.

I support the Bill because it is clearly necessary. Let us start from the simple principle of how necessary it is. We have to get all that European law and regulation and so on transposed into UK law so that it is applicable, actionable and properly justiciable in UK law, and that requires a huge amount of action. There are very many pages of laws. I was looking at them the other day and I said, “If we were to vote on everything in that, we would have to have something in the order of 20,000 different votes.” There is no way on earth that that can possibly happen.

I listened with great care to the arguments of the right hon. and learned Member for Holborn and St Pancras (Keir Starmer). I thought he made a very well-balanced speech and made his case for the need for change within
the Bill rather well, but I would argue that the Labour party’s position does not fit with his speech. I go back to Maastricht, when John Smith led the Labour party. Because he was a strong believer in the European Union, the Labour party voted to support the legislation, but it then acted separately in Committee, where it opposed elements of the legislation that it did not agree with or thought needed changing. That is the position that the Labour party should adopt.

In other words, the reasoned way that the Labour party should behave is to reserve its position on Second Reading and then, subject to whatever changes it thinks necessary in Committee to the detail of the Bill, make a decision about what to do on Third Reading. To vote against the principle of the Bill is to vote against the idea that it is necessary to make changes to European law in order to transpose it into UK law. That is the absurdity that the Opposition have got into.

I know what it is like; we have been in opposition. There is a temptation to say behind the scenes, “I tell you what: we could cause a little bit of mayhem in the Government ranks by trying to attract some of their colleagues over to vote with us against Second Reading.” Fine—they fell for that, but the British public will look at this debate in due course and recognise that the Labour party ultimately is not fit for government.

In a sense, the detail of the Bill is not the issue; it becomes the issue once we have got through Second Reading. I accept and recognise that the Government have talked about possibly making major changes to the Bill. I observe that we are therefore not in disagreement about the need for the Bill. That is why the House should support the Bill’s passage, but there may be elements in it that need some change.

I note also that paragraph 48 of the report by the Select Committee on the Constitution, published this morning, which the right hon. and learned Member mentioned, states:

“We accept that the Government will require some Henry VIII powers in order to amend primary legislation to facilitate the UK’s withdrawal from the European Union.”

However, the report goes on to say that there also need to be “commensurate safeguards and levels of scrutiny.”

So the debate is not about the need—

Sir William Cash: I would just like to mention, if my right hon. Friend will allow me, that it would not be useless to look at the names of the members of the Constitution Committee and make a judgment about their enthusiasm for leaving the European Union.

Mr Duncan Smith: I am not asking for two wrongs to make a right; I support the principle of the Bill and the need for it, but I recognise that in Committee there will be need to review how some of those checks and balances are introduced, and I hope that is done properly and powerfully. What my right hon. Friend the Member for Haltemprice and Howden said at the Dispatch Box gave indication to my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) that there is scope to look at that. So the argument is not about the powers in the Bill; the debate is about how we reassure ourselves as a parliamentary democracy that the checks and balances exist such that, given the very profound nature of what is happening, we can achieve a balance and not delay the necessary changes.

The Opposition are in a peculiar position, but the Scottish nationalists are in a ridiculous position. For years and years they have sat by, content to see all the powers exercised in Brussels exercised there without their having any say. The moment we talk about leaving the European Union and bringing those powers back to the UK, they are up in arms because they feel betrayed that they do not exercise those powers. Where were they over the last 40 years when those powers were given away?

Joanna Cherry: Will the right hon. Gentleman give way?

Mr Duncan Smith: I am not going to give way; I do not want the hon. and learned Lady to embarrass herself any more with the ridiculous argument that her party colleagues make. The truth is that they will leap on any excuse. My response to them is that those
powers are not being stolen away; they are being reassured that what the Government then devolve back down to them will be more than they have ever had before. That reassurance has been granted and given.

The Constitution Committee paper is rather good. It makes another important point, which relates to the three closing recommendations I wish to make. I hope the Government will look at three areas. The first is the application of statutory instruments. The Government have accepted that we should have an explanatory memorandum that tells us what was in place before and what will happen afterwards, but they should also accept the recommendation that the Government should provide an explanation as to why an instrument is necessary. It is important that people can recognise quickly what the Government intend. I hope the Government will think about that.

When I was at the Department for Work and Pensions, a statutory body called the Social Security Advisory Committee had the role of looking at legislation as it was about to be introduced. Sometimes that is awkward when one is the Secretary of State, but none the less it makes recommendations. Will my right hon. Friend the Secretary of State look again at such a process? It may offer the Government a way to reassure people that the things they are about to do may well be absolutely necessary.

Here is the deal. We are asking that whatever is done under the purposes and powers of the Bill is done for one simple reason: to transpose existing law with existing effect, so that that effect does not change. If the single exam question is asked of a body like the Social Security Advisory Committee, “Is this instrument doing that?” that might help to reassure Parliament. I urge the Government to consider that because it works in one area of detailed and consequential legislation, so I wonder if it might work in this area, too.

I am not going to go into a lot of detail, but my final recommendation is on the point made by the right hon. and learned Member for Holborn and St Pancras about the exit day. I am one of those who think we ought really to have that in the Bill, because he is right that on it hinges just about everything. For example, the Government have moved a long way on the sunset clauses, for which I thank them, because it is important to put an end date on the powers that exist in the Bill. The question is about the two years, but the real question is: when does the two years start and thus when does it end? That would answer a lot of the questions that the right hon. and learned Gentleman raised about how far the Government might go in changing future legislation and everything else. As a strong supporter of the Bill, a strong supporter of the Government and a strong supporter of the principle, and as a big supporter of the idea of leaving the European Union, I urge the Government to think very carefully about what they do about that date.

In conclusion, I simply say that I absolutely support the Government on the principle of the Bill, as well as on the vast majority of the practicality and how it will be implemented, but I recognise that, in Committee, the Government will look again carefully at some of the need to provide some checks and balances as assurances to the House. We all want that, because none of us wants to defy the will of the British people, which is to leave smoothly, in a manner that does not bother business or upset individuals over their rights and their accepted ways of working.

I urge the Government to listen, but I congratulate them on getting to this point and getting us out of the European Union.

2.23 pm

Hilary Benn (Leeds Central) (Lab): First, I just say to the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) that this is not about defying the will of the British people; it is about how sensibly we are going to give effect to it. The referendum campaign seems a long time ago now, but during it we heard endless assertions that the process of leaving the European Union would be easy, straightforward and all those things. Anyone who looks at the Bill will see with their own eyes just how wrong the people who said that were. Despite the brave face that the Secretary of State habitually puts on things, it must now be dawning on Ministers that their assertion that they would be able to negotiate the whole thing—a comprehensive agreement covering all the things we need and all the benefits we want—by the end of the article 50 process is not now going to be possible. The reason why both those assertions have failed to survive contact with reality is not for want of effort, but because of fundamental disagreements in the Government about what the policy should be, which has resulted in delay, and because the task is Byzantine in its complexity. I do not envy civil servants, who are working hard, or indeed Ministers, and I do not envy the House the task that confronts us, but we have a duty to be honest with each other and with the British people about the choices that we face, their consequences and the fact that we have to do all this against the ticking clock.

Apart from the repeal of the European Communities Act 1972, the Bill is not about whether we leave the European Union—a point the Secretary of State made in his opening speech—because that decision was taken in the referendum and given effect by the triggering of article 50, and we will leave at the end of March 2019. The Bill is about trying to ensure that our law is in shape when we leave. We all accept that there is a need to do that, and we all therefore accept that a Bill is necessary. But that does not mean that Parliament should accept this Bill, which is the 2017 equivalent of the Statute of Proclamations of 1539. I gently remind the Secretary of State that the Exiting the European Union Committee did urge him to publish the Bill in draft. Had he done so, he would be having fewer difficulties now, because its flaws and weaknesses are fundamental—they were brilliantly exposed in the speech by my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer). The Bill is not about taking back control. If Ministers continue to fail to take Parliament’s role seriously, we will have to continue to prod, push and persuade or, in the case of the right hon. and learned Member for Rushcliffe (Mr Clarke), to gently threaten, so that Ministers understand that in this Parliament—this is a new Parliament; it has been christened the Back Benchers’ Parliament, and rightly so—they are going to have no choice but to listen to what Parliament has to say.

On the detail of the Bill, if they remain unamended, clauses 7, 8 and 9 would grant Ministers new and unprecedented powers. Ministers are asking us to give
them a legislative blank cheque; we should not do so. How can we accept a Bill if on the one hand Ministers get up and say, “Look at the safeguards; they are in the legislation,,” and on the other they propose in another part of the Bill to give themselves the power to remove every one of those safeguards, if they are so inclined? How does that build a sense of confidence and reassurance? I accept that there is a balance to be struck between giving Ministers the latitude and flexibility to do what needs to be done and Parliament having control to scrutinise and decide, but as they stand, the delegated powers do not achieve that balance, which is why the Secretary of State is going to have a very long queue of Members outside his office wanting to have a conversation. If he wants to save himself some time, he should come forward with his own amendments.

Chris Philp: It sounds as though the right hon. Gentleman agrees with the principle and thrust of what is being attempted here but has some comments on the detail and the mechanics. Will he therefore vote for the Bill on Second Reading and seek to address some of his concerns by amending it in Committee?

Hilary Benn: No, I will not—unless the Government move on this—because the flaws are so fundamental that they should go away and do their homework again. Not a single person in this Chamber does not accept that legislation is required to undertake the task; we are just saying that it is not the legislation before us.

There is a huge difference between a statutory instrument that proposes in some regulation to delete the words “the Commission” and insert the words “the Secretary of State for Environment, Food and Rural Affairs” and a statutory instrument that will, for example, give responsibility for the oversight and enforcement air-quality legislation, which derives from an EU directive, to an existing public body. What assurance can Ministers give us that whichever body is given that responsibility will have the same effective enforcement powers as the Commission has had, including ultimately taking case to the European Court of Justice, and will give the public the same power to hold that body and the Government to account if there is a continuing lack of progress in making sure that our air is pure enough to breathe? If that is not provided for, Government cannot argue that the Bill’s aim is to produce exactly the same situation the day after we leave as existed the day before. Therefore, as many people have said, the Bill will have to produce a mechanism for sifting. We need to sift the proposals that come forward, so that we can distinguish the absolutely straightforward and non-controversial and those that raise really quite important issues of principle that were set out in the Lisbon treaty. If Members look at the explanatory memorandum, they will see that it has an illustrative list of directly effective rights that derive from EU treaties that the Government say they intend to bring across under clause 4. However, it does not include the provisions of article 191 of the Lisbon treaty, which cover environmental principles and protection, and that will need to be remedied.

Finally, I want to turn to the state of the negotiations, which will have a huge impact on the way in which the Bill is used. The Secretary of State told Andrew Marr last Sunday that this is “the most complex negotiation probably ever, but certainly in modern times.” He is of course right, which raises the question: why do Ministers, I am sorry to say, still pretend that a comprehensive relationship can now be negotiated in the 10 and a half months that now remain? Here we are, 15 months after the referendum and six months on from the triggering of article 50, and, as we know from the Secretary of State’s statement on Tuesday, the Government have not yet sorted out the money, citizens’ rights or Northern Ireland.

Michel Barnier has been absolutely clear that the negotiations must be completed in 10 and a bit months’ time, so that everyone involved can look at the deal. We have to take a view, as do other bodies such as the European Parliament and the Council of Ministers. The Government must now have realised that it was never going to be possible to negotiate a special bespoke deal that will cover all the issues that need to be addressed. Given that there will inevitably be many outstanding issues come the end of the talks in October 2018, and given that leaving without a deal would mean falling off a cliff edge, with all the disastrous consequences for the British economy, surely it is now plain that we must have transitional arrangements and that they will have to involve staying in the customs union and the single market for a period if we want to avoid the kind of disruption that businesses have repeatedly warned the Government about.

I realise that this self-evident truth will come as a shock and a bitter disappointment to some people. I do not know how Ministers will break it to them—presumably, gently bit by bit—but it will have to happen because

Anna Soubry: Does the right hon. Gentleman agree that the existing Joint Committee on Statutory Instruments could be that very body to do this exact work of triaging and sifting?

Hilary Benn: That would be one possibility. I hope that the Government will listen to all these suggestions and come forward with a proposal. I welcome what the Secretary of State said in response to my point about the relationship between Parliament voting on the withdrawal agreement and the exercise of the powers under clause 9. He was kind enough to say it was a logical point, so will he reflect on putting it in the Bill?

On how EU principles will be incorporated into our law and interpreted, I agree absolutely with the point made by my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) about the charter of fundamental rights: it needs to be brought across into our law not least because, as we have heard, the Secretary of State relied on it in the case that he brought. The same argument applies to the environmental principles that were set out in the Lisbon treaty. If Members look at the explanatory memorandum, they will see that it has an illustrative list of directly effective rights that derive from EU treaties that the Government say they intend to bring across under clause 4. However, it does not include the provisions of article 191 of the Lisbon treaty, which cover environmental principles and protection, and that will need to be remedied.

I accept that there is a balance to be struck between

Sir Oliver Letwin (West Dorset) (Con): I have a very simple question for the right hon. Gentleman. Does he agree with the proposition put forward by my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) that the Social Security Advisory Committee is a clear model of such a mechanism?

Hilary Benn: It was an interesting proposal, but, personally, I think that others can give advice, but in the end the sifting must be done by Parliament or a body established by Parliament and made up of parliamentarians. That is my clear view.
only by doing this will we as a nation have the chance and the time to negotiate a comprehensive free trade and market access agreement that our businesses want and on which our economic future depends.

2.35 pm

Sir William Cash (Stone) (Con): In British constitutional history, there are few examples of Bills of such historic significance as this. Since the mid-1980s, I have been arguing for our legislative sovereignty in respect of EU legislation, even under the premiership of Margaret Thatcher, as was seen in my amendment of 12 June 1986. Even then, I was not allowed to debate it, let alone move it. Then we had Maastricht, Nice, Amsterdam and Lisbon. Together with other colleagues—I pay tribute to them all again—we fought a huge battle and here we are now.

Today, at last, we have the withdrawal and repeal Bill, an original draft of which, as my right hon. Friend the Secretary of State knows, I circulated in the House of Commons even before the referendum. It said two very simple things: we need to repeal the European Communities Act 1972 and transpose EU law into UK law when the treaties cease to apply to the United Kingdom under article 50. However, contrary to the reasoned amendment tabled by the official Opposition, this Bill—the Government’s Bill—will emphatically protect and reassert the principle of parliamentary sovereignty precisely because it is an Act of Parliament, or will be if it goes through. It will repeal the European Communities Act, sections 2 and 3 of which asserted the supremacy of EU law over UK law. That is the central point.

Indeed, the referendum Bill itself was authorised by an Act of Parliament, by no less than 6:1 in the House of Commons, and as my right hon. Friend the Secretary of State pointed out, the article 50 withdrawal Act was another reassertion of sovereignty, which was passed by 498 to 114 votes in this House. All or most Members of the Opposition voted for it. That result was reinforced in the general election, when 86% of the votes for all political parties effectively endorsed the outcome of the referendum. This is democracy and sovereignty merged in its fullest sense and acquiesced in by the official Opposition, who are now putting up a reasoned amendment against endorsing the very decision that they themselves have already not merely participated in but agreed on.

We should therefore be deeply disturbed that they now seek to decline to give this Bill a Second Reading, cynically claiming that they respect the EU referendum result. In fact, their amendment defies belief. As the snail asserts in “Alice in Wonderland”, they “would not, could not, would not, could not, would not join the dance.”

This is a serious dance. This is not Alice in Wonderland, but a real dance implementing the democratic decision of the British people—the United Kingdom as a whole.

The Opposition’s reasoned amendment fails to comprehend the simplest fact, which is that parliamentary sovereignty is no less embedded in this Bill than in the European Communities Act itself, which, in the very pursuance of parliamentary sovereignty, repealed our then voluntary acceptance under sections 2 and 3 of the 1972 Act. Indeed, Lord Bridge in the Factortame case made the basis of that Act crystal clear even to the point of the House of Lords striking down an Act of Parliament—namely the Merchant Shipping Act 1988—because of its inconsistency with the 1972 Act.

In 1972, therefore, by virtue of the historic invasion of our constitutional arrangements, we acquiesced in the subversion to the European Union of this House—and all without a referendum, which we did have this time when we got the endorsement of the British people under an Act of Parliament passed by 6:1 in this House.

Furthermore, the 1972 Act absorbed into our jurisprudence not only a vast swath of treaties and laws but the dogmatic assertions made by the European Court of the supremacy of EU law over our constitutional status. I would mention Van Gend en Loos, Handels- gesellschaft and so on—a whole list of cases asserting, through the European Court, EU constitutional primacy over Parliaments, including our Parliament and its sovereignty. That was made even worse by the White Paper that preceded the 1972 Act and pretended—I almost say by deceit—that it would be essential to our national interest to retain the veto and never give it up, because without it the fabric of the European Community would be impaired. The then Government understood what it was all about; they knew that it would destroy the European Union if a restriction was imposed on our ability to veto legislation. Since then, the EU’s competencies have been vastly extended.

As for the Henry VIII procedures in the Bill, I hear what my right hon. Friend. Friend the Member for Broxtowe (Anna Soubry) said about what I said in 2013, but I am talking about the EU-specific legal jurisdiction and the context in which we are discussing the subject, which is the 1972 Act. Yes, we could have reservations about elements of Henry VIII procedures, but the biggest power grab of all time in British constitutional history has been the 1972 Act itself. It incorporated all the EU laws made and accumulated from 1956 right through to 1972, and my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) was running around as a young Whip cajoling people to move down the route of subverting our entire history and constitutional arrangements through these new arrangements. They subverted the constitutional supremacy of this House.

Mr Kenneth Clarke: May I remind my hon. Friend of his contribution to the debates on the Maastricht treaty? He made most of the arguments then that he is making now, but I do not recall him being so enthusiastic for legislation to be speedily passed through this House with no proper powers retained over any of the detail. When did his conversion to this new prompt procedure take place?

Sir William Cash: I am so glad that my right hon. and learned Friend has made that point, because I would like to endorse what he was saying earlier—I would like to see proceedings extended beyond 5 o’clock tonight. I will not have the opportunity to make a speech as long as that which I made on Second Reading of the Maastricht Bill—I think it lasted something like two hours—but for the reasons that have already been given, I think that this Bill is quite different in character. Then, we were
dealing with extensions of competencies and here we are dealing with the principles of repeal, sovereignty and democracy.

Mr Duncan Smith: I hesitate to ask my hon. Friend to give way, but simply want to make the point that as he will recall, during Maastricht we were told time and time again that although we had long procedures for debate the outcome could not be in doubt, because to be a member of the European Union meant that all of what was agreed in the Maastricht treaty would come straight into UK law regardless of what this Parliament decided it was against.

Sir William Cash: Absolutely. That is the cardinal principle.

The Henry VIII arrangement in this Bill is a mirror image in reverse of what was done in 1972 to absorb all the European legislation into our own law and apply it so that it could never be changed. It cannot be amended—there is the acquis communautaire, and it cannot be repealed until we have this Bill. That is the point. I ought to add that it would be impossible for us to translate all the European legislation through primary legislation, although, as has already been said, we will have important primary legislation on subjects such as immigration and fisheries. The Government have already promised that.

Section 2(2) of the 1972 Act allows EU law to have legal effect in UK domestic law by secondary or delegated legislation. Read with section 2(4) and schedule 2 to that Act, that secondary legislation, by sovereign Act of Parliament, is expressly given the power to make such provision as may be made by the Act of Parliament itself. There are hosts of examples—including, if I may say so to the Opposition and the shadow Secretary of State, section 75 of the Freedom of Information Act, where the amendment was made within the Act and passed by the Labour party. Let us not get hypocritical about this under any circumstances; this procedure is not as unusual as it is made out to be.

Indeed, the Minister on Second Reading of the 1972 Act, Geoffrey Rippon, acknowledged the novelty of the procedure—it was novel in those days—and added: “As I conceive it, the power afforded by Clause 2(4) would be used only in exceptional circumstances”.—[Official Report, 15 February 1972; Vol. 831, c. 285.]

We now know that, according to the EU legal database, at least 12,000 regulations have been brought in since ’73, with 7,900 instruments derived from EU law. It is a wild assertion that the Henry VIII provisions contained in this Bill are an infringement of parliamentary sovereignty, and for that reason the Opposition amendment should be completely disregarded.

Furthermore, Henry VIII powers have been used in enactment after enactment. Indeed, we had them in the recent Energy Bill and Immigration Bill, which contained 22 separate Henry VIII powers. There is, however, another important point to be made. The European Scrutiny Committee report “Transparency of decision-making in the Council of the European Union”, published in May 2016, goes to the heart of the manner in which the policies and laws of the UK have increasingly been invaded, not merely in process but in practice, which we will reverse—abolish—through this Bill. The Committee established that although majority voting prevails by virtue of the treaties, the decisions are taken by consensus behind closed doors without any proper record, proper speeches or transparency. No votes are recorded, as they are in Hansard. That is the fundamental difference. It is a travesty of a democratic decision-making process and a reason why the Bill is so necessary. The people of this country have had legislation inflicted and imposed on them that is made behind closed doors without anyone knowing who has made it, for what reason and how.

There are political undercurrents that need to be brought out, because the question of who makes those decisions behind closed doors in the Council of Ministers is incredibly important, as Professor Vaubel, professor of economics at Mannheim University, made clear in his work “Regulatory Collusion”. Another report, by VoteWatch, demonstrates the extent to which the UK has been on the losing side an ever increasing proportion of times leading up to 2015. I am bound to say that the UK has been on the losing side more than any other state over that time.

I have made my point on the charter. The Opposition have no credibility on that question whatsoever.

Finally, let me say that this is an historic moment and I am glad to be part of it at last.

Kate Hoey (Vauxhall) (Lab): It is a pleasure to follow the hon. Member for Stone (Sir William Cash), who has spent more time scrutinising EU legislation and directives than all of us. I am pleased to have been a member of the European Scrutiny Committee for some years now, although we have often felt very alone. We have been up in the Committee Rooms going through documents after documents, realising that we could change very little. The public watching us today will see all this interest. They will look at the time we are spending discussing intense scrutiny and worrying about Henry VIII clauses and statutory instruments, and they may well think, “If only a quarter of that time had been spent by Parliament examining some of the thousands of EU directives and regulations that have simply been imposed on the country.” We have had very little say. As the hon. Member for Stone said, much of what happened in the European Union was behind closed doors. As just one of 28 countries, we were always being outvoted. We had to take those decisions on board many times without being able to change them.

There is genuine concern among many of my colleagues and some Conservative Members about the scrutiny process, including the use of some Henry VIII clauses and statutory instruments. I agree very much with the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) that there are mechanisms by which we could bring people together. One problem is that those of us who voted to leave and were pleased with the result genuinely feel that, although a lot of people are saying, “Oh yes, we accept the result of the referendum”, they are doing every little bit of work they can behind the scenes not necessarily to prevent us from leaving, but to make it as difficult and tedious as possible. They want the public to think, “Oh dear. Have we done the right thing?” That comes through from the media and all the people who were strongly in the remain camp, and it does a disservice to our country because, when we are negotiating with the EU, we need to show that both this country and this Parliament are united.
Whatever happens and whatever people in my party say, we will be leaving in March 2019. We want to leave in a way that will maximise certainty and confidence in business. We want to maximise the confidence of the people, many of whom voted remain but who have now decided that they want to get on with it and are saying, “Let’s just do it.” Let us speak up for all the positive things that are happening. We should now recognise that all the dire warnings about the things that would go wrong were, in fact, wrong themselves. We need to be as positive as possible.

I look back on the last Labour Government in which many current Members of Parliament served. In that time, we actually doubled the number of statutory instruments to introduce new laws, so Labour Members are being a little hypocritical. I know there are people in the Labour party who are genuinely so upset that we are leaving the EU, but we should be putting the country’s interests first at this time. We should be deciding that we want to work with the Government, which means that the Government also need to want to work with us. That requires a positive attitude from the Opposition Front Bench. I have been pleased to say that there have been positive attitudes over the past few months, but I now worry about us going against the principle by voting against Second Reading. No matter whether some people genuinely feel that it is the right thing to do, it will be seen by Labour voters in the public—many of whom came back and voted for us, having fraternised with the UK Independence party for some time—as though we are not really serious about leaving the European Union.

I am very disappointed that we will not be supporting the Bill on Monday night. During the course of the debate, I hope that some of my colleagues will actually feel that they should support the Bill, even if they are going to support the reasoned amendment because this Second Reading is the principle. We can then probe with our amendments and new clauses some of the problems—undoubtedly, there are some—with the scrutiny process.

Michel Barnier goes on about the clock ticking, and many people have mentioned that today. It is ticking. But it is actually ticking for the European Union just as much as it is ticking for us in the United Kingdom. It now seems that the only thing at the top of the European Union negotiators’ minds at this moment is money. That is not necessarily true of the individual countries. Over the next few months, I think we will see changes in some European Union countries that really want to get a good deal with us because they know it is in their interests. But the European Union negotiators know how much they will miss our money, and that tells us something about what the European Union has been all about. They want to keep our money coming in for as long as possible. I will accept any kind of transition period only if we stop paying any more money from day one that we leave the EU. That is not to say that there might not be some really legal things, but I would like to see the detail—I would like the European Union to come up with every dot and comma of why it thinks we should pay something back. We need to be clear that we are not going to pay anything more after we leave the European Union.

Kate Hoey: The right hon. Gentleman is right: money seems to be the crucial thing the EU is using in the negotiation. I hope our negotiators will stand up to that and stop allowing the media and others to make every little bit of negotiation into some kind of conflict, saying that it is always the EU negotiators who are doing the right thing and that we are somehow not doing the right thing. I want it to be the other way round: I want us to be positive about our negotiations, because, in the end, we can get a good deal by just proclaiming how strong the United Kingdom is, how well respected we are, how strong our City of London is and how, despite the fact that we are leaving in 2019, companies are still coming to invest here. There is a very positive message, but it is not getting out.

I know that lots of people want to speak, so I will end by saying one thing. I am not a lawyer, although there are a lot of lawyers in here who are loving every minute of this, because it is the kind of thing they love. However, I am not a lawyer, and the vast majority of the public are not lawyers. They will be watching today, and they will be judging all of us, whatever our party politics, on whether we are doing what is in the long-term, best interests of our country. I do not believe we should be playing some kind of political game about not voting for the Bill because it might make it look to some people in our party as if we are standing up to the Government. This is about the future of our country. Labour Members should vote for the Second Reading of this Bill on Monday night, and then challenge and change things, if we can, in Committee.

2.57 pm

John Redwood (Wokingham) (Con): I entirely agree with the hon. Member for Vauxhall (Kate Hoey): we have no legal obligation to pay more money, and there is no moral obligation. There is also no diplomatic advantage in offering money; indeed, if the EU gets the idea that we might pay it a bit of money, it will be even more unreasonable, because that would be the way to try to force more money out of us.

What I wish to say in this very important debate is that the Bill should satisfy most remain voters and most leave voters. I understand that it does not satisfy some MPs, who have their political agendas and political games to play, but they should listen to their constituents, and they should think about the mood of the country—the mood of business and those we represent.

We have had crocodile tears shed for myself and those of my right hon. and hon. Friends who wanted leave and who are very pleased with leave by those who tell us that we must surely understand that we are not getting the parliamentary democracy we wanted as a result of this piece of legislation. I would like to reassure all colleagues in the House that I am getting exactly the piece of legislation I wanted, and it does restore parliamentary democracy.

What is in the Bill for leave voters is that, once the Bill has gone through and we have left the European Union, the British people will have their elected Parliament
making all their laws for them. We will be able to amend any law we do not like any more, and we will be able to improve any law. We were not able to do that.

What we like about the Bill is that it gets rid of the 1972 Act, which was an outrage against democracy, because, as we have heard, it led to 20,000 different laws being visited upon our country, whether the people and Parliament wanted them or not, and whether their Government voted for them or against them—the Government often voted for them reluctantly because they did not want the embarrassment of voting against them and losing. This is a great day for United Kingdom democracy. A piece of legislation is being presented that will give the people and their Parliament control back over their laws.

Ruth George (High Peak) (Lab): Will the right hon. Gentleman give way?

John Redwood: Let me just explain why this is good for remain voters and then I will give way to someone who is probably of that faith. It is good for remain voters because during the campaign a lot of them were not fully convinced either for or against the European Union, but on balance thought we should stay in. They quite often liked some elements of European legislation, standards or requirements. In particular, the Labour party and its supporters liked the employment guarantees that were offered by European employment law, and other parties and interests liked the environmental standards. This Bill guarantees that all the things that remain voters like about European legislation will continue and will be good British law, so they will still have the benefits of them, with the added advantage that we might want to improve them, as well as full assurances from the Government that we do not wish to repeal them.

Ruth George: I am very surprised that the right hon. Gentleman is saying how delighted he is that so many rights and responsibilities will now come under delegated legislation. I am not sure if he recalls that on 1 September 2012, as a member of the Delegated Legislation Committee on the criminal injuries compensation scheme, he, with all the other Conservative members of the Committee, called for the then Minister to withdraw the measure before them, and that did not happen. A second Committee was set up—

Mr Speaker: Order. Forgive me, but colleagues must have some regard to each other’s interests. There are a lot of people wanting to speak. Interventions must be brief; they should not be mini-speeches.

John Redwood: Let us come to the secondary legislation point. First, all statutory instruments are subject to a parliamentary process. I am quite happy that there is parliamentary control. If Ministers seek to abuse the power under the legislation that they are offering to the House, then all the House has to do is to vote down the statutory instrument. If it is a so-called negative resolution instrument, surely the Opposition are up to secondary legislation in areas where they are fairly sure that it is the will of the House that they go through because they are technical, or sensible, or obvious. They will all be in pursuit of the fundamental aim, which is to guarantee all these rights and laws, which are often more admired by Opposition Members than Conservative Members, but which we have all agreed should be transferred lock, stock and barrel, and which in certain cases are protected by pledges in manifestos. For example, my party, as well as the Labour party, has promised to keep all the employment protections and improve on them, because that is something we believe in. We offered that to the British people as part of our manifesto for the last election.

Lady Hermon: The right hon. Gentleman has suggested that those who voted for remain, as I did, should be happy with this Bill because it brings over all EU legislation. Yes and no. On the stroke of midnight on exit day, we lose the general principles of EU law such as proportionality, non-discrimination, and respect for human rights. [Interruption.] No, with respect—the general principles go. Does he agree that we should lose those very sound, good, valuable general principles?

John Redwood: I think that those excellent principles are already reflected in both European law and British law and will therefore be built into our statutes. They will be inherited from European law through this Bill, and they will often inform the judgment of our judges. I am very happy to trust our Supreme Court rather than the European Court of Justice.

The Supreme Court has not always made judgments I like. I did not like one of its judgments quite recently, but we accepted it and lived with it. We are now in a stronger position as a result, as it happens, because we had a nine-month referendum debate in this House after the country had made its decision. I am pleased to say that after a very long and extensive rerun of the referendum—day after day we were talking about the same subject, having been told we never did so—Parliament wisely came to the decision, by an overwhelming majority, that it did have to endorse the decision of the British people and get on with implementing it.

Joanna Cherry: Will the right hon. Gentleman give way?

John Redwood: I am afraid that time is now rather limited.

I am very much in favour of our Parliament making these decisions. The admirable principles we are discussing will often be reflected in British law. They are already reflected in many of the bits of legislation that are the subject of this Bill, and our judges will often be informed by them. If the judges start to use a principle that we do not like very much, it is in the hands of those of us who are in Parliament to issue new guidance to those judges—to say that we are creating more primary legislation to ensure that we have a bit more of this principle and a little less of that—on our area of disagreement with them. In a democracy, it is most important that we have independent courts, but also that, ultimately, the sovereign people
through their elected representatives can move the judges on by proper instruction; in our case, that takes the form of primary legislation.

Much has been made of how we implement whatever agreement we get, if we have an agreement, at the end of the now 19-month process in the run-up to our exit on 29 March. I think people are making heavy weather of this, because the main issue that will eventually be settled—I fear it will be settled much later than the press and Parliament would like—is how we will trade with our former partners on the date on which we depart.

There are two off-the-shelf models, either of which would work. In one, the EU decides, in the end, that it does not want tariffs on all its food products and cars coming into the UK market, and it does not want us creating new barriers against its very successful exports, as modified for WTO purposes, when we are outside the Union, or we will not. If we do not, we will trade on WTO terms when we are on the other side of the EU’s customs and tariff arrangements. We know exactly what that looks like, because that is how we trade with the rest of the world at the moment as an EU member.

The EU imposes very high tariff barriers on what would otherwise be cheaper food from the rest of the world, but if it decided on that option, its food would, of course, be on the wrong side of that barrier as well. We would have to decide how much we wanted to negotiate tariffs down for food from other countries around the world, which may offer us a better deal. It would be quite manageable; food is the only sector that would be badly affected by the tariff proposals under the WTO. More than half our trade would not be tariffable under WTO rules, and services obviously attract no tariffs. I have yet to hear any of the other member states recommend imposing tariffs on their trade with us, or recommend a series of new barriers to get in the way of other aspects of our trade. We will have to wait and see how that develops.

Nicky Morgan: Is my right hon. Friend saying that one of the largest and most basic amounts of its income that any household spends—the part that it spends on food—could be affected by these proposals, but that that is okay?

John Redwood: I am saying that either way, we could get a good deal. If the EU decides that it wants to impose tariffs on its food exports to us, we will be able to take tariffs off food that comes from other parts of the world. Under WTO rules, it is always possible to take tariffs off. We could start getting from the rest of the world food that is cheaper than that which we currently get from the EU, even though it does not attract tariffs. I want to look after customers.

The other thing is that if we just accepted the full WTO tariff rules, we would have about £12 billion of tariffs, and I would recommend that all of that £12 billion be given back to our consumers. They would be no worse off at all, because we would return the money to them. They might even be better off, if we did free trade deals that brought down the price of food from other parts of the world.

My final point to the Government is that there is an issue about how we decide the date of our departure. I think it is clear that our date of departure will be 29 March 2019. It will definitely be so if we do not have an agreement, which is still quite possible, but I think we should aim to make sure that we leave on that date even if we do have an agreement. We still have 19 months left, and that should be the transition for most of the things that need it. That is, surely, what the time is there to achieve. I recommend that we have the argument of substance over that date now, and that it be put in the Bill now. I recommend very strongly that we aim for 29 March 2019, because in one scenario that will be the date of our exit anyway, and in any other scenario it would be highly desirable.

People are always telling me that we need to reduce uncertainty. If we told them not only that all the laws would remain in place—getting rid of any uncertainty about the law—but that the date of our exit would definitely be 29 March 2019, we would have taken a lot of uncertainty out of the system. I think that that would be very welcome. I find that businesses now, on the whole, just want to get on with it. They are very realistic, and they want to know what they are planning for. They have got some of the details of exactly what that looks like, and they want as many details as possible. If we put that firm date in, we would make it easier still, so I would recommend that change to the Government.

Several hon. Members rose—

Mr Speaker: Order. Immediately after the next speaker, the time limit on Back-Bench speeches will be reduced to five minutes.

3.9 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): This has been a very thoughtful debate, and I hope that the Government are in no doubt about the scale of parliamentary concern about the way in which the Bill concentrates powers in the hands of Ministers.

In his opening speech, the Secretary of State recognised that the Bill is not what will take us out of the EU; Parliament has already voted for article 50, which will take us out of the EU—and rightly voted for it, as well. However, Parliament also has a job to do to hold Ministers to account and the Bill, as drafted, stops us doing that. It stops us standing up for democracy in this House, and it stops us making sure, frankly, that the Government do not screw up Brexit in the process they put it through and the decisions they take.

Many of the purposes behind the Bill are right. Parliament will need to repeal the 1972 Act, and Parliament will also need to transfer EU-derived law into UK law. As the Chair of the Select Committee, my right hon. Friend the Member for Leeds Central (Hilary Benn), has already said, we will have to have a Bill, but not for this Bill. There is a choice about the way in which we do this, and we do not have to do it in a way that concentrates so much power in the hands of a small group of Ministers.
Let me run through some of our concerns. The shadow Secretary of State, my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), set out a very forensic and powerful account of the Bill and the detailed powers that it will give Ministers, with no safeguards in place. There are the powers in clauses 7 and 17, as well as those in clause 9, and there is the fact that it will reduce British citizens’ rights. Far from allowing Brits to take back control, the Bill weakens protection for employment rights, equality and environmental standards; it weakens remedies and enforcement; and, crucially, it reduces the right of redress. It is both sad and telling that Ministers have chosen to exempt the charter of fundamental rights. I hope that that will be reversed, and that they will change their position.

The greatest concern—I want to focus on this point—is the concentration of powers in a way that, frankly, is not British. Parliament will not be able to do its job to stand up for citizens’ rights against a powerful Executive if the Bill goes through in the way that it has been drafted. The unprecedented powers given to Ministers in certain clauses—clause 7 and, in particular, clause 17—are powers that would make a Tudor monarch proud. Everyone knows that I do not put this on the provocation front of the provision. The sheer extent of the powers means that we will need both primary and secondary legislation as part of the process, but not to this scale, not with this lack of safeguards and not with this concentration of power in Ministers’ hands.

The Bill will give Ministers the power to change primary legislation for an incredibly broad range of reasons, and the test will simply be whether they think it is appropriate. The test is not whether a change is needed, proportionate or essential, but only whether Ministers consider it to be appropriate. The Bill also includes the power—the Secretary of State made slightly disingenuous remarks in the way he presented this—to create new criminal offences so long as sentences are not more than two years. That is a serious power to give Ministers on such a broad area without parliamentary scrutiny.

Let me give some examples of the things that the Bill would do. I raised the European arrest warrant with the Secretary of State, and his response to my question about what safeguards there would be was simply to point to the Human Rights Act. The Human Rights Act—by the way, Conservative Front Benchers have pledged to get rid of it—is not a sufficient safeguard. We know that we should not rely on the courts to have all the safeguards, and that we in Parliament should provide some of them as well. We also know that within the scope of the Human Rights Act there is a huge range of potential policies on extradition on which Parliament should have a say.

On my past record, I suspect that I am probably closer to the Prime Minister and the Home Secretary on what the extradition policy should be than many of their Back Benchers. I still do not think, however, that they should have unlimited powers to decide extradition policy without having to come back to Parliament.

We debated the Investigatory Powers Act 2016 forensically—in fact, it was an example of Parliament at its best. We knew that Act detailed consideration that balanced security and liberty and changed it as it went through. Given, however, that some of the Act’s genesis depended on ECJ judgments and its relationship with EU legislation, the Bill today could give Ministers the power to reopen the Act and change the primary legislation that we put forward with great care, and—again—to do so through secondary legislation only, without there being proper safeguards and checks in place. Ministers will have the power to rip up the working time directive, too, if it does not fit with what they think should happen under the appropriate arrangements after Brexit.

I do not trust the Prime Minister and the Cabinet with these immense powers. One would expect me not to do so, but no parliamentarian should trust them with these powers. None of us knows who the next Prime Minister will be or who will be in the next Cabinet. This is about the powers in principle, not who is doing the job right now. Clause 9 is particularly disturbing; it should not even be in the Bill. We should be legislating separately for the withdrawal agreement. We should have a separate Bill—and, yes, it would need to provide for secondary legislation; we should not be doing it now, when we have no clue what the withdrawal agreement will be, when we have not had a vote to endorse the Government’s negotiating strategy—we do not even know what it is on a whole series of different areas—and when there is not even a statutory commitment to a vote on the withdrawal agreement.

We could start legislating later, in the summer perhaps when we have a bit more of a clue where on earth this is all going, or perhaps in the autumn when the withdrawal agreement supposedly will have been signed. Then we could put the exit date, which some Government Members are concerned about, into primary legislation and legislate without giving Ministers any more powers than is strictly necessary, rather than hand them unrestricted power to do the job.

John Redwood: Does the right hon. Lady not accept that the Government are conducting the negotiations? Parliament can say, “We like the result,” or “We don’t like the result,” but we cannot amend it; it is what the negotiation is.

Yvette Cooper: I am not comfortable with the right hon. Gentleman’s enthusiasm for giving the Government blank cheques. Even if he is happy to support the Government and let them do whatever they want on the negotiations, he should be deeply uneasy about giving Ministers unrestricted powers to implement the withdrawal agreement in whatever way they so choose.

The Prime Minister has no mandate to do it this way. To be fair, she asked for one—that is what the election was all about; it was about subverting the Cabinet, her party and this Parliament—but she did not get one. In fact, the Conservative party lost seats. We now have a hung Parliament, and it would be even more irresponsible for a hung Parliament to hand over such huge powers to the Executive than it would be in any other circumstances.

We do not need to legislate like this. This is about more than just Brexit. It is about the precedents we set. Many hon. Members have quoted precedents about different kinds of secondary legislation, but that only strengthens the argument: we should not be setting a precedent in Parliament that hands this stonking great lump of powers into Ministers’ hands without any safeguards. This is about who we are. It is about what kind of democracy Britain should be.
Even before the Brexit legislation, the former Lord Chief Justice warned about the steady diminishing of Parliament, about the handing over of power and control, year after year, to the Executive—to be fair, that includes previous Governments, not just this one—and about the number of statutory instruments and the fact that since 1950 Parliament has said no to only one in 10,000 of those laid before it.

Henry VIII’s Parliament had an excuse. The man had a habit of chopping off people’s heads. What is the excuse for this Parliament? How can we possibly, in this generation, allow ourselves to become the most supine Parliament in history by handing over powers on this scale? We sit in the Chamber and listen to maiden speeches with great respect because we all still think that there is something special about being sent here by our constituents—sent with the power of democracy; sent on the wings of all those many thousands of ballot papers folded up with the crosses by our names. We think that we have a responsibility to hold the Executive to account, and not to hand over to Ministers, in an unrestricted way, all the power given to us by our constituents to do what they like with. Yet that is what the Bill is doing.

History will judge us for the decisions that we make now, for the precedents that we set and the choices that we make. Six months ago, I voted for article 50 because I believe in democracy, but now it is that same faith in democracy that means I cannot vote for the Bill. Let us not choose to be the most supine Parliament in history. Let us be the parliamentary generation that stands up for Parliament: the generation that pursues the article 50 process, but does so in a way that holds Ministers to account.

Several hon. Members rose—

Mr Speaker: Order. The five-minute limit on Back-Bench speeches will now apply.

3.21 pm

Sir Oliver Letwin (West Dorset) (Con): This has been a fascinating debate so far, and I am delighted that a little bird tells me that the Chief Whip and the Leader of the House are conspiring to try to make arrangements for it to be extended to midnight on the second day.

One of the most fascinating aspects of the debate has been the appearance of logic in what was said by not only the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper), but the Chair of the Select Committee, the right hon. Member for Leeds Central (Hilary Benn), and the shadow Secretary of State, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer). What they said sounded forensic and logical. The structure of their argument, as I think other Members will recognise, is as follows: “We do not like clause 9, we do not like clause 17 and we do not like schedule 7, and therefore, instead of waiting to see whether they will change in Committee before voting on Third Reading, we will reject the Bill on Second Reading.”

That is not what logicians call logic: it is what they call a non sequitur, which prompts the question, “Why the non sequitur?” The answer is that the three people whom I have just mentioned are among the cleverest people in Parliament. They understand logic perfectly well, and they understand what a non sequitur is. The reason they are engaging in such an argument is that they hope to make some combination of trouble for the Government, or for the Brexit process. Conservative Members should pay not the slightest attention to such “un-arguments” and should get on with the business of examining the Bill as it is.

Having said that, I rather agree—in fact, I strongly agree—with what was said by my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith), and, indeed, with some of what was said by the former Chancellor of the Exchequer, my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), and my right hon. Friend the Member for Broxtowe (Anna Soubry). There is a lacuna here, and we do need to look at those clauses again. I suspect that much of the remedy will lie in the use of a combination of the Joint Committee on Statutory Instruments as the ultimate body and, for instance, the Social Security Advisory Committee to do the detailed work on what will probably be near on 1,000 technical statutory instruments before the House comes to consider the really serious matters that will need to be dealt with in one way or another.

There is, however, one point that I want to make in advance of the Committee stage in the hope that the Government will consider it between now and then. One fundamental issue has not been addressed in the debate so far. It relates to what we used to call the kind of court that can always depart. So I think that it is more of a ritual utterance than anything else.

According to clause 6(3),

“Any question as to the validity, meaning or effect of any retained EU law is to be decided by domestic courts in accordance with any retained case law and any retained general principles of EU law.”

In other words, those parts of the Bill, as currently drafted, enshrine the CJEU, with its expansionist teleological jurisprudence, as the basis for deciding what the law of the land is.

Joanna Cherry: Will the right hon. Gentleman give way?

Sir Oliver Letwin: I am sorry, but I will not. I do not have much time. I do not believe that that is a very good way to do it, but if it were a good way to do it, we should certainly remove the reference to the Supreme Court not being bound by it, because it is not one solo parliamentarian who has no legal expertise but is, rather, the retiring president of the Supreme Court, whom we do have to pay some attention to, who has pointed out that there is an ambiguity here.
Mr Grieve: It is by no means the only ambiguity in this Bill, but I agree entirely that to ask the judiciary to carry out an interpretation of something that is so odd and, I have to say, vaguely worded is a recipe for disaster and is something this House should avoid doing.

Sir Oliver Letwin: I agree with my right hon. and learned Friend about that and hope that in Committee we will be able to address that head on. My personal belief is that we should address it in the form of changing clause 6(3), to ensure that it is open to—indeed, that we give an inducement to—our courts to move back to the plain words of the texts of the treaties and directives, so far as they judge that can be done without injustice to individuals. That is the principle that most people who voted for leave, and indeed many of us who voted on balance to remain but have been extremely sceptical about the activities of the ECJ and the Court of Justice of the European Union for many years, would wish to see enshrined in this legislation. I suspect that I might even carry my right hon. and learned Friend the Member for Rushcliffe on that point, because he was, somewhat surprisingly, very sceptical about the ECJ on many occasions—I say surprisingly, because, despite his enthusiasm for the EU, which I never quite managed to share, actually he is a very good parliamentarian and a very good lawyer and recognises that we do not want a court that makes its own law. So I think we have a way forward that we can seek to follow in Committee.

None of that should obscure the fact that this is a good and necessary Bill. Nothing that the Opposition have said has suggested that there is any structural deficiency. Therefore, I will vote for it, and I hope all my friends and colleagues on the Conservative Benches and, indeed, many on the Opposition Benches will do the same.

3.26 pm

Rosie Duffield (Canterbury) (Lab): It is a great privilege to make my maiden speech as part of this special and important debate. Many people—especially me—were completely stunned on the morning of 9 June to wake up and find that a new red dot had appeared on the previously entirely blue political map of Kent. I am still recovering from the shock, but am also determined to bring as much positive difference as I possibly can during my time in this place.

Before I speak a little more about my constituency, I want to mention the so-called “trolling” of my, mostly female, colleagues over the summer. I have already experienced a fair amount of trolling myself. This ranges from ill-informed, badly researched articles published as fact to unpleasant personal messages late at night, and vile, vitriolic insults from a small, but persistent, handful of activists from other parties posted online.

I acknowledge the efforts being made by the inspirational women in Parliament who are working hard to raise this issue and are fighting against it even though that usually results in much more abuse being thrown their way. I want to make special mention of my friend, the Newham councillor Seyi Akiwowo, who has endured, fought back against and now campaigns against the lowest form of racial abuse; and, of course, Labour’s shadow Home Secretary, who has shown incredible dignity and remarkable strength in the face of the most unacceptable and disgusting abuse over her decades in this House.

Groups such as Glitch UK and Reclaim the Internet, led by my colleague my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) and many of my other friends and colleagues in this House, are deserving of our support. We must continue to fight against this and highlight the problem; it is entirely possible to engage in passionate political debate without resorting to name-calling, death threats and abusive language. Let us restore respect and manners to our online behaviour.

As the first woman ever to have been elected in Canterbury and as a single mother, I want to be a champion for equality not only for women, but for the disabled, people of every ethnic and racial background, the young and the old, the LGBT community and people of all faiths and none. It is a scandal that in this day and age there is still inequality in pay and discrimination in many forms. All such prejudice has no place in our society; I will challenge and fight it wherever I find it.

My constituency, Canterbury, is famous as a place of pilgrimage. It is also known as part of the garden of England. Today, as we sit here in the Palace of Westminster, the farms surrounding my constituency are filled with apples, hops and plum trees. In some ways, nothing has changed since Chaucer and his pilgrims went walking through those same fields, but in many ways, everything has. In those fields today, many of the fruit pickers are European. Every day, in the streets of my city and the nearby seaside town of Whitstable, we hear European languages being spoken by schoolchildren visiting from France, Spain, Germany and Belgium.

At the top of the hill that overlooks Canterbury city lies the University of Kent, which prides itself on being the UK’s European university, and standing outside the nave doors of Canterbury cathedral, you are closer to Paris than you are to Sheffield. This is just my way of emphasising how much the Canterbury constituency has benefited, and continues to benefit, from economic and cultural exchange with our European neighbours. It is undoubtedly true that the Kent economy has benefited from immigration and tourism from across the channel, and we hope to continue to do so well into the future.

If there must be a Brexit, I want only the sort of Brexit that protects the rights of EU nationals to work in the UK, that promotes trade across borders and that is proud of our many students and academics who come here to study from across the world. For example, we want to continue to welcome the foreign doctors, nurses and other healthcare professionals who have worked in our hospitals. There is real anxiety in the constituency I now represent about the future of our local NHS and, in particular, the Kent and Canterbury Hospital. Over the past decade, it has lost vital services. We now have absolutely no A&E, and the maternity unit which gave me such wonderful care when I had my two boys, has gone. Only a few months ago, the K and C lost three major services—those covering heart attacks, stroke and pneumonia.

But let us remember that the threat to our hospital is not happening in isolation. The problems facing our NHS arise from Government policies affecting the whole of England. The first of these is budget cuts. Our local
hospital trust does not have a deficit of £40 million because of overspending; it is caused by underfunding. Putting the shackles of austerity on to an already weakened NHS is a deliberate political choice made by this Government.

I must speak up to save our nation’s sickest patient, because that is what the NHS is. Our NHS is the nation’s sickest patient, and the Government must be careful that, while burying their heads in Brexit, they do not leave her to die. Yesterday, I was out in Parliament Square supporting NHS staff and other public sector workers who are having to resort to protest in the face of the ongoing pay cap. Some nurses I speak to regularly are having to rely on food banks. What sort of country is this, when we cannot look after the very people who look after us?

In around 1370, long before he wrote “The Canterbury Tales”, Geoffrey Chaucer was sent to Italy by the King to negotiate a trade agreement between Genoa and England. Historical documents show that it was a very successful trade agreement indeed. I can only wish that our current Brexit negotiations with the EU will be as successful. You would think that after nearly 650 years, we would have picked up a tip or two! I hope the current Government are listening to the whispers of history, and indeed to today’s shouts from up and down the United Kingdom. People want a good deal. They do not want no deal; this is not a television game show. We must come out with a deal that does not send us back into the economic dark ages.

As is the tradition in maiden speeches, I would like to thank my predecessor, Sir Julian Brazier, who served the people of Canterbury well as their Member of Parliament for 30 years—some 10,955 days. I am sure that Members on both sides of the House will acknowledge what a remarkable act of dedication and service that was. He and I fundamentally disagreed on many issues, such as equal marriage, Brexit and a woman’s right to choose, but I sincerely wish Sir Julian well for the future.

I love Canterbury. I love her surrounding villages such as Littlebourne, Chatham, Blean and Bridge. I love the working harbour of Whitstable and the pebbles of the surrounding Kent coast. I am humbled by the people of my constituency putting their trust in me, and I want to work hard for all the people in my area. I believe in unity and togetherness, and that love and trust can transcend borders. I believe in meaningful change and thought and our neighbours without prejudice. Thank you for listening, Mr. Speaker, and for allowing me to have my first moments fighting for the people who elected me. I will not let them down.

Mr Speaker: Thank you; many congratulations to the hon. Lady. The five-minute time limit is now restored.

3.34 pm

Nicky Morgan (Loughborough) (Con): I congratulate the new hon. Member for Canterbury (Rosie Duffield) on an excellent and confident maiden speech. I was sorry to hear about the online abuse that she has already experienced but pleased to hear about the support she has received. She talked about unity and togetherness, and she might have found the House at a challenging time for such things, but we will hopefully find a way through these debates. Her predecessor was a doughty champion of the armed forces, about which he spoke often in this House.

So it starts—the real process for getting us out of the European Union. The Bill is needed. It is needed legally to disentangle us and to make many people really believe that we are actually going to leave the European Union, something that I have not had difficulty believing. Like many colleagues who share my views, I have been clear since 24 June 2016 that it was going to happen because, as the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) said, we believe in democracy in this House of Commons. However, the Bill contains two major ironies. First, as was said earlier, it is not a repeal Bill but a reintroduction Bill, and those who wanted to get away from EU law now seek to bring it all over here. Secondly, those who wanted to take back control showed no concerns about the amount of Executive power that will be wielded as a result of the Bill until a number of the rest of us started to highlight such issues, and they now claim to be happy with the amendments that might be discussed in Committee.

In the limited time available, I want to draw attention to two parts of the Bill that have already been discussed. It is worth putting them on the record again so that Ministers are in no doubt about the parts of the Bill that they are going to have to discuss with colleagues throughout the House and agree amendments to if they want the Bill to pass. The first is the Henry VIII powers in clause 9, which could theoretically bite on the Bill itself and allow Ministers to amend the very legislation that the House is now debating and being asked to assent to. We might ask why we are going through the troublesome and time-consuming business of getting the Bill into shape when Ministers can use clause 9 to reverse the changes they dislike with speed, efficiency and a minimum of parliamentary oversight. The Secretary of State’s response to the right hon. Member for Leeds Central (Hilary Benn), the Chairman of the Exiting the European Union Committee, about the fact that the withdrawal agreement should not be implemented until this House has had its say, is incredibly important.

Anna Soubry: Will my right hon. Friend advise ardent leavers, possibly those on the Government Benches, that there is a real danger that the amount of money that might be paid to the European Union by way of what we call this divorce bill could be decided by the Government without report or redress in this place by virtue of clause 9?

Nicky Morgan: I thank my right hon. Friend for that intervention. She is absolutely right. As a former EU budget Minister, I can say that money will be paid to the European Union, and I disagree fundamentally with the remarks of my right hon. Friend the Member for Wokingham (John Redwood). As one of our MEPs, Dan Hannan, said, this country pays what it owes. We have made financial commitments to the European Union until 2020, and we should pay what we owe. As the Secretary of State has said previously, we may well even decide to pay more towards some elements in order to have access to them, in particular Horizon 2020 and so on.
The second issue is the power for the Ministers to specify the date of the exit day, which will be subject to no parliamentary scrutiny procedure whatsoever. Interestingly, the Secretary of State started his remarks by saying that the Bill does not take us out of the European Union. I did think about intervening, but it was very early in his remarks and I thought that he might clarify things. The difficulty with what he says is that clause 1 baldly states:

“The European Communities Act 1972 is repealed on exit day.”

If the 1972 Act is repealed, the UK leaves the European Union, so if this Bill is passed and its provisions are enacted, we will leave the European Union. Article 50 is a process for giving notice to start the discussions. I am afraid that the Secretary of State was not correct about that.

Why does scrutiny of statutory instruments matter so much? I suspect that Members have been having discussions with businesses and others who rely on EU law to go about what they do, and they are telling us very clearly that what will make their life easier and a transition possible is regulatory convergence, which means sticking to the regulations and rules we have been following for years, whether we are talking about pharmaceutical companies, financial services companies, food exporters, farmers, universities or many other different sectors.

To those who seek to say that we have been rule takers, not rule makers, I say that successive Ministers, including me, have sat at the European Council table and had those debates. The point is that if we want to have regulatory convergence after March 2019, which is what we are hearing, we will have to take the rules without having had any influence on them.

Finally, I am a proud parliamentarian, and the maiden speech of the hon. Member for Canterbury has just reminded me of how special it is to be elected to this place. Parliamentary scrutiny is not an affront to democracy; it is its very essence. The true saboteurs of Brexit are those who would sanction the exclusion of Parliament from this process. The debate on this Bill has only just started.

3.41 pm

Mr George Howarth (Knowsley) (Lab): I, too, congratulate my hon. Friend the Member for Canterbury (Rosie Duffield) on a speech that was fluent, forceful and, at the same time, generous to her predecessor. Her speech has also made me determined to visit Canterbury, which sounds such a delightful place.

I have a few points: on why people voted to leave in the referendum; on where the Bill stands in relation to why people voted to leave; and on how all the other aspects of Brexit are going, and how they relate back to why people voted as they did. There may be other areas, but there are three that I think are most relevant. First, people voted to restore the sovereignty of the United Kingdom. However they define that sovereignty, the issue was certainly debated forcefully, and it was occasionally raised on the doorstep—I use the word “occasionally” advisedly.

Secondly, people voted to restore some kind of economic independence. People felt that we were spending too much money in Europe and that we would be better off outside, where we could negotiate better trade arrangements with the rest of the world—everything in the garden would be rosy. Thirdly, the issue most commonly raised with me on the doorstep was immigration.

I will briefly address those three points. On the first issue of sovereignty, the hon. Member for Stone (Sir William Cash) and the right hon. Member for Wokingham (John Redwood) can dance on the head of a pin all they want about what the Bill actually does but, as my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) so forensically demonstrated, the Bill is a transfer of power from Parliament and towards the Executive. That certainly is not what the people in my constituency voted for.

Secondly, on economic independence, apart from the fact that it will potentially cost us £70 billion just to walk away, people did not vote for a worse trade deal and for worse economic relationships with the European community. Okay, I accept that the Prime Minister says, “You can’t leave and, at the same time, be a member of the single market. You cannot leave and, at the same time, be a member of the customs union.” I am sure she is right, but let us be honest about what we know the Government are seeking to do.

Peter Grant: Please will the right hon. Gentleman explain Norway’s arrangement? Norway has never been in the European Union but is a full member of the customs union and single market, as are Iceland and Liechtenstein. It is a complete fallacy to suggest that being outside the EU has to mean a country is outside the single market—unless it chooses to be.

Mr Howarth: The hon. Gentleman makes a good point. The one I was going to make is that if we are being brutally honest, we all know what is going to happen. The Government, through the negotiations, are going to find a set of arrangements as close as possible to being part of the single market but without being a member of it and something approximating the customs union. If they do not do that, they will not be looking after the best interests of this country. That much we know, which leads me on to the question about immigration.

If the Government are going to achieve anything approximating the customs union and some sort of relationship with the single market, the price they are going to have to pay is to agree some sort of approximate arrangements about the free movement of labour between the UK and the EU. Ministers might say, “Well, we can do that.” No, you can’t. The reality is that if the people negotiating on behalf of the EU were to say, “Okay UK, you can have something that approximates the single market and customs union, and you don’t need to worry about any free movement of labour”, they would soon be removed from their negotiating positions. This idea is not realistic.

Where are we in this audit of what we have achieved since the referendum? First, we have a set of arrangements in this Bill that are less democratic, and that give less power to Parliament and more power to the Executive. That is hardly what was promised in the referendum. Secondly, we are likely to be paying £70 billion for the privilege of leaving—not getting £350 million a week to put back into the health service. Finally, if we get anything like reasonable arrangements on our economic
relationship with the EU, we are going to have to accept some level of free movement of labour. Everything people voted for is going to be betrayed.

3.47 pm

Mr Owen Paterson (North Shropshire) (Con): I join the right hon. Member for Knowsley (Mr Howarth) in congratulating the hon. Member for Canterbury (Rosie Duffield) on her excellent maiden speech. We were all thoroughly in tune with her on the abuse she has suffered and I hope she will work with other Members on that. She paid a generous tribute to her predecessor, Sir Julian Brazier, who was a fine parliamentarian for many years.

Some 17.4 million people voted in the referendum to leave the European Union and 16 million voted to remain. Polls show clearly that a large percentage of the 16 million now want us to get on with it. If we do not, catastrophic damage will be done to confidence in the integrity of all of us and the UK political establishment. We must progress taking back control to our democratic institutions of our laws, borders and money. In February, 494 Members voted to trigger article 50, and we will exit at midnight on 29 March 2019. What we are debating today is a crucial stage in that process, because article 50 states:

“Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements.”

That requires us to repeal the European Communities Act 1972—good riddance to it; we will be a better country without that Act.

Today, we have seen a strange mixture of “Project Fear” morphing into “Project Humbug”. I had the pleasure and honour of serving as a junior member on the European Scrutiny Committee for several years. I clearly recall being shocked by the piles of papers imposing burdens on our citizens, which we could not debate or amend. One day, a couple of Labour members were ill and a Lib Dem member got stuck in the lift, so we were able to vote for a most pernicious measure affecting the dairy industry in my constituency to be debated on the Floor of this House. We could not have amended it, but we could at least have debated it. However, the then Leader of the House, the right hon. Member for Derby South (Margaret Beckett), stood up in business questions and cancelled the debate. All that will stop; from now on, we will have the power to debate these measures. We will not impose law on our benighted citizens that we have not debated.

There is all this talk about “Project Fear”. As a founder member of Vote Leave—I was one of the first three MPs to join—I remember discussing changes to employment rights with the hon. Members for Vauxhall (Kate Hoey), who is in her place, and for Bassetlaw (John Mann). I reassured them that at absolutely no stage had any Tory Member considered changing employment rights. I cannot remember any discussion, private or public, where it was raised. It is pure “Project Fear”. Employment rights will be brought back into the control of democratically elected politicians in this House.

I thought the Opposition spokesman, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), made a very interesting argument, taking the very worst case. I hope that the Government will listen to concerns about how some of the so-called Henry VIII clauses might be amended. I suggest that clause 7(7) brings in a sunset clause of two years. I think more judicious use of sunset clauses might be valid, but we must press on, because we need a smooth transfer of power. According to EUR-Lex, 3,055 agriculture measures may need transposition. In fisheries, one of my previous responsibilities, there are 786 measures. In total, there are 20,319 measures. Businesses need smooth continuity.

Some years ago I looked at the history, having had a private Member’s Bill on the disapplication of EU law, the European Communities Act 1972 (Disapplication) Bill, and there are many historical precedents. The colonies of Virginia, Delaware, Pennsylvania, New York, North Carolina and Massachusetts all took the then English and Welsh common law into their corpus of law. When Australia and New Zealand left our jurisdiction, they also did that. Interestingly, India did exactly the same in 1947, and it is still amending its law. Only in 2016 did it pass an Act amending 90 Raj-era Acts, including the Elephants Preservation Act 1879.

What we are doing is setting up a continuous process, and Labour’s position is wholly ludicrous. Some 162 Labour Members voted for article 50. Labour’s manifesto said:

“Labour accepts the referendum result.”

That manifesto also said that Labour wanted to leave the internal market and the customs union. The Labour leader has to be the most contumacious leader of any party.

Mr Duncan Smith: This intervention is not about the Elephants Preservation Act 1879. Does my right hon. Friend not agree that the most complex area here is within the remit of the Department for Environment, Food and Rural Affairs, because so much of it was run by the European Union? Many of those laws will need to be changed and added to, and that is why some of the powers in the Bill are necessary.

Mr Paterson: My right hon. Friend is spot on. That is why the Government sensibly are going to bring forward primary legislation in this House on agriculture, fisheries and the environment.

I ask the Labour party to look at its position. It is ludicrous. It has a leader who has rebelled against his party 617 times and has to be the most contumacious leader in this country’s political history. It accepted the referendum in its manifesto and voted for article 50. The sensible measure is for the Labour party to vote for Second Reading and then see reasoned amendments put through in Committee. Many of us would agree that the Bill can be improved, but the public will not forgive Labour if it is seen to be monkeying around with the political process, playing cheap political games when 17.4 million people voted to leave and take back control of our laws, our money and our borders. I will be voting for Second Reading on Monday.

3.53 pm

Mr Chris Leslie (Nottingham East) (Lab/Co-op): The right hon. Member for North Shropshire (Mr Paterson) talks about promises made, but I think we all remember the promises made by those campaigning to vote leave in the referendum, resulting in the Bill we have before us. They promised £350 million a week for the national
health service, and I am still waiting to see that clause in the Bill. The Secretary of State for International Trade said that it would be the easiest thing in the world for us to have all these fantastic trade deals and that by now we would be halfway towards trade deals 10 times the size of the European Union. And yes, as the right hon. Member for North Shropshire helpfully repeated, they promised that if we held that referendum and got that result, we could take back control. Well, here we are, with this Bill before us, and it is indeed the case that some are taking back control, but it is not Parliament; it is the Prime Minister and the Executive—those on the Crown payroll.

As my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) said earlier, it is unacceptable with respect to the British constitution that we should be asked almost to create one of the most supine Parliaments that has existed around the world, as we are in the shape of the provisions set out in the Bill, particularly clauses 9 and 17, which will gift such wide-ranging powers to Ministers. As I indicated when the Secretary of State opened the debate, it is all very well for Ministers to promise, “Don’t worry, I give you an undertaking that we won’t misuse this power in this particular way.” Just because it says that we can take any order-making power if we deem it appropriate, we won’t abuse it in any way,” and it is all very well that the legislation says the Government will use the super order-making power, which will allow them to make an order for a month without reference to Parliament even through a negative statutory instrument, only if it is urgent, but that definition is entirely in the hands of Ministers, and of course Ministers are here today, gone tomorrow.

Ministers can come and they can go. Members from all parties need to imagine their worst-possible scenario for who could be Prime Minister. Stranger things have happened. They should think about whether they want to vest in the hands of that individual—he or she—those massive and sweeping powers, perhaps for a prolonged period. It is true that clause 9 says there might be a two-year limit for some of these powers, but of course that clause will allow a Minister to reform this Bill itself when it is an Act. The Minister can simply say, “Two years—no, I have changed my mind, let’s go for three. Let’s go for five years.” It is a completely ridiculous open-ended measure.

We will not have much time to debate the Bill. We have a ridiculous programme motion that gives only eight days for scrutiny in Committee. The Bill gives carte blanche in so many ways. By the way, the Ways and Means and money resolutions on which we will vote on Monday grant powers for “any expenditure” under the withdrawal agreement, possibly including that £30 billion, £40 billion or £50 billion—who knows?—divorce alimony settlement. It is ridiculous that Parliament would take away its own powers in this way. We have to be able to see the withdrawal agreement and the seven pieces of Brexit legislation before we hand to Ministers such sweeping order-making powers.

The Bill is not just about process and processology in this place. I sometimes wonder whether the public look at us and think, “Why are you officiously checking the air pressure on the tyres before you get in a vehicle and drive it over the cliff edge?” The debate is very much about whether Britain leaves or stays in the single market, because the Bill will delete the European Economic Area Act 1993. It is very much about whether we have a good free trade arrangement without tariffs and customs barriers, because the Bill will take away many of the arrangements we have for a common commercial alliance with our European partners. It is about jobs, business and austerity, because the Treasury needs the revenues from a decent economy to pay for public services. That is what we are fighting for, so the Bill needs to be opposed.

3.58 pm

Mr Dominic Grieve (Beaconsfield) (Con): First, I congratulate the hon. Member for Canterbury (Rosie Duffield) on her maiden speech, which I greatly enjoyed. Canterbury is a city I know well: it is where I spent many of my early years at the Bar, cutting my teeth as an advocate. I hope I can remind myself of some of the lessons I learned there in contributing briefly to this debate.

I shall support the Government in the vote on Second Reading. The Bill is vital: we cannot leave the European Union sensibly without such a Bill on the statute book. The Government need support, and they will have it from me. Nevertheless, I regret to have to say to my right hon. and hon. Friends that unless the Bill is substantially improved in Committee, I will be in no position to support it in its current form on Third Reading.

In many respects, it is an astonishing monstrosity of a Bill. Its first failing is its entreatment of EU law itself. I do not much care for EU law— I did not much enjoy practising it, although I had outings to the European Court of Justice when I was Attorney General—but it is a different form of law from our own, which we imported, and which, in many ways, has filled vast areas that otherwise we would have developed in our own domestic law. So we need to nurture it, because we cannot get rid of it overnight without leaving enormous gaps. In addition, there are safeguards within EU law that do not exist within our law and need to be retained, because otherwise EU law will act unfairly. Again, they are different from our own.

I have a number of areas of concern. The Bill does not deliver clarity. Its importation of EU law is hedged around with ambiguities that undermine one of the key pillars of the rule of law, which is certainty about what the law is. One example is given by my right hon. Friend for West Dorset (Sir Oliver Letwin), but there are numerous others. For example, Clause 2(1) is so widely drawn that retained EU law will include domestic law that was implemented entirely domestically but has a link to the EU. That would then make something like the Equality Act 2010 susceptible to change by statutory instrument in clause 7—something which I suspect everybody in this House would regard as completely unacceptable.

Sir Oliver Letwin: Does my right hon. and learned Friend agree that we could add that in Committee not through a change to clause 2, which is pretty fundamental, but through changes in clauses 7, 8 and 9, with which we are already concerned?

Mr Grieve: Absolutely. I entirely agree with my right hon. Friend. These are all curable, and readily curable, with just a little bit of will.
There is another example on which we have already touched. EU law never used to be divided between primary and secondary legislation. Interestingly, it is all being treated as primary, which has the nice merit—I am sure that someone in Whitehall dreamed this up—that none of it would be susceptible to be quashed by a challenge under the Human Rights Act. That may not matter, but it is capable of causing unfairness when it is linked to the fact that the other area of challenge that would normally be available, which is a challenge because something is in breach of the general principles of EU law, has been delicately removed along with the charter of fundamental rights.

I hope that I may be forgiven for saying this about my right hon. Friend. Friend the Secretary of State. I have had some wonderful times with him—journalists once said of him that he used to stand up and club Labour Home Secretaries over the head and then I would come along and dissect them in public with a legal scalpel—but I just slightly detect that he was looking a bit like a fugitive as the legal scalpel started to move in on him. I do not know where that idea came from, but somebody will have to sort it out. We will have to do it at the Committee stage of the Bill. There are other examples that I could give, but I do not have the time to do so right now, so I shall leave them for the Committee stage in which I intend to participate actively.

Let me move to the Henry VIII clauses. The current situation is ridiculous. I recognise that there will have to be Henry VIII clauses. Of course we cannot carry out this massive revolutionary transformation by primary legislation alone, but we can ensure that we have the necessary safeguards in place. The most obvious one is to have an established parliamentary system of scrutiny to ensure that the different types of statutory instruments that will be needed are correctly farmed out. I do not know where that idea came from, but somebody will have to sort it out. We will have to do it at the Committee stage of the Bill. There are other examples that I could give, but I do not have the time to do so right now, so I shall leave them for the Committee stage in which I intend to participate actively.

Stephen Lloyd (Eastbourne) (LD): Will the right hon. and learned Gentleman give way?

Mr Grieve: No, I must make progress. There is another issue with Henry VIII clauses. We need to look at the ones we have, as some are much too widely drawn. For example, clause 7 talks about “any deficiency” in an EU measure. It is one thing to say that it is inoperable, but quite another to say that it is deficient. Frankly, I could find arguments to suggest that every single law in this country is deficient. I am afraid that these will have to be changed.

Finally, let me turn to the question of the programme motion. I have no objection to programme motions; they are very important and, in my view, a properly structured programme motion can work well. I am prepared to support the Government on such a motion as long as I have an assurance that, so long as it is not because of filibustering, if we run out of time we will get more. That is vital. With that, I wish the Bill well. I hope that I might be able to improve it and I look forward to being able to support the Government on Third Reading and bring this important constitutional measure to completion.

4.5 pm

Tom Brake (Carshalton and Wallington) (LD): There were some excellent speeches after the Secretary of State’s. Things went slightly downhill after that but things started to look up with the maiden speech by the hon. Member for Canterbury (Rosie Duffield). I have just one slight criticism: she did not mention Barham in her list of villages, which is one I know very well. I thank the right hon. and learned Member for Beaconsfield (Mr Grieve) for his speech and his reference to the monstrosity that is this Bill.

The Liberal Democrats believe that Parliament must be given comprehensive sovereignty and scrutiny over this process. This opinion is widely supported, not just by many Members on both sides of this House but by organisations such as the Law Society, which states that the Bill “must respect parliament’s role in making and approving changes to UK law”.

Parliament must drive the future of the United Kingdom and of Brexit, not Ministers using Executive—indeed dictatorial—powers to exercise total control over the legislative process. The Government’s decision to provide just two days for Second Reading means that Members will have just five minutes in which to make their points and eight days in Committee for a Bill that unravels 40 years of closer EU co-operation, shows the extent to which Parliament is held in contempt by Ministers.

The Secretary of State and other Ministers might be quick to dismiss Lib Dem criticism of the Bill, but before they do I would encourage them to think back to 2008 and the by-election triggered by the Secretary of State, the catalyst for which was Labour’s highly illiberal plan to increase pre-charge detention from 28 to 42 days. A build-up of attacks on our civil liberties led him along that by-election path and there is a widely held view, which I share, that this Bill represents a major attack on parliamentary sovereignty and therefore a present and future risk to our civil liberties. I am not alone. A legal expert at Bryan Cave, commenting on the Bill, said that it will give “powers allowing ministers to fast-track the implementation of certain EU laws into domestic law through regulations without parliamentary debate.”

Liberty’s analysis is that the Bill “could be used by Ministers to ride roughshod over UK citizens’ human rights” leaving “gaping holes where our rights should be.”

There are similar concerns from the Fawcett Society that the Bill could be used to alter UK laws on equality and human rights without parliamentary scrutiny.

Indeed, some Government Members, if they pride themselves on holding consistent views, should also be alarmed. Thirteen Government Members and five from these Benches, some of whom are here today, wrote to The Daily Telegraph in January 2016, stating:

“Whatever one’s views on the EU debate, many will agree that parliamentary sovereignty should be the key focus in any renegotiations.”
They now have an opportunity to demonstrate by their actions rather than their words that they value parliamentary sovereignty more highly than ministerial expediency. Will any of them have the courage of their convictions, or did their commitment to parliamentary scrutiny have an expiry date of 23 June 2016?

The truth is that the Bill was always going to be a sow’s ear, because the Government started the negotiations without clear objectives or outcomes in mind so the Bill had to cater for any eventuality or scenario, deal or no deal. What started with democracy must not end with a stitch-up by Ministers. The Liberal Democrats believe that the people, as well as politicians, must have a meaningful vote on the final deal. If they do not accept the deal negotiated by the Prime Minister and her Cabinet, they should have the option to remain a member of the European Union. The Bill must provide for this, but instead it denies Members of Parliament our right and duty to scrutinise and takes powers away from devolved Governments. It gives unbridled power to Ministers and makes a mockery of Brexiteers’ rallying cry of “Take back control of our laws.” It must be resisted at every turn.

4.9 pm

Mr David Jones (Clwyd West) (Con): As my hon. Friend the Member for Stone (Sir William Cash) pointed out, this is an historic Bill by any standards. In fact, it is hard to think of a clause 1 of any Bill more momentous than:

“The European Communities Act 1972 is repealed on exit day.”

But beyond that, it is possibly not such a dramatic piece of legislation.

I was quite pleased when the original working title of the “great repeal Bill” was abandoned because it is not, beyond clause 1, a repeal Bill. In fact, it is the great preservation Bill. It carries out a workaday, almost prosaic function but, nevertheless, an important one: to preserve in United Kingdom law the European law we have absorbed over the past 44 years to ensure that there will be a working statute book in this country on the day of exit, which will very probably be the stroke of midnight on 30 March 2019, Brussels time. This should not be a contentious matter. All Members of this honourable House should be anxious that we have that certainty for business and the citizens of the country when we leave the European Union. I am surprised, therefore, that the Opposition have decided to table a reasoned amendment in which they make it quite clear that they intend to wreck the Bill.

I really wonder whether the Opposition have given any consideration to the impact that their decision may well have on the interests of business and commerce in this country. We have to ensure that the statute book works on the day of exit. Frankly, the only way that we can achieve that in the timescale by which we are constrained, and which is set out in article 50, is to have a flexible and pragmatic system such as the one laid out in the Bill. That does not mean that the Opposition supinely have to accept everything without possibly considering amendment, but it really is quite reprehensible simply to go along a course of trying to wreck the Bill.

We certainly have to consider the mechanisms that are to be employed. Listening to the speeches of the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) and other Opposition Members, the overall impression I get is that the concern is not so much about the methodology of ensuring continuity of legislation. It is rather the issue of scrutiny of the measures that will have to be brought forward under secondary legislation. Some measures will certainly be prosaic and straightforward. For example, I cannot think that anyone would object to a measure that would replace a European institution with a British institution as needing anything more than a piece of secondary legislation under the negative procedure. Other measures will certainly be of greater moment.

The right hon. and learned Member for Holborn and St Pancras mentioned today’s report by the House of Lords Constitution Committee. An earlier report of that Committee in March this year came up with certain sensible suggestions for scrutiny. One example was setting up a Joint Committee of both Houses, an idea that my right hon. Friend the Member for Broxtowe (Anna Soubry) also touched on. I would have thought that, rather than seeking to destroy the Bill—with all the adverse consequences that would have on the national interest—Opposition Members should possibly give consideration in Committee to putting forward some enhanced form of scrutiny of the sort that was contemplated by the Constitution Committee in its report. That is the proper way forward.

Simply to seek to destroy and wreck the Bill does nothing for the reputation of this House, and we have heard so many speeches this afternoon about preserving that reputation. I, for one, am happy to support the Bill on Second Reading and I urge other hon. Members to vote for it.

4.14 pm

Graham Stringer (Blackley and Broughton) (Lab): I will support the Bill on Second Reading for two reasons—one relatively small and personal, and the other to do with the general principles of democracy.

The first is that, when I joined the Labour party as a very young man, my Labour MP, Paul Rose, who was the youngest Member of Parliament elected in the 1964 Parliament, was one of the 69 Labour rebels who voted with Ted Heath to implement the 1972 Act. I have been smouldering with quiet anger over the 45 years since that happened, so it is a personal delight to be able to vote to repeal that Act—Paul Rose certainly made his constituents and constituency party very angry at the time.

The much more substantial reason, however, is that we had a referendum last year, and people voted by a majority to leave the European Union. Although this is not the Bill that takes us out of the European Union—that is done under article 50—it is absolutely fundamental to leaving the European Union. Having made their decision, and many of the people who voted remain having come to the conclusion that we should get on with it, I do not think people will understand the Labour party’s tactical position of voting against the Bill, having said in the general election only three months ago that we would implement our manifesto. That is not the Bill that takes us out of the European Union—that happened, so it is a personal delight to be able to vote to repeal that Act—Paul Rose certainly made his constituents and constituency party very angry at the time.

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Having said that, I think my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), who led for the Labour party, made some substantial points about flaws in the Bill, as did other speakers. While I will vote for Second Reading, I hope Ministers are listening carefully to what has been said and will come forward with compromises. It is not healthy to have so many Henry VIII clauses. Every Government has had Henry VIII clauses, but not of this substantial nature.

I have never liked self-amending regulation, which was one reason I went through the Lobby against the Lisbon treaty with the Leader of the Opposition and the shadow Chancellor. The Lisbon treaty contained passerelle clauses, which effectively allowed bureaucrats in Brussels to change our laws without any response from Parliament. To respond to what the previous Attorney General said earlier, I do not believe that two wrongs make a right, but I do believe in consistency: it was certainly wrong to have passerelle clauses and huge Henry VIII clauses before, and it is wrong now. I hope the Government will listen to the reasonable points that have been made.

A great many points have been made, and one cannot, in the short period of five minutes, cover all the positions that have been set out. I would make one point, because there has been genuine concern on the Labour side about the loss of protection from environmental laws and changes to trade union laws. What lies underneath that is a belief that everything that has come out of the European Union has been good for trade unions and the environment. That simply is not true. If one looks at the Laval judgment from the European Court of Justice or the Viking judgment, one sees that they undermine minimum wage legislation and the definition of what constitutes a trade dispute. If one looks at the width of environmental legislation, one sees that there is a lot in the history of the EU that has done serious damage to the environment. The issue that comes to mind most is the fisheries policy, which nearly denuded the North sea of cod and other fish.

I hope that the Government are listening and will come forward with some compromises, and if it is necessary to give us more than eight days, I hope that that time will be given.

Richard Benyon (Newbury) (Con): I will curtail my remarks to focus on the parts of the Bill that deal with the transposing of EU laws and regulations as they concern environmental protection.

I have every faith in the Government’s determination to transpose the full suite of regulations that have been successful in protecting many aspects of our environment and in Ministers’ frequently stated wish that we will leave the environment in a better state than we found it. My right hon. Friend the Secretary of State for DEFRA has made a superb start, and what he says about the environment warms the cockles of my heart. However, what we are talking about here is for ever—certainly for the foreseeable future decades ahead, and it can be amended by future Governments. Who knows what forces will be pulling on Governments of the future that could result in much-valued environmental protections being dumped?

We therefore need to implement measures that are backed by a new architecture of governance. I find myself attracted to some of the remarks being made by the hon. Member for Brighton, Pavilion (Caroline Lucas). That is probably to the consternation of some of my colleagues, but I think her sentiments are right. We might disagree on what that architecture is, but she is right to raise the matter. We want to prevent future Governments from playing fast and loose with protections that have cleaned up our beaches and our rivers, started to clean our air, and could and should be extended to our soils, our seas and other fundamentals of our very existence and the future of our economy.

One measure that is, on the face of it, impossible to replicate in the Bill is the process of infraction—fines with lots of noughts on the end that are imposed on a member state’s Government for failure to comply with a directive. I can assure hon. Members that this is something that keeps Ministers awake at night. For example, the potential failure of the UK to comply with the urban waste water treatment directive has resulted in a £4 billion-plus scheme to build a new sewer a few yards from where we sit to clean up one of the greatest rivers in the world running through one of the greatest cities in the world. When I was a Minister at the Department for Environment, Food and Rural Affairs in 2010, infraction hung over me and the Government. It ensured that every action the Department took was compliant with the directives of the EU. If it was not, we would face the risk of a huge fine.

While I am glad that the Government intend to transpose all EU law into UK law, as set out in clause 2, the question then emerges of how we can properly enforce those changes. The water framework directive is the only show in town in terms of cleaning up our rivers. Only one fifth of the chalk streams in this country are fully functioning eco-systems—a national disgrace, to my mind. But we are on a glide path to correcting that through the clear and unequivocal measures set out in that directive. A supra-national body like the EU is obviously able to fine a member state for failure to comply, but it is hard to imagine circumstances where a Government could, or would, fine themselves. It concerns me that judicial review seems to be seen in the Bill as sufficient on its own. In fact, to ensure that the environment is protected, a proper body with the ability to audit the Government, working with non-governmental organisations, needs to be put in place.

As I have said, I have great faith in people like my right hon. Friend the Secretary of State and others to protect the directives, but I fear that future Governments may not be so rigorous. Our constituents need to have the reassurance that we are protecting the protections. We need assurances that we can fill the gap that the loss of measures such as infraction would create. I have no silver bullet to solve that, but I am looking to achieve it through the progress of the Bill and possibly future pieces of primary legislation.

I believe that it is our absolute duty to scrutinise the Bill. I utterly reject some bizarre comments I have seen in the press saying that scrutiny somehow undermines the will of the people. I intend to vote for the Bill on Second Reading. I believe it can be improved in Committee.
It is absolutely vital that we assist the Government in trying to make something that is workable not just now but for the very long term.

4.24 pm

Stephen Timms (East Ham) (Lab): I agree with a number of the points that the right hon. Member for Newbury (Richard Benyon) has just made. George Osborne was right in his headline in the Evening Standard yesterday to describe the effect of the Bill as “rule by decree”. That headline was prompted by an article written by the right hon. and learned Member for Holborn and St Pancras (Yvette Cooper), and I pay tribute to him for his article and his interventions in this debate. I agree, in particular, that this is “an astonishing monstrosity of a Bill.”

Unlike him, however, I do not intend to vote in favour of it.

The right hon. and learned Gentleman is right to raise concerns about the explicit intention in the Bill not to put into our law the charter of fundamental rights. My right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) was right to tackle that earlier. Ministers have told us that they do not intend the Bill to dilute employment rights, environmental protections or other things that we have, but there is no assurance at all in the Bill that those dilutions will not go ahead. We need much more reassurance than we have been given.

I want to raise with the House a very practical example of a problem with not putting the charter of fundamental rights into UK law. Article 8 deals with the protection of personal data. It says:

“Everyone has the right to the protection of personal data concerning him or her… Such data must be processed fairly for...”

That article underpins data protection law, and it underpins the legal frameworks permitting the free flow of data across European borders. It is absolutely essential that the Government secure an adequacy agreement from the Commission, confirming that data protection in the UK is adequate from a European standpoint, so that UK businesses can continue to exchange personal data with EU countries.

If Ministers do not achieve such an agreement, they will have removed the basis for the lawful operation of countless British businesses. TechUK has pointed out the extent of UK leadership in this field: 11% of global data flows pass through the UK and 75% of that traffic is with the EU. But Ministers will not get an adequacy agreement if this commitment is not contained in UK law. We need article 8, or an equivalent affirmation of the same principles. I see no justification whatever for not taking that article or, indeed, the rest of the charter into UK law.

It is a real mystery to me why Conservative Ministers have become so impervious to the basic needs of British businesses in their handling of Brexit. My right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) was absolutely right to point out in his response to the Secretary of State at the start of the debate that we have to stay in the single market and customs union for at least the duration of the transition phase. On taking office, the Secretary of State told us that his negotiation would secure “barrier-free access” for UK businesses and consumers to the EU single market. He does not say that any more.

The Under-Secretary of State for Exiting the European Union, the hon. Member for Wycombe (Mr Baker), who is in his place on the Front Bench, said at Brexit questions earlier today that we will have the “minimum of frictions” in our trade with the European Union. The reality is that we need barrier-free access. We need access to the single market for UK businesses and consumers that does not involve tariffs or non-tariff barriers, and the only way that we will get that before the conclusion of the negotiations is if we stay in the single market and in the customs union. I very much regret that Ministers have rejected that idea—the Secretary of State told us that they did think about it—and I think that that is one of the reasons why we need to reject the Bill.

4.29 pm

Anna Soubry (Broxtowe) (Con): It is a pleasure to follow the right hon. Member for East Ham (Stephen Timms), but let me also say how much I agree with so many of the comments in Conservative Members’ speeches about the folly of the Opposition’s decision to oppose the Bill at this stage. Opposition Members will vote against it without seeing that it actually has to be done. They say it has to be done, and indeed, it does have to be done: we must transfer all the regulations, directives, laws and so on. There are, as we all agree, many faults in the Bill, but Opposition Members will be letting down many of the people in their own constituencies who voted leave, and who will see this for the playing politics that it undoubtedly is.

I fully endorse and totally adopt all the contents of the speeches of my right hon. and learned Friends the Members for Rushcliffe (Mr Clarke) and for Beaconsfield (Mr Grieve) and my right hon. Friend for Newbury (Richard Benyon). I very much note the outbreak of unity on the Government Benches, and indeed across the House as well. There have been some excellent speeches, and some very good points have been made by right hon. and hon. Members on the Opposition Benches. Notably, I have also taken into account the wise words of my right hon. Friend the Members for Chingford and Woodford Green (Mr Duncan Smith) and for Clwyd West (Mr Jones).

There is growing concern about the Bill, and my biggest concern is the power grab, as I would put it, by Ministers—the transfer of powers to Ministers with very little, if any, influence for debate in the Chamber and decision making in this place.

Wera Hobhouse (Bath) (LD): Will the right hon. Lady give way?

Anna Soubry: I will in a moment.

I want to thank my right hon. Friend the Prime Minister and the Secretary of State, who have clearly already listened to the many concerns expressed by Government Members. I and others will be having a meeting with the Prime Minister, and I look forward to that. I also look forward, in due course, to some serious Government amendments being tabled, or perhaps the
adoption of amendments that will no doubt be tabled by right hon. and hon. Members on the Government Benches.

As the House will know, I share the real concerns about clause 9. Frankly, I think it should simply be withdrawn. Clause 17 is certainly open, if not to withdrawal, at least to some serious, considerable and fundamental amendments. I am concerned about the delegated legislation for the reasons I have outlined in interventions and for those given in other Members’ excellent speeches. As I have said, I think we can find other mechanisms for delivering the delegated legislation while making sure that we scrutinise it properly. We have existing Committees that we can either strengthen or increase in size so that we can filter consideration out through so-called triaging. That is probably an appalling abuse of the word, but we all know what it means. It is a good idea, and it is gaining much support among Government Members as well as Opposition Members.

May I just say something that I think needs to be said? I say this to all the perfectly reasonable and sensible people, not just those in my constituency of Broxtowe, but the many millions throughout this country who voted leave on 23 June 2016. If anybody tells you that people like me are doing everything we can—in scrutinising legislation, tabling amendments and perhaps even voting for them—to thwart the will of the people, they are telling you lies. I am not going to put up with it any longer, because this needs to be said. We are leaving the EU. Even my right hon. and learned Friend the Member for Rushcliffe accepts that we are leaving the EU. Some of us voted for doing that by triggering article 50, flying in the face of everything we have ever believed in, because we promised our electorate that we would honour the result, and that is what we are going to do.

I would say to the millions who voted leave: you should not just question the motives of those who tell you that people like me want to thwart your decision, but look at the other things they promised you before 23 June 2016. They told you it would be this great opportunity to get rid of all the rules and regulations, strangling British business and the economy, but we are going to take those very same things and place them lock, stock and barrel into substantive British law. They told you that you would get an extra £350 million for the NHS, and you will not. They told you that you would take back control, but if this Bill is not amended, you can forget that, because the powers will indeed be used to water down or remove workers’ rights and environmental standards. Some Government Members have tried to brush these concerns aside. Often they are the very same Members who have rebelled against the use of delegated powers in the past. For years, the Brexit Secretary argued vociferously against the “trend from representative democracy to presidential oligarchy”.—[Official Report, 22 June 1999; Vol. 333, c. 932.]

Oh how times have changed! The right hon. Member for Wokingham (John Redwood) has strongly criticised the use of delegated powers, and let us not forget the hon. Member for North East Somerset (Mr Rees-Mogg), who in 2011, his pre-Brexit and pre-leadership contender days, said:

“It is the perpetual, almost the eternal, job of this House to try to keep the Executive, Her Majesty’s Government, under check” and urged Members to take “tough decisions to hold the Government to account” even “when it is a Government whom we support”.—[Official Report, 5 December 2011; Vol. 537, cc. 57-60.]

I think that consistency in one’s political values and beliefs is vital, however difficult the circumstances, and I urge Government Members to remember the courage of their previous convictions.

As I said, a Bill is necessary to achieve Brexit, and as always I want to be constructive. I urge Ministers to bring forward measures to circumscribe more tightly the powers that the Bill deleagtes and to strengthen the scrutiny procedures for the most widely delegated powers. If they bring forward amendments along those lines, they will have support across the House.

Brexit presents us with a Herculean task. It encompasses not just transferring half a century of EU law into UK legislation or even agreeing the initial article 50 deal, but finances, the rights of EU and UK citizens, and Northern Ireland, which is already proving a huge
challenge for the Government. It is about defining the future relationship between the UK and the EU for years to come.

Yesterday, the Brexit Secretary said that no one pretended this would be easy, but that is precisely what they did. Before the referendum, the Environment Secretary claimed:

“The day after we vote to leave we hold all the cards and we can choose the path we want.”

Just last month, the International Trade Secretary said that a free trade agreement

“should be one of the easiest in human history”

to agree. Such comments are not just misleading but deeply misguided. They will not build respect or trust with our negotiating partners, and they will not bring Britain together. I fear that we are as divided now as we were at the referendum. Remain voters are angry that their views are being ignored; leave voters are frustrated with our negotiating partners, and they will not bring the inevitable trade-offs and compromises that will have to come. That is the leadership Britain now needs. The Government should step up to the mark.

4.39 pm

**Robert Jenrick** (Newark) (Con): Thank you for calling me, Madam Deputy Speaker. I am not used to being called so early in a debate.

Like many other Members, or perhaps all of them, I have received numerous emails and letters from constituents who have heard the comments and read the articles. They have heard that the Bill is about creating ministerial decree—flat—as a result of Henry VIII clauses, and that it is an unnecessary power grab which jeopardises their rights and undermines their Parliament. I take those concerns seriously, as all of us should.

The shadow Secretary of State, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), who made a superb speech today, highlighted the complexity of the Bill and some of the many questions that I should like to be addressed during its passage, but it needs to be given a Second Reading because, in my view and on the basis of what I have heard this afternoon, the principle is unquestionable. As my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) pointed out, the Bill itself is not so egregious or deficient that it does not provide a clear basis for its future stages—far from it.

**Wera Hobhouse**: The hon. Gentleman says that the principle of the Bill is good. What we have been discussing today is the principle of undermining parliamentary democracy. Does the hon. Gentleman not understand that that is the principle that is at stake, and that is why we are against the Bill in its present form?

**Robert Jenrick**: I hope that the hon. Lady will be reassured by the comments that I shall go on to make.

Let us not get ahead of ourselves. Speaker Lenthall, although we have a perfectly good successor in you, Madam Deputy Speaker. Charles I is not on his way with a warrant for the arrest of my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) and my right hon. Friend the Member for Broxtowe (Anna Soubry), although some might like to see that. Statutory instruments are a parliamentary procedure. They are not flat; they are not Orders in Council. They can be debated. We can go and speak about them, and we can vote on them. Parliament may treat them as a Cinderella whose job is to read emails or sign paperwork, but that is our choice. It reflects on the recent history of this place rather than on the procedure itself, or how it should be in the future.

The purpose of the Bill is explicitly to replicate what we have in European law, not to change it. I understand that at least 50% of the statutory instruments will make immaterial technical changes about which no Member in his or her right mind—I know that some Members may not be—would have any concern. There needs to be a mechanism to sift based on materiality, and that point has been made eloquently by many Members today. I hope that such a mechanism will be created in Committee. There will be some material issues—issues on which I have some expertise, or issues that my constituents care about—and I should like to speak about them and ensure that we make the right decisions, but they will not be the majority. I am sure that the whole House can and will find a sensible mechanism during the Committee stage.

Constituents have also emailed me to ask, “Is this necessary?” Of course it is necessary. This is an unprecedented challenge. As we heard from the Chair of the Exiting the European Union Committee, the right hon. Member for Leeds Central (Hilary Benn), it is byzantine. However much some of those who campaigned in favour of leave would like to hide the fact, it is undoubtedly the most complex challenge that has faced the country in my lifetime, if not before. We therefore need a step like this to move the vast majority of European law, if not all of it, on to the UK statute book before we leave.

Let us be honest: there is no easy way to do this. Although the shadow Secretary of State made an excellent speech, highlighting details, deficiencies and concerns, he did not really set out an alternative way of doing it. In fact, no one has done that today: no one has set out an alternative to the Bill that would require any of us to vote against it. The deficiencies and concerns that have been highlighted must and will be ironed out in Committee. That is the truth, and beyond that, I am afraid, it is all party political activity. The Bill, or something extremely similar to it, is necessary, so let us move forward together.

When I explain this Bill in principle to my businessmen constituents and others back in Newark, and appear before the Newark business club, as all of us have—well, many Members will have been to Newark, but not necessarily to visit the business club—they nod, because it is obvious that we need a Bill of this nature so that on the day we leave the EU they can have confidence that nothing substantial will have changed. That is why we need to proceed.

In closing, and perhaps as a rebuke to the hon. Member for Bath (Wera Hobhouse), I say that we can love Parliament and want to jealously guard its rights and privileges created by our predecessors but still show pragmatism in the national interest when the times demand it, because that is politics. That is life: that is the job we are sent here to do. That is poetry and prose, romance and reality; that is what we are sent here to achieve. So every Member who wants a smooth transition and to give our constituents the certainty they are
[Robert Jenrick]

crying out for, and everyone who may have concerns about the deficiencies of this Bill but wants to work together in the national interest to iron them out in Committee and on Third Reading, should vote for this Bill on Second Reading.

4.45 pm

Chuka Umunna (Streatham) (Lab): I do not want to repeat many of the excellent points made from the shadow Front Bench and elsewhere, but I do want to make one observation and two points—one legal and technical on clause 6, and one that is more substantial on clause 9.

First, I want to make an observation. I am sorry, but I disagree with the hon. Member for Newark (Robert Jenrick), who has just spoken: what is proposed in this Bill is unprecedented, as we see from the reaction on both sides of the House.

There is an absurdity in this debate. I spent much of the time during the EU referendum debating against Conservative Members campaigning to leave. More often than not, the core of their argument was about a Brussels elite exercising power, yet I have sat in the Chamber for most of today and listened to them become arch-advocates of transferring power to another elite in this country.

It is a shame that the right hon. Member for Chingford and Woodford Green (Mr Jenkin) and for Stone (Sir William Cash) were also involved. The Prime Minister of the time had a word to describe them all, which I will not repeat today. They were constantly invoking parliamentary sovereignty and the importance of this House determining the future of our nation. It is funny how silent they are on upholding that argument now, and have been over the last few hours of this debate.

Let us be honest about the reason for this and for the absurdity of their position in this debate: they promised Brexit in terms that simply cannot be delivered in the timeframe the Government envisage. That is why we see these unprecedented, extraordinary powers envisaged in this Bill for the Executive. It is entirely right for us to keep reminding people of what the promises were and whether they are being delivered.

My technical point on clause 6—

Mr Jenkin: Will the hon. Gentleman give way?

Chuka Umunna: I will not give way. I am afraid, because of the time. [Interjection] The hon. Gentleman says he is not silent; he is certainly not silent.

The Secretary of State today said that the Government wish the transitional arrangements to be as close as possible to the existing arrangements. The EU27 are really only going to entertain membership of the single market and a form of customs union, if that is what the Secretary of State means, but they will also expect the rules on the transitional arrangements to be uniform and similar to those we have at present. The problem with clause 6 as drafted is that it does not give a clear enough instruction that after the exit date the judiciary should interpret UK law in a way that complies with EU law. The Institute for Government states that the ambiguity on this point risks leaving judges stranded on the frontline of a fierce political battle. I can say, as someone who practised as a lawyer for the best part of a decade before coming here, that that must be addressed.

The Bill cannot be allowed to come into force unless this House has approved the deal that is envisaged. The Bill does not state whether any withdrawal agreement will need the consent of both Houses before the powers can be used. The Government have said that we will get a vote on a final deal, but that does not appear to be within the Bill. Rather, it will take place by means of a motion, which would of course not be legally binding. So we have a promise of a vote, but it will have no teeth. That will deprive this House of its proper say not only on the withdrawal agreement but on a situation that the Prime Minister has described in which an affirmative decision could be made to walk away without any deal at all. We are somehow supposed to be passive spectators in that situation. It must be written on the face of the Bill that Parliament will have a part to play in all those scenarios, and that no powers in the Bill will be exercised until Parliament has had its say through a debate written in statute. We have been given many guarantees and assurances by those on the Government Front Bench, but these measures have to be put on the face of the Bill. We are asking for these assurances and scrutinising the Bill in the national interest, and we are entitled to do so without our motives being questioned.

4.51 pm

Craig Tracey (North Warwickshire) (Con): I echo many of the sentiments expressed by the hon. and right hon. Members who support the Bill, and I support many of the points that they have made. I voted to leave the EU, as did 67% of voters in North Warwickshire and Bedworth. During the campaign, it became quite clear that there was disillusionment with what the EU had become. The message I got loud and clear from constituents on the doorstep was that, yes, there was a degree of concern over uncontrolled immigration, but the overriding frustration was around our sovereignty and the consequent ability to control our own laws. The Bill will repeal the European Communities Act 1972 from the day we leave, bringing a welcome end to the supremacy of EU law in the UK, and I support its main purpose of ensuring that the UK has a functioning statute book once we leave the EU. That is obviously in the national interest.

I saw at first hand the negative impacts that EU laws and regulations can have on our local economy during the 20 years I spent running my own small business. Many of the regulations and laws that affected my firm stemmed from Brussels, yet I was unable to trade with its markets. To put this into context, only 5% of our businesses export to the EU, yet 100% are caught by its red tape, with small businesses usually disproportionately affected. During the referendum campaign, research across west midlands small businesses showed that they represented 99% of employers, employing 58% of local people. By a ratio of 4:1, they thought that EU laws made it harder to take on staff. By a ratio of 2:1, they believed that EU regulation hindered them, rather than...
helping them. A massive 70% of them thought that the UK, rather than the EU, should be in charge of negotiating trade agreements.

I am mindful, however, of the fact that we need to create an environment that works for everyone, not just those of us who voted leave, so I ask the Government to take into account the following two points as the Bill moves forward. First, businesses are already making decisions in preparation for March 2019 and they require legal certainty in order to meet their commitments to customers once we have left the European Union. Given that much of the detail of the new legal framework will be brought forward through secondary legislation, it is vital that the process of the European Union (Withdrawal) Bill and the programme of statutory instruments be prepared well in advance of March 2019, to provide them with the confidence they need.

Secondly, in order to avoid a legal vacuum on leaving the European Union, it is important that any inconsistencies within existing EU legislation are addressed prior to its transposition into UK law. I therefore stress the need for the Government to consult fully with stakeholders throughout the process of drafting and laying statutory instruments, to ensure that any inconsistencies between EU and UK legislation—especially in relation to their practical implications—are fully addressed by these measures. I firmly believe that there are exciting times ahead for the UK outside the EU, and that if due consideration is given to the issues I have mentioned, the Bill will provide the pathway to the smooth exit that is vital that the process of the European Union (Withdrawal) Bill and the programme of statutory instruments be prepared well in advance of March 2019, to provide them with the confidence they need.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I want to focus briefly on the Government’s wilful misinterpretation of what Brexit means and the constitutional car crash that this Bill entails. Article 50 has been triggered and we are leaving the European Union, but sense can prevail if the Government guarantee our future within the single market, customs unions and the pan-European agencies that are the foundation of Wales’s economy. Stating that we can have those advantages by another name is self-deluding. The benefits of continuing our membership of the customs union and single market are well rehearsed, but they warrant an abridged version, because they guide my party’s principles.

Wales’s export-led economy is reliant on European markets, where 67% of our products find their final destination. Wales is a net beneficiary of European funding to the tune of £245 million. All in all, 200,000 Welsh jobs are inextricably, crucially and vulnerably linked with the great institutions of European economic co-operation. For the sake of argument, let us assume that the dozens of economists, exports and I are scaremongering and that it is not 200,000 jobs that will disappear from the Welsh economy, but perhaps only half of that or a quarter. Will Ministers please be precise and quantify how many Welsh jobs they are willing to sacrifice in pursuit of the UK’s brave new role at the vanguard of some globalist utopia?

My right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), the shadow Secretary of State, was eloquent today and concentrated on the Government’s attempted constitutional sleight of hand. Despite the various contradictory push-me, pull-you position of numerous shadow Cabinet members, I believe that their official position is evidently simply to delay the pain and pull us out of the customs union and single market following a period of transition.

Beyond the single market and customs union, there are upward of 40 pan-European agencies that form the basis of our international relations across a range of policy areas. Whether ensuring that planes can safely take off and land, the regulation of life-saving medicines or the safety and security of nuclear material, it seems as though the Government are willing to sacrifice all the advances made by our membership of those agencies, but for what? We are now staring down the barrel of an extreme Brexit gun, and the truth is that the two Westminster parties have their fingers on the trigger. My party exists to serve the people of Wales and that is why I felt it important to re-emphasise what the consequences will be for Wales in particular.

My hon. Friend the Member for Arfon (Hywel Williams) will discuss this in greater detail, but we are seeing a constitutional power grab not just here with the Henry VIII powers, but in the powers that have been handed to our devolved nations. The way in which they will be handled in future is frankly shameful. I will not apologise for defending my country from the disastrous dystopia that will be created by this Government’s Brexit strategy, and I will be voting against this Bill’s Second Reading.

Ordered, That the debate be now adjourned.—(Rebecca Harris.)

Debate to be resumed on Monday 11 September.
Hive Stadium

Motion made, and Question proposed, That this House do now adjourn.—(Rebecca Harris.)

4.59 pm

Bob Blackman (Harrow East) (Con): It is a pleasure to have the opportunity to raise the sale of the Hive playing fields and to see the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Nuneaton (Mr Jones), on the Front Bench to respond. I well understand if he has problems in answering the debate, given the mix-up between the Department for Digital, Culture, Media and Sport and the Department for Communities and Local Government on who should respond, but I am delighted that the right person will do so.

Via your good offices, Madam Deputy Speaker, I thank Mr Speaker for granting me the opportunity to raise this issue tonight.

This is a tale of mystery, obfuscation and financial mismanagement by both Harrow Council and Camden Council, and of attempts by obscure private organisations to take over a public asset. On repeated occasions I have raised Barnet football club’s abuse of the Hive and its failure to adhere to a single one of the management agreements that have been in place for the playing fields for the past 10 years.

Tonight, my key concern is with the creeping transfer, without any checks or balances, of this essential public asset, over which public authorities have attempted to exert control, to private companies that frankly have a history of abusing the commitments they have made.

I will start with a brief history of the site, which was originally known as the Prince Edward’s and Watson’s playing fields. For some reason that I have not yet been able to fathom, the site was owned by the London Borough of Camden, which took the decision in November 2001 to transfer the asset to the London Borough of Harrow. That was a sensible move, given that the site is wholly in the London Borough of Harrow and always has been, so why it was ever in the hands of the London Borough of Camden is still a mystery to me.

The key point is that the transfer took place, and we can understand why because, obviously, the maintenance of playing fields is a cost to a local authority, and Camden transferred it knowing that Harrow would pay the London Borough of Camden for zero consideration.

When the site was transferred, Harrow Council attempted to maintain it and bring it back into proper use for the public, and there was a part development of a football stadium on the site. That was a disaster; it went to rack and ruin. As a result, an agreement was made with The Hive Foundation Ltd—this goes back to 24 June 2007—when the idea was that these playing fields would be brought back into public use, with youth facilities, educational departments, and schools in Harrow and in Camden having the opportunity to use the facilities on the site. Over the past 10 years that has been outstandingly successful, with youth teams and schools having been able to use the site, which I warmly applaud.

That agreement was projected to run for 50 years, giving the London Borough of Harrow control over what happened on the site. Unfortunately, then comes the unfortunate tale of the involvement of Barnet football club. Originally, the team played in Barnet, at Underhill, which it eventually left following relegation from the Football League. Despite the fact that it was using the Hive as a training ground and despite a strict management agreement that no professional football could be played at the Hive, by Barnet FC or anyone else, that did not stop Barnet FC. When it left Underhill in 2013, it immediately started playing its professional games at the Hive, completely ignoring the management agreement in place with the London Borough of Harrow. A dispute then occurred between Barnet FC and Harrow Council as to what constituted “professional football”. In my view, the football Conference is professional football, and that is where Barnet football club was playing its football, so it was in breach of the management agreement. However, Harrow Council decided not to enforce it, so Barnet FC just carried on.

I took up this issue because in 2013, when Barnet FC started playing its professional matches at the Hive, the impact in the local area was huge. No consultation took place with any of the public or the stadium’s neighbours. What happened then—this continues to happen on match days—was that the whole area became surrounded by traffic, as, funnily enough, most of Barnet FC’s supporters come from Barnet. Our area’s public transport has a radial system of spokes on the tube. Barnet has the Northern Line, and Harrow has the Jubilee, Bakerloo and Metropolitan lines. There is a good service on the Jubilee line, but Barnet FC supporters coming to the stadium from Barnet have to travel into the centre of London and then back out again in order to take the tube. There is a bus service there, but most people do not want to use it and do not do so, which means that they drive. The car park at the Hive charges for the privilege of parking, whereas the streets are free—so
The London Borough of Harrow sold the site to Football First Ltd for £2 million and a few extra pounds on 17 March 2017. That referenced the original transfer of Camden basically ignored my initial freedom of information requests. They reluctantly then acknowledged that my office was correct and they were wrong. The London Borough of Harrow has not yet responded to my second FOI request, and we are still awaiting the details from that. We have a publicly owned asset that has been transferred to a private enterprise with no consultation with the public, no controls on parking and no controls on what happens on the site. We still have the mystery about what happened with the transfer of the land from Camden to Harrow, but Harrow has gradually relinquished the site, year by year. That raises a question about how councils manage public access, which should be for the value and benefit of the public.

The residents in immediate proximity to the stadium are extremely unhappy. Indeed, I think all Harrow residents will be angered by how council tax payers had to stump up to develop the site, only for the council to sell it off at well below the market rate for land like this in Greater London. Local authorities should manage public assets in a professional and transparent manner. Harrow Council has clearly failed to realise its obligation, and by selling the land it has allowed this asset to be transferred to a private enterprise with no controls on parking and no controls on what happens on the site. We do not know what they will do with it or what controls can be exercised over it, and the residents around the site are extremely unhappy.

I look forward to hearing my hon. Friend the Minister’s response to some of the issues I have outlined, although I will completely understand if he is not able to deal with all the points I have raised. If that is the case, I would be happy with an exchange of correspondence or a meeting at an appropriate date to get to the bottom of these issues.
considerable local concern. I give credit to the efforts he has made to follow-up on these matters and note his having previously mentioned his concerns in the House several times.

We have had a fantastic summer of sport and, indeed, football: England’s women's team reached the semi-finals of the European championship; we are the FIFA under-20 and under-19 world champions; and the task of World cup qualification continues at some pace for all the home nations. It is therefore somewhat frustrating that we have first convened in the Chamber not to celebrate that success but to come down with a bump and discuss these long-running issues that surround the intersection of council, community and club.

At the heart of the matter is Barnet football club, which saw its 106-year residency at the Underhill ground in Barnet come to a close under a cloud of difficult relations with Barnet Council, particularly with respect to the access conditions on the freehold sale and the expansion potential within the borough. My hon. Friend spoke at length about the various interactions time between Barnet football club and Harrow Council since then, as well as the part played by Camden Council as the previous owner of the site.

It may help if I say a few words about the disposal of public assets. The Local Government Act 1972 that governs the disposal of assets that are owned by local authorities. It gives councils the power to dispose of land in any manner they wish, including by selling their freehold interest, granting a lease or assigning any unexpired term on a lease and granting easements. The only constraint is that a disposal must be for the best consideration reasonably obtainable, unless the Secretary of State consents to the disposal. The provisions of the 1972 Act should be followed when assets such as the topics of this debate are sold and any land in that sense is disposed of.

My hon. Friend can represent better than any of us the frustrations of local residents when he outlines the detail of the development at the Hive site both in terms of how their concerns have been considered and how planning policy has been enforced. Although I am not able to comment on the specific planning cases that have been mentioned, I would agree that, in terms of the approach to planning generally, consideration of, and engagement with, the wider community alongside the local development plan are an important part of the process. Applications submitted to a planning authority must be determined in accordance with the local development plan for the area unless material considerations indicate otherwise. All planning applications must be considered on their own merits and subject to statutory periods of consultation to allow third parties to view and comment on them. My hon. Friend mentioned consultation a number of times during his comments.

All representations received during the period of consultation must be considered and taken into account in determining any application. That can include the views of local residents. However, local opposition or support will not necessarily result in the local planning authority refusing or granting planning permission: rather the decision maker will determine what weight to give to any material considerations.

Should any construction not abide by the planning permission obtained, the local planning authority has a wide range of discretionary enforcement powers to deal with unauthorised development, with strong penalties for non-compliance. Effective enforcement is extremely important in maintaining public confidence in the planning system.

Local planning authorities have responsibility for taking whatever enforcement action may be necessary, in the public interest, in their particular administrative areas. Other high-profile clubs are in the process of redeveloping, or proposing to redevelop, their grounds, building brand new state-of-the-art facilities or otherwise moving to pastures new. It is of course only natural that clubs will want to bring the live viewing experience to a larger fan base and to benefit from enhanced match day revenues.

There are also other potential benefits around modernisation of facilities and improved infrastructure, but the impact on existing residents in that area should be an important consideration. I am extremely pleased that my hon. Friend has raised this issue. It should be incumbent on any council in the future—especially in relation to future applications in relation to the subject matter this evening—that those factors are considered around the development of stadiums. We all know that, in addition to enhancing the experience for those people who support a particular football club, there are also the neighbours of that club. Some may well be fans of the club in question, although that is not always the case when a football club moves from one area to another. There are also many people who live by football stadiums who may not be fans. I suspect that, in the situation that my hon. Friend has raised, some of those people may have lived there long before the ownership of the ground changed and the subsequent developments took place.

As I understand it, the current home of Barnet Football Club, the Hive, has abided by all the conditions that the English Football League required of them, but that is not to say that a wholesale move of a club is not contentious. As a long-suffering supporter of Coventry City, I can attest to the fact that ground moves can be extremely contentious, and that certainly has been the case in this instance. Another example is when Wimbledon moved from Wimbledon to Milton Keynes when their ownership changed.

Some lessons have been learned from club relocations in the past, and football has put in place regulations to require planning, consultation and the justification of any plans to sever a club from its local community. The English Football League ratified Barnet’s move to the new home at the Hive, and I understand that the team continues to abide by the conditions required by the Football League.

A football club cannot exist in a bubble, however. It is part of a wider community not just of fans but of neighbours. There have been significant steps recently to promote and protect not just football clubs and the places where they play but other assets with which a community might have some affinity. There would perhaps not have been the opportunity with the Underhill ground, but it might have been possible in the case of Barnet’s current home to register the assets as of community value. That process emanated from the
Localism Act 2011, and the community might have had more of an opportunity had those assets been registered when they were disposed of.

Through the work of the Government’s expert working group on football supporter ownership and engagement, members of the English Football League have also codified a minimum level of fan engagement that clubs must undertake. This has been in place since 2016-17 and brought a baseline standard of expectation for off-pitch success, but largely targets the engaged communities and supporters clubs. My fellow Ministers in DCMS and I in DCLG are happy to keep the broad issue of football clubs as part of their communities under consideration as we have discussed tonight. That is a conversation that we are willing to have with the relevant football authorities.

I welcome the debate and am more than willing to discuss these matters further. I am sure that my hon. Friend will understand as regards the planning aspects and the sale of the ground that I cannot discuss the specifics of particular cases, but there are clearly procedures that need to be followed in both areas. If he wants to discuss these requirements, I am more than happy to do so.

Bob Blackman: I thank the Minister for his answers and I understand if he cannot answer this tonight, but will he confirm that the Secretary of State has not given approval for the sale of this asset outside the general rules that apply to the sale of public assets?

Mr Jones: As my hon. Friend knows, in this debate I have covered the requirements for assets that are sold for which the best consideration is not obtained. In this sense, I asked my officials whether any application was made to the Secretary of State in this case and I was informed this afternoon that no such application was made.

On that note, I shall bring my comments to a conclusion and I look forward to meeting my hon. Friend on this matter at a later date.

Question put and agreed to.

5.29 pm

House adjourned.
Schools funding and introduce a fairer funding formula. What steps the Government are taking to increase core funding will finally be allocated on a fair and transparent basis. Together, these reforms will give schools a firm foundation that will enable them to continue to raise standards, promote social mobility, and give every child the best possible education.

To be significant factors in any new formula?

In Liverpool and other cities, there is a real concern that no school in Shropshire will see its budget cut as a result of this new funding formula. Can she give me an assurance that funding that Shropshire schools get in comparison with places like Cornwall will start to close the gap on the national average?

Sparsity was part of the consultation in the revised formula and that schools in rural areas have been underfunded for many years under the current formula. Can the Secretary of State assure me that the matter of sparsity will be given due consideration in the revised formula and that schools in places like Cornwall will start to close the gap on the national average?

The funding formula has historically been especially low in inner-city areas, but can she give me an assurance that underfunded schools that need to catch up. For the time being, local authorities will still be responsible for finalising the distribution of funding to individual schools in their area, in consultation with those schools, but the money will be provided for all schools to gain from the new national funding formula?

The final part of the process is to set out the Government’s response to the second stage of the consultation. We will do that very shortly. It will include a number of further final steps in relation to the formula, including for primary schools. I will set that out at the time.

What will the Secretary of State do to address this issue?

We are bringing forward the funding formula because there is a long-standing inequality in our schools funding that many Governments have dodged tackling. We cannot expect all schools to achieve the same high standards when so many of them are funded on a very different basis from one another. I believe that we are doing the right thing in bringing forward this fair funding formula. I will set out the final terms of that formula shortly. I am very proud that we have finally been able to take this step. I thank the many Members of this House who have given their input and feedback to the consultation.

Steve Double (St Austell and Newquay) (Con): Schools in rural areas have been underfunded for many years under the current formula. Can the Secretary of State assure me that the matter of sparsity will be given due consideration in the revised formula and that schools in places like Cornwall will start to close the gap on the national average?

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): In Liverpool and other cities, there is a real concern that the new formula could mean that schools lose out. Can the Secretary of State reassure the House that issues such as deprivation, prior attainment and mobility will be significant factors in any new formula?

Justine Greening: I can. The £1.3 billion we are investing in schools will ensure that the formula provides a cash increase of at least 1% per pupil by 2019-20 for every single school, including in my hon. Friend’s constituency, with gains of up to 3% per pupil per year for the most underfunded schools that need to catch up. For the time being, local authorities will still be responsible for finalising the distribution of funding to individual schools in their area, in consultation with those schools, but the money will be provided for all schools to gain from the new national funding formula.

Daniel Kawczynski: My right hon. Friend recently met Shropshire teachers to learn of some of the financial constraints they are under. The new funding formula will go some way to addressing the huge disparity in funding that Shropshire schools get in comparison with inner-city areas, but can she give me an assurance that no school in Shropshire will see its budget cut as a result of this new funding formula?

Daniel Kawczynski (Shrewsbury and Atcham) (Con): What steps the Government are taking to increase core funding and introduce a fairer funding formula. We will implement new funding formulas from April 2018, meaning that funding will finally be allocated on a fair and transparent basis. Together, these reforms will give schools a firm foundation that will enable them to continue to raise standards, promote social mobility, and give every child the best possible education.

Justine Greening: I recognise the points that the hon. Gentleman makes. I was committed to making sure that we protected the funding for children with additional needs under this formula, and that is what I hope we will be able to do. It is, indeed, particularly important for communities such as his own.

Antoinette Sandbach (Eddisbury) (Con): I very much welcomed the Secretary of State's announcement before the recess of the £4,800 floor for secondary pupils. When might we expect the announcement in respect of primary school funding?

Justine Greening: The final part of the process is to set out the Government’s response to the second stage of the consultation. We will do that very shortly. It will include a number of further final steps in relation to the formula, including for primary schools. I will set that out at the time.

Several hon. Members rose—

Mr Speaker: The hon. Member for Oxford West and Abingdon (Layla Moran) can come in now if she wants.

Layla Moran (Oxford West and Abingdon) (LD): Thank you, Mr Speaker. In Oxford West and Abingdon, many schools are struggling to meet the needs of pupil premium students in particular. The funding formula has historically been especially low in my constituency. What will the Secretary of State do to address this issue?

Justine Greening: We are bringing forward the funding formula because there is a long-standing inequality in our schools funding that many Governments have dodged tackling. We cannot expect all schools to achieve the same high standards when so many of them are funded on a very different basis from one another. I believe that we are doing the right thing in bringing forward this fair funding formula. I will set out the final terms of that formula shortly. I am very proud that we have finally been able to take this step. I thank the many Members of this House who have given their input and feedback to the consultation.

Mike Kane (Wythenshawe and Sale East) (Lab): The Secretary of State should be coming to the Dispatch Box first and foremost today to apologise for the collapse of the multi-academy trust in the city of Wakefield. Part of the problem is that schools are waking up to the fact that they have lost £2.8 billion since 2013. Despite another funding consultation, will she confirm or deny the figures from the National Audit Office and, while she is on her feet, apologise to the people of Wakefield?
Justine Greening: Schools will do better out of the funding formula than they would have done had the Labour party won the last election. The Labour party only guaranteed a cash freeze, but we are going beyond that. Schools will do better under this Government than they would have done under a disastrous Corbyn Government. We are proud of the raising of standards in schools during our term in office. Nine out of 10 schools are good or outstanding, and that is something that we should be talking up, not talking down.

Education and Training: Access

2. Stephen Lloyd (Eastbourne) (LD): What steps her Department is taking to help older adults from low-income backgrounds to access further education and training.

Anne Milton: I can certainly give my right hon. Friend that assurance. There were more than 3,000 apprenticeship starts in the over-60 age group. As somebody who belongs to that age group, I welcome opportunities to make sure that apprenticeships are available for absolutely everybody, whatever their background and whatever their age.

25. [900763] Wes Streeting (Ilford North) (Lab): Last month, following the unprecedented and, thankfully, unsuccessful legal action to prevent publication, Ofsted was able to publish its damning report on learndirect. Given that other FE providers in a similar situation might have had their contracts terminated, is the Minister really comfortable with handing over £45 million of public money to a training provider that has been deemed inadequate in outcomes for learners? What message is she going to send to learners, and when is she going to get her eye on the ball?

Anne Milton: I take exception to the hon. Gentleman’s suggestion that I do not have my eye on the ball; I most certainly do. In addressing this issue, we have been focused on precisely what he mentions: the needs of learners. It is essential that learning provision and apprenticeship training are of the highest quality for both learners and employers. If any provision is judged to be inadequate, we will take action to protect learners. In this case, the provision judged to be inadequate by Ofsted—apprenticeships—is no longer offered by learndirect.

Rebecca Pow (Taunton Deane) (Con): As the Minister is aware—I thank her for her swift involvement—Somerset Skills and Learning is experiencing a severe shortfall in funding. It provides invaluable services for adult learning, especially for people with low incomes, as well as providing grants for a range of other organisations, such as Compass Disability and Neroche Woodlanders—the latter is running a mental health project—in my constituency. Could I have the Minister’s assurance that the situation will, in some way, be ameliorated so that the courses can continue?

Anne Milton: I praise my hon. Friend and her colleagues from Somerset for promptly bringing this to my attention. We met last week, and we have a meeting with the Education and Skills Funding Agency later today. I should mention, although it is not pertinent to this particular issue in Somerset, that procurement in transitional arrangements represents only 13% of the budget. My hon. Friend and other colleagues have made strong representations about the work that is done in Somerset.

University Technical Colleges

3. Richard Graham (Gloucester) (Con): What steps have been taken to increase the number of university technical colleges.

The Minister for Universities, Science, Research and Innovation (Joseph Johnson): There are currently 49 university technical colleges open or opening this month, and one is planning to open in 2018. We will publish information on new application arrangements in the coming weeks.
Richard Graham: The Minister and the Secretary of State are both aware of our great ambition in Gloucester to create a new UTC for pathways into health and care—the two biggest sectors of employment in Gloucestershire—but since the cancellation of the last bidding round, the question is how and when we can take this forward. The Minister has suggested it will be soon, but can he give us any further idea?

Joseph Johnson: We are committed to ensuring that many more young people have access to high-quality technical education, and UTCs have an important role to play in this. However, the experience of the UTC programme has been mixed to date. Our priority is to support existing UTCs, so that they are able to offer good education. We are learning lessons from those that are open at the moment, and we will publish application arrangements for new UTCs in the coming weeks.

Diana Johnson (Kingston upon Hull North) (Lab): Will the Minister join me in congratulating Alan Johnson, the former MP for Kingston upon Hull West and Hessle, who fought for many years to get the Ron Dearing UTC opened in Hull? It has actually opened its doors this morning for the very first time, and one of its priorities is to encourage more young women to study engineering and technical subjects.

Joseph Johnson: I certainly add the Department’s and my congratulations to the hon. Lady’s. That is an important achievement, and we are strongly committed to the UTCs, which will help the Government in our ambition of creating parity of esteem between technical education and more academic routes.

Free Childcare

4. Heidi Alexander (Lewisham East) (Lab): What assessment she has made of the effectiveness of the roll-out of the Government’s policy on 30 hours of free childcare. [900742]

The Minister of State, Department for Education (Mr Robert Goodwill): Our assessment has seen great success in the 12 early delivery areas: more than 15,000 children were able to benefit from the 30 hours entitlement ahead of the offer rolling out in full, taking huge pressures off families’ lives and budgets.

Heidi Alexander: Last week, 29% of families with eligibility codes for this term had not yet secured a funded childcare place. Will the Minister update the House on what progress has been made, and will he say whether there are specific parts of the country where securing a place is proving particularly problematic?

Mr Goodwill: I was very pleased that by the third day of term last week—Wednesday, when we had the urgent question—71% of parents had found a place for their child. We are looking at the picture up and down the country, and where there are situations of insufficiency, we have made available £100 million of capital funding, which will fund an additional 16,000 places where we need them.

Mike Wood (Dudley South) (Con): Parents in Dudley South will welcome the offer of 30 hours of free childcare. With the scheme being rolled out across the country, will the Minister confirm how many applications for places have now been made?

Mr Goodwill: Certainly, 216,384 parents have secured a code. Of those, as I have said, 71% have already found a place, and no doubt more are finding additional places this week.

16. [900754] Daniel Zeichner (Cambridge) (Lab): Back in 2015, David Cameron promised that the 30 hours would, in his words, be “completely free”. Every nursery I speak to in Cambridge tells me that it is having to cross-subsidise and often charge for extras, including lunch. Will the Minister tell us in what sense that is completely free?

Mr Goodwill: May I make it clear yet again that the 30 hours entitlement is free? Additional hours, lunch and other add-ons can be charged for, but they must not be a prerequisite for taking up the 30 hours.

Mr Philip Hollobone (Kettering) (Con): When it is fully up and running, how many working families will be able to take advantage of the 30 hours of free childcare, and on average, how much will it be worth per year per child to each of those families?

Mr Goodwill: We saw some—I think, deliberately—inaccurate reporting this week in the Sunday Mirror, which forgot completely that we are going to have three intakes in the year. As I have said, we have had more than 200,000 this time, and we will have a new intake in January and another one after Easter. This offer is worth £5,000 per child, a great fillip for families who want to get more hours at work.

Tracy Brabin (Batley and Spen) (Lab/Co-op): In their manifesto, the Government said that they would deliver high-quality childcare for working families, supported by thousands of new nursery places every year. However, as they roll out their policy of 30 hours of free childcare, Ministers have admitted that 110,000 children of working parents will not be eligible for the extended childcare entitlement simply because their parents do not earn enough, shutting out families who most need the additional support. That strikes me not as high-quality childcare but as another broken manifesto commitment, akin to the Government’s betrayal on working tax credits in 2015. Does the Minister have any plans to deliver for the lowest-earning and hardest-pressed parents?

Mr Goodwill: The hon. Lady will be pleased to know that during the roll-out in the pilot areas 23% of mothers and 9% of fathers could take additional hours. More importantly, people who could not get work at all because of the cost of childcare can now be in work, earn money and supply a better lifestyle for their families.

Overseas Students

5. Mr Virendra Sharma (Ealing, Southall) (Lab): What discussions she has had with the Home Secretary on the financial contribution of overseas students to English universities and the classification of such students in Government immigration statistics. [900743]

The Minister for Universities, Science, Research and Innovation (Joseph Johnson): We regularly engage with the Home Office on international students, who make a great contribution to our higher education system, providing 13% of its income in 2015-16.
Mr Virendra Sharma: In light of recent exit check data, which show that the number of students who have overstayed is very low, will the Government introduce measures to grow the number of international students coming to UK universities?

Joseph Johnson: We recognise the value of international students in our system, which is why we have recently asked the Migration Advisory Committee to review in full the contribution that they make to our university system. I remind the hon. Gentleman that there are no limits to the number of international students who can come at present. We are second in the world in our market share of international students, and we want that to continue.

Andrew Bridgen (North West Leicestershire) (Con): As my hon. Friend has said, international students provide a wealth of benefits to our universities. What steps are the Government taking to ensure that the UK higher education sector remains a welcoming place for students from foreign countries?

Joseph Johnson: It is a welcoming place, as attested to by the fact that this year, for the sixth year in a row, we have 170,000 international students coming into our system, which is a record number. We want that to continue. The work of the British Council contributes to that, as does the work of the GREAT campaign. I will be in India in November drumming up business for our universities, and I expect that other Ministers will do so too.

Sir Vince Cable (Twickenham) (LD): What action is the Minister taking in respect of overseas students on vocational courses who need to do work experience, which is regarded as illegal working by the Home Office, leading to unnecessary and heartbreaking deportations?

Joseph Johnson: The right hon. Gentleman raises an important question. We must ensure that our offer for international students is competitive in all respects and that they feel they will get the kind of provision that suits their needs and opportunities to learn in a workplace environment. We will study his comments with interest.

Carol Monaghan (Glasgow North West) (SNP): The Minister is quite right that we are doing well with international students, particularly from China and India, but universities across the UK are losing out in the recruitment of students from Australia, New Zealand, Canada and the US, because the UK has one of the least competitive policies on post-study work in the English-speaking world. Will he commit to work with the Home Secretary to reinstate the post-study work visa?

Joseph Johnson: The hon. Lady will be encouraged, I hope, by the pilots that the Home Office has recently undertaken with a number of institutions—for, I believe—to enable a more liberal post-study work regime. The Home Office and the Department for Education are examining that pilot carefully, and it is our ambition that when circumstances allow, it can be extended more broadly across the sector.

Carol Monaghan: The pilot provides only a narrow range of courses that are eligible for participation in the scheme, so it needs to be widened. The Scottish National party has consistently called on the UK Government to remove international students from the net migration figures. Now that the Government figures on net migration among those students have been utterly discredited, will the Minister join us in calling for those students to be removed permanently from net migration figures?

Joseph Johnson: As I said a minute ago, that would not limit numbers. The fact that they are in the migration cap does not limit the ability of institutions to recruit as many international students as they wish, provided that they meet the requisite academic standards. There is no cap and no plan to introduce a cap, and that applies to Scottish institutions as much as it does to English ones.

Angela Rayner (Ashton-under-Lyne) (Lab): It is a sad fact that it actually does have an impact on the number of international students coming to the UK. For years, the Prime Minister told us that we need to clamp down on international students who overstay their visas, using figures to suggest that as many as 100,000 people are remaining in the UK illegally. In fact, we know the figure is now 4,600 students—the Government were out by 95%. Does the Minister fully support the Prime Minister’s desire to keep international students in the net migration target?

Joseph Johnson: We welcome strongly the work the Office for National Statistics is now doing to improve the quality of statistics relating to international students. Like the hon. Member, we noted its preliminary conclusion that the International Passenger Survey might be systematically undercounting emigration after study. I was very pleased that the Home Office report on exit checks data, published on 24 August, showed that students are very largely compliant with immigration rules. That is an important bit of information and it underpins our intent to continue the situation whereby there is no cap on the number of students who can come and study in this country.

Social Mobility: Disadvantaged Areas

6. Adam Afriyie (Windsor) (Con): What steps the Government are taking to improve social mobility in disadvantaged areas.

The Secretary of State for Education (Justine Greening): We are committed to supporting social mobility across the country, including in those areas that face the greatest challenges and have the fewest opportunities. At the vanguard of this approach, we are investing £72 million in 12 opportunity areas based in social mobility cold spots. We are working in these areas with local partners to improve educational attainment, to build opportunity and to broaden horizons for children and young people across early years, schools, and further and higher education.

Adam Afriyie: One of the best gifts we can give young people is a job with prospects for a decent career. It helps with mental health challenges and gives them a sense of belonging to society. When we look at this part of our history, I think we will discover that one of the greatest achievements has been the reduction
in unemployment among young people. Does the Secretary of State agree we must continue to do all we can to help people to transition, at the appropriate point, from full-time education to work?

**Justine Greening:** Absolutely. My hon. Friend’s question sets out how important it is to have a strong economy producing jobs and opportunity for young people. We are working with the Careers & Enterprise Company to build a national network, which will connect schools and colleges with employers. Over half of schools and colleges in England are already supported by an enterprise adviser, who helps them to build strong careers and strong enterprise plans for their young people. In opportunity areas, dozens of key employers, including Rolls-Royce, NatWest and KPMG, have committed to providing tailored careers support to young people.

Mary Creagh (Wakefield) (Lab): Pupils at the 21 schools managed by Wakefield City Academies Trust are among the most disadvantaged in the country. The collapse of the trust on Friday came as a bolt from the blue to them, their parents and their teachers. A leaked report in November found: that the trust was predicted to be £16 million in deficit; that hundreds of thousands of pounds had been spent on an interim educational consultant; and that Wakefield City high school did not even know which pupils were in receipt of pupil premium. What steps is the Secretary of State taking to make sure disadvantaged children do not miss out as a result of financial mismanagement and her Department’s incompetence?

**Justine Greening:** I was agreeing with all the points the hon. Lady was making on how important it is to tackle low education standards in those schools and to make sure we take swift action to have the schools rebrokered so that standards can go up, but I fundamentally disagree with her that standards are falling. Standards are going up. In fact, the place in our United Kingdom where Labour is in control. I really think that before pointing the finger at England the Labour party should agree with her that standards are falling. Standards are going up, and the CBI called a “breakthrough” Budget for skills. It will not just be good for raising attainment among and developing the potential of those young people; it is critical for our businesses that they have these skills. This is a win-win situation.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The answer from the Secretary of State on Wakefield City Academies Trust was just not good enough, and not fair on parents, pupils—most importantly—and teachers at Freeston Academy in my constituency and many other academies. They had this announcement in the first week of the new school year—out of the blue—yet it turns out that there have been huge problems with the trust for a long time, on governance, finance, accountability and performance. Her Department has been pushing all of these schools into this model. Is it not time she had a full review of the complete failure of local accountability in these multi-academy trusts, and made sure there is enough finance and support in place for the pupils in my constituency so that they do not lose out as a result of this failed management?

**Justine Greening:** We are taking swift action in Wakefield to make sure that we rebroker those schools, but, more broadly, I have to say I wish the Labour party had been as passionate about raising standards when it was in government. What children across our country actually got under Labour was falling standards and grade inflation, and what employers got was young people coming into work without the basic skills. Do you know where we still see that, Mr Speaker? It is in Wales. We will continue to raise standards in England, but perhaps Labour would be better placed to look to the area where it is in control.

Mr Speaker: Order. The erudition of contributions is equalled at the moment only by their length, but we can hope for an improvement ere long because we have the Chair of the Select Committee, Mr Robert Halfon.

Robert Halfon (Harlow) (Con): In terms of social mobility, students in alternative schools are significantly disadvantaged, as a miniscule proportion get good GCSEs. What more can the Government do to give students in alternative provision the chance to climb the educational ladder of opportunity?

**Justine Greening:** My hon. Friend is absolutely right to highlight this area. We have sought to raise standards more broadly across schools in England, and it is now important that we take those learnings—on what works and best practice—and see them spread around the alternative provision approach and system. I am determined to make sure that no child misses out on an excellent education because of the school they happen to be in, whether in Wakefield or any other part of our country.

7. **Sandy Martin** (Ipswich) (Lab): What assessment she has made of the effect of the Government’s policy on 30 hours of free childcare on the financial viability of childcare settings. [900745]

20. **Dan Carden** (Liverpool, Walton) (Lab): What assessment she has made of the effect of the Government’s policy on 30 hours of free childcare on the financial viability of childcare settings. [900758]
The Department will be investing an additional £1 billion per year by 2019-20 into the free entitlement, including more than £300 million per year to increase the national average funding rates paid to local authorities.

Sandy Martin: Given that 38% of nurseries have told the Pre-School Learning Alliance that they are unlikely to be financially viable in a year's time, what urgent action is the Minister taking to help these providers?

Mr Goodwill: As I have pointed out, we carried out a pilot to show that this could work. We also got a review of childcare costs done that was described as “thorough” and “wide-ranging” by the National Audit Office. We have increased the minimum funding rate to £4.30 per hour, which means that £4.41 is paid for three and four-year-olds in Ipswich and £5.20 for two-year-olds.

Dan Carden: In Liverpool, Walton, 36% of children are growing up in poverty, and unemployment is twice the national average. Did Ministers give any thought to how this policy would only further entrench the development gap between those most disadvantaged children still just getting the 15 hours a week and those with parents in secure employment getting the 30 hours a week?

Mr Goodwill: The most-disadvantaged children get 15 hours at age two, and we have the early-years pupil premium to help with those children as well. We are closing the attainment gap. The hon. Gentleman talks about worklessness. This funding for working parents means more people getting into work and taking the jobs that this successful economy is creating.

Reception: Starting Age

8. Stephen Hammond (Wimbledon) (Con): What progress her Department has made on giving summer-born and premature children the right to start reception at the age of five. [900746]

The Minister for School Standards (Nick Gibb): We remain concerned that some summer-born children, particularly those born prematurely, are missing the reception year when the essential teaching of early reading and arithmetic takes place. However, it is important for us not to cause any unintended consequences elsewhere in the system, and we are therefore giving careful consideration to how we might make any changes. Further information will be available in due course.

Stephen Hammond: As my right hon. Friend will recognise, it is two years since we had an Adjournment debate on this subject, and there is increasing frustration about the fact that the code of conduct has not yet been published. Will he agree to provide a timetable showing when he might publish it, and will he also agree to meet me to discuss the unintended consequences?

Nick Gibb: My hon. Friend has been a champion of summer-born and prematurely born children, and I pay tribute to him for that. He and I share the view that when the parents of such children exercise their right to delay their entry to school until they turn five, the children should be able to start school in reception if that is in their best interests. However, the issue is complex, and it is important for us to consider carefully the impact of changes on the earliest sector in particular. I should be delighted to continue our conversation and discussion about these matters.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Surely the Minister realises that, while it is true that the summer-born question is difficult and complex, it must be linked with a terrible stain on our education policy: the fact that little children who have been identified as bright up to the age of 11 are lost to the education system post-11. What is going on with the failed policies of a Government who cannot help kids who are bright at 11 and who disappear afterwards?

Mr Speaker: I thought that the hon. Gentleman had been born in August. He has done all right.

Nick Gibb: I wrote an open letter to all local authorities about the issue, urging them to take the wishes of parents very seriously, to act in the best interests of children when considering which age group they should start with, and to enable them to start school outside their own age group if their parents have elected not to allow them to start in the year in which they turn five. I believe that local and admission authorities are taking notice of that letter.

Lucy Powell (Manchester Central) (Lab/Co-op): As my summer-born son starts his first day in reception today, I am all too well aware that the big gaps in attainment among his classmates are related not to the time of year when they were born, but to whether they come from advantaged or disadvantaged backgrounds. That is still the biggest problem facing our education system. Does the Minister agree that it needs to be tackled? If so, how does he square that with findings that I published last week with the Social Market Foundation, showing that 75% of the extra money that the Government are pumping into the early years will go to better-off families and less than 3% will go to those who are disadvantaged?

Nick Gibb: We take the issue of social mobility very seriously. The attainment gap between advantaged and disadvantaged children has narrowed by 7% in key stage 4 and by 9.3% in key stage 2, in primary schools. However, we continue to work hard to ensure, and believe passionately in ensuring, that all children, regardless of background and regardless of where they live, are able to fulfil their potential in our education system, which is why the pupil premium provides an extra £2.5 billion a year for children with disadvantaged backgrounds.

Child Nutrition

9. Mr Gavin Shuker (Luton South) (Lab/Co-op): What assessment she has made of the effect on children’s nutrition of the absence of free primary school meals in the school holidays. [900747]

The Secretary of State for Education (Justine Greening): The Government actively support the provision of nutritious food in schools. Free school meals are provided for the most disadvantaged pupils, and for every pupil in reception years 1 and 2. We have also committed £26 million to
expand breakfast clubs in up to 1,600 schools. More broadly, we believe that helping households to raise their incomes by allowing them to be in work is the best way to lift families out of poverty and help children to lead healthy lives.

Mr Shuker: May I commend to the Secretary of State the private Member’s Bill tabled by my right hon. Friend the Member for Birkenhead (Frank Field), which will tackle the problem properly by ensuring that children who receive free school meals in term time also receive nutritious meals outside term time? If she feels that she cannot offer Government support for the Bill, may I also commend to her a charity in my constituency, Make Lunch, which is now providing meals in 50 locations—entrepreneurially, off its own bat—to tackle the problem, and will she arrange a short meeting with a Minister to discuss it?

Justine Greening: As the hon. Gentleman sets out, there is a lot of good work happening in this area, and from my perspective, aside from what happens in schools during term-time, there are two key elements: having a strong economy that is providing people with jobs and employment, and, secondly, making sure people get to keep as much of their pay packet as possible, which is why we have not only introduced the national living wage but have increased the personal allowance. If we want to keep as much of their pay packet as possible, which is why we have not only introduced the national living wage but have increased the personal allowance. If we take those two things together, we see that somebody working 35 hours on the national minimum wage, now the national living wage, will have gained by £3,300 more through those two policies.

Frank Field (Birkenhead) (Lab): Will the Secretary of State take her lead from the Prime Minister, and welcome the Bill to abolish school hunger for millions of children, and might she follow the Prime Minister’s lead in bringing together the relevant Ministers, and then give us the parliamentary time so that Back Benchers on both sides of the House can finish the job for her?

Justine Greening: The point I am trying to make is that the best way to tackle these issues is through families themselves being empowered and able to take the decisions and steps they want. What I am saying is we are doing that as a Government through having a strong economy, but also by making sure people can keep more of what they earn in the first place.

University Education: Access

10. Alex Burghart (Brentwood and Ongar) (Con): What steps the Government are taking to make university education more accessible to young people from poorer backgrounds.

The Minister for Universities, Science, Research and Innovation (Joseph Johnson): Our student finance system is enabling record numbers of disadvantaged young people to benefit from higher education. This year, 18-year-olds from the most disadvantaged areas in England were 43% more likely to go into higher education than in 2009-10, and, in addition, through the latest round of access agreements for 2018-19, universities have committed no less than £860 million to continue improving access and success for those from disadvantaged backgrounds.

Alex Burghart: I warmly welcome the fact that there are more poorer children going to university than ever before. Will the Minister join me in welcoming the initiative taken by University College, Oxford—now officially the greatest university in the world—which has reserved places every year for pupils from disadvantaged backgrounds, to ensure that more of them have access to world-class education?

Joseph Johnson: I certainly welcome that initiative by University College, Oxford, and I am pleased to say that it is not just that disadvantaged students are accessing higher education in general; they are 53% more likely now to be going to our super-selective institutions than in 2009-10, which is an extraordinary turnaround.

John Woodcock (Barrow and Furness) (Lab/Co-op): Disadvantaged children cannot get to university if they do not get the grades in the first place, so will the Minister ask the schools Minister to meet us in the Furness area who are looking at a major new initiative to get the private-sector local employees involved in closing the generations-long gap in GCSE numeracy and literacy attainment?

The Minister for School Standards (Nick Gibb) indicated assent.

Joseph Johnson: I believe my right hon. Friend the schools Minister is confirming that he would be keen to take such a meeting.

Unaccompanied Asylum-seeking and Refugee Children

11. Heidi Allen (South Cambridgeshire) (Con): When she plans to publish the Government’s strategy on the safeguarding of unaccompanied asylum-seeking and refugee children.

23. Tulip Siddiq (Hampstead and Kilburn) (Lab): When she plans to publish the Government’s strategy on the safeguarding of unaccompanied asylum-seeking and refugee children.

The Minister of State, Department for Education (Mr Robert Goodwill): The safeguarding strategy, bringing together all work in this area and setting out further detail, will be published later this autumn.

Heidi Allen: This strategy was due on 1 May, so I am keen that we see it as soon as possible. I would like to understand the reasons for the delay and to know whether the Minister has looked at whether independent guardians might work. I was struck when I visited Lesbos and Calais that there is no admin support or signposting at all for unaccompanied children seeking to make asylum claims, so having somebody with them would definitely help.

Mr Goodwill: We had a general election this year, which derailed some of the timetables for these things, but it is certainly absolutely vital that all unaccompanied children seeking asylum have access to independent legal advice and are referred to the Children’s Panel.

Tulip Siddiq: Statistics from the organisation Every Child Protected Against Trafficking show that just in 2015, 593 unaccompanied asylum-seeking children went
missing from care. Charities such as the Refugee Council and the Children’s Society have recommended that independent guardians be appointed for such children, to protect them in future. Will the Minister consider this in the safeguarding strategy?

Mr Goodwill: I was the immigration Minister until just recently and worked in this area. We were well aware of the fact that some of the relatives who took children in under the Dublin regulation had not had much contact with the families beforehand and that that might not have worked out very well, but I am certainly happy to look at what the hon. Lady is saying, particularly in the light of her experience with Amnesty and Save the Children.

PE and Sport Premium

12. Justin Tomlinson (North Swindon) (Con): What steps her Department is taking to measure the effect of the PE and sport premium on childhood inactivity over the 2017-18 academic year. [900750]

The Minister of State, Department for Education (Mr Robert Goodwill): The Government want all pupils to be healthy and active, which is why since 2013 we have provided £600 million to primary schools through the primary PE and sport premium, and why we are doubling the funding to £320 million a year from this September. An evaluation in 2015 found that the premium was making a big difference and we are considering how to assess the impact of the newly doubled funding in future years.

Justin Tomlinson: Yes, it is making a big difference during school term time, but ukactive’s research shows that children lose a significant level of fitness in the school holidays. Using funds from the premium and the sugar tax, what can be done to open up school sports facilities for local clubs and community groups to provide sporting opportunities outside the traditional school day?

Mr Goodwill: Certainly, it is important to look at every opportunity. I pay tribute to the teachers who work with children outside school hours and to the clubs and other organisations that provide fantastic sporting opportunities for our children.

Mrs Emma Lewell-Buck (South Shields) (Lab): The Government’s plans to address childhood inactivity should include healthy pupils capital funding. In February, the Secretary of State was clear that the amount schools would receive would not fall below £415 million, but just last week the Minister admitted that more than £300 million has been cut from that very programme, in addition to the £300 million that has been cut from the school standards budget. In February, the Secretary of State was clear that the amount schools should include health pupils capital funding. In February, the Government’s plans to address childhood inactivity receive £18,340.

13. Jeff Smith (Manchester, Withington) (Lab): What recent estimate she has made of the level of teacher shortages. [900751]

The Minister for School Standards (Nick Gibb): There are more teachers in England’s schools than ever before. The vacancy rate remains low at 0.3% of all teachers and secondary post-graduate recruitment is at its highest level since 2011. However, we recognise that some schools face challenges, which is why we continue to invest in teacher recruitment—more than £1.3 billion up to 2020. In addition, our work in the 12 opportunity areas will ensure teacher recruitment and retention challenges are addressed.

Jeff Smith: That is a very complacent answer. The Secretary of State’s predecessor, the right hon. Member for Loughborough (Nicky Morgan), said that the public sector pay cap is having a clear impact on recruitment and retention. Does the Minister agree with his right hon. Friend that the policy makes it harder to recruit the teachers we need?

Nick Gibb: We rely on the expertise of the School Teachers Review Body. It reported in July and we responded to that review. It has recommended increasing the pay bands in the main pay range by 2%, and by 1% for the remaining pay bands. Pay is of course important, but it is not the only factor that drives teachers in or out of the profession. Others include workload and pupil behaviour, and we also take those issues seriously.

Sir Desmond Swayne (New Forest West) (Con): Can more creative use be made of the price mechanism in those subjects with shortages?

Nick Gibb: We have generous tax-free bursaries, which we use imaginatively, and we reflect the challenges of recruiting the best graduates into teaching. Bursaries of up to £25,000 are available for graduates in those priority subjects.

Mr Speaker: I have previously exhorted the right hon. Member for New Forest West (Sir Desmond Swayne) to circulate his textbook on succinct questions. It is now timely that he should do so.

Angela Rayner (Ashton-under-Lyne) (Lab): My hon. Friend the Member for Manchester, Withington (Jeff Smith) made a very good point, and the School Teachers Review Body, the Education Select Committee and the Secretary of State’s predecessor have all said that pay has contributed to the crisis in teacher recruitment, but—notably—not the Prime Minister. Last week, our research showed that the Government’s freeze and cap on public sector pay has left the average teacher more than £5,000 a year worse off. Will the Secretary of State get the cap lifted for schools or is she telling us that nothing has changed?

Nick Gibb: We rely on the expertise of the School Teachers Review Body and the extensive and thorough review carried out by it. It has made recommendations, which we have accepted, that the main pay bands should
increase by 2%—the minimum and maximum—and that the bands for more senior teachers should increase by 1%.

There are 15,500 more teachers today than when Labour left office in 2010. We are meeting 93% of the target of recruiting graduates into teacher training. More returners are coming back into teaching in 2016 than in 2011, and more people came into teaching than left last year.

Teaching Assistants: Recruitment and Retention

15. Clive Efford (Eltham) (Lab): What plans she has to help recruit and retain teaching assistants in schools; and if she will make a statement.

The Minister for School Standards (Nick Gibb): Responsibility for the recruitment and retention of teaching assistants rests at the local level with headteachers and school employers, who are best placed to use their professional judgment to recruit and retain teaching assistants to best meet the needs of their schools and pupils.

Clive Efford: That answer is simply not good enough.

Low pay is a barrier to the recruitment and retention of teaching assistants. Figures from the GMB’s pay pinch report, taking the consumer prices index into consideration, show that a higher level teaching assistant has lost £9,200 over the past seven years and that that will rise to over £12,000 by 2020 unless something is done about the public sector pay cap. Is it not time that we stopped hearing weasel words from the Government about how much they value those staff and that they started to pay them the rate for the job?

Nick Gibb: We do value teachers and teaching assistants. They do a good job of phenomenally challenging work in our schools, which is why we have 1.5 million more pupils in good or outstanding schools today than we did in 2010. The hon. Gentleman is wrong about the number of teaching assistants, which has been increasing year on year. Today, there are 265,600 full-time equivalent teaching assistants in state-funded schools.

Topical Questions

T1. [900774] Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): If she will make a statement on her departmental responsibilities.

The Secretary of State for Education (Justine Greening): Nine out of 10 schools in England are rated good or outstanding by Ofsted, which is testament to our relentless pursuit of high standards through education reforms. This summer, our students took their first three reformed GCSE subjects and received their results, and there were also successes in improved A-levels, too, with a record number of young people from disadvantaged backgrounds securing a place at university. We are extending high standards into further and technical education by introducing T-levels to deliver choice and develop a world-class skills system. Of course, 30 hours of free childcare for working parents of three and four-year-olds is now live nationally in England for the first time, saving families up to £5,000 a year per child. All those reforms have a common theme of social mobility, and I am proud that this Government are tackling disadvantage through the education system.

Jamie Stone: I had the great pleasure of attending the apprentice graduation ceremony in Dounreay in my constituency, and it is great to see young people being equipped with skills for their careers. What can we do to make it easier for small companies in my constituency to engage with and take up the apprenticeship scheme?

Justine Greening: One of the things that we have pushed in England through the apprenticeship levy is to ensure that large firms will be able to pass some of that levy down to smaller firms for them to use. It is critical that we reach our target of getting 3 million apprentices by 2020. This is about having a strong economy, producing strong opportunities and ensuring that SMEs can help to connect young people with apprenticeships.

T2. [900775] Wendy Morton (Aldridge-Brownhills) (Con): As the Secretary of State is aware, apprentices and technical education are an important part of our educational offering, and I am fortunate in my constituency to have an excellent-rated apprenticeship provider called In-Comm. What more are the Government doing to increase the number of high-quality apprenticeships for young people?

The Minister of State, Department for Education (Anne Milton): As my right hon. Friend the Secretary of State said, we have introduced the levy, which is an important part of encouraging sustained employer investment in high-quality apprenticeships. The Institute for Apprenticeships, which was set up in April, has developed standards to replace frameworks, ensuring consistency of achievement, and we have enshrined the term “apprenticeship” in legislation, which is important for raising their prestige. My hon. Friend is absolutely right to praise the work done in her constituency, and I recently visited an employer that has 54 apprentices on the go at any one time.

Several hon. Members rose—

Mr Speaker: Order. The emphasis in topical questions is supposed to be on quick-fire questions and quick-fire responses. I am not sure that that has been altogether grasped either by those who advise Ministers and tend to write out long and tedious screeds or even by Ministers themselves, but it would help if it was.

Gordon Marsden (Blackpool South) (Lab): Last week’s stunning National Audit Office report said that the Department for Education could not show that £200 million from LIBOR funds pledged by the Government for 50,000 apprenticeships for unemployed 22 to 24-year-olds had actually been used for that purpose. Eighteen months ago, when I tabled four parliamentary questions on the issue, Ministers ducked and dodged answering. Was the £200 million shoved down a Treasury sofa, or was it just pocketed by DFE? What is the Secretary of State going to do now that the NAO has found the Government out?

Anne Milton: Nobody, neither the Treasury nor the Department for Education, is showing money down the sofa—£200 million was given to the Department as part of the apprenticeship budget, and that was allocated in
the 2015 spending review. [Interruption.] If the hon. Gentleman cared to listen, he might find out the answer. I am satisfied that the money is being spent on those who need it.

T3. [900776] Stephen Hammond (Wimbledon) (Con): I recently visited two excellent primary schools in my constituency, West Wimbledon and Joseph Hood, both of which want to know when the Secretary of State will publish the full details of the national funding formula and whether she will confirm that no school will see a reduction in its funding as a result.

Justine Greening: We will be publishing it very shortly. As I have said to other hon. Friends and colleagues, we will ensure that no school loses as a result of the national funding formula. In fact, schools will gain, unlike what would have happened had Labour won the election.

T4. [900777] Sarah Champion (Rotherham) (Lab): This House should be commended for legislating for relationship education for all primary schoolchildren, which will create a more tolerant society and benefit child protection. Will the Secretary of State outline the introduction of that relationship education and tell us the additional resources she will be giving to schools?

Justine Greening: I very much welcome the hon. Lady’s support for the steps the Government are taking, and I welcome her role in supporting relationship education in her previous role on the Opposition Front Bench. We will set out the details of the engagement process that will be getting under way to make sure that we get the next proposals right. It is important that we are sensitive to this particular topic and, given her interest in this area, I hope she will continue to stay involved.

Lucy Frazer (South East Cambridgeshire) (Con): In answer to the first topical question today, the Secretary of State identified how a company can use its apprenticeship levy down the supply chain. Does she agree it is a good idea to allow companies to go even further down the supply chain to support science, technology, engineering and maths teachers? That will not only encourage links between businesses, schools and teaching but will encourage more bright graduates to go into STEM and other subjects.

Justine Greening: The relationship between employers and schools has never been more important, particularly in the STEM subjects, which are so crucial to British business. Whether we are raising standards in maths and science or whether the university technical college programme is formally connecting employers and education, the Government are looking across the board to ensure that that relationship is strong.

T5. [900778] Kerry McCarthy (Bristol East) (Lab): I very much welcome what the Universities Minister had to say last week about excessive pay packages for university vice-chancellors and the measures he is taking to try to get vice-chancellors to justify those packages to their university courts. Does he really think that that will make a difference given that vice-chancellors are paid so much more than the £150,000 talked about?

The Minister for Universities, Science, Research and Innovation (Joseph Johnson): I thank the hon. Lady for her words of support for our intervention. It is important that there is transparency and accountability on how funds are used, and I am confident that the Office for Students will use its powers effectively to achieve that.

James Heappey (Wells) (Con): The Secretary of State will know that West Somerset is an opportunity area, and we have a big reskilling requirement to take full advantage of the construction of Hinkley Point C. Does she share my concern, therefore, about the reduction of funding for Somerset Skills & Learning? And will she encourage her Department to do all that is necessary to restore the funding as quickly as possible?

Anne Milton: I met my hon. Friend last week, and he raises an important point about the skills that will be needed at Hinkley Point. I look forward to having a meeting, which I think he will attend, on the future steps we can take.

T6. [900779] Lilian Greenwood (Nottingham South) (Lab): Nottingham faces at least a decade of growing demand for secondary school places. Although the local authority has a duty to provide places, it has no power to direct the city’s 16 secondary schools, all of which will soon be academies, to expand provision or even to admit to their full capacity. Will she act now and require all publicly funded providers to engage and work with their local authority on place planning, or is she simply determined to put her ideological faith in free schools before the needs of our city’s young people?

Justine Greening: It is important to see local authorities working with schools effectively and working with them to expand if they are popular. The bottom line is that through the free schools programme we have brought forward thousands of badly needed school places and extra choice for parents, and overwhelmingly these schools are doing a great job at educating our children.

Fiona Bruce (Congleton) (Con): Given that fractured family relationships can be such a driver of disadvantage for many young people, will Ministers consider how relationships education can equip young people with the skills to help them strengthen their family relationships, particularly as they mature? Will the Minister meet a group of concerned Members about this issue?

Justine Greening: We have said that we are making relationships education in primary school mandatory, because we feel that children need to go into secondary on a firm footing, understanding this area, and they can then build on that with sex education. I am happy to meet my hon. Friend and other colleagues; obviously, this is an important topic for the House.

T7. [900780] Alex Cunningham (Stockton North) (Lab): The Minister will know how many summer-born children needlessly end up on the special needs register because of the lack of specific targets and support to help them close the gap on their older classmates. What guidance and resources is the Minister giving to schools so that children get the help they need?
The Minister for School Standards (Nick Gibb): As I have said, we have written to local authorities to say that they should take the best interests of children into account when determining which year group summer-born children go into. It is important that children who start school immature or with other special educational needs get the support they need, and our schools are providing that support.

Henry Smith (Crawley) (Con): Broadfield House in my constituency was, sadly, the site of the first free school to be closed by the Department for Education, and the building has remained empty for far too long. Will my right hon. Friend assure me that the building will be brought back into educational or at least community use in the near future?

Nick Gibb: That is an example of our taking swift action when an academy or free school is not working—that was why it was closed swiftly. I am happy to meet my hon. Friend to discuss the future of that site.

T8. [900781] Vicky Foxcroft (Lewisham, Deptford) (Lab): Lewisham has the highest level of hospital admissions in London for self-harm among 10 to 14-year-olds. With an average of three children in each classroom currently suffering from a mental health condition, how will my right hon. Friend ensure that the building is appropriately staffed to provide adequate support?

Justine Greening: We will be publishing that paper later in the year. In the meantime, we have already committed to expanding the single point of contact plan, which is making sure schools have an identified point of contact within the NHS. We can learn and build on that excellent initiative.

Mark Pawsey (Rugby) (Con): The number of children being schooled at home has almost doubled over the past six years; we have 441 in Warwickshire, including children of my constituents. Is the Secretary of State convinced that each of these children is receiving an education suitable for their age, aptitude and ability?

Nick Gibb: Many very many children who are educated at home are educated to an extremely high standard, and many parents want this freedom for their children. Local authorities have a duty to ensure that children who are not in school are receiving an adequate education.

T9. [900782] Nic Dakin (Scunthorpe) (Lab): It cannot be right—can it?—that sixth formers are given 21% less funding than 11 to 16-year-olds, so will the Government respond to the constructive campaign by the Association of School and College Leaders, the Association of Colleges and the Sixth Form Colleges Association by fundamentally reviewing post-16 funding?

Anne Milton: The hon. Gentleman had a Westminster Hall debate last week where we discussed this issue at length. Although he does not like me going on about this, I would direct him to what we are doing with apprenticeships and T-levels, which also has an impact and will produce funding in those colleges.

Julian Knight (Solihull) (Con): Personal finance education in schools is a key way of skilling up young people, so will the Minister meet me soon to discuss further plans to make available to schools a textbook on personal finance education through the all-party group on financial education for young people?

Nick Gibb: Financial education is important. It is in the national curriculum and in the maths curriculum, which is an essential way of children becoming financially literate. I would be delighted to meet my hon. Friend and I am particularly keen to discuss textbooks.

T10. [900783] Mike Amesbury (Weaver Vale) (Lab): At a time when 16-to-19 education is in dire need of additional investment, does the Minister agree that schools and colleges should at least receive all the Government funding set aside to educate sixth-form students?

Justine Greening: Record funding is going into schools and, overall, we are scaling up our technical-education funding. That is accompanied by more steps to raise standards in further education colleges.

Stephen McPartland (Stevenage) (Con): Will the Minister confirm whether the Government agree with local government-controlled multi-academy trusts?

Nick Gibb: There are limits to the influence and voting proportion that local authorities can have in multi-academy trusts. This is about a new independence for academies. I have been discussing with my hon. Friend the particular multi-academy trust about which he is concerned, and I am happy to continue to have those discussions with him and with my noble Friend Lord Nash.

Liz McIlwes (Heywood and Middleton) (Lab): Flammable cladding has been found on university halls of residence and privately provided student accommodation throughout the country. With students returning to that accommodation in the coming weeks, what will the Secretary of State do to ensure their safety?

Joseph Johnson: The higher education sector has taken this issue very seriously indeed. The Department has had a positive and comprehensive response from all 238 HEFCE-funded providers and designated alternative providers. When issues have been identified, providers have been quick to respond to protect student safety. Officials will continue to work closely with those in the Department for Communities and Local Government who are reviewing private student accommodation.

Sueella Fernandes ( Fareham) (Con): Michaela Community School, a free school that I have the honour of chairing and having co-founded, was recently graded outstanding in its first Ofsted report. My right hon. Friend the Minister for School Standards has visited the school; will the ministerial team join me in congratulating the staff, teachers and pupils at Michaela—led by the inspirational Katharine Birlsangh—who are transforming young people’s lives?

Justine Greening: I congratulate the Michaela school, all its staff and its headteacher. They have done an outstanding job which has now been reflected in the
Ofsted report. Most important is the impact that has had on those young people’s futures, which are significantly enhanced by their going to that school.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): Earlier, the Secretary of State announced more funding for schools. Will she acknowledge that schools are undergoing a £3 billion reduction in funding because of efficiency savings? That is nearly double what she is offering instead. Does she agree that she is giving with one hand while taking away more with the other? For schools such as those in Hackney to remain excellent, we need decent funding so that they do not have to lose teaching staff.

Justine Greening: I am not sure that I do agree with the hon. Lady. Following my £1.3 billion funding announcement, the Institute for Fiscal Studies said that we were going to see real-terms protected per-pupil funding across the remainder of this spending-review period.

Several hon. Members rose—

Mr Speaker: Order. I am sorry, but time is against us and we must move on. Approximately 90 Members wish to speak in today’s debate.
European Union (Withdrawal) Bill

Second Reading

Debate resumed (Order, 7 September).

Question proposed (7 September), That the Bill be now read a Second time.

Amendment proposed (7 September): to leave out from ‘That’ to the end of the Question and add

“That this House respects the EU referendum result and recognises that the UK will leave the EU, believes that insisting on proper scrutiny of this Bill and its proposed powers is the responsibility of this sovereign Parliament, recognises the need for considered and effective legislation to preserve EU-derived rights, protections and regulations in UK law as the UK leaves the EU but declines to give a Second Reading to the European Union (Withdrawal) Bill because the Bill fails to protect and reassert the principle of Parliamentary sovereignty by handing sweeping powers to Government Ministers allowing them to bypass Parliament on key decisions, without any meaningful or guaranteed Parliamentary scrutiny, fails to include a presumption of devolution which would allow effective transfer of devolved competencies coming back from the EU to the devolved administrations and makes unnecessary and unjustified alterations to the devolution settlements, fails to provide certainty that rights and protections will be enforced as effectively in the future as they are at present, risks weakening human rights protections by failing to transpose the EU Charter of Fundamental Rights into UK law, provides no mechanism for ensuring that the UK does not lag behind the EU in workplace protections and environmental standards in the future and prevents the UK implementing strong transitional arrangements on the same basic terms we currently enjoy, including remaining within a customs union and within the Single Market.”

(Keir Starmer.)

Question again proposed, That the amendment be made.

Mr Speaker: Before I call the right hon. Member for Basingstoke (Mrs Miller), who will open the debate and be subject to a six-minute limit, may I please make a plea? I ask colleagues not to come to the Chair or cause someone to come to the Chair on their behalf, with any of the following inquiries. “Am I on your list?”—if you applied, you are. “Am I going to be called?”—you might be, or you might not. “If so, when will it be?”, “May I repair to the Tea Room for a cup of tea and a biscuit?”, or “I am in order for me to go to the loo?”—for which I read, “Am I about to be called?”. Please, colleagues, I will do my best, but there are approximately 90 people wanting to speak. Some might be disappointed; I am afraid that is parliamentary life. I will make my best endeavours. Please exercise the patience, stoicism and fortitude for which you all are, or hope to become, universally renowned throughout your constituencies.

3.39 pm

Mrs Maria Miller (Basingstoke) (Con): This is a necessary Bill; 52% of the population voted to leave the EU, and each of us who have been voted here by our communities to represent them in this debate need to respect democracy, which is why we need to get on with the job of ensuring a smooth exit from the EU. This Bill is a necessary part of that overall process. For the Labour party to vote against the Bill at this early stage—[Interruption.]

Mr Speaker: Order. This is very unfair on the right hon. Member for Basingstoke (Mrs Miller). This is an extremely important debate, and she has been called to speak, but there is a considerable hubbub of private conversations, which is unfair and, dare I say it, a tad discourteous. Let us give her a fair hearing, which should then be extended to every other contributor to the debate.

Mrs Miller: The Labour party voting against this Bill at such an early stage could easily be seen as a blatant attempt to frustrate the Brexit process. I urge its right hon. and hon. Members to consider their position on that. I listened carefully to the hours of debate on Thursday, and I have yet to hear a single Opposition Member say that this measure is unnecessary; if it is not unnecessary, they should vote for it. There are strong arguments to say that this Bill needs amending, but none that says that it is unnecessary. I shall vote for the Bill on Second Reading, but it is clear that a number of issues need to be addressed during Committee.

The Secretary of State made very compelling arguments in his opening address on Thursday, and from what he said, his intention is crystal clear: he wants this Bill to deliver maximum certainty. He was also clear about his openness to hearing of improvements and making changes to achieve them. I can understand his clear frustration that the Opposition’s concerns have not been coupled with specific solutions. I hope that he and the Minister on the Front Bench today can, in their summing up, respond to the specific recommendations that the Women and Equalities Committee made seven months ago to the Government on how to handle the charter of fundamental rights. My Committee is still awaiting a response from Ministers to that report.

The Select Committee did a detailed analysis of how to make sure that, when it comes to equality laws, the same rules apply after exit as do today; that is exactly what the Secretary of State has said that he wants to do. When it comes to equality laws, we need certainty. We need not only to transpose the laws, but to acknowledge the effect and the impact of EU institutions and the framework currently provided by the charter of fundamental rights. People voted last June to take back control of our laws and how they are interpreted, and for the UK Parliament and the UK courts to be the final arbiter, but they did not vote for a diminution of their rights.

It may not be possible or even desirable to preserve the charter of fundamental rights, and that we should retain the charter is certainly not the case that I am making, as it is so clearly dependent on EU law and institutions. I am saying that we need to ensure that its effect is captured; otherwise the backstop on equality rights would be removed, and that would not be the status quo that the Secretary of State is demanding.

There are many examples that I could use to demonstrate the importance of protecting this absolute right, and if I had more time, I would talk about its importance to pregnant workers. If we do not have a clear statement in the Bill on what basis exactly the courts and the law will be on, we need to ensure that we know on what basis the Supreme Court will be able to stop future Acts of Parliament from reducing individuals’ equality rights that are protected under the Equality Act 2010.

In effect, the current structures act as a free-standing right that cannot be overridden by domestic legislation. I am arguing not for the retention of the EU Court of Justice’s role, but for an acknowledgement that the
removal of its jurisdiction needs to be addressed. The Women and Equalities Committee has put forward three recommendations, which could be easily accommodated in the Bill: first, that a clause be added to the Bill that explicitly commits us to maintaining current levels of equality protection when EU law is transposed into UK law; secondly, that the Government commit to an amendment to the Equality Act, mirroring provisions in the Human Rights Act, to make it clear that public authorities must act in a way that does not contravene the Equality Act; and last but by no means least, that when presenting a new Bill to Parliament, Ministers must make a declaration of compatibility with the Equality Act in exactly the way that they do for the Human Rights Act; that would give the courts a clear direction about the importance of safeguarding equality rights.

In summary, it is imperative that the Bill be given a Second Reading tonight to allow those important changes to progress. It is regrettable that some of the matters being debated, particularly those raised in Select Committee reports, have not been addressed before now. I am simply holding the Government to their own intent of ensuring that “the same rules, apply after exit”, as do today. I am absolutely sure that this Government, under the leadership of my right hon. Friend the Prime Minister, have only the intention of safeguarding and strengthening equality rights, and particularly workers’ rights. As a nation, we have a proud track record on equality—it is part of our DNA—but to keep the status quo, as the Secretary of State says he wishes to, we need to indelibly embed equality in our approach to law, and in the interpretation of that law by the courts.

3.45 pm

Angela Smith (Penistone and Stocksbridge) (Lab): The Bill represents not just a step along the way towards departure from the European Union, but an unacceptable attempt by the Government to strengthen their hand when it comes to exercising legislative power—and this at a time when the general belief is that we should be going in the opposite direction, in effect giving a bigger role to Parliament.

Only three years ago, the Hansard Society published its robust critique of the system in its report, “The Devil is in the Detail”, yet this Bill confers a breathtaking range of delegated powers on Ministers. For example, the Bill, if given Royal Assent unamended, will give Ministers the power to start implementing the withdrawal agreement before this House has even had a chance to debate and vote on it. The Bill will also allow for its own amendment under delegated powers. There are instances, of course, of that happening in the past, but this is different, because the power is drawn so broadly that it could be used to amend all parts of the Act. The Bill also allows for the amendment, under delegated powers, of primary legislation already on the statute book.

Surely, if the Government were genuinely committed to a smooth Brexit that restored total sovereignty to Westminster, they would not have taken such a cavalier approach to this critically important piece of legislation. One can only conclude that the incorporation of significant delegated powers in the Bill, combined with the scope for extensive use of statutory instruments under the negative procedure, demonstrates that the Government are running scared of parliamentary democracy; or rather, that they are so arrogant that they believe that they can impose their will regardless of the opinion of the House.

I would go further and argue that the Government’s approach to the Bill threatens a chaotic Brexit, because they refuse to recognise that their use of delegated powers in the Bill pushes our democracy beyond breaking point. That attitude threatens nothing but discord if the Bill goes on the statute book unamended, and in that context, it will do little to deliver a smooth Brexit. Let me be clear: I accept that an efficient and businesslike approach is needed if we are to prepare ourselves successfully for exit from the European Union, but the Government seem incapable of accepting that this approach can be secured while according Parliament its proper and democratic role in scrutinising the powers in the Bill, and the statutory instruments that will emerge over time if it gains Royal Assent.

The Hansard Society has shown us the way, providing us with a framework for scrutiny that removes unnecessary and time-consuming procedures for uncontested SIs, while giving the Commons a more meaningful voice in the process leading to the enactment of the more complex and challenging instruments. I hope that the Government will change their mind; there is a way forward on the table. I hope that those on the Government Front Bench will indicate today that they are prepared to amend the Bill in Committee to allow for meaningful reform of the way in which Parliament scrutinises delegated powers and their use by Ministers, but so far we have had only a weak indication from the Government that they will bend on this all-important principle, and that is just not good enough. That is why I will vote against Second Reading tonight unless things change during the debate.

If I do vote against Second Reading tonight, it is not because I am voting against Brexit. That would be a huge misrepresentation of the nature of this debate and the nature of the decisions involved if we agree to Second Reading. Rather, I will be voting against a Brexit badly handled, which threatens to weaken further our long-established and hard-won democratic traditions.

3.50 pm

Mr Bernard Jenkin (Harwich and North Essex) (Con): This Bill is, fundamentally, not a decision-making Bill; it is an enabling Bill—it is an administrative measure. I spent many years on the Opposition Benches—on the Front Bench and on the Back Benches—practising the professional outrage we saw practised very effectively in the Chamber last Thursday and, if I may so, just now by the hon. Member for Penistone and Stocksbridge (Angela Smith). Of course, there are scintillas of truth in the points being made, but we should remember that the big decisions have been made—on 23 June last year and in the article 50 Act. We are leaving the European Union, and a vote against the Bill, as my right hon. Friend the Member for Basingstoke (Mrs Miller) pointed out, is just a vote for chaos and a chaotic Brexit, rather than a smooth transition.

Much of the debate is actually not about sovereignty, but about scrutiny and the proper role of Parliament, as the hon. Member for Penistone and Stocksbridge just
Mr Kenneth Clarke (Rushcliffe) (Con): My hon. Friend and I rarely agree totally on European matters, but I actually agree with him that we need a practical Bill, not a policy Bill, that enables us to have a smooth transition. Would he therefore not agree that the whole issue under debate could be solved if the Government agreed to amend the Bill so that they gave themselves only the sweeping powers in clauses 7, 9 and so on if they were removed, because the Government express no intention of using them in the way everybody fears.

Mr Jenkin: Absolutely right. The point is that we want that smooth transition; the only reason there is a possibility that there will not be one is the intransigence so far of the European Union. The paradox is that there are sensible people in the European Union who clearly think that the European Union will inflict the most ghastly cliff edge on our country. I think better of the EU. There are sensible people in the European Union who will not want tariffs, or tariff barriers, or new and unnecessary restrictions on trade between our two countries. They will not want to de-recognise so many of the mutual recognitions we already have. They will want to secure the jobs of their people and their countries just as much as we want to secure ours.

Even if we leave without an agreement, I think the biggest challenge is being ready in time. My biggest concern is that there are still parts of Government that do not seem to be preparing quickly enough. On the question of Her Majesty’s Revenue and Customs and the customs arrangements, are those at HMRC spending money on what we need in place in case there is no deal? I keep hearing that they are waiting for instructions, as though there will be something much clearer for them to work against, but we have to face the fact that we might well leave without a comprehensive settlement of some kind, and that our customs arrangements and all the other arrangements will have to be ready in time. This Bill enables us to do that.

I will end my speech a little early by emphasising that a vote against this Bill would be a terrible disappointment, and I would not take such a vote at face value, as I do not think that the vast majority of hon. Members in this House want to create a chaotic Brexit. They will be voting for a tactical defeat, because they know that they cannot succeed in this debate.

We should concentrate on the fact that we have far more in common with our European partners than divides us. That will be the same after we have left the European Union as it is now. I look across the Chamber at the hon. Member for Ipswich (Sandy Martin); we stood together in one of the glorious Suffolk churches of East Anglia last night and sang Beethoven’s ninth symphony and the words of Schiller’s great poem, the “Ode to Joy”. Incidentally, it was composed more than 100 years before the European Union was invented and has absolutely nothing to do with political and monetary union under the European Union. We are leaving the European Union; we are not leaving Europe.

3.59 pm

Frank Field (Birkenhead) (Lab): I can be mercifully brief. I wish to make two points. First, I will vote tonight for the only option that implements the referendum
result. That was the wish of my constituents and that was the wish of the country. I do not wish any different view to be put forward about whose side I am on—I am on the side of the majority of people who voted to come out.

Secondly, I want to address those on the Government Benches. When we started this process, many people bravely went against their lifetime views to implement the views of their constituents, but given the frailty of human nature we have had one or two recidivists who are now thinking, having read Thursday’s debate, that there may be reasons for not doing this or not doing the other. When we come back in Committee, I will table a four-clause Bill, because the Government, by having this mega-Bill, are storing up no end of trouble from Members who are wolves in sheep’s clothing and who will try to undo the measure.

We need four crucial things from that Bill. First, we need a leave date. Secondly, we need to incorporate all European Union law and regulations. The third clause will give us the means by which the House of Commons and then their lordships review which laws we want to keep, which we want to improve, and which we want to do away with. We are voting from midnight tonight, and there is talk that it will be 3 o’clock on Wednesday morning before we vote on tomorrow’s business. With regard to the idea that this place is equipped to review all that legislation, there is shedloads upon shedloads upon shedloads, and it would fill up the House of Commons on several occasions. We therefore need a means whereby we review which legislation we will keep and which we will not. Fourthly, in case there are problems with people with their little hands on our windpipes who think, “If we can hold them to the two years, we will get what we want”, we need a safe haven.

That is what we need from this exit Bill: first, the date; secondly, the incorporation of everything; thirdly, a method of review; and fourthly, for a limited period, a safe haven. I hope that when we go into Committee, the Government will adopt those four proposals as clause 1 so that we can very quickly implement this Bill. We can then bring forward small Bills to implement other parts of the mega-Bill they are putting before us, should we need them. I hope that when the whole House of Commons is in Committee, we will carry that amendment.

4.2 pm

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I agree with the right hon. Member for Birkenhead (Frank Field) that this Bill is merely an enabling piece of legislation—a process whereby we can achieve what the country asked us to do. As I understand it, the Government are willing to consider changes in Committee. I hope that they will look at his amendments, and also perhaps mine.

I am sure that all my colleagues here, like me, have been on the receiving end of various emails about this Bill urging us to vote for it, against it or against the programme motion, or complaining about the arrangements for devolution. Voting against it certainly does not make any sense, particularly after the House passed the article 50 legislation. The Bill is the vehicle for the Government and this House to deal with a unique and extraordinary situation and ensure a functioning statute book as we leave the EU. Unless they are trying to rerun the referendum or create chaos in the process, voting against it should not be an option for any Member tonight.

Ministers have indicated that they will be flexible wherever possible. On the programme motion, however, I think, having lived through the Maastricht debates, that there is little to be gained and much to be lost by prolonging any debate unnecessarily, and eight days seems a reasonable length of time. Our businesses and organisations will not thrive with ongoing uncertainty, and this Bill increases the progress being made to provide the stability and certainty they require for a smooth transition and continuity of business post Brexit.

On devolved matters, our membership of the EU predates devolution to Wales, Scotland or Northern Ireland. It was the UK Government who gave away these powers to the EU, and it is UK Government who will reclaim them. As far as I am aware, the Government have not resiled in any way from devolution; instead, they have recently increased the powers transferred to Wales and Scotland. The Secretary of State has reconfirmed that the current powers will remain exactly the same throughout the process, and the devolved Administrations will, in fact, prepare the devolved statute books for a smooth exit in Cardiff and Edinburgh, with appropriate arrangements for Northern Ireland. Further, he has indicated that in the interim period, if any adjustments need to be made in the areas that are being repatriated, the relevant Administrations will be consulted.

On delegated powers, I see the Bill not as a power grab, which is how it has been painted, but as a pragmatic approach to ensuring that no unnecessary complex disadvantages further burden business in the devolved countries. I hope that an accommodation will be reached on other differences in that area, and I know that the Front-Bench team is listening carefully.

I want to raise one subject on which I would like clarification. The repeal Bill, as it stands, does not prevent the continued application by UK courts after Brexit of EU law to cases in which the facts occurred at a time when EU law, including the law relating to remedies, was in force. So although, if I understand it correctly, there is provision for a Francovich case to be heard if it is lodged before exit day, and there is provision for the consideration of EU legal principles, the repeal Bill does not provide for a transitional reference—one that is made before the exit date but does not come back until after the exit date, or one that is made after the exit date. I hope that Ministers will consider a new clause that allows references on cases that are under way, and that they will look into the matter to ensure that the Government do not abuse their position or evade their responsibilities as a by-product of Brexit.

The Ministers on the Front Bench will be particularly aware of my battles against HS2, which are well documented, and it is worth noting that even former very senior civil servants now virtually acknowledge that the Government went ahead with that monstrous project against advice. What the project has done is throw into sharp relief the need for environmental protections to be effective and maintained, so that we do not take any backward steps. Where the EU has done some good work, it has been on environmental safeguards. I think it is right to remind Ministers on
Second Reading that any changes to these areas must be thought through so as not to dilute the protections and the promotion of environmental law, and I seek assurances on those matters.

In conclusion, we have all heard the rather simplistic attempts to give this process a prejudicial descriptor—hard or soft Brexit—which are a product of polarised viewpoints. I prefer a practical approach and, with perhaps a few modifications, the Bill will do what it says on the tin. It provides a method of facilitating a very complex legal and constitutional extrication, the need for which has resulted from a democratic vote to leave the European Union. I will therefore support the Government in the Lobby tonight, and I hope that many of my Opposition colleagues, as well as my friends on the Government Benches, will do the same.

4.7 pm

Wayne David (Caerphilly) (Lab): Although I campaigned and argued for this country to remain a part of the European Union, I fully accept that that is not the majority view of the country. But I would argue that this is the wrong way to leave the European Union. This is not a general enabling Bill; it is a poorly thought through complex and undemocratic piece of legislation. One of the most fundamental problems with the Bill is that it amounts to—yes—a power grab by this Government. That power grab takes several forms, but I want to focus on just two aspects.

First, there is the widespread use of Henry VIII powers, allowing the Government effectively to bypass Parliament and change primary legislation through secondary legislation. That has, of course, happened in the past, but not on such a huge scale as is planned now. As a result of this Bill, we will see extensive use of those undemocratic powers, because some 12,000 EU regulations will be brought into UK law. Some of them will make changes for technical reasons, but, as the most recent paper from the House of Commons Library states, it is anticipated that others will enable “substantive policy changes” to be made by the Government. So changes are likely to be introduced through Committees, which is why the Government are doing their best to pack those Committees with their own MPs, against the established procedure of the House.

We are also seeing an unprecedented power grab with regard to devolution. As a Welsh Member of Parliament and a former Wales Office Minister, I have followed devolution very closely. Many of us expected, as did the devolved institutions themselves, that this Bill would make real the promises the Government set out in their White Paper.

Stephen Kerr (Stirling) (Con): Will the hon. Gentleman give way?

Wayne David: There are many speakers, as we have heard, and I am sorry, but I would rather press on.

In the White Paper of March 2017, it was stated that there would be a significant increase in the decision-making powers of the devolved institutions. That was there in black and white. It also intimated that former EU frameworks would be subject to decisions involving the devolved Governments, but such is not the case. The Bill before us does not return powers from the EU to the devolved institutions, as promised. Instead, in devolved areas, such as agriculture and the environment, power is going from Brussels to London, bypassing and therefore undermining devolution. Moreover, this Bill in effect imposes a freeze on the legislative competences of the devolved institutions. As a report by the Welsh Assembly research department points out, the devolved institutions will not be able to modify so-called retained EU law for Wales and Scotland, but a Conservative British Government will be able to do so for England, and may even be able to do so for the devolved nations.

Mr Jenkin: In the last Parliament, the Public Administration and Constitutional Affairs Committee took evidence on this matter from the same academic who advised the Scottish Parliament, and he was very clear that the powers being reserved under these proposals were only ever notionally devolved, because they were of course reserved by virtue of our membership of the European Union. This is not a power grab; the Government’s objective is to make sure that the devolved Administrations finish up with more powers than they had before.

Wayne David: We are not talking about notional, theoretical powers; we are talking about actual powers on the statute book, and about whether one institution or another is able to enact laws according to that legislation.

There is a big difference between what was in the White Paper and what is in the legislation before us. What is more, undemocratic changes have been introduced without even a modicum of prior discussion, let alone negotiation, with the devolved institutions. This power grab by the Conservative Government is an affront to the devolved institutions, but it is also a slap in the face of the people of Scotland and of Wales. As Carwyn Jones, the First Minister, said in the Welsh Assembly in July, there is a popular mandate for what the Welsh Government are arguing. To quote him exactly:

“The 2011 referendum…saw a large majority vote in favour of giving this National Assembly primary legislative powers”,

but the European Union (Withdrawal) Bill is “an attempt to take back control over devolved policies…not just from Brussels, but from Cardiff, Edinburgh and Belfast.”

In his letter to Members of Parliament, dated 7 September, the First Secretary of State said that the arrangement I have described was a “transitional arrangement”. My question is: how long is this transitional arrangement for? How long is the period to which we are referring? How long is the rapid period mentioned in the explanatory memorandum? Is it one month, one year, 10 years, 20 years—how long? This Bill is an undemocratic blank cheque that, if passed, will give unprecedented powers to this Government.

Unfortunately, it is difficult to avoid the conclusion that the Bill has as its prime objective not so much withdrawing Britain from the European Union as concentrating as much power as possible in the hands of a feeble minority Government, headed by a caretaker Prime Minister. Under the cloak of leaving the European Union, the Government seek to emasculate this House and centralise power in their own hands. If the Government were solely concerned about leaving the European Union, there are other ways that it could have been done—other measures could have been put forward—but, no, they chose
this particular route. Rather than looking forward to a new and positive relationship with the European Union, this Bill takes us back to the days when the UK was totally London-orientated and inward-looking. That is why I will vote against it, and why I believe that is the right thing to do.

4.14 pm

Sir Edward Leigh (Gainsborough) (Con): Our greatest parliamentary exponent of parliamentary democracy coined the phrase, “In Victory: Magnanimity.” Although, as one or two of my friends know, I am a leaver and my constituency voted 60% to leave, I think that that should be the Government’s approach, both to Parliament in the Chamber and to our European partners and allies. I do not think that it is enough just to allow time on a rainy Thursday on a one-line Whip. The Government should be as generous as possible with time, to allow the House to consider these matters. Personally, I do not see why we could not have three or four days on the Bill, as many people have put in a request to speak. After all, we spend a lot of our time discussing not very much. I would be open-hearted and generous with Parliament.

Before I refer specifically to the Bill, may I say by way of introduction that it would be useful to improve the atmosphere around the process? The truth is that this is a democratic process. Those of us who asked to leave the European Union made our arguments on the basis that we wanted to improve parliamentary democracy and put our people back in charge. That should be our whole approach, and it should be the Government’s approach.

To put that in context, I would be open-hearted and generous in the negotiations between Monsieur Barnier and the Secretary of State for Exiting the European Union. The important thing is that we are leaving, but I do not see why we should not be generous with the financial settlement. We should be as generous as the law dictates, but there is also the spirit of the law. As we have been in an organisation for 42 years, and as we have decided to leave—it has its own spending plans—I do not see why we should not assist it with some of its spending plans until 2021. After all, if we pay less, others will have to pay more. Some of my closest friends do not agree with that. We have the law on our side, but precisely because of that we can be generous.

On the rights of citizens, I have just spent time with Italian Senators who are visiting the building, and with the Italian ambassador. We need to be open-hearted and generous towards European citizens who live here, and proclaim now that we are absolutely committed to preserving their rights and those of every EU citizen, on benefits—[Interruption.] I know that we have done it, but we should keep repeating that we are determined to protect those rights. We should be open-hearted and generous in dealing with the House of Commons, in dealing with money, and in dealing with the rights of EU citizens. If we approach life and these negotiations in that spirit, doors might begin to open.

I listened to the shadow Secretary of State for Exiting the European Union—a brilliant lawyer. We are both lawyers. I am just a jobbing barrister doing criminal law in London. That is what I did when I was a young man. I cannot possibly match his debating skills. He does have a point, and we Conservatives should recognise that. My right hon. Friend the Member for Broxtowe (Anna Soubry) has a point; the right hon. Member for Birkenhead (Frank Field) has a point; my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) has a point. I will, of course, vote for the Bill, because that is what the people want me to do, and it is what my constituents want me to do. There is no alternative, but amendments will be tabled when we are sitting in a Committee of the whole House. I serve on the Panel of Chairs, and I know the Government’s position is always to reject all amendments. This time, they should be positive if something improves parliamentary scrutiny. We are going to get our way; the Government have a majority, supported by the Democratic Unionist party. We should be generous with our Scottish friends. If they have a genuine desire to ensure that powers from the EU do not come to the Westminster Parliament but go to the Scottish Parliament, we should be generous towards them.

There is a lot of false anger. I have sat through many debates in which shadow Secretaries of State puffed themselves up. We have heard a lot about Henry VIII. When I was a rebel I used to care about these things. Now I am a loyalist I let the Government get away with it in many ways. Henry VIII is a bastard, but he is my kind of bastard.

I have made my point. Listen to the House, accept some amendments and ensure that this process is time limited. The key thing for our constituents is this: that we leave the EU at the end of March 2019; that any implementation period lasts only two years; and that we then become an open, free-trading nation with the whole world, with a free trade agreement with the EU. Stick to the essentials, be confident, be generous with the House and we will win this battle.

4.20 pm

Caroline Flint (Don Valley) (Lab): It is a pleasure to follow the hon. Member for Gainsborough (Sir Edward Leigh) and his constructive and positive contribution.

There is no doubt that Brexit poses a great number of challenges to the Government and to MPs of all parties, not least the challenge of replacing European Union laws and jurisdiction with equivalent UK laws and regulations under UK jurisdiction. That is the purpose of the Bill. It is not really a repeal Bill; rather it is the “great adoption” Bill, as it incorporates a huge swathe of EU laws that the UK signed up to into UK law. That is needed so that there will be a legal basis for a whole range of economic, environmental and social activity on the day after we leave the EU in March 2019. For that reason, I do not regard the Bill as hugely controversial—it would be different if it were to abolish workers’ rights, abandon paid holidays and end pollution controls, but it does not. However, it is undoubtedly the case that the Bill needs amending for many of the reasons outlined by my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer).

First, on the Henry VIII clauses, transferring all EU laws and regulations into UK law is an onerous task. It would also be impossible to put every change or updated regulation before Parliament as primary legislation. This House, as we know, passes many statutory instruments, but in this case the Government need to buck a mechanism
for providing a filter to separate the routine, or the modest, from the more important changes that Governments may wish to make in the coming years. If a mechanism—a scrutiny Committee, for example—could provide a path for Members by ensuring that important measures would be brought before the House for debate and a vote, the Government could remove any suspicion that they seek a ministerial power grab.

Secondly, the Government should be open to suggestions about how they can guarantee redress for individuals who feel that their transferred rights are not met by companies or government. Clarification about the provision of redress would, again, remove suspicion during the process.

The truth is that whomever was in government would have to pass a Bill of this kind to prepare for leaving the EU in March 2019. There can be little disagreement about that, unless the ambition is to thwart the result of the EU referendum and to prevent or delay the UK leaving the EU. I believe that Labour’s job is to improve the Bill by amending it, not to kill the Bill at the beginning of its passage through Parliament. Labour’s reasoned amendment “declines to give a Second Reading to the European Union (Withdrawal) Bill”.

If that amendment is successful, it will kill the Bill. According to the Public Bill Office, if this Bill is defeated today, a new Bill would have to be introduced in a new Session, or the measure would need to be reintroduced in a sufficiently different form as to not fall foul of the same-question rule. Either way we look at it, defeat for the Bill implies a substantial delay in transferring EU law into UK law, thereby increasing the uncertainties while the Brexit clock ticks towards midnight.

I voted and campaigned for the UK to remain—not in a metropolitan city or university town, but in a seat where I knew a leave vote was the likely outcome. I invite colleagues who were not campaigning in such seats to visit mine. Since the result, I have argued that leave and remain supporters should bury our differences and get on with it. Complex issues such as trade will require more time, hence the need for a transitional period of minimum change while future arrangements are in place. Some leavers say, “We don’t need any transitional plans,” while some remainers say, “Any deal must be worse than staying in.” To them I say this: life post-Brexit is not a choice between nirvana and a living hell. Some changes will be better and some will be worse, and much will pass unnoticed. We either work to make the best of it, or simply damn it for not being perfect. This calls for honest endeavour and compromise on all sides.

Whatever side of the debate Members fall on, if they honestly accept the will of the British people, they are honour bound to see this through and make the best of it. Some suggest that the general election on 8 June changed everything. Like it or not, it led to the second coalition of sorts in seven years—a confidence and supply agreement between two parties that both promised to deliver Brexit. In that general election, I told Don Valley voters:

“When Britain leaves the European Union—I will work for a deal that works for Doncaster. That means easy trade, protecting workers’ rights and tough immigration controls with strong borders”.

I said:

“I do not support a second referendum. We need to bring people together, whether they voted Leave or Remain and make a success of Brexit.”

I repeat those words today because I have no intention of breaking my word to the voters who have returned me to this House on six occasions.

I hope that Ministers will listen to concerns about the Bill. Their lack of openness, collaboration and foresight to produce a better Bill has not helped. To the Government I say: treat Parliament with respect and be open to constructive suggestions to improve the Bill. I will work with others to improve the Bill, but tonight I cannot vote to block it; I shall be abstaining to allow it to be further discussed and amended. We have a job to do to ensure a smooth, orderly Brexit—for the British people, for British businesses, and for our continuing friendship and partnership with the EU.

4.25 pm

Zac Goldsmith (Richmond Park) (Con): It is an honour and a pleasure to follow the right hon. Member for Don Valley (Caroline Flint), who gave an extraordinarily compelling and principled speech.

This is a critical Bill. We cannot logically leave the EU if we continue to subject ourselves to EU law, courts and regulators. It is for exactly that reason, however, that some Members will use the Bill as an opportunity to scupper the process and prevent us from leaving the EU. And that worries me. In perhaps the most important—certainly the biggest—democratic exercise the country has ever seen, people voted to leave. I believe that 80% of electors in the general election voted for parties that pledged to honour the result of the referendum. If that promise was broken, the resulting anger would give rise to extreme political movements right across the UK that would change our politics forever. We can improve the Bill in Committee and on Report, but to stop it on principle is to play with fire.

I want to comment briefly on one area impacted by our leaving the EU: the natural environment. The opportunity to do great things here is almost incalculable. We have a chance not only to right some wrongs, but to make historic progress. Under the common agricultural policy, for example, vast amounts of public money are handed to wealthy landowners simply because they own land. The policy supports perverse incentives to harm the environment and shuts off the UK market to developing countries through higher tariffs. For years, environmentalists, farmers’ organisations and a whole succession of farming Ministers have dreamt of changing and profoundly reforming the CAP. Well, we now can—and we must. We will be able to ensure that the subsidies regime that replaces the CAP supports food production and improves and protects the natural environment, with a system whereby public money is genuinely a return for public good. We have an opportunity to raise standards and boost our rural economy at the same time, and that opportunity extends beyond the CAP. As a country, we have led the way on animal welfare, but we have been limited in what we can do due to our membership of the EU.

Henry Smith: One animal welfare benefit is that on leaving the EU, we could ban the live export of animals from our ports, which causes such great suffering.

Zac Goldsmith: I thank my hon. Friend for making that point, which is one that I was just about to make. CAP funds have even been used to subsidise bullfighting in Spain.
Sir Edward Davey (Kingston and Surbiton) (LD): Will the hon. Gentleman give way?

Zac Goldsmith: No. I will not take any more interventions.

Zac Goldsmith: No, I will not take any more interventions.

Most critically, even though we apply high animal welfare standards to production in this country, we cannot apply those standards to the food we import, which means that instead of preventing cruelty, which is what we are trying to do, we are simply exporting that cruelty to other countries while disadvantaging our own farmers. We could address that as well.

Clearly, in other areas, the EU has been a good thing for the environment—I would not pretend otherwise. The EU has undoubtedly been instrumental in forcing us to clean up our act. For instance, our rivers and beaches are cleaner today because of the EU than they would have been.

Sir Edward Davey: Will the hon. Gentleman give way?

Zac Goldsmith: I will not.

That is why a core responsibility of this Parliament and this Government is to ensure that those key EU(1,6),(999,991) regulations—the habitats directive, the birds directive and the sewage sludge directive—have absolute, meaningful, proper, full protection in British law. We have had that commitment, but I should like to hear it a few more times from Ministers during this debate.

There are legitimate concerns about this process that need to be addressed in the Minister’s wind-up.

Geraint Davies (Swansea West) (Lab/Co-op): Will the hon. Gentleman give way?

Zac Goldsmith: I will not, because I am running out of time.

First, when a state fails to implement EU law today, there are penalties, but that will no longer be the case—for obvious and appropriate reasons. However, an alternative system does need to be introduced. If the present or a future Government fail, for example, to stay within air pollution limits, it must be possible for sanctions to be applied and for that Government to be held to account—that is a core ingredient in any healthy democracy.

Secondly, it is not clear that important principles, such as the “polluter pays” principle or the precautionary principle, will be fully and meaningfully absorbed into UK law. If the individual regulations are to have meaning, those principles must be embedded in UK law. Finally, the Bill enables the Government to transfer regulatory functions from the EU to domestic bodies, but it does not make that obligatory, which seems to me to be an obvious weakness. I hope that the Minister will respond to my concerns, as well as the other issues that are raised today, and provide reassurances that they will be addressed either during the Bill’s later stages, or in subsequent environmental legislation.

4.31 pm

Stephen Gethins (North East Fife) (SNP): Today marks the 20th anniversary of the referendum on re-establishing the Scottish Parliament—not just “notionally” re-establishing it. I should point out to the hon. Member for Harwich and North Essex (Mr Jenkin) that I voted in that referendum having just returned from the Erasmus programme. The re-establishment of the Scottish Parliament was backed by most of Scotland’s parties—certainly by its progressive parties. Today we are about to see the biggest devolution power grab since that re-establishment, and it that will have an impact on the devolution process the likes of which we have never seen before. As someone who returned from Erasmus to vote in the referendum 20 years ago, I have been reflecting on the impact that this process will have on opportunities for young people, among others.

The hon. Member for Richmond Park (Zac Goldsmith) rightly highlighted the benefits of European Union membership. It has benefited our rights; it has enabled us to build a broad consensus on the need to tackle environmental problems such as climate change; it has benefited universities; and it has torn down trade barriers. Tonight we will vote on a Bill that will take powers away from Holyrood and undermine the devolution process, and that is something that we cannot tolerate.

Stephen Kerr: Will the hon. Gentleman give way?

Ross Thomson (Aberdeen South) (Con): Will the hon. Gentleman give way?

Stephen Gethins: I shall come to both hon. Members shortly—they will have ample opportunity.

The Government’s approach was rejected in June, and we should all be mindful of the fact that what has been delivered in its place is a Parliament of minorities. That is commonplace at Holyrood. It is something that we had to get used to, and it is something that we shall all have to get used to. A Parliament of minorities is clearly a challenge for the Government, but it is a challenge for the Opposition as well, because we must all show that we are willing to work in a constructive way if the Government are willing to listen. That is not easy for us. The SNP remains committed to Scotland’s membership of the European Union. I want to see Scotland as an EU member state, and I am proud that Scotland voted overwhelmingly to support that. However, given the devastating impact of the Government’s lack of strategy, it is up to this Parliament, and all parliamentarians, to step up to the mark.

The mess that we are in is not entirely the Government’s fault. I think that Vote Leave bequeathed that mess by presenting a blank piece of paper, which means that it is up to us to try to fill in those many, many blanks. Having said that, the Government have had five months since they triggered article 50 and 15 months since the EU referendum. Ministers bear culpability for the present situation, but Ministers who were part of Vote Leave bear particular culpability. For instance, there is the Secretary of State’s own yardstick:

“I would expect the new Prime Minister on September 9th to immediately trigger a…round of trade deals”.

Where are they? In the face of such chaos, all Members have a responsibility—each and every one of us. We need to put our differences to one side.

There is scope to do that, as we have put together a compromise. On this anniversary of devolution, I want to pay tribute to the Labour party and Plaid Cymru, which were able to put aside their differences and to try to come up with a common position. I know it was not easy for Members of both parties to do it, but they did, and full credit to them both for doing so. The Scottish Government put together a committee of experts to
come up with a compromise, and I note that in the aftermath of the referendum—here is the cue for Conservative Members—Scottish Labour and the Scottish Conservatives called for retaining membership of the single market. In fact, the Scottish Conservative leader—who knows, maybe the future Westminster Conservative leader—said:

“Retaining our place in the single market should be the overriding priority.”

I would certainly hope that Ruth Davidson’s Conservatives will do the right thing and stand by their leader. I wonder if they are Ruth Davidson’s Conservatives or Theresa May’s Conservatives when it comes to this—they are staying seated, saying nothing whatsoever.

The Bill also represents one of the biggest power grabs that we have seen. I note that one MP said—

Stephen Kerr rose—

Stephen Gethins: Ah, there we go! I give way.

Mr Speaker: Order. The hon. Gentleman is in a state of uncontrolled excitement, but he is auditioning to be a statesman; he must calm himself.

Stephen Kerr: The hon. Gentleman has mentioned several times now that this Bill represents a power grab; that is the new in-fashion statement from the Scottish National party. Can the hon. Gentleman name one power that the UK Government will grab back from Holyrood?

Stephen Gethins: I will give the hon. Gentleman his due: at least he had the courage of his convictions and stood up; the rest of them took their time over that. On fishing, on agriculture and on energy, we were told that these powers would come back to the Scottish Parliament without touching the sides, so where are the full powers over fishing, agriculture, energy and education? They are being retained by this Parliament on the 20th anniversary of the devolution process.

To return to my point, the MP I mentioned earlier said this:

“The balance of advantage between Parliament and Government is so weighted in favour of the Government that it is inimical to the proper working of our parliamentary democracy.”—[Official Report, 22 June 1999; Vol. 333, c. 930.]

That warning about powers such as Henry VIII powers was made in 1999 by the Secretary of State himself when he tried to introduce a Bill to deal with them.

This is a hung Parliament. The Scottish Parliament was designed for a new kind of politics, and one thing I will say to Conservative Members—I hope they are listening—is that even when the SNP was elected with 47 seats out of 129, we had ground-breaking, world-leading action on climate change, free education was reintroduced, and the number of police officers was increased. Action can be taken in a Parliament of minorities, but for that to happen, Members must be willing to listen to those on the other side of the House.

Excellent points have been made from the Conservative and Labour Benches, as well as by other colleagues. The challenge is whether this Government are prepared to listen. What we have seen so far is a Tory Government who want to turn their back on the EU and happily talk about a no-deal situation that would be devastating for jobs and the economy. This approach of ourselves alone against the world is not one that I can possibly endorse, and nor can my colleagues. We must reject this Bill. A new approach is needed, and that is why we will be voting against the Bill tonight.

4.38 pm

Robert Neill (Bromley and Chislehurst) (Con): I shall support the Bill on its Second Reading for the simple reason that it is necessary. I do not do so with relish, because I would rather that we were not leaving the European Union, but, as a democrat, I accept the outcome of the referendum. And if we are to leave, we must do so in an orderly fashion, and it is therefore particularly important that we have legal certainty and continuity. The objective behind the Bill, of incorporating EU laws under the acquis into our law, is perfectly sensible, and that is why I shall support it, but we must also have a Bill that is fit for purpose and actually achieves that effectively. Although I shall support the Bill on Second Reading, as will become apparent, I do so on the basis that it needs improvement in a number of areas in Committee.

I had the chance to read in detail the impressive speeches of my right hon. and learned Friends the Members for Rushcliffe (Mr Clarke) and for Beaconsfield (Mr Grieve), who I am glad to see are both in the Chamber. I agree with their analysis, and I will not seek to repeat it all. I adopt what they said about the areas where improvement is needed. It has already been pointed out that there are difficulties with the Henry VIII powers. It seems to me that clauses 7 and 9 go beyond what is acceptable or necessary, and I hope that the Government will approach that matter in a sensible and constructive spirit. Equally, delaying the Bill would do no favours to the good governance of the country, to citizens or to businesses and business confidence, so I certainly have no truck with the Opposition’s approach of seeking to undermine the Bill.

We need to make clear the areas of the Bill that need improvement. There is of course a use for so-called Henry VIII powers for making secondary legislation in appropriate cases, but in some areas we are dealing with matters of the most profound significance for individuals and businesses. I hope that the Ministers, who are reasonable people, will listen to constructive amendments that would provide reassurance and safeguards against inappropriate use of those powers and would improve the Bill by bringing greater clarity to the way they can be applied.

I shall touch briefly on a couple of other matters. I hope that we can look at the opportunity to assist the judiciary with how they interpret the EU acquis, which will be incorporated in our domestic law once we have left. The recently retired President of the Supreme Court, Lord Neuberger, made this point powerfully, and he did not do so lightly. It is frankly not fair to leave judges to fish in the dark when they come to interpret some of the legislation.

A particularly important issue in this respect is that once we leave the direct jurisdiction of the European Court of Justice, the opportunity to seek preliminary rulings on issues will no longer exist and we have to find alternative means for dealing with that. My right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) referred to the Francovich situation. She is right about that issue, which should be addressed. Similarly, we have to bear in mind that we will incorporate EU law,
which in some cases is based on the treaties. Will the UK courts be able to take the treaties into account in assessing how incorporated law should be applied post our leaving? Those are important areas where greater clarity is needed. What is to be done about situations where incorporated law grants a right to a UK citizen or business but our leaving will, at the moment, leave a gap as to whether that UK citizen or business has a remedy?

Nick Thomas-Symonds (Torfaen) (Lab): One of the issues is that with environmental law, for example, there is currently a remedy of going to the European Court of Justice, but there is no replacement in the Bill as it stands.

Robert Neill: That is entirely right, and it cannot be rational or coherent to give UK citizens a right under UK law by incorporating European law but give them no ability to exercise that right. That applies whether a case is against another individual, against a business, or indeed against the Government. My right hon. Friend the Member for Newbury (Richard Benyon) pointed out that that also raises the issue of infraction proceedings: what is the remedy if the Government breach incorporated law?

Those important issues need to be dealt with in Committee, so I turn briefly to the programme motion. We must have time to deal with these matters properly. I want the Bill to be successful. I want it to end up as a good Bill, and that will require changes to the Bill. With good will, that can be achieved—and it can be achieved timeously, to ensure that what we need is in place at the time when we leave the European Union. I have no truck with those who seek to filibuster and needlessly delay the Bill. If I am to be able to support the Government on the programme motion, I hope that they will assure us that we can have some flexibility if more time is required for genuine, serious consideration of important amendments, but I hope that it is not needed—there is a distinction between proper consideration of serious points of amendments and the sort of filibustering that I am sure we will see. On that basis, I am prepared to give the Government a fair wind, but it is important that we get that assurance so that our important scrutiny work can be done properly.

Finally, I have just returned from Gibraltar, where I was with several other colleagues for its national day celebrations. Gibraltar will be affected by our departure from the European Union, but I am glad to say that Her Majesty’s Government of Gibraltar and the business and civil communities there are satisfied with their level of engagement in the negotiations so far. However, can I have an assurance that when we come to deal with secondary legislation that may affect Gibraltar, its Government will be fully involved in the drafting of any secondary legislation that may have an impact on them?

Mr Pat McFadden (Wolverhampton South East) (Lab): The Bill attempts to incorporate into domestic legislation the body of European Union law that has built up in the 44 years since we joined the EU. The stated purpose is to provide the country with continuity and certainty on what our statute book will contain on the day when we leave. Yet the purpose of leaving the EU is to depart from the laws incorporated by the Bill, otherwise there would be no point. So the legal certainty that the Bill aims for can last no longer than day one itself.

Leading leave campaigners have attempted to assuage such fears by pretending that they want to change nothing—not labour laws, not environmental protections, and not consumer protections. Those who have been the most vociferous opponents of any regulation that has stemmed from the EU, including members of the Cabinet who have attacked its laws and protections, such as those for people at work, now profess to agree to all the regulation that they previously detested. As we have come to expect in the pattern since the referendum, any attempt to ask questions about the Bill has been met with the usual accusations of betraying the public and denying the referendum result. Our democracy deserves better than that. If the proposals cannot stand scrutiny and questioning, the proposals are at fault, not those doing the questioning and trying to apply scrutiny.

Let us look at the content of the Bill. Most attention has been focused on the delegated powers provisions set out in clauses 7, 8, 9 and 17, and on the scrutiny provisions set out in schedule 7. In simple terms, those are the powers to amend the law without the usual legislative process of full debate. For example, clause 7 states that a Minister “may by regulations make such provision as the Minister considers appropriate”, and clause 9 states:

“Regulations under this section may make any provision that could be made by an Act of Parliament (including modifying this Act).”

Up until last week, the cornerstone of the Government’s defence of those proposed powers was the claim they were supported by the House of Lords Constitution Committee. Indeed, last Wednesday, the day before this debate began, the Prime Minister told the House that the Government’s approach “has been endorsed by the House of Lords Constitution Committee.”—[Official Report, 6 September 2017: Vol. 628, c. 148.]

Let us look at what the Committee actually said in last week’s report. It stated:

“The executive powers conferred by the Bill are unprecedented and extraordinary and raise fundamental constitutional questions about the separation of powers between Parliament and Government.”

It continued by saying that “the Bill weaves a tapestry of delegated powers that are breath-taking in terms of both their scope and potency” and that the “number, range and overlapping nature of the broad delegated powers would create what is, in effect, an unprecedented and extraordinary portmanteau of effectively unlimited powers upon which the Government could draw. They would fundamentally challenge the constitutional balance of powers between Parliament and Government and would represent a significant—and unacceptable—transfer of legal competence.”

If that is the Government’s case for the defence, I would not like to see the case for the prosecution.

Mr Kenneth Clarke: Does the right hon. Gentleman agree that there have been a lot of arguments in the past about Henry VIII powers and about the Executive taking power away from Parliament, and that it has all steadily gone in one direction? The danger now is not only the consequences of this Bill and of the details of
Committee. The Hansard Society says that debates before.

Mr McFadden: The right hon. and learned Gentleman is, of course, correct that we have had some of these debates before.

The criticism does not stop with the House of Lords Committee. The Hansard Society says that “the Bill will strengthen the...executive, not Parliament”.

Its report on the Bill says:

“the broad scope of its...powers, the inadequate constraints...on them, and shortcomings in the proposed parliamentary control...will be...a toxic mix”.

We have had regulatory Bills before, and many years ago, when I was first elected, I was involved in taking the Legislative and Regulatory Reform Act 2006 through the House. There was huge controversy about the powers contained in that legislation, and many Conservative Members who most vociferously defend the European Union (Withdrawal) Bill attacked that Act as a huge power grab.

The response to the 2006 Act led to the setting up of a special scrutiny process for deregulatory measures, and the Hansard Society says:

“Previous legislation, such as the Legislative and Regulatory Reform Act 2006, provides examples of ways in which” the Government “could introduce safeguards into the EU (Withdrawal) Bill to tighten the scope and application of the powers.”

But there are no special scrutiny measures proposed in the Bill, even though its scope is far, far broader than the 2006 Act.

Sir William Cash (Stone) (Con): Will the right hon. Gentleman give way?

Mr McFadden: With consideration for other speakers, I will press on.

In fact, most of the orders made under the proposed powers, far from being elevated into some kind of special sifting and debate procedure, will go through on the negative resolution procedure, with little or no debate.

On one level, I sympathise with Ministers. The outcome of the Brexit negotiations is so uncertain—in fact, getting an agreement at all is not certain—that they want to confer on themselves the maximum possible leeway in legislating, but Parliament cannot take that view. It has been argued that the best way to raise the issue of executive authority is in Committee and not now, but we already know that the Government propose to give themselves a majority on all Committees even though they did not win a majority at the general election. There is no indication—in fact, the very opposite—that the Government are more likely to listen in Committee than they are now. Parliament’s maximum moment of leverage to call on the Government to think again is not in Committee but now.

We have been told that a vote against the Bill is a vote for a chaotic Brexit, which is a bit rich. There only has to be more than two Cabinet Ministers in a room to produce versions of a chaotic Brexit. When Ministers are pushing against one another, and when letters supported by junior Ministers are being circulated attacking the policy of the Government in which they serve, the Tory party is well capable of producing chaos on its own. We have a legitimate job to do in scrutinising the Government. To further that end, I will vote against the Bill tonight.

4.53 pm

Vicky Ford (Chelmsford) (Con): In last year’s referendum I and many others warned of the risk of uncertainty. That risk has not gone away, but we can work together to reduce it, which is why the Bill is needed. Businesses need legal certainty to trade, create jobs and generate taxes, and the laws that govern our businesses are important. For the past 40 years or so, many of those laws have been agreed at European level. In my time in the European Parliament, I saw how those laws often cover important areas: consumer rights, copyright, product safety, even counterfeit medicines and data protection.

In my constituency of Chelmsford there are about 2,000 jobs in the insurance sector. The UK is home to the world’s largest insurance market, and we provide insurance for airline crashes, cyber-attacks and even to clear up after the horrific hurricane that is raging across the Atlantic today. Our insurance companies can offset such risks by re-insuring with others in the industry, and the industry is governed by the European regulations. Our companies do not want to scrap their rulebook, and the Bill will enable those rules to be moved into UK law; it will help avoid a legal vacuum, which is important. Many laws cannot be directly copied across; technical changes are needed, and Ministers need the powers to make those technical decisions.

The Bill is not perfect; there are many areas where decisions are not technical and policy decisions will need to be made. In the insurance sector we see that the devil is in the detail. Article 16 of the insurance distribution directive says that European insurers can only redistribute their risk to others that are regulated in the EU. We cannot just cut and paste that into our rulebook, as it would cut us out of our own market. Dealing with such examples is not straightforward; policy decisions are needed, and they could affect real jobs. The companies concerned want to be consulted, as will regulators in other countries, and such decisions deserve proper scrutiny.

Other sectors also have concerns. The Bill exempts the charter of fundamental rights, but the tech sector points out that article 8 of the charter is crucial because it underpins data protection laws, which enable the free flow of data. The CityUK asks what is happening to the level 2 decisions, which are important in implementing much of our financial services law and many of which will arrive only after the date of exit. The consumer organisation Which? points out that EU directives provide not only consumer protection, but product standards and the networks for sharing information on things such as dangerous toys and dodgy electrical goods. What is to happen to those after Brexit?

It is important that stakeholders can raise their concerns, and significant decisions deserve to be properly debated. The statutory instrument mechanism does not give confidence to stakeholders or future traders that issues will be properly scrutinised. Some 3,500 statutory instruments are laid before this House every year, yet only eight have been annulled since world war two.
The rest of the world is watching us. As a British Conservative, I have spent years working with Ministers, championing the cause of better regulation; we have told legislators all across the EU that before they change laws they should consult those who will be affected, address the impact and make sure that decisions are not just taken behind closed doors. Now is not the time to drop the ball on that at home, because if we are to get deep trading partnerships with Europe and other parts of the world, we need to retain their trust. Where decisions have an impact on other countries, our future trading partners need to know that we are open to listening to their suggestions.

Sir Edward Davey: The hon. Lady is making a powerful point. When I was a Business Minister in the coalition Government, I negotiated with the EU Council on competitiveness to ensure that the EU undertook proper regulatory impact assessments of its regulations. That was a considered approach to make sure that stakeholders were consulted. Under the regulations proposed in the Bill no such consultation will take place, which is far worse and far more damaging than the situation under the EU.

Vicky Ford: I wish the EU had followed that mechanism all the time, then we might not be where we are now. The right hon. Gentleman’s point shows precisely why we need amendments, which I was coming to. Last Thursday, the Secretary of State suggested that he would be prepared to agree to a sifting or triage process, so that technical decisions could be made swiftly but more important policy decisions can have proper scrutiny. The Opposition have not offered any alternative drafting, but that is the sort of amendment we need to see. I will be supporting the Bill tonight, because it is necessary and it needs to move to Committee. We need to make sure we put in place many amendments so that we provide for scrutiny, but this is not a time to just throw out the Bill, because history will not thank those who treat this as another game of political football.

4.59 pm

Margaret Beckett (Derby South) (Lab): On Thursday, the Secretary of State said in this House that this debate and the Bill are not about whether the United Kingdom leaves the European Union; I wish he could convince some of his colleagues of that, as they continue to make that argument even when it is totally inaccurate. The people made that decision in the referendum a year ago and this House endorsed it by triggering the article 50 process this year.

Today, we are not discussing whether but how we leave the EU and, in particular, how this House makes its decisions—not least, as the right hon. and learned Member for Rushcliffe (Mr Clarke) said a few moments ago, with respect to the precedent we will set for the future. In recent days, I have heard a number of people, including the Foreign Secretary, claim that a vote against the Bill would be a vote to obstruct the will of the people. That is arrant nonsense, as I think most of those who make that claim are well aware. To me, it is in fact this Bill that negates the declared purpose of the referendum, which was, as I understood it, to take back to UK legislatures the powers that in recent years we have shared with others through our membership of the EU.

The second thing the Secretary of State said the other day that I found particularly relevant was that no one said this was going to be easy. If only that were so. Actually, as he knows, many Government Members have been claiming that it would all be easy since before the referendum, and indeed ever since. I shall go rather further than he did. Apologies to those present and elsewhere who were not born in 1983, but in that year’s general election, my party made the case that after 10 years’ experience of being in the common market, we ought to leave. We said, explicitly, that unless we left then, our economies and societies would be so enmeshed in future it would be impossible to leave without inflicting enormous, unsustainable damage on ourselves. That contention was supported by someone I would not normally cite, the late Enoch Powell, who urged people to vote Labour in that election for precisely that reason. Yet it is that task to which the Bill turns us, and which we are now trying to accomplish through the Bill.

In the dialogue during and following this debate, just as in the negotiations themselves, it is vital to establish, if at all possible, a degree of trust and mutual understanding. Yet it seems to me that the Government’s behaviour is almost calculated to undermine any such trust. The short amount of time that has been allowed for the debate does not remotely bear comparison with anything one could call a comparable debate, Bill or set of negotiations. I shall not repeat all the things everybody else has already said and no doubt will say right up until midnight about how the detail of the Bill is in itself so sweeping and so damaging, but there is no doubt that that is the nature of the Bill.

As was said a few moments ago by the hon. Member for Chelmsford (Vicky Ford), in Thursday’s debate the Secretary of State sounded sympathetic to some of the points that were made about the restricted nature of the Bill’s proposals on the scrutiny of the statutory instruments that would be introduced under it. He asked, as did the hon. Lady, that those expressing concern should make suggestions as to the remedy for the problems that the Bill creates, so I shall make three observations to the Minister and, through him, to the Secretary of State.

First, as was mentioned on Thursday, the idea of making use of amendable statutory instruments has been discussed in this House forever. It has never been accepted, for obvious reasons—there are many flaws in such a procedure—but none the less it might be better than the proposals in the Bill. Whether by that means or by others, there are and will be ways to expand the scope of whatever procedures we follow, even if such special procedures were attached to a specific time, or were time-limited. That would be possible particularly if those procedures were linked to any similar limits on the powers that the Government are seeking to take and their duration. It seems by no means to be beyond the wit of man to find much better systems of scrutiny than the Government are putting forward today.

My second observation is that, in searching for such potential procedure, the Government should cast their net wide. As Leader of the House, I proposed, for the first time, the introduction of the programme motion. Giving effect to a previous recommendation of the then Procedure Committee to facilitate the examination of the whole of a Bill, we also addressed the serious drafting problems that existed. We worked with the Clerks,
who were, as ever, brilliant in their expertise and helpful in their advice and also with others. The drafts for the procedures, which we were ultimately able to adopt and which the House uses to this day, came through the involvement not just of our Clerks, but of Parliamentary Counsel. Therefore, there are others, across Government, across Whitehall and across the organs of the state, who could contribute to such discussions as to what procedures might work better than what the Government now propose.

**Mr Peter Bone** (Wellingborough) (Con): The right hon. Lady is making a very thoughtful speech, but does she think that programme motions have been of benefit to the House?

**Margaret Beckett:** I have a slight advantage over the hon. Gentleman in that I was in the House before programme motions existed. All I can say is that I part company with him if he thinks that it is better for people to spend hours, indeed days—I mean literally days—discussing whether a Committee should sit on a Tuesday or a Thursday, or whether we should sit until half-past 5 on a Wednesday night, than to spend that time discussing the substance of legislation.

My third point to the Secretary of State is perhaps the most important—I say this also to the hon. Member for Chelmsford. It is not merely the prerogative of the Government to make proposals to this House to remedy the defects in the legislation, but the duty of the Government—particularly in this case—to do so because it is their legislation. My right hon. Friend the shadow Secretary of State advised the Government to withdraw this Bill and produce a more satisfactory set of proposals. I never imagined that I would find myself giving such advice to any Government, but I think that he is probably right.

That brings me to my final point. In essence, this Bill was drafted for a Parliament in which the Prime Minister had a massive mandate. I am talking about a Parliament in which she had been given the free hand for which she had asked the British people—a free hand to make and implement decisions without any serious let or hindrance. Everybody in this House, and those beyond it, know that she did not get that mandate. She did not get that mandate. She did not get that mandate. She had asked the British people—a free hand to make and implement laws in which she had been given the free hand for which she was drafted for a Parliament in which the Prime Minister had asked the British people—a free hand to make and implement decisions without any serious let or hindrance. Everybody in this House, and those beyond it, know that she did not get that mandate. She did not get that mandate. She did not get that mandate. She had asked the British people—a free hand to make and implement decisions without any serious let or hindrance. Everybody in this House, and those beyond it, know that she did not get that mandate. She did not get that mandate. She did not get that mandate.

This Bill is drafted for a reality that no longer exists, and yet the Government are continuing as if—to use a phrase—nothing has changed. Well, as we saw during the general election, the Prime Minister may feel that nothing has changed, but hardly anyone else shares that view. This is a Bill of enormous consequence. It sets the most dangerous preconditions of any Bill I can imagine for this House or any other. My party is right to vote against it. It is those who vote for it who are at risk of rejecting the view that the British people expressed in the general election.

5.8 pm

**Mr Peter Bone** (Wellingborough) (Con): It is a great honour to follow the right hon. Member for Derby South (Margaret Beckett). She made a very thoughtful speech. One point on which I entirely agree is that, as this Bill passes through the House, we can look at better ways to scrutinise secondary legislation in particular. It seems that the Government are right that they will have to use secondary legislation, but it does not mean that all Delegated Legislation Committees must look the same. We do not have to have a one-and-a-half-hour DL on a technical matter of no importance whatsoever. However, if there is a Committee of some importance, why not extend the hours? Any Member can speak in a DL Committee, so there are ways we can improve scrutiny. That is what the Committee of the whole House should do when it considers the Bill.

I would be very surprised if the Bill finishes up in exactly the same format at the end as at the start. The Government would be well advised to accept reasonable amendments that improve the situation, but the principle of this Bill is quite simple.

**Chris Bryant** (Rhondda) (Lab): On delegated legislation, the hon. Gentleman seems to think that it is okay if something is debated in Committee, but the truth of the matter is that the only motion that can be considered in a delegated legislation Committee is whether the Committee has or has not considered the matter in hand. In other words, if every member of the Committee voted against, the legislation would none the less come into law. That is the danger of relying on secondary legislation.

**Mr Bone:** I think the hon. Gentleman would agree that if the affirmative mechanism were used, the whole House would vote on the matter, so I do not accept his argument.

This Bill is about a principle: I think it is called the European Union (Withdrawal) Bill, and I think I introduced—

**Sir Oliver Letwin** (West Dorset) (Con): Will my hon. Friend give way?

**Mr Bone:** Not for a moment, because on this particular point I think I am right: it is called the European Union (Withdrawal) Bill. I remember introducing a number of such Bills, or certainly speaking in favour of a lot of them. At that time, they were rather dismissed by the Government and we did not make much progress, so if I have an opportunity to support a Government Bill called the European Union (Withdrawal) Bill, as I do tonight, then I am going to take it, and I hope other Members do too. What the Bill primarily does is end European Union legislation and control over this House when we leave, while the second bit incorporates all EU laws into our laws—"retained EU law", it is called. It is quite right that in future we should look at all those laws and decide whether to improve, reject or keep them, but there has to be a mechanism when we come out to have all those laws in place or chaos will occur.

**Sir Edward Leigh:** The hon. Member for Rhondda (Chris Bryant) raised a very important point in his intervention that has to be dealt with clearly on the Floor of the House. Personally, I am in favour of any compromise—any triage process, as suggested by my right hon. Friend the Member for Broxtowe (Anna Soubry) and others—but on this point my hon. Friend the Member for Wellingborough (Mr Bone) must be wrong. The House has a right and the powers, and historically it has been able to reject delegated legislation—otherwise what sort of Parliament are we in?—so he is making a wrong point.
Mr Bone: I thought that was the point I made: that this House could ultimately reject a DL. That is clearly what happened: we vote on it. I remember, and we vote on them all the time—my hon. Friend the Member for Chelmsford (Vicky Ford) mentioned at least eight times that they had been annulled.

Chris Bryant: Under the negative procedure, which is referred to regularly in the Bill, it is entirely up to the Government whether to allow a debate and a vote at all, and in the last 12 instances where the House has demanded a debate and a vote, including on very important issues, they have granted them on only four occasions.

Mr Bone: I entirely accept that point about the negative procedure. I want to move on to—

Helen Goodman (Bishop Auckland) (Lab): Will the hon. Gentleman give way?

Mr Bone: I do not have time to take any more interventions. I must press on. There are so many—

Helen Goodman rose—

Mr Bone: No!

Basically, this Bill is about the principle of ending EU control over this House and incorporating those laws. That is fine, and that is why every Member of the House should vote for it tonight. What they should then do is look in Committee, clause by clause, at how we are proposing to scrutinise, change and incorporate laws. I wholly accept that the negative SI procedure is probably not the best way of proceeding.

Another thing that has been mentioned—the right hon. Member for Derby South brought it up, and it is probably what I wanted to talk about most—is programme motions. As a principle, I am against programme motions. I accept entirely the answer she gave me, which is that it was a lot worse before. However, she did not go on to say that it is great now, and I do not think it has been. There have been a lot of problems with the Government deciding programming and the timing of scrutiny.

Now, this particular programme motion is one of the better ones, because the debate is eight days long, with eight hours’ protected time each day. I am fed up of sitting here waiting for a debate, only to find that there is statement after statement, which reduces the time we have for that debate. Thankfully, we are not doing that this time, and if there is a need for extra time, the Leader of the House would be well advised to grant it.

I was here at business questions on Thursday, and the shadow Leader of the House did not complain about the timetabling. [Interjection.] Well, I must have been deaf, because I was listening out for it. She moaned about a lot of things, but she did not complain about the length of time.

Chris Bryant: She did.

Mr Bone: Well, I will stand corrected if that is the case.

Anyway, the point I wanted to make is that it should not be up to the Government to timetable business in this House. By fortune, I have a ten-minute rule Bill tomorrow that introduces a business of the House commission.

If that Bill was law, we would not be worrying about all of this now, because timetabling would be decided by the House, with a commission putting its recommendations to the House once a week to vote on. So we are having a row about something when we do not need to.

If only we had listened to David Cameron, the former Prime Minister, when he said in his “Fixing Broken Politics” speech—one of his best speeches ever—that we should have this House commission. It was, of course, also in the coalition Bible, and we guaranteed that we would have that House commission within three years of the coalition’s coming into power. I do not know why that did not happen; I assume it just got overlooked. It would be quite wrong of me to say that the two Whips Offices were absolutely opposed to losing their power—it could not possibly have been that.

All that I am doing tomorrow is, hopefully, reintroducing something that was the policy of the former Prime Minister, the Conservative party, the Liberal Democrats and the Wright reforms. If we had had that commission, all the arguments and worries on the Opposition side would have disappeared.

5.17 pm

Mr David Lammy (Tottenham) (Lab): I am very grateful for the opportunity to speak this afternoon. Let me start by saying that it is possible for parties to work together to find consensus and bipartisan moments. I see the Secretary of State for Justice in his seat; we have been working together on the review his predecessors asked me to do on the over-representation of black and ethnic minority people in the criminal justice system, and I am grateful for his support and that of his civil servants over the last 18 months.

I wish that I could be speaking in a spirit of co-operation on this subject, but when I think about the Prime Minister taking the position she did and talking about bringing the country back together, I think how far we are from that. Those who wanted to leave talked about giving the British people control—taking back control. Why, then, are we producing a Bill that will, effectively, give that control to the Government of the day, to make decisions behind closed doors, and not to this Parliament, which represents the democratic will of the people? If the Government are genuine about bringing the country back together, surely they allow serious time for reflection, debate and serious amendments to a Bill of this magnitude. Surely they should also come to this House with a serious bill to pay, and of course it will take months to negotiate it.

Then we look at the beginning of the negotiations. We hear a lot about the Bill: the EU is asking us to pay, but I have to say to those who campaigned to leave, and who are adamant that we should leave, that we are taking 12% of the EU budget out by exiting. We are asking others to pick up that bill. Of course there is a serious bill to pay, and of course it will take months to negotiate it.

We have heard so much from the Secretaries of State for Brexit and for International Trade about how easy this will be. When they go to negotiate with Donald Trump, who is one of the most protectionist Presidents the United States has seen, he will surely want access to our pharmaceuticals and will demand access to our
agriculture. It will not be easy; it will take months and years to reach that trade deal. As for those who spend so much time on free movement of people and immigration, when we go to negotiate with the Indians, will they not demand visas for people to come to this country?

I worry, as I am sure hon. Members will understand, about what we have unleashed in this country, about the nastiness that surrounds this debate. No party is the font of all ideas, but I worry hugely about how the Conservative party has moved to the right to pick up ground ceded by the increase in race hate, and about the nastiness that this country, along with the EU regulations that take their resource in the hands of the British Retail Consortium—

Anna Soubry (Broxtowe) (Con): Will the right hon. Gentleman give way?

Mr Lammy: I will.

Anna Soubry: I share the right hon. Gentleman’s concerns. I share his views, and would have campaigned with him to remain, but the simple truth is that the majority of those who voted—52%—voted to leave the European Union. On that basis, we must begin the process of doing so and must see it through, even if he and I do not agree with it.

Mr Lammy: I hesitate, because the right hon. Lady and I have agreed on much, particularly free movement. Her bark has been loud, particularly on the “Today” programme, but her actions in the days that followed have been far less loud.

Anna Soubry: Would the right hon. Gentleman like to take that back? Things such as getting a White Paper, which my right hon. Friend the Prime Minister said she would not give—that is what people like me achieve. The real opposition to much of this comes from those on the Government Benches, not on his.

Mr Lammy: I am not sure that the right hon. Lady really wants me to respond.

The point is whether we can get beyond the partisan. I represent a constituency where many people are struggling. Our economy is likely to take a real hit as a result of this move. Trade deals are an aberration and are some years in the future. If we exit under World Trade Organisation rules, we are in for huge rises in tariffs, consumer prices and, potentially, inflation. For that reason alone, in the best interests of my constituents and many people across the country who do not have the privileges of most people in this House, I shall absolutely vote against the Bill.

When we talk about the will of the people, let us remember the 48% who voted against this. Let us think about what they deserve: a Bill that does not grab powers from them; a Bill through which we have ample time to discuss all these issues; and a Department that actually understands the position of the 27 European countries, and faces up to the fact that we are going to have to pay. They do not want to be told that this is going to be easy—that the whole of the European Union cannot wait to do a deal with us. That is not what they recognise. For that reason, it is important that this House does not let this Bill go forward.

5.25 pm

Craig Mackinlay (South Thanet) (Con): I shall raise just one issue in the short time available: the living marine resource that under international law is bestowed on the United Kingdom.

The great repeal Bill has changed its name to the European Union (Withdrawal) Bill, the second half of which, which brings virtually all the EU’s acquis into domestic legislation, causes me a few concerns. The reason for most of that is completely understandable. It is entirely necessary, because when the termination date of article 50 of the treaty on European Union is reached and EU treaties cease to apply in this country, along with the EU regulations that take their authority from the EU treaties, vast swathes of domestic legislation will simply disappear. Bringing the acquis across will fill that void, which can be sorted out at a later date.

The method by which that will be sorted out has caused a great deal of debate in this House. In my opinion, the method that has been proposed is entirely necessary and desirable. I support it completely for legislation that is applicable only to the United Kingdom, but when dealing with legislation that involves relationships outside the United Kingdom, such as the common fisheries policy, I have a few concerns, because the body of legislation—the acquis—that is the CFP is made up almost entirely of regulations. The only way we can achieve compatibility is through a legally binding withdrawal agreement, and that in itself brings some problems. First, at this stage, we do not know what that agreement will contain. Indeed, we do not even know if we will be getting an agreement at all, such has been the appalling behaviour, sadly, of our EU partners.

Secondly, taking the common fisheries policy as an example, article 50 takes us out cleanly, so there is no possibility of future legal challenges that we would have to try to avoid. Regulation 1380/2013, which will be brought across by the Bill, will re-establish the common fisheries policy in all but name, possibly paving the way for a legal challenge, perhaps via the Vienna convention on international treaties, through the withdrawal agreement.

The evidence of that is the acquis that we have accepted and transposed into UK law, thereby creating a continuation of rights thereon.

I would like to see the proposed fisheries Bill, which is due before us at some stage, and which could solve the problem. We have no idea what that Bill will contain. Will it continue to give away the nation’s wealth that is its fish? Will it continue the disastrous CFP policy of quota allocation, which puts the resource in the hands of a few, and is the cause of the completely immoral
discarding of prime fish that we have seen all these years? We simply do not know. Why are we going down this tortuous route when the easiest route would be to exempt the entire fisheries acquis from the withdrawal Bill, and produce a fisheries Bill, coming into force on 30 March 2019, that confirmed what international law bestows on this nation? That is not unusual, because the withdrawal Bill already exempts parts of the charter of fundamental rights.

Fishing is the area in which the British people demand a clean Brexit, and I think they will accept nothing less. Fishing must not be used as part of a trade-off, and availability must not form part of a deal elsewhere. Control of our exclusive economic zone extending to 200 nautical miles or the median line will regenerate our coastal communities, but if we follow current fisheries policy, we will certainly fail to do that. It is quite odd that we commit vast amounts of cash to communities such as mine in Ramsgate, Broadstairs and parts of Margate through the coastal communities fund—I am thankful that we do—but we seem to have no clear commitment to the one thing that could provide great rejuvenation for our coastal communities, which are recognised as having lower rates of employment, and which are in need of restructuring and infrastructure.

On this subject, the electorate are very wary of shenanigans. We cannot afford to create failure, and it is our responsibility to make this a success. I am happy to trust the Government by supporting Second Reading tonight, but I would very much like to hear more about their proposals for restoring one of this nation’s finest treasures—our very positive fishing grounds, which have the potential to benefit our communities and should never have been taken away.

Richard Graham (Gloucester) (Con): My hon. Friend is absolutely right to have rejected the proposition of the right hon. Member for Tottenham (Mr Lammy) that we should carry on fighting on arguments that were decided in this House some time ago, and is right to want to get on with making arrangements for the future. Does he agree, however, that elements in clauses 7, 8 and 9 need looking at in more detail, particularly when it comes to the use of statutory instruments?

Craig Mackinlay: I agree with my hon. Friend entirely, but today is not the day for those arguments. Arguments about technical matters—how things will be changed in the House, and whether that will be done using statutory instruments and the exercise of ministerial powers—are for Committee and subsequent stages of the Bill. The broad thrust of my argument on Second Reading is that this Bill is the only means by which we can deliver the result of last year’s historic referendum, which was delivered by 52% of people. I know that some in this House would rather we ignored the voice of those people, but we do so at our peril.

The whole issue of our fishing policy encompasses a lot of what was wrong with our membership of the European Union, which would not listen to us. The Bill represents a great opportunity for our coastal communities. I intend to deliver a good fishing policy for our under-10 metre fleet, which is particularly prevalent in Ramsgate, so I will support this Bill tonight.

5.32 pm

Albert Owen (Ynys Môn) (Lab): The Bill has been described as “not fit for purpose”, and as a “monstrosity of a Bill”. I agree with both those descriptions, and that is one of the reasons why I will not support it on Second Reading. I believe that it undermines this sovereign Parliament—and, indeed, other Parliaments and devolved Assemblies in the United Kingdom.

I respect the result of the EU referendum. My constituency voted narrowly to leave—very narrowly, by some 700 votes—so I understand both sides of the argument. My constituency mirrored the UK and Wales in voting to leave. In the EU referendum campaign, I said that I would vote for article 50, and I did so, because I accepted and respected the referendum. In the general election campaign of 2017, I said I would support a “sensible Brexit”, and I will, but not by bypassing Parliament.

I told the electorate that I would respect the devolution settlement in our country, and I will. The Bill will be enacted to replace the European Communities Act 1972. A lot has happened since 1972, not least the setting up of devolved Administrations by referendums and by Acts of this sovereign Parliament. When we talk about the legislators taking back control, we mean just that—legislators, in the plural. The competence of those Assemblies and of Parliament needs to be protected, and the Bill does not do that. It talks about consultation and discussion, but it does not talk about respecting the devolved Administrations.

Although I am unhappy with the replies I have received from the Government about the Irish border issue and the Irish dimension, and how that will have an impact on Welsh ports, as well as about Euratom—I led a debate on it, and we will need an associate or alternative membership with our colleagues on it—it is not for those reasons that I will vote against the Bill tonight, but because the Bill undermines parliamentary democracy. I will take no lectures from the Secretary of State for Exiting the European Union or the Government on delays, a cliff edge or creating chaos, because as colleagues have said, they have already done that. They spent months—denying the referendum result, and trying through the courts to prevent this House from enacting article 50, which was a costly process. They spent months this year having a general election, which cost millions of pounds and delayed this process by many months. This PM went to the country and said she wanted to increase her majority to increase her mandate, she did not achieve that: she lost her mandate, she wanted to increase her majority to increase her mandate, and she lost the moral authority to carry on as normal.

Mr Jim Cunningham (Coventry South) (Lab): Does my hon. Friend not agree that the Prime Minister, having been denied the mandate for the hard Brexit that she wanted, is using the Bill as another method of achieving that objective?

Albert Owen: Yes, I agree. As I have said, the Prime Minister just thinks it is business as usual, but she is now leading a minority in the House. In her words, she wanted to increase her majority to increase her mandate, but she does not have the moral authority or, indeed, the numbers in the House of Commons. It shows the Government’s arrogance that she now wants to rip up the result of the general election and ignore the will of the people who have taken away the Tory majority.
The other item I want to raise is the timetable—the programme motion—because I do not think that eight days are enough to debate the issues properly; when we have very complicated hybrid Bills in the House, we are given far longer to scrutinise them, so it is wrong. I think, tomorrow, the Government want actually to rig the Committees. Transferring powers from the European Union to the hands of those involved in delegated legislation is a very dangerous step for us to take: the Government are grabbing powers and putting them into the hands of Ministers. As I have said, they are not respecting the devolved Administrations, which were set up following referendums and have been given powers by the House of Commons.

The Opposition’s reasoned amendment is sensible. It amounts to what I would describe as a sensible Brexit. For instance, it respects the charter of fundamental rights, which we would put into UK law, and we would propose sensible transition arrangements. Again, the Government are now talking about a cliff edge and a timetable, but if we had sensible transition arrangements—this is mentioned in the reasoned amendment—that would be avoided. For those reasons, I will support the amendment tonight.

The will of the people in the 2017 election must be respected, and the will of the devolved Administrations must also be respected. It is time for this Government to go back to the drawing board. For those reasons, I will vote against the Second Reading. I do not think that the Bill can be amended to the satisfaction of many Government Members in Committee, and they know it. It is time for this House of Commons and this sovereign Parliament to stand up and be counted on behalf of the people who sent us here.

5.38 pm

Conor Burns (Bournemouth West) (Con): We are here today debating this Bill as a direct consequence of the free vote of the British people in the referendum last year, when they gave us their explicit instruction that we were to withdraw the United Kingdom from the European Union. There was an extraordinary article in The Mail on Sunday yesterday by a Member of the other place, who said the Government were rushing this decision because they were afraid that the people would get their hands on the decision, but it is because the people did get their hands on the decision and decided to leave that we are here today.

Many of us who campaigned in the referendum to leave did not do so out of any sense of flippancy. I came to the conclusion over a long period. I came to it disappointed, after decades of listening to successive Governments and Prime Ministers talking about how we were going to reform the European Union from the inside, with subsidiarity and all the rest of it. That body gradually acquired all the attributes of statehood and citizenship: a flag, an anthem, a currency, a Parliament and a supreme court. For me, it became the antithesis of what an independent nation state was all about. Those of us who campaigned to leave were clear in our objectives: we wanted to make our own laws in this country; we wanted to sign our own trade deals; and we wanted to end the massive payments to the European Union and decide our own immigration policy.

That is what the Bill sets us on the road to do. Clause 1 makes it clear that the European Communities Act will cease to apply on the day we leave the European Union, and it provides that, the day after exit, the House and our courts will be supreme in making the decisions that affect us in this country. It is the mechanism to transpose the body of law under which we live, much of which emanated from the European Union over a period of almost 45 years, into United Kingdom law. It rightly makes little mention of some of the fundamental things that affect us as a country. Correctly and properly, the Government have committed to introduce legislation on the Floor of the House on some of the big matters. Bills that will be put before Parliament include a customs Bill, a trade Bill, an immigration Bill, a fisheries Bill, an agriculture Bill, a nuclear safeguards Bill, and an international sanctions Bill, all of which were announced in the Gracious Speech after the general election this year.

The Bill also puts specific limits on the powers that are laid down. The Government cannot make regulations to impose or increase taxation; to make retrospective provisions; to create relevant criminal offences; or to make regulations to implement the withdrawal agreement. Crucially, there is a sunset clause, so that two years after we leave the European Union the measure will cease to apply. I will be 45 in two weeks’ time. Her Majesty gave Royal Assent to the European Union Communities Act 1972 just a month after I was born. Although I gained political awareness reasonably early, I have not been politically aware throughout that entire period of nearly 45 years. I do not recall, in the period in which I was politically aware, great complaints emanating from every part of the House about the constant stream of legislation from the European Union that was implemented unscrutinised and which we had to obey.

The Government are putting that sunset clause in place. I am sorry that the right hon. Member for Wolverhampton South East (Mr McFadden) said that there was confusion among Government Members, and a difference of opinion about our policy on leaving the European Union. He could easily, and perhaps more effectively, direct that at his own Front-Bench team. The shadow Home Secretary supports free movement. The Leader of the Opposition and the shadow Secretary of State for Exiting the European Union say that it must end. The deputy leader of the Labour party says that we would stay in the single market forever. The shadow Chancellor says that two years after we leave the customs union would be a disaster; the shadow Secretary of State for International Trade has said that staying in the customs union would be a disaster; the shadow Secretary of State for Exiting the European Union says that it cannot last for more than two years, Labour policy on Brexit can barely last two days. If it lasts two weeks it appears to be a long-term policy indeed.

Before the general election, the House voted overwhelmingly in favour of the European Union (Notification of Withdrawal) Bill. Tonight, it should do the same on Second Reading of the European Union (Withdrawal) Bill. In the words of one of my more succinct correspondents, who wrote to me yesterday and urged me to tell the House: “For goodness’ sake just get on with it”. 
Chris Bryant (Rhondda) (Lab): This Bill is utterly pernicious. It is dangerous, it is fundamentally un-British and it has at its heart a lie. It pretends to bring back power to this country, but it actually represents the biggest peacetime power grab by the Executive over the legislature, by the Government over Parliament, in 100 years. It allows the Government to drive through changes to any law by the simple fiat of a Minister. That includes the powers of the House of Lords, the date of the next general election, the composition of the House of Commons and the number of Ministers. In the most extreme instance of all, it allows Ministers to alter the very Bill itself. That is a dangerous spiral of autocracy. Some Members seem to think it is a compliment to refer to them as Henry VIII powers. I know that Henry VIII, in 1536, legislated to allow two MPs to come here from Calais, but on the whole the Tudor exercise was not a proud demonstration of democracy. These are clauses of which Erdoğan, Maduro and Putin would be proud.

Sir Oliver Letwin: I am very grateful to the hon. Gentleman for giving way and I am sorry to interrupt his flow of eloquence. Is he conscious of schedule 7, in particular part 2, and especially paragraph 6, sub-paragraph 2, sub-sub-section (g), in which it is made perfectly clear that it is only by affirmative resolution, and not the fiat of Ministers, that amendments to Acts can be made?

Chris Bryant: I am perfectly aware of all the measures in schedule 7, but I merely point out to the right hon. Gentleman that, since the Bill itself can be changed by the Government, that is one of the elements the Government can change. What happens, even under the affirmative process—this is the problem with secondary legislation—is that, because there is no opportunity to amend, the Government will say, “Take it or leave it”. They will then suddenly say, “There is a real emergency and you’ve got to take it, because otherwise there will be chaos.” That is the sword of Damocles that Governments always hold over Parliament when a clause hands matters over to secondary legislation.

Sir Oliver Letwin: I am doubly grateful to the hon. Gentleman for giving way. Will he withdraw his remark that it is by ministerial fiat, and resort instead to the argument that the drafting would enable the Government to exert some pressure on Parliament, which presumably he and his colleagues would resist?

Chris Bryant: No, I am not withdrawing it. The Bill, at several points, makes it quite clear that the Government will hold powers to bring in regulations under secondary legislation through the negative process. The whole point about the negative process is that the statutory instrument comes into law unless it has been annulled, and the only process by which it can be annulled is if the Government themselves allow time for us to debate the matter and to have a vote. I would be happy to trust the Government if in recent years—I do not know why the Under-Secretary of State for Exiting the European Union, the hon. Member for Wycombe (Mr Baker) is looking up at that point; he never used to trust the Government until he became a Minister—they had been happy, since 2010 or 2015, to honour the traditional doctrine of the House, which is that if the Leader of the Opposition demands a vote and a debate in this Chamber there will be one. They have, however, consistently refused to do that. Enormous changes to our law, affecting student nurses and every student in the land, and affecting benefits for all our constituents, have been driven through via secondary legislation. It should never have been used for such measures, without us ever being able to insist on having a debate or a vote. The worst of it, to which I have already referred, is that when we do have a debate, the Government get to decide whether it should be in Committee or on the Floor of the House. If it is in Committee, all we get is a motion stating whether or not we have debated the matter in hand.

Sir Oliver Letwin rose—

Chris Bryant: I am not giving way to the right hon. Gentleman again. I am sure he will manage to catch your eye, Mr Speaker.

It is not as if the Government do not accept that they will have to introduce hundreds and hundreds of statutory instruments. What they should have done, before introducing the Bill, was suggest an alternative way of dealing with this process over the next two years, so that there can be proper triaging of genuinely technical and minor consequential amendments to legislation that need to happen, and significant measures where the whole House would want to take a view.

Since 1950, Parliament has rejected only 11 statutory instruments, so we know that this is an autocratic process, but let me get to a much bigger worry for me: clause 9. I am sure that hon. Members have read it. It states very clearly:

“Regulations under this section may make any provision that could be made by an Act of Parliament (including modifying this Act).”

When I said last week in the House that this was truly exceptional, all sorts of Government Members, including Ministers, came up to me and said, “Oh no, there are hundreds of examples. I’ll give you examples by the weekend.” The first example I was given was the Scotland Act 1998, but it does not apply. Section 113(6)—I am sure the right hon. Member for West Dorset (Sir Oliver Letwin) will know this subsection—states:

“But a power to modify enactments does not...extend to making modifications of this Act or subordinate legislation under it.”

In other words, the Minister who told me that had missed out the word “not”, rather conveniently.

Then the hon. Member for Stone (Sir William Cash) came up to me and said, “No, you’re completely and utterly wrong. The greatest constitutional expert in this country”—I think he might have meant himself—“tells me that section 75 of the Freedom of Information Act 2000 gives the Government the right to change the Act itself by statutory instrument”. Unfortunately, he was wrong as well. It actually states:

“If...it appears to the Secretary of State...that...the enactment is capable of preventing the disclosure of information”—

in other words, gives the Government too much power to prevent disclosure—

“he may by order repeal or amend the enactment for the purpose of removing or relaxing the prohibition.”
It is a measure that gives the Government not more but less power. Even the Civil Contingencies Act 2004, which applies to circumstances when by universal accord—probably—the Government would need emergency powers, and which builds on previous Acts of Parliament, states categorically, in section 23(5):

“Emergency regulations may not amend...this Part of this Act”—in other words, all the major elements of the Act.

If hon. Members who are trying to cover their tracks by saying, “We think all this secondary legislation business is terribly worrying, and obviously we’ll change that in Committee”, really care about those matters, they should consider the Government’s track record. What have they done recently? They engaged in what I would call jiggery-pokery with the DUP to ensure a majority—and let us hope we have a vote on Estimates Day on the £1 billion for the DUP; they delayed setting up Select Committees until now to make it impossible for us to scrutinise many of the measures going through during the summer months; and tomorrow, they are trying to make sure that, for the first time in our history, a Government without a majority in the House have a majority on every single Committee. If that does not make one question the bona fides of this Government, nothing will, and that is why I say to hon. Members: do not sell your birthright for a mess of pottage; vote against this Bill!

5.53 pm

David T. C. Davies (Monmouth) (Con): Twenty years ago, almost to the day, I was involved in another bitterly fought referendum campaign in which both sides accused the other of exaggerations and even outright lies. The result was extremely finely balanced, our nation was divided and many were of the opinion that the Government of the day had absolutely no right to proceed with such a profound constitutional change on the basis of a tiny majority. I refer not to the EU but to the Welsh devolution referendum.

There the similarities end. The day after the Welsh Assembly referendum, I did not see BBC reporters trawling the streets of Cardiff or Swansea for anecdotes about people who had allegedly voted one way and then changed their minds—I can well remember in fact that BBC reporters from Wales could hardly contain their delight—and we did not see business representative groups and trade unions whipping up fears about the future of the economy; instead, they embraced the opportunities. Those of us who had been actively involved in the campaign against the Welsh Assembly realised that, whatever we thought of the result, the people had spoken. Even though it was a narrow margin—much narrower than in the EU referendum—and on a much smaller turnout, we did not try to stop the process. We did not try to take the Government to court. In fact, we got involved in the shaping of Welsh Assembly standing orders through a body called the National Assembly Advisory Group.

The First Minister of Wales and some of his colleagues in Parliament would do well to remember that. He and others have been complaining about a power grab and making accusations about undermining the Assembly—

Peter Grant (Glenrothes) (SNP): Will the hon. Gentleman give way?

David T. C. Davies: I will give way in a moment. I am coming to something the SNP said earlier.

The only powers being grabbed are those being grabbed from Brussels and taken back to London. There is absolutely no grabbing of powers from Cardiff. Earlier, my hon. Friend the Member for Stirling (Stephen Gethins) whether he could name a single power being taken from Edinburgh, and he could not name any.

Peter Grant: Will the hon. Gentleman give way?

David T. C. Davies: I am happy to give way to his colleague to see if he can come up with a few.

Peter Grant: The hon. Gentleman is keen to draw parallels between the EU referendum and that which established the Welsh Assembly. The result of the EU referendum casts great doubt over the continuing human rights of 3 million people living in these islands. Can he name a single person whose human rights were threatened as a result of the Welsh referendum 20 years ago today?

David T. C. Davies: It was about the same number of EU nationals whose human rights are being threatened by the latest referendum. One of those 3 million is my wife. Not a single Government Member has ever suggested stripping EU nationals of their rights. We are totally opposed to that idea. I am happy once again to say on behalf of all my colleagues that none of us wants to do anything to take away the human rights of the hard-working, law-abiding EU citizens in this country. We welcome them as much today as we always have.

We are not taking powers away from Cardiff, Edinburgh or anywhere else. In fact, over the last few years, Conservative MPs have voted several times to give significant extra powers to the Welsh Assembly—and, I believe, to the Scottish Parliament. To be honest, if I am going to criticise my own colleagues, I would criticise the number of extra powers we have given to the Welsh Assembly and will do again. I probably will not be quite as enthusiastic about that, but there we are. The Bill will actually strengthen devolution. It will mean more powers for the Welsh Assembly in the not-too-distant future, and it will be much easier to transfer powers from the Westminster Parliament back down the M4 than it would be if those powers stayed in Brussels. Let us be frank about that. If those powers were to stay in Brussels, they would not come to the Welsh Assembly at all.

It is time for Opposition Members to do what those of us who opposed the Welsh Assembly did 20 years and recognise that it is the will of the people, including in Wales, which voted for devolution and to leave the EU. It voted mainly for Conservative and Labour MPs in the last election who stood on a manifesto commitment to respect the referendum decision and bring Britain out of the EU. The people having made their voices heard over and over again, it would be an outrage if we did what Commissioners in Brussels have done many times in the past few years and went against the stated will of the people. The Bill represents a great day for democracy in Britain, including in Wales, and I look forward to joining my colleagues in the Lobby to support it tonight.

5.58 pm

Caroline Lucas (Brighton, Pavilion) (Green): In view of the limited time, I will focus on just three aspects of this deeply dangerous and undemocratic Bill. First, I wish
to add my voice to the many on both sides of the House expressing enormous concern about how the Bill allows the Government an unprecedented power grab. I congratulate the hon. Member for Rhondda (Chris Bryant) on his masterclass about how this undermines our sovereignty and represents a wholesale shift of power from elected representatives in Parliament to Ministers and civil servants acting without the encumbrance of accountability or democratic scrutiny.

Regardless of one's views about Brexit, the Bill is a constitutional outrage. The rank hypocrisy that these proposals to undermine parliamentary sovereignty are being led by precisely those Members who sold the leave argument last year on the supposedly noble ideal of restoring exactly that sovereignty is breathtaking, even by the standards of Government Members. That is why measures to circumscribe those powers are so vital, including measures based on proposals, such as those of the Hansard Society, to establish a sift and scrutiny system for delegated legislation in general. The current processes are already manifestly failing.

Secondly, I want to highlight concerns about the Bill's impact on environmental protection, and, in particular, about the governance gap—the Bill's failure to provide for the proper enforcement of environmental laws and standards post-Brexit. So far, there has been no evidence that Ministers recognise the scale of the challenge. Research conducted by the House of Commons has identified more than 1,100 pieces of EU environmental legislation that are the responsibility of the Department for Environment, Food and Rural Affairs, yet the issue did not appear in the Prime Minister's Lancaster House speech, has not appeared in the Secretary of State's statements so far, and certainly does not appear in the Bill.

Cutting and pasting laws from the EU's statute book into the UK's is simply not enough, because laws are only as effective as the mechanisms that implement and enforce them in practice. In the absence of mechanisms to replace the monitoring and enforcement roles of the European Commission and the European Court of Justice, we will effectively be left with zombie legislation—it may be on the statute book, but it will not be enforceable. There needs to be positive action to create a new Government system including proper implementation, compliance and enforcement. When the Government argue that judicial review can adequately provide the sole mechanism for civil society to challenge the application of environmental law, it shows how little they understand the limitations of JR. It is far too limited in scope and remit, and in terms of access, remedies and sanctions.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Will the hon. Lady give way?

Caroline Lucas: I will keep on for a little bit longer.

We need to transfer explicitly into UK law the key general environmental principles that are enshrined in the EU treaties: the precautionary principle, for example, and the "polluter pays" principle. A further regrettable omission from the Bill relates to animal welfare. The protocol on animal sentience which is so vital to our animal legislation was incorporated into article 13 of the Lisbon treaty, but the text of that treaty is not itself covered by the Bill, so the wording of that article is not replicated. I intend to table amendments on that issue.

Thirdly, and more substantively, I am deeply concerned that schedule 8 effectively ends the UK’s membership of the single market and the customs union. That is yet another masochistic red line from Ministers who are intent on leaving the EU whatever the cost to the UK's economy, and regardless of the damage to the country's long-term prosperity. Analysis indicates that leaving the customs union would result in a £25 billion-a-year hit to the UK economy and a Brexit bureaucracy bombshell for UK firms. So much for Brexit's leading to a bonfire of red tape.

Ministers seem to think that they can just conjure up, in a few months, a customs union that is not “the” customs union, but which will deliver exactly the same benefits as those that we have now, and all that without paying for membership of the EU. I look forward to seeing how they plan to achieve that amazing feat, as I am sure that quite a few of my constituents would like to enjoy the benefits of institutions in Brighton without having to bother to pay the membership fee.

Far from transferring all EU law into UK law, the Bill fails to preserve the right to freedom of movement. Let me be very clear: my party's policy on freedom of movement is unequivocal—we believe that it not only benefits our economy but, crucially, benefits our communities as well. Being able to work, study, live and love in 27 other member states is a precious gift. It is one that we should be extending to an increasing number of our own young people, not shrinking—not closing down their horizons; not denying. I also believe that we should say loudly and proudly that we celebrate the contribution of EU nationals who come to make a life here: they enrich our society.

I believe that, as people become increasingly aware of the human and financial costs of Brexit over the coming months—those costs were never made clear during the referendum campaign—they should have the right and the opportunity to change their minds, if they choose. When people take out phone contracts, for heaven's sake, they have a chance to look again and to revisit their decisions. Why would we deny them that possibility when it comes to the biggest decision that this country has made in generations? That is why my party is committed to the proposal of a ratification referendum: a chance for people to judge the final deal that comes back from Brussels in the light of all that we are learning now about the costs of leaving, which were never apparent during the referendum campaign.

People who voted leave did not vote for falling wages, lower living standards and rising inflation. I do not believe that they voted to trash environmental protection, to create massive staff shortages in our hospitals and care homes, or to see food rotting in the fields because of the lack of workers to cultivate it. I do not believe that they voted to slam the door shut on our centuries-old tradition of proudly welcoming people from overseas. The very real consequences of Brexit were never spelt out in what was surely the most mendacious, toxic and cynical referendum campaign that we have ever seen, and that is why I shall vote against the Bill's Second Reading.
Mr Robert Syms (Poole) (Con): The House voted six to one, with its eyes wide open, for a referendum. Implicit in that result was the determination that the British people would decide what their destiny was to be, and they did so, clearly, in June last year. The House accepted that decision when we triggered article 50. What we are discussing today is giving the Government the means to deal with what I believe to be the most complex legislation with which any Government have had to deal for generations.

The Government are very sensibly trying to put all EU law into British law so that the day after we leave there will not be chaos, there will not be lawyers running around suing various people, and we will have legal certainty. If this were a really vicious, horrible, right-wing Government, they would be going through the lot deciding what they were going to get rid of, but they are not doing that. They are putting legislation on workers’ rights, welfare, the environment and a range of other issues into UK law so that future Governments—probably not this Government—can decide at their leisure what they will keep, what they will improve, and what they will change in the traditional British way: by producing a Green Paper and a White Paper, and presenting legislation to the House. Future Governments will have more scope for policy change and adjustments than any since the 1970s. We are gifting to future Parliaments, whoever will control them, the ability to control the destiny of our nation.

This is all that we are trying to do in the third part of the Bill. We know that, inevitably, there will be holes in the legislation. We will try to dam them up so that the legislation works and the legal system has certainty. There is nothing wicked about that; it is actually very sensible. Anyone who talks to most business people, local authorities and individuals will find that what they want is for change—if there is to be change—to be gradual and managed change, not chaos.

I have been in the House long enough to know that when legal cases arise and events occur, Governments sometimes come up with rushed legislation to fill a gap. They do so in a day, sometimes with manuscript amendments. We know that when we leave the EU at the end of March 2019, there will be holes in legislation that will need to be plugged, either before we leave or just afterwards. That is extraordinary, and I think it is a one-off, but I also think it is necessary. There may well be nuances in what we can do with the legislation. Statutory instruments themselves are not ideal. One of the reasons why many cannot be amended is that they are put into UK law, but even in UK laws simply by asserting that they are doing so to rectify deficiencies not only in EU laws that are transposed into UK law, but even in UK laws themselves that they say are somehow linked to the EU.
This Bill goes so far as to give Ministers the power to amend primary legislation by statutory instrument, and even the power to extend the provisions of the very measure—this Bill—that gives them that power in the first place. Professor Mark Elliott, professor of public law at the University of Cambridge, has rightly described this as delegated legislation on stilts, so I will be supporting the reasoned amendment that declines to give this Bill a Second Reading.

Of course, we need legislation to ensure that EU rights and protections are incorporated into UK law so that we avoid gaps being opened up in the spectrum of rules and regulations at the point of Brexit. There is consensus in the House about that, so why have Ministers brought forward a Bill that undermines rather than builds on that? It is not as if they have not had time to do this properly. When they published their White Paper back in March, we warned them then against using the Bill that would follow to unreasonably increase the powers of Ministers so that they could sidestep full scrutiny of their proposals by elected MPs. We warned them again at the election—our manifesto commitment to replace what at that time was being called the great repeal Bill with an EU rights and protections Bill was precisely that warning. In the past months, many bodies, ranging from the Hansard Society to the Equalities and Human Rights Commission and the Local Government Association, have warned the Government about the dangers of the Bill in its current form. The Women and Equalities Committee and many others have warned about problems with the Bill.

On Thursday, in answer to an intervention from the right hon. Member for Broxtowe (Anna Soubry), the Brexit Secretary hinted that he was prepared to talk about ideas for a triage system to give MPs and peers some kind of say over the limits of where and how rules and regulations at the point of Brexit. There is consensus in the House about that, so why have Ministers brought forward a Bill that undermines rather than builds on that? It is not as if they have not had time to do this properly. When they published their White Paper back in March, we warned them then against using the Bill that would follow to unreasonably increase the powers of Ministers so that they could sidestep full scrutiny of their proposals by elected MPs. We warned them again at the election—our manifesto commitment to replace what at that time was being called the great repeal Bill with an EU rights and protections Bill was precisely that warning. In the past months, many bodies, ranging from the Hansard Society to the Equalities and Human Rights Commission and the Local Government Association, have warned the Government about the dangers of the Bill in its current form. The Women and Equalities Committee and many others have warned about problems with the Bill.

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On Thursday, in answer to an intervention from the right hon. Member for Broxtowe (Anna Soubry), the Brexit Secretary hinted that he was prepared to talk about ideas for a triage system to give MPs and peers some kind of say over the limits of where and how rules and regulations at the point of Brexit. There is consensus in the House about that, so why have Ministers brought forward a Bill that undermines rather than builds on that? It is not as if they have not had time to do this properly. When they published their White Paper back in March, we warned them then against using the Bill that would follow to unreasonably increase the powers of Ministers so that they could sidestep full scrutiny of their proposals by elected MPs. We warned them again at the election—our manifesto commitment to replace what at that time was being called the great repeal Bill with an EU rights and protections Bill was precisely that warning. In the past months, many bodies, ranging from the Hansard Society to the Equalities and Human Rights Commission and the Local Government Association, have warned the Government about the dangers of the Bill in its current form. The Women and Equalities Committee and many others have warned about problems with the Bill.

6.15 pm

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): In an excellent speech on Thursday, the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) referred to the fact that we are sent here on the wings of ballot papers sent in by our constituents. That is a precious right, and I agree with her that it is one that we should observe and uphold. I was sent here with a very clear message from my constituents, who on 23 June 2016 voted decisively to leave the European Union. They did so, contrary to what the hon. Member for Brighton, Pavilion (Caroline Lucas) says, in full knowledge of what that entailed: self-government over federalism, democracy over bureaucracy, and economic liberalism over protectionism. It is important to note, of course, that the third of my voters who voted to remain have accepted the result, and now simply wish for our departure from the EU to be as smooth and orderly as possible. That is why we need this Bill. Indeed, it is not an exaggeration to say that we cannot have that without this Bill.

So let us be clear about the Bill’s function. This is not a Bill about whether we stay in or leave the EU; that decision was taken by our bosses, the British people, last year. Likewise, it is not a Bill about the substance of the withdrawal agreement; that is a matter for ongoing negotiation between Ministers and Brussels. The primary purpose of the Bill is simply to provide the legal continuity and certainty on exit day that I think all of us want.

To be clear, we have to do this. The House of Commons Library states that once the European Communities Act is repealed on exit day, without the legislative measures proposed in this Bill, “huge holes would open up within the statute book.” The Opposition talk a good game about Henry VIII and power grabs, but the Secretary of State was crystal clear on Thursday that the Bill will not be used to make material changes, and he made welcome commitments that he will consider sensible suggestions at Committee stage, and that is the point—this will happen in Committee.

If we vote down this Bill this evening, as Opposition Members want to do, we will be torpedoing the whole principle of the Bill, not the substance of the individual suggestions in it. We will be preventing the very chance of making the amendments that people want to see. It is hard to avoid the feeling that for some Members this is less about parliamentary scrutiny and more about parliamentary sophistry—that is to say, frustrating our best chance of making a success of Brexit. That is something I passionately believe in, although I accept that the hon. Member for Brighton, Pavilion (Caroline Lucas) made a powerful speech earlier, joining those given by the hon. Members for Blackley and Broughton (Graham Stringer) and for Vauxhall (Kate Hoey) and the right hon. Member from that region who is going to be voting tonight for what they asked for.

I want to conclude by re-emphasising the calamitous consequences of our exiting the EU without the necessary legal provisions in place. Without this Bill, we will wake on the morning of exit day to find that thousands of our laws have changed or been rendered inoperative.
The fallout from that scenario will make “cliff edge” sound euphemistic. With that in mind, voting against the Bill tonight will be interpreted by many as a vote to punish the British people for having had the audacity to vote for Brexit, for that is exactly what it will do.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): I am grateful for the chance to contribute to this debate. I look forward to rejoining the Exiting the European Union Committee, whose important work will finally recommence this week.

I will vote tonight for Labour’s reasoned amendment and against the Second Reading of the Bill, not to frustrate Brexit, but because I believe that Parliament and the country must not be side-lined in how we move forward. The Bill has clearly been written without thought to its implications. As it stands, it sets a precedent that our democracy, or any other, should not allow. Ministers would be able to amend primary legislation—the Bill and other Acts—without needing a debate or vote in this House. Ministers could remove rights and protections through secondary legislation without any meaningful or guaranteed parliamentary scrutiny.

Many excellent points on the scope, scrutiny, transparency and accountability of the powers in the Bill have already been made, especially by my right hon. Friend the Member for Derby South (Margaret Beckett). I want to focus the detail of my remarks on one specific issue of concern, on which I would be grateful for the Minister’s response.

Once upon a time, before the general election, there was a lot of stirring rhetoric from the Prime Minister about how no deal would be better than a bad deal. These days, we hear less public talk of no deal, but the Bill nurses one hangover from when the Prime Minister could still pretend she had a mandate for her vision of what Brexit means. We do not have to look very far to find it. It is in clause 1, which states:

“The European Communities Act 1972 is repealed on exit day.”

“Exit day” is defined as

“such day as a Minister of the Crown may by regulations appoint”. Now stand back. What clause 1 proposes is that any Minister can decide when the 1972 Act will cease to have effect. It appears to me that if the European Communities Act 1972, without the Bill, as many Members have pointed out, would have been repealed on exit day, it would have been repealed on exit day.

On any day, if the Prime Minister or Foreign Secretary decided, the Executive could withdraw from talks and decide to make hard Brexit a reality by repealing the European Communities Act, without a proper debate and without a full vote of this House. Clause 1 appears to put perhaps the most important power in the Bill—the power to repeal the European Communities Act—entirely into the hands of any Minister at a time of their choosing and whether or not there is continuity of our laws at that time.

Exit day is not even defined as being, at the earliest, 29 March 2019. There appears to be no parliamentary supervision over that power. It would appear that Parliament does not need to approve the regulations. Parliament does not even get to see them in advance. Hon. Members will have their own views about the wisdom of Ministers having that power. For my own part, I find it hard to see how giving an unfettered power to any Minister—especially a Conservative Minister—is what Parliament taking back control looks like.

There is no need for Parliament to be cut out of that decision. If our talks with the EU produce a deal, it will need to be approved by the other member states and the European Parliament before the cut-off date of March 2019.

Either way, what is important is that it is Parliament, not a Minister, who chooses how to respond. That is why Labour’s manifesto promised voters a meaningful choice. The question of what action we should take if talks break down is for Parliament to answer. The power for Ministers to exit with no deal should not be in the Bill. I will vote against a Bill containing this unfettered clause 1, and I hope for some words of reassurance from the Government on that today.

The vote tonight is not about whether we leave the European Union, it is about how we do so. For want of a better phrase, the Bill is little short of a dog’s Brexit. Parliament and the country deserve better.

Dr Sarah Wollaston (Totnes) (Con): Without the Bill we cannot respect the will of the British people, as expressed in the referendum, and repeal the European Communities Act 1972. Without the Bill, as many Members have pointed out, we will see legal chaos. Given the sheer volume and complexity of the EU law that will have to be converted into UK law, I accept that the Government will need relatively wide delegated powers to amend legislation, but there is a distinction between necessary amendments as a consequence of our leaving the EU, many of which will be technical and minor, and those that implement entirely new policies.

The delegated powers in the Bill will touch every aspect of our lives, as many colleagues have said—their use could be unprecedented in scale, scope and constitutional significance—so I am glad to hear that Ministers are in listening mode. I will support the Bill tonight in the expectation that it will be amended in Committee and that there will be support for reforming the way delegated legislation is handled, so that Parliament, rather than the Government, can decide the appropriate level of scrutiny. Without that, we simply will not be able to bring control back to Parliament.

It may be useful to those who are following the debate from outside this place if I explain how delegated legislation works and why it is important that we amend it. I was first introduced to Delegated Legislation Committees when I was appointed to one dealing with draft double taxation relief and international tax enforcement orders. I thought there must have been a horrible mistake, so I sent a note to the Whip to ask about my duties. I received the following three instructions: “Turn up on time, say nothing and vote with the Government.”

People might argue that no one died as a result of my ignorance of international law on double taxation relief in Oman and Singapore, but what makes the system so absurd is that the very next Committee due to sit was a
Delegated Legislation Committee examining the draft Medical Profession (Responsible Officers) Regulations 2010. It might be argued that, as someone who had just come to the House having been teaching junior doctors and medical students and having been an examiner for the Royal College of General Practitioners with an interest in doctors who were failing, I was better placed to be on the second Committee. It seems to me that there is an expectation that Members should not have any expertise at all. I think the general public would find that absolutely extraordinary; they expect Members to be able genuinely to scrutinise legislation.

There are many other reasons why the procedures should change. It is a great concern to people outside this place that many statutory instruments are subject to the negative procedure rather than the affirmative procedure and do not get any scrutiny at all—not even the current defective scrutiny. The power to change that does not necessarily need to come from legislation; we could use the Standing Orders. I commend the Hansard Society for the excellent work it did in advance of the Bill to set out how the procedures could be amended. Even though it is in our power as a House to put in place Standing Orders, for example to set up a Delegated Legislation Committee with the powers of sift and scrutiny that we have discussed today, it would help if Ministers indicated that they are in listening mode about that, too, and that they would support it happening over time.

I genuinely feel that the Government do not want to obstruct sensible debate. All Members from across the House should work with Ministers to put in place something that genuinely works. We know that delegated legislation needs reform even without this Bill, so let use this as an opportunity. As we have heard, up to a thousand statutory instruments will be coming before the House, and we need the House to decide whether the procedure will be negative or affirmative. We need reform so that we can genuinely develop expertise along the lines suggested by the Hansard Society and so that MPs with a genuine interest scrutinise the proposals.

The point is that a delegated legislation Select Committee could have the power to send a statutory instrument to a Committee of the whole House—not just a small Delegated Legislation Committee in a Committee Room, but with all of us here, similar to what we are doing today. It could also have the power to suggest sensible amendments that the Government would have to take away and consider. I have said that I will support the Government tonight, but I do so only in the expectation that they will support sensible amendments.

6.30 pm

[Wera Hobhouse (Bath) (LD): “Democracy” and “the will of the people” are terms often used and—dare I say it—abused in connection with leaving the European Union. I have been listening to this debate for many hours now, and I am puzzled by the arguments of those who support the Bill’s progress. As has already been said this afternoon, we are here to debate not whether we leave the EU but how we do it. Over the past two days of debate, it has been eloquently proven by Members from both sides of the House that what is in front of us is deeply flawed, because it threatens to write into law a substantial loss of our parliamentary democracy and set an alarming precedent. It is therefore frustrating to be accused of undermining the will of the people if I do not support the Bill’s progress. I will not support the Bill, because it threatens a fundamental principle of British democracy—the supremacy of Parliament and the division of powers—and gives sweeping powers to Ministers and bureaucrats. The right to make laws in this country was given to Parliament after many hard-fought battles.

Richard Drax (South Dorset) (Con): Will the hon. Lady give way?

Wera Hobhouse: Will the hon. Gentleman hear me out?

The supremacy of Parliament is a proud tradition that all of us should defend. I find it perplexing that, for example, the hon. Members for North East Somerset (Mr Rees-Mogg) and for Blackley and Broughton (Graham Stringer), both of whom I know to be thinking people, are so eager to see us leave the EU that they forget everything else in its path. Democracy matters, and whoever tries to suspend democracy to enact the will of the people should think again.

The will of the people is of course a pretty mixed bag and is not fixed forever. On 23 June last year, almost 70% of my constituents voted to remain in the EU. In June this year, I was elected on the basis of my opposition to the Government’s Brexit line. That was the will of the people in my constituency at that point. True to form, Bath had one of the highest voter turnouts, and active engagement in Bath is not limited to election time; it is evident every day. Protest groups, demonstrations and lively debates are testament to how much people in Bath care about how our country is run. Another principle of democracy that they want to see practised is that I can speak on their behalf about their concerns about when and how we leave the EU without being labelled as a remoaner, a reverser, unpatriotic or undemocratic. Democracy is about the right to debate freely and voice an opinion without being labelled or bullied. If we truly want to achieve the best for our country, we need to be able to discuss all outcomes freely, including that people—leavers or remainers—can change their mind.

The Bill adds another level of madness to the Brexit process, betraying not only those who voted remain, but those who chose to leave. One of the leave campaign’s strongest arguments was about taking back control here in Westminster, but instead of giving control back to this Parliament, which the leave campaign championed, the Bill is a power grab by Ministers. One of my constituents said to me:

“When people voted to leave the European Union, they didn’t vote to swap backroom deals in Brussels for more of the same in Whitehall. They voted for Parliament and the British people to have more of a say.”

As the MP for Bath, I will fight this attack on our democracy. I will not sit idly by as this Government try to erode our rights and change our laws behind closed doors. How can anybody support this Bill? My only conclusion is that those who support it want their version of Brexit at any cost, including democracy. Come on, let us stand up for democracy and stop this flawed Bill in its tracks. I dare say that the will of the people will be right behind us.
6.35 pm
Bill Wiggin (North Herefordshire) (Con): I have been in the House since 2001 and have, I dare say, manufactured a fair amount of indignation about the legislation of previous Governments, but things are different today. I respect the Opposition's arguments—they are absolutely right to raise them, and their concerns are valid and should be considered—but we are in the middle of a negotiation and my constituents constantly ask me, "What is going to happen?" We, as a country, are being pitted against our former partners in a negotiation and if it goes wrong, that will cost us billions of pounds and deny us access to markets. This is not the time for us to be dancing on the head of a pin about the details of delegated legislation. How many delegated legislation Committees have hon. Members sat through? Members will know about the countless rubber-stamping of EU directives. I have seen it myself, and the worst one was the directive about alternative investments. The impact assessment stated that it had a bill of £8 billion, but neither Front-Bench team seemed to think it at all important. Delegated legislation has been going wrong for decades. I will accept that the Bill may not be perfect, but it is right that we pull together at a moment like this—mid-negotiation—because there will be chances to put this Bill right in Committee.

I rather agree with the hon. Member for Bath (Wera Hobhouse) when she said that our constituents do not want to swap faceless bureaucrats in Europe for faceless bureaucrats in Whitehall, but they are not doing that; our bureaucrats have faces. We know who they are, and they are accountable to us.

Paul Farrelly (Newcastle-under-Lyme) (Lab): As a former editor, may I suggest that the Brexit Secretary sits down over the recess in a dark or light room with my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) and the right hon. learned Member for Beaconsfield (Mr Grieve) and for Rushcliffe (Mr Clarke) to produce something that will go through the House more quickly and with more unity than this Bill?

Bill Wiggin: I rather hope that the Brexit Secretary will concentrate on negotiating our departure rather than on sitting in darkened rooms, or perhaps that is what he is doing—who knows?

Returning to the main thrust of what is going on, we need a unified, sensible piece of legislation, and we must support the Government, get the legislation through and then sort out our differences. Support for the sake of it is wrong, but it is absolutely the right thing at this particular time and at this particular stage in the legislation. It is what our constituents want and expect.

Catherine West (Hornsey and Wood Green) (Lab): The hon. Gentleman makes light of the rights of each of us, of our constituents and, indeed, of EU nationals when he says that we are dancing on the head of a pin if we do not allow the legislation to go through tonight.

Bill Wiggin: No, I do not think so. Delegated legislation is always difficult. There are so many statutory instruments to get through, but that has been true ever since I have been here. We have had countless pieces of rubber-stamping. However, I have taken great comfort from the Front-Bench team saying that there is a sunset clause and that the spirit of the law will not be changed. I appeal to the Labour voters in North Herefordshire. They were very few in the past, but their number has grown recently. They did not manage to mention the Leader of the Opposition at any stage during the election, but they are decent, patriotic people and they want to see our country winning, not bickering among ourselves. Please support this critical piece of legislation, but if hon. Members cannot support it, please abstain.

6.39 pm
Heidi Alexander (Lewisham East) (Lab): I will be voting against the Bill tonight because it is a thoroughly bad piece of legislation. It is unprecedented in the powers it gives to Ministers, it fails to guarantee all the rights and protections currently enjoyed by individuals and businesses in the UK, and it paves the way for a Minister to sit behind a desk in Whitehall and take us out of the single market with the stroke of a pen.

On the most important issue facing this country—our continued membership of the single market—the Bill could mean no direct vote in Parliament, no say for MPs and no voice for our constituents. When we talk about a power grab, it does not get much bigger than that.

I say this to Ministers: should the Bill pass its Second Reading tonight, I will table amendments to ensure that it is Parliament, not Ministers, that determines whether we come out of the European economic area. As currently drafted, the Bill repeals the European Economic Area Act 1993, the law that incorporates the EEA agreement into British law.

The European economic area, as all hon. Members will know, contains the countries of the EU plus Norway, Iceland and Liechtenstein. The EEA is a way to stay in the single market while being outside the EU; it is a way to maintain ease of trade while being outside the jurisdiction of the ECJ. I may prefer to stay in the single market by remaining in the EU, but that horse has bolted. I am a realist, and I recognise the result of the referendum, but I will not hand over all the cards to Ministers to determine how we leave.

The repeal of the EEA Act in part 2 of schedule 8 and the provisions set out in clause 8 are likely to be used by Ministers to claim they have parliamentary authority to notify other contracting parties to the EEA agreement of the UK’s intention to leave the single market. Ministers could claim the Bill authorises them to make a written withdrawal notification, in line with article 127 of the EEA agreement, despite that not being in the Bill. That is not good enough. Just as we had an Act of Parliament to trigger article 50 of the Lisbon treaty, we should have an Act of Parliament to trigger article 127 of the EEA agreement.

The EU and the EEA are two different things governed by two different agreements. Surely the withdrawal of the UK from an international agreement, not least one that could hold the key to our continued membership of the single market, should be a decision for every Member of this House. Irrespective of whether we believe the country should be out of the single market, in it for a transitional period or in it indefinitely, how can that not be a decision for this Parliament? It was not decided in the referendum last year. The words “single market” were not on the ballot paper. Anyone who claims that they were is simply interpreting the referendum’s outcome.
Let us not forget that when the Prime Minister put her extreme Brexit plan to the electorate this year, she could not win a majority. The idea that we allow this Bill to fudge it, and that we leave it to Ministers to decide our fate without recourse to Parliament, would be a democratic disgrace of the highest order.

Our continued membership of the single market, along with our ability to stay in the European customs union, is the most important issue for our country. It is about jobs and trade, but it is also about tackling austerity and investing in our schools and hospitals. If we crash the economy on the altar of concerns about immigration and sovereignty, our public finances will be hit and the cuts of the last seven years will pale into insignificance.

I understand Ministers’ desire to create a functioning statute book, but I want a functioning economy and a functioning democracy as well. I am not prepared to cede major decisions on our country’s future to the Prime Minister, her three musketeers and whoever comes after them. I am not prepared to let a hard-line Tory obsession with immigration determine our future prosperity. And I am definitely not prepared to legislate to exclude myself and, for that matter, every other Member of the House from having our say on behalf of our constituents.

6.45 pm

Derek Thomas (St Ives) (Con): I welcome the Second Reading of this Bill, and I am grateful for the opportunity to speak in this debate and to follow the hon. Member for Lewisham East (Heidi Alexander).

My constituency voted decisively to leave the European Union, and I am determined that the process of leaving the EU gives the people of west Cornwall and the Isles of Scilly the certainty, continuity and control that this Bill accomplishes. When they voted to leave the EU, the good people of west Cornwall did not expect this House to implement their decision chaotically. Instead, they voted for a smooth exit from the EU, with the ultimate goal being that Parliament would take back control of UK laws. The Bill is an important and necessary step towards that goal and will ensure that the statute book does not contain huge gaps after Brexit.

Perhaps reflecting the momentousness of the Bill, I have had a great deal of correspondence from concerned constituents who are anxious that it might side-line democracy. I understand why people are concerned. People voted to take back control, which, to be faithful to democracy, means bringing back control to a sovereign Parliament, not to Government in Whitehall.

However, there is a need to strike the right balance. People’s concerns about the use of so-called Henry VIII powers are well articulated and sincere but, given the breadth and volume of European legislation that will have to be transferred into British law, I do not see any other practical solution. It is vital that businesses in my constituency, most of which are small, local enterprises, have certainty on the Brexit process and beyond. I hope the Bill will give them that certainty and foster a smooth transition back to UK control. It is important that we prevent a cliff-edge Brexit by providing continuity in our laws after exit day.

I agree that the Bill must not simply hand Ministers and their civil servants the freedom to do as they please with future legislation and reform of existing legislation. I recognise that the intent of the Bill is to make a success of Brexit, but there is a need for proper scrutiny. In their defence, Ministers have made it clear that powers taken by Government through the Bill are time-limited. I therefore look forward to the opportunity in Committee for Members on both sides of the House, including me, to hold Ministers to account.

I welcome that the Bill will, in time, restore to Parliament full responsibility for UK legislation for the first time in several decades, which is something that my constituents and the nation were in favour of when they voted to leave the EU. In the furore surrounding the unusual powers being taken by Ministers through this Bill, however, scant attention has been paid to one of its key positive objectives: greater devolution. I hope that can be swiftly rectified, as it is likely to be one of the most valuable aspects of our leaving the EU to my constituents and the people of Cornwall.

If the devolution benefits of Brexit are to be felt in my constituency, devolution needs to reach beyond just the borders of the devolved nations of Scotland, Wales and Northern Ireland. We must seize the opportunity to devolve power ever closer to the people of the UK. Greater devolution would help to build on the success of existing devolution arrangements, such as the 2015 Cornwall devolution deal. It will enable us, as a nation, to tackle issues better locally. Cornwall should no longer have to accept its low-wage economy. Our low wages harm people’s ability to access the housing they need; encourage an exodus of young people, as they seek well-paid jobs elsewhere; reduce the money that people have to spend in our town centres; and hamper efforts to provide well-resourced community facilities and services.

Leading on from that, does the Minister welcome that local authorities are rising to the challenge following the referendum result? Local authorities want to address these problems. Cornwall Council, for example, set up the Cornwall futures group after the referendum to look at the opportunities and benefits our exit will bring to Cornwall and Scilly specifically. That work includes considering areas of legislation that the council would like to see passported down to Cornwall and tailored to meet local demographic and geographic demands, such as the ability to strengthen water quality on our beaches, fishing policy for our unique mixed fishery in the south-west and other environmental legislation. Getting back this control is perhaps why so many Cornish people voted to leave the EU last year.

In summary, this Bill is the only game in town if we want to achieve a smooth Brexit in March 2019 and ensure that the electorate and businesses have confidence in Great Britain’s future. However, I would like to hear how and when Ministers intend to ensure we have a full parliamentary process when deciding future UK laws, and what aspirations Ministers have on devolving further powers to regions and counties such as Cornwall and the Isles of Scilly. I know my constituents would like to know what kind of legislation will be decided closer to home.

6.50 pm

Dr Roberta Blackman-Woods (City of Durham) (Lab): I, too, will vote against the Bill this evening, and I bring to bear two aspects of my experience in this House on
my assessment of the Bill as being profoundly undemocratic and something that this House should reject. In recent years, I have served on a number of Bill Committees, and every Bill has contained centralising measures that take powers away from Parliament, or from a range of agencies, and give them to the Secretary of State. This Government, like the one before, are profoundly centralising, and Parliament should be very worried about the measures in the Bill. I also had the great misfortune to serve on the Joint Committee on Statutory Instruments for five years, so I know how outrageous it is that the Government are using statutory instruments in the way they are in the Bill. The negative procedure, used a great deal in this legislation, is particularly inappropriate in terms of giving Parliament the oversight it needs over how we Brexit.

Not only does the Bill give far-reaching powers to Ministers without meaningful parliamentary scrutiny, but it allows for rights and protections to be reduced or removed through secondary legislation without any meaningful scrutiny; it fails to provide certainty that rights and protections will be enforced as effectively in the future; it provides no mechanism for ensuring that the UK does not lag behind the EU in workplace protections; and, crucially, it prevents the UK from implementing strong transitional arrangements on the same basic terms that we currently enjoy—arrangements that include remaining in the customs union and in the single market. I will say more about that in a moment or two.

From equality laws protecting women, minorities and disabled people from discrimination to workers’ rights and key health and safety provisions, the rights secured through British EU membership have greatly benefited everyone in our country. We should also not forget the proactive role of the European Court of Justice in improving workers’ rights in Europe, on matters ranging from decisions on equal pay for equal work to the pension rights of part-time workers. Equally, the EU’s environmental protections, based on the principles of prevention and precaution, such as the incredibly successful bathing water directive and the common water framework, have had an important positive influence on our environment. They need to be protected by this House and this Parliament, and not left to the whims of Ministers.

It is also important that this House is able to have a say on whether we adopt transitional arrangements and on what they are. That is particularly important in terms of the customs union and the single market, which are vital to my constituency in the north-east. Some 60% of our exports are sold to the EU, and the north-east is the only region in England to export more goods and services than it imports. Trade with the EU has delivered more than 100,000 jobs in the region—that is approximately 8.4% of the workforce. Research by the TUC has found that there are 2,500 workers from EU countries in health and adult social care in the north-east alone, so we have great concerns about what is going to happen to that workforce post-Brexit.

It is also crucial for us to maintain continuity on services sector trade, as half of north-east services exports are traded with the EU. It is therefore not surprising that two thirds of north-east businesses wish to see a transitional period lasting for three years or more, but this is not addressed in any way in the Bill. Sarah Glendinning, the CBI’s regional director in the north-east, has said:

“Europe remains the UK’s biggest export market by some distance, so it’s little wonder that businesses here in the North East see maintaining access to the market of our nearest neighbours as a priority.”

Perhaps Ministers would like to say something this evening about how they will address those concerns.

The north-east also receives more EU funding per capita than most other regions; we receive more than double the national average, through the EU structural and investment funds, the European social fund and the JEREMIE—Joint European Resources for Micro to Medium Enterprises—programme, to give just a few examples. I also want to hear from Ministers what they will do, through this Bill, to ensure that the money that the north-east gets from the EU will be maintained or increased. We are debating a really important matter for the north-east; Ministers must address the concerns they are hearing from Opposition Members and bring in proper measures that are truly democratic.

6.56 pm

Richard Drax (South Dorset) (Con): This is the second day on which I have sat listening to many good speeches on this topic, but I cannot help but feel that during some of them, irony sits heavily in the air; we have heard about “scrutiny”, “democracy”, “democracy of the people” and “functioning democracy”, but where has democracy been for the past 44 years? Where has it gone over those 44 years? It has gone into the powers of a bunch of unelected Commissioners who tell us what to do.

Ian Paisley (North Antrim) (DUP): Does the hon. Gentleman agree that none of those who are criticising the points he is making have brought forward, in the years I have been in this House, a reform of the process they now so wish to cling to?

Richard Drax: I agree with my hon. Friend, and I will come to that very point.

Helen Goodman rose—

Richard Drax: I will not give way again, because many other Members wish to speak. However, I shall address that point later, because I served on the European Scrutiny Committee in the last Parliament.

From listening to the speeches, one would think that this country, Great Britain, was incapable of passing laws. What on earth is wrong with this great place, which we are selected to represent—our country? We are talking about one of the biggest honours: becoming an MP and representing our constituents. We used to make all the rules and regulations that our constituents lived under. Hon. Members may recall that we joined the EU for free trade, which everyone said was a jolly good idea—and it was. Unfortunately, the bureaucrats have taken over the running of that good idea, and if we can go back to that idea by leaving the EU, as I hope we can, I believe our constituents will be forever grateful.

This Bill is not a power grab, as the Opposition claim. The way they are going to vote is a smokescreen; it is a politically cynical move to destabilise this Government—that is all it is. It is an opportunity for the Leader of the
Opposition, God forbid, to become Prime Minister of this country. What we are doing here is repatriating thousands of regulations into our jurisdiction, thousands of which have been imposed on us over the past 40 years. We can review them; that is our job—we review legislation. If we do not like it, we will get rid of it. If we have a majority, we will vote it out. If we like it, we will keep it. If we are not sure, we will amend it. What might be right for a European country—for the French or the Germans—might not be right for us.

Because of the sheer number of regulations, some will have to be delegated. Everyone is making a noise about delegated legislation, but both main parties have used delegated legislation for years—it is part of how this place works. Some Government Members have suggested some sort of triage process to assess what should be dealt with through delegated legislation and what should be taken on the Floor of the House. If I recall correctly, my right hon. Friend the Secretary of State listened to them and said that he would think about that. I am sure that those who want there to be a decision-making process for what should and should not be delegated will have a say in Committee.

The hon. Member for North Antrim (Ian Paisley) made a point about the silence that has reigned for so many years. I served on the European Scrutiny Committee under the excellent chairmanship of my hon. Friend the Member for Stone (Sir William Cash), who is sitting just in front of me. For years—for many more years than me and probably most people in this House—he has scrutinised EU legislation. In the short time for which I served on the Committee, we tried to get important issues—not least the future of our ports—which I served on the Committee, we tried to get matters on the Floor of the House, so that we could all listen to the sense, or lack thereof, of EU legislation and decide whether what was appropriate for Europe was appropriate for us. Those debates never happened.

Stephen Kerr: And we could not change it.

Richard Drax: As my hon. Friend says, even if those debates had happened, the legislation could not have been changed. Where were all these loud voices? Where were you all over the past 40 years? Why did you not question what was being imposed on our country and our constituents? Where were you?

Mike Amesbury (Weaver Vale) (Lab): rose—

Wera Hobhouse rose—

Richard Drax: No, I will not give way—absolutely not! I do not have time and I am enjoying myself. I am representing my constituents and my country. I am speaking up, at last, for Great Britain, and not for a bureaucracy that is going horribly wrong. The great thing is that when the Bill returns to the House, we can scrutinise it—we can do our job. That is what we are here for.

The Scottish National party wants independence and to remain in the EU. The EU would haul Scotland to the floor if ever it got the so-called independence that the SNP desires. SNP Members would rue the day, as they headed to economic ruin, trapped in the euro—if indeed the EU let Scotland have it.

The Bill is good for our country. Ministers have not got it all right; I would be the first to concede that, and I am sure they would concede it, too. It can be debated and changed in Committee—of that I am certain—but a vote against the Bill tonight is a cynical ploy that our constituents, who sent us to the House, will not accept. I shall vote with the Government.

7.3 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): The Bill provides dangerous and sweeping powers to Ministers, rides roughshod through the devolution settlements, removes important legal protections and creates legal uncertainty, so, like most Opposition Members, I will definitely vote against Second Reading tonight.

Lots has already been said about the extraordinary proposed powers for Ministers in various Henry VIII clauses, to which the response has generally been, “Such clauses are already common”. It is true that they are far, far too common, but that does not mean that we should throw caution to the wind and hand them out like confetti. We should be fighting back against Henry VIII clauses, not handing out some of the most wide-ranging and dangerous-in-scope examples, as proposed in the Bill.

On the face of it, the proposed powers are so broad that Ministers could use Henry VIII powers to remove the very limits that are supposed to constrain their exercise, including the sunset clauses, and they are so wide that it is anticipated in the Bill that the Henry VIII powers will be used to create—guess what?—yet more Henry VIII powers!

Sir Oliver Letwin: Does the hon. Gentleman agree with me on the point that was discussed with the hon. Member for Rhondda (Chris Bryant)—namely, that the amendments of which he speaks could occur only after an affirmative resolution of the House?

Stuart C. McDonald: I do not necessarily agree with the right hon. Gentleman, nor do I have faith that even the affirmative procedure is necessarily a proper safeguard against wide-ranging powers such as those in the Bill. Such power does not belong in a Henry VIII clause at all.

Limits could be placed on the powers in the Bill at later stages. We could perhaps restrict which matters could be dealt with by delegated legislation, list further protected enactments, and define key terms such as “deficiencies”, or introduce a test of necessity, rather than rely on subjective ministerial judgment, and thereby improve the Bill. If it is to proceed, that must happen. But none of that would resolve the fundamental challenge of how we parliamentarians are supposed to play a substantial role in the whole process, beyond the usual inadequate procedures for scrutinising secondary legislation. Other Members have gallantly suggested alternative mechanisms—for example, some sort of filter—but to my mind they have been far too modest. At the very least, we need a procedure that allows us to table amendments to regulations, rather than merely accepting take-it-or-leave-it, all-or-nothing proposals from the Government.

We are more than 13 months on from the referendum. Transposing EU law into UK law was always going to be a monumental task. The Government’s assuming...
that we could just use the same old procedures we always use was either negligence, complacency, arrogance, or a mixture of all three. Such procedures are not fit for the normal business of this House, never mind for the vital task that lies ahead.

With respect to the devolved competencies, the Bill rides roughshod over the devolution settlements. Can you imagine, Mr Speaker, the federal Governments of Germany or the USA—or of lots of other federal places—attempting such a unilateral power grab? It would be greeted with outrage, and rightly so.

Stephen Kerr: I shall try again with the question I asked earlier. The hon. Gentleman talks about power grabs and the trashing of the devolution settlement, but can he tell me one power that the UK Government intend to grab back from Holyrood?

Stuart C. McDonald: Had the hon. Gentleman listened to my hon. Friend the Member for North East Fife (Stephen Gethins) earlier, he would have heard him mention agriculture, the environment and fishing. If he bears with me, I shall come to that point in just a moment.

The Länder and the individual states of the United States are lucky that they are protected by a proper constitution; it seems that all our devolved nations are protected by is the Government’s mood and political pressure. It is a salient reminder that power devolved is power retained and of just how fragile the devolution settlement is.

On the point made by the hon. Member for Stirling (Stephen Kerr), can we imagine the response if the Bill sought to do to this Parliament what it would do to the devolved legislatures? If the Bill’s purpose was to take back control, but then to prevent Parliament from changing retained EU law, it would have been laughed at and considered utterly unacceptable, but that is exactly what it will do to the devolved legislatures. It is completely unacceptable for the exact same reasons. We have heard some patronising arguments from Government Members, one of whom essentially argued that the UK Government need to take control of the powers for now to protect citizens in the devolved countries from their democratically elected Governments. We are more than capable of handling powers; we have done so since devolution, and we will continue to do so after Brexit.

If anything good has come of the Bill, it is its highlighting of the significant failings in the House’s procedures for the scrutiny of the ever-increasing number of Executive powers to which successive Governments have helped themselves. It also highlights the utterly centralised nature of the British constitution, which is as far away from a mature federal model as it could ever be. There are almost no proper constraints to rein in Executive power, or proper legal safeguards for important rights. The idea that the Bill is part of a restoration of Parliamentary sovereignty is nonsense; it will simply mean that parliamentary sovereignty and, more significantly, Executive power are more unfettered than ever.

Perhaps membership of the EU, and the protections that that has provided through the charter of fundamental rights and other provisions, has led to complacency about the dangers of untrammelled parliamentary sovereignty, and the problems of the elective dictatorship once identified by Lord Hailsham. Now that the EU’s safety nets are being removed, all of us who believe in constitutionalism need to look again at where the UK goes from here. This Bill is certainly not the answer, which is why I will vote against Second Reading tonight.

7.9 pm

Richard Graham (Gloucester) (Con): Today and last Thursday, a number of speakers on both sides of the House stated that this Bill is not about whether we leave the EU, but about how. That should be something on which we can all agree, although today we have heard speeches from those who clearly take a different position. For example, the right hon. Member for Tottenham (Mr Lammy) made it absolutely clear that he was fighting against leaving the EU at all. The hon. Member for Lewisham East (Heidi Alexander) made an equally passionate speech, saying that she was voting to stay in the European economic area, and the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) started his speech by stating that he would not vote for the Bill this evening, and then looked for reasons as to why he would not do so, which is broadly the position of almost all his colleagues.

If we look at the Bill objectively, surely everybody can agree that we are where we are, and that we must have arrangements in place that suit every organisation in this country, including the prospect of knowing what the law of the land is at the end of March 2019.

Wera Hobhouse rose—

Richard Graham: I am tempted to give way, but I will not because are so many other people wish to speak. Will the hon. Lady forgive me?

Wera Hobhouse indicated assent.

Richard Graham: It is all about what the process will be. Interestingly, some of us have had the chance to look at a House of Lords report, which recommended some elements that this Bill should include. The report made it absolutely clear that delegated powers will be necessary in some cases, because the sheer volume of legislation needed—some 12,000 pieces of legislation—means that unless we use those powers effectively, the job will simply not be done in time.

The House of Lords Constitution Committee, which is not known to be a warm friend of this Government, made two specific recommendations. It recommended that “a general provision be placed on the face of the Bill to the effect that the delegated powers granted by the Bill should be used only; so far as necessary to adapt the body of EU law to fit the UK’s domestic legal framework; and so far as necessary to implement the result of the UK’s negotiations with the EU.”

When the Secretary of State introduced the Bill on Thursday, he made it absolutely clear that that was broadly what the Government hoped to achieve. He went further and specified what the legislation would not be about. He made it clear that Ministers will not have the power to make major policy changes and that changes will still be subject to parliamentary scrutiny and oversight.
Several Members, mostly on the Opposition Benches, have questioned the definition of significant, what restraint there will be on the Government when deciding what is and what is not important, and what constitute technical and legal corrections. Therefore, there has been a debate, with Members on both sides of the House offering suggestions as to how things can be improved. The Secretary of State has said that he is in listening mode and that he is happy to talk about mechanisms for making sure that the process is fully democratic and open. All that is encouraging and in tune with what my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) referred to on Thursday during his important contribution to the debate. In particular, he said that it is important

“to have an established parliamentary system of scrutiny to ensure that the different types of statutory instruments that will be needed are correctly farmed out. I have no doubt that my right hon. Friend”—the Secretary of State—

“is right that the vast majority of them will be technical and of very little account, but some will be extremely important and will need to be taken on the Floor of the House. We need to have a system in place to do that.”—[Official Report, 7 September 2017; Vol. 628, c. 407.]

My right hon. and learned Friend did not recommend a specific system, but it seems relevant to suggest here that we already have what is, effectively, a body for precisely this task: the Joint Committee on Statutory Instruments. We also have a different model, or possibly an additional one. I am talking about what the Secretary of State for Work and Pensions is obliged to go through as a statutory requirement: the Social Security Advisory Committee. Some of us believe that we could use a combination of both those bodies. We could use an advisory committee to provide the technical analysis of proposed changes, and the Joint Committee to go through them and approve or disapprove the recommendations.

Dr Blackman-Woods rose—

Richard Graham: I am so sorry, but I will not give way.

That body would provide the necessary oversight that Members on both sides of the House, but particularly Opposition Members, are looking for to try to ensure that the right checks and balances are in place—as my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith) mentioned—and we have the right use of statutory instruments—

Mr Speaker: Order.

7.15 pm

Daniel Zeichner (Cambridge) (Lab): I will vote against the Bill tonight, for the slightly quaint reason that that is what I told my constituents I would do back in June—that is partly why I have been sent here—and for other reasons, some of which we have heard from Members on both sides of the House. The hon. Member for Gloucester (Richard Graham) mentioned the House of Lords Constitution Committee. Coming from Cambridge, I had the privilege on Friday of spending an hour talking to the highly respected Professor Mark Elliott, who advises that Committee. He said:

“The fact that the central aim of the Bill—that is preserving EU law post exit—is a necessary one does not place the Bill beyond criticism.”

He went on:

“The Bill in its present form is profoundly problematic in legal and constitutional terms. It is an affront to parliamentary sovereignty. It eviscerates the separation of powers principle and it risks destabilising the UK’s increasingly fragile territorial constitution.”

He says an “affront to parliamentary sovereignty”, but what does he know? He is just the leading expert on the issue.

I will also vote against the Bill for another reason, which has not been stated loudly enough in this debate, except by my right hon. Friend the Member for Tottenham (Mr Lammy). It is increasingly said in parts of the country that we should not withdraw from the European Union at all, because it is not in our national interest to do so. I fully understand that opprobrium will probably be heaped on me for saying that, but, actually, I am only stating the obvious. As the farcical non-negotiations continue to fail to proceed, it is clearer and clearer that the most likely outcome is a last-minute fudge that will satisfy no one. It is also clear that, at the end, the choices open to us must include the possibility that all the alternatives on offer are worse than staying in, and that is putting it at its most negative. We should negotiate on the key issue that we all know is at the heart of this, which is migration, and securing the changes that would satisfy the concerns of many who voted leave, without doing the undoubted economic damage that we risk by continuing on this path.

To those who say that the decision was made more than a year ago, I say that the world has changed. As my right hon. Friend the Member for Derby South (Margaret Beckett) and my hon. Friend the Member for Ynys Môn (Albert Owen) so powerfully said, we have all been through a general election. The Prime Minister went to the country, demanding a mandate, and we know what happened—she did not get it.

The wider world has changed as well. A year ago, it could have been plausibly argued that we could negotiate reliable, mutually beneficial trade deals with the United States in a way that now seems wholly unlikely when that country is governed by such an unpredictable and difficult President. In the rest of the world, we see China becoming more authoritarian, Russia hardly more helpful and North Korea a real threat. In a world that seems so increasingly volatile, whom should we look to in times of need? Our wisest option would be our European neighbours, who increasingly look like the most sensible major players. What a foolish path to be embarking on in such dangerous times.

I will not support the Bill, but I would like to make one comment about one of the more detailed provisions that profoundly concerns me. On Thursday, my right hon. Friend the Member for East Ham (Stephen Timms) explained very eloquently the danger of leaving the charter of fundamental rights. In particular, he mentioned the consequences of not including the clause relating to the protection of personal data. As he rightly said, there is a danger that we will struggle to achieve a data adequacy agreement, which in turn would have severe consequences for UK businesses and data users. The hon. Member for Chelmsford (Vicky Ford), speaking from the Government Benches, made a similar point this afternoon. But it goes further than that, because securing an adequacy agreement depends not just on the ability to use article 8, but on the perception on the part of our neighbours that the UK is not prepared to
The SNP’s belief in sovereignty over the last 40 years, when laws were imposed on the people of Scotland by the EU without debate in this place or, in the last 20 years, in Holyrood? No option for debate, no option to amend, no option even to reject—where was the SNP’s concern for sovereignty then? Given that the SNP still wants the EU to retain those powers, its current argument is simply absurd. This Bill delivers our exit from the EU and it will make Scotland’s Parliament stronger. The decision that the SNP faces is: will it be stronger for Scotland or will it maintain its stance of being only stronger for Brussels?

Finally, for all those seeking to block the Bill, let us be absolutely clear. In frustrating the process, they are dismissing the voice of the public by not carrying out their instruction, and in doing so, they serve only to feed the voter disaffection with the democratic process and their distrust in politicians. There is more debate and argument to come in this place, and rightly so. However, at this stage Parliament should be uniting on the principle of this Bill. I urge Members to support it.

Vernon Coaker (Gedling) (Lab): Let me start by giving some context to this EU withdrawal Bill. Just a few months ago, the Prime Minister went to the country. What was the purpose of going to the country? It was because she wanted a bigger mandate, given the ups and downs to come over Brexit. Let us remind the Government what happened in that election. Did they win? Did they increase their majority? No, they did not. They lost seats and their majority went. With this Bill—and, indeed, tomorrow’s proposed Committee changes—we have a Government believing they have a mandate to act as though they had won the election and their views had been endorsed by the British people.

A Government who were offering true leadership to the country would now be saying, “We recognise the closeness of the referendum and we will respect the result, but our country, which we seek to govern, is divided. Our people are divided”—we heard some of that just before I spoke. A Government showing true leadership would seek to bring the country together and say to people, “We have to find a way through.” But what has the Government’s starting point been for this? Their starting point has been, “How do we get this EU withdrawal Bill through Parliament, given that we don’t have a majority?” We now see this Bill constituted in the way that is, with respect to SIs and the grabbing of power.

Let me be clear: my constituency voted to leave—I respect that—but what my constituents did not vote for was leaving at any cost to jobs, business, workers’ rights, the environment, welfare or the unity of our country. I have absolutely no problem going back and arguing to my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents that, yes, I respect what people said and how they voted, but also saying, “I cannot, as your representative, stand up in this Parliament and say that my constituents
heard calls for amendments but, in many respects, the whole Bill needs to be rewritten. Clauses 7, 8, 9 and 17 give the Government huge powers. Indeed—this is absolutely astonishing, and I have never seen it, although a constitutional expert would no doubt tell me that it has happened before—the Government are giving themselves secondary legislative powers not only to deal with many of the things that may arise, but to modify the primary legislation itself. This legislation could be modified by a Government-stacked Committee on the basis that it was not working. It is unheard of; it is an affront to our democracy and to the way this Parliament works. It is not what people who voted leave voted for, and nor is it something I believe the people of this country would want to see.

Ministers should not take my word for it. In its interim report, the House of Lords Constitution Committee absolutely lambasted the Government for using its original report to say that the Committee supported the Government’s use of statutory instruments. Let me read the summary conclusion of the interim report, which was published on 7 September, just a week ago:

“Overall, we conclude that the Bill is highly complex and convoluted in its drafting and structure. This is not to deny that it must inevitably grapple with a set of difficult legal issues. But it is a source of considerable regret that the Bill is drafted in a way that renders scrutiny very difficult, and that multiple and fundamental constitutional questions are left unanswered. We will consider all of these issues in greater detail in our forthcoming inquiry on the Bill.”

What an absolute lambasting and castigation of the Government’s position by a cross-Bench, cross-party House of Lords Select Committee. Ministers will have to respond to that report by actually taking account of it.

I will finish where I started: a Government showing true leadership would seek to bring the people together, would seek to bring this Parliament together and would seek to bring the country together. Instead, we have a Government who are dividing everyone.

7.32 pm

Antoinette Sandbach (Eddisbury) (Con): Well, there is a coming together, because earlier today I heard the speech made by the right hon. Member for Don Valley (Caroline Flint), who has a completely different political philosophy from me, and I agreed very much with what she said. Indeed, my hon. Friend the Member for Gainsborough (Sir Edward Leigh), who has a completely different view from me on Europe, spoke very powerfully about the need for magnanimity.

The reality is that this piece of legislation is necessary to give the Government the tools to avoid the disastrous consequence of crashing out of the EU without the appropriate rules and regulations in place. It is quite ironic that those who spent 40 years fighting the EU are now leading the charge for the single largest codification of EU law in our country’s history. However, that is not a reason to vote against the Bill; in fact, it may well be a reason to vote for it, because it will put into UK law some of the rights and privileges we have enjoyed because of our membership of the European Union, and I want as many of those rights and privileges as possible to come into UK law.

I campaigned for remain, but I voted to trigger article 50 earlier this year, as I felt it was right to do in the interests of our democracy. The crux of the leave vote was about taking back control, but I agree with many right hon. and hon. Members on both sides of the House that it was about taking back control into this House and this Parliament, not transferring extensive powers to Ministers. The Bill in its current form, particularly clause 7, is an unacceptable attempt by the Government to demean the role of Parliament. If Members of this House are to vote in favour of a Bill that delegates powers to Ministers, those powers must be much more tightly defined, with parliamentary scrutiny allowed for. While I recognise the importance of ensuring that the process is as smooth as possible on exit day and in the ensuing weeks, Parliament must retain oversight of the process.

Previously the Government did not intend to give Parliament a say on the final deal or, indeed, on article 50—the House certainly overwhelmingly endorsed article 50—and we now face a similar prospect of authority being pulled back from this House. How would that affect legislation around the nuclear industry, for example, which is inextricably linked with EU states and institutions? There is great anxiety about our ability to replicate the Euratom agreement and to make such arrangements in time. I recognise the inclusion of a nuclear safeguards Bill in the Queen’s Speech, but if a future Government saw requirements on the nuclear industry as restrictive, this Parliament would have no ability to hold that Executive and the replacement measures they introduced to account under the terms of this Bill.

I, too, took particular interest in the report by the House of Lords Constitution Committee, which said:

“We would expect that a statutory instrument which amends EU law in a manner that determines matters of significant policy interest or principle should undergo a strengthened scrutiny procedure.”

I would support that, and I was encouraged by the Secretary of State’s indication on Thursday that he would take account of sensible amendments tabled in this House.

I also have reservations about repealing the European Communities Act 1972 before we know what the transitional arrangements will look like. I am glad that the Government see the need for a smooth and orderly exit, but I see that as maintaining membership of the customs union, at the very least, until a comprehensive free trade deal is agreed. I am sceptical of voting to repeal the 1972 Act until we know the dynamics and practical workings of the transitional phase. Achieving such an agreement must be an urgent priority before we create legal risks and uncertainties in the manner that the Bill as currently drafted is in danger of doing.

One point that has been lacking in the debate is how all this is perceived in the EU. The future prosperity of our country heavily relies on what we are able to achieve throughout this negotiation process. The Government must be seen to be engaging with Parliament on a cross-party basis. That would give the aims and ambitions of the Secretary of State and his team far more credibility and clout as he negotiates with the other 27 EU nations.

I have some reservations about the time allocated to debate the Bill. I very much hope we will get the assurances asked for by many Members on both sides of the House about the possibility of having more time,
if it is needed. I urge the Government to consider sensible amendments, but I ask others to please support the principle of the Bill and to allow this House to amend it.

7.38 pm

Mr Mark Hendrick (Preston) (Lab/Co-op): I accept the result of the referendum even though, as a committed European, I fought vehemently on the remain side. Even though I believe that the leave campaign told a pack of lies, I still think that I am obliged to support the outcome of the referendum, which the leave side won by 52% to 48%—very close to the 53% to 47% result in my constituency. I did not like the result, but I respect it, so afterwards I voted for article 50. I have no regrets because, although I deplore the result, I accept it.

We need all these laws transposed into UK law en masse. I have no problem with that. The 12,000 regulations amassed over 44 years need to be in place so that the UK can continue to function normally. The hon. Member for South Dorset (Richard Drax) mentioned unelected officials making these decisions, and many other Members have talked about faceless bureaucrats, but as a former MEP who used to spend hours sitting on—in many cases extremely boring—committees, often late and into the morning, I can say that there has been a great deal of democratically elected input into many of those directives. When I was a member of the European Scrutiny Committee, I fully understood the toils of many elected politicians and what they would have been through when the directives finally arrived in this House for scrutiny. It seems a shame that a former member of the European Scrutiny Committee did not appreciate how those directives and regulations were made.

The sweeping and draconian powers introduced by the Bill are an affront to this Parliament and to democracy, with the Henry VIII powers and the Government’s taking control of powers that should be devolved to the devolved regions and Scotland. Many leavers talked about taking back control; this does not bring back control to the democratic Parliament, but gives it to a cobbled-together minority Government who thought that they would have a huge majority but have not. That minority Government seek overwhelming power when they are struggling in Brexit negotiations and want to make big changes to European laws that they have been complaining about for decades.

The scenario looks likely to be as follows. In 2019, the Government will either get no trade deal, a very bad one involving tariffs, or something akin to a WTO trade deal. The deal will be put to Parliament and the people, and people the length and breadth of the country will see that that deal is bad. I believe that the mood in this country will change from being 52% in favour of leaving to quite the reverse. A deal with the US, China and/or India will be embryonic, if not very distant, on the day before Brexit. EU law will then become UK law. The day after that, the Government will start doing what they have been threatening to do for generations—they will set about health and safety regulations, employment regulations, consumer law that protects citizens, and environmental regulations.

The scene is set for the UK to go backwards, with a hard Brexit meaning a huge problem with trade and prosperity. We will see a diminution of the rules, regulations and protections that the EU has brought to workers and consumers in this country. At the same time, business and trade will be hard hit. This is a recipe for disaster and an attack on workers, consumers and businesses up and down the country that deserve better.

This Government will go down in history as one who failed to deliver a successful Brexit, failed to compensate for what was lost through the trade and business they promised with other parts of the world, failed to protect our workers and consumers, and failed to protect the businesses that depend on them. I do not think that the public will forgive the Government; history certainly will not. I shall oppose the Bill.

7.43 pm

Alex Burghart (Brentwood and Ongar) (Con): I am grateful to you, Mr Speaker, for the opportunity to speak in this historic debate. It is getting late and a good many of the issues that need raising have been raised, but I would just like to return to a few of them.

I rise to support the Bill for one very good reason: it is the sort of Bill most of my constituents would like to see. They voted overwhelmingly to leave the EU and, like me, they want us to leave in as orderly a fashion as possible. The Bill ensures that we do not create legal black holes and therefore grand uncertainty for employers, employees and investors. It allows future Parliaments to amend all laws as they see fit and, in that sense, allows Parliament to become sovereign again. It is adaptable to the inevitable uncertainties of the Brexit process. The Bill achieves all that, and it is to the credit of the Government and of officials that they have managed to do it under tight time constraints.

There are some reasoned and principled objections to the Bill and to how it has been presented. It is clear that parts of the House will require guarantees over the so-called Henry VIII powers. As my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) mooted earlier, that might be possible if the Government set a legal limit on their ambitions. That said, we must not in our admirable quest for parliamentary scrutiny forget that this is a fiendishly complex transfer of legal powers the like of which this House has never seen. For that reason, we must afford the Government a degree of plasticity. We do not yet know how the final deal will turn out or when it will be available to the House. The Bill must be adaptable to permit that process to proceed as best it can and to allow for a multitude of outcomes.

Getting that give and take on particular clauses and powers will take time. If the House finds that it does not have enough time in Committee, it must have more. Call me boring, Mr Speaker, but I was a bit disappointed when the House did not sit past five on Thursday—it was very sad to see such big beasts manacled by a five-minute time constraint. I heard the Father of the House rightly pooh-pooh the Blairite family-friendly hours under which we labour. Family friendly? Is someone yanking my chain? Which of us in the Chamber today gets to put our children to bed of a night as it is? We should carry on sitting until our work is done; if we have to sit late, if we have to sit some Fridays, if we have to think about the length of recess, we must. The importance of getting the Bill right goes beyond those concerns. This is a job that requires sacrifice.
It is my firm belief that this Bill can be got right. I know that Members opposite feel the same, because in all the hours of debate that we have had none of them has been able to raise a serious reason why it should be voted down on Second Reading.

Mike Amesbury: This debate is about not if but how we leave the EU. I was elected to this House very recently to speak up for my constituents, not as a spectator. I want Parliament to take control, stand up for democracy and protect parliamentary sovereignty.

Alex Burghart: I thank the hon. Gentleman for that intervention.

I know that Opposition Members feel the same as me, because they have not raised a single meaningful reason why the Bill should be voted down. As my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) said on Thursday with a logician’s concision, to say that we will oppose the whole Bill because we disagree with a few clauses is a non-sequitur. If we go hunting for the sequitur, however, I believe that we can find it in the admirably principled intervention made by the right hon. Member for Don Valley (Caroline Flint) earlier. The truth is that if the Bill were to fail tonight it would be very difficult to bring it back. The Government would have to introduce a new Bill in a new Session, or this one would have to be reintroduced in a suitably different form so as not to fall foul of the same-question rules. In short, voting this Bill down runs the risk of having no Bill. It runs the risk of legal black holes, of terrible uncertainty, and of investor panic and economic shock.

That is what the Opposition will be voting for tonight.

I will go further than that. The Opposition Front Benchers know full well that if they defeated the Government they would not stop there; they would try to bring the Government down. The Opposition wish to vote this Bill down tonight because they know that defeat on such a central piece of legislation might cause the Government to fall. That is their motivation—nothing more, nothing less. The shadow Secretary of State does not want the Government to go back to the drawing board, he wants the drawing board for himself. He says that he wants the article 50 process to succeed. I believe him, but I do not believe that he wants this Government to succeed in doing it. I believe that he will put the interests of his party above the interests of the country in that regard. If he succeeded in his aims, he would do so only after a period of terrible turbulence for the country and after a terrible loss of time—and time, right now, is a terribly precious commodity. He says that he sees this not as a great repeal Bill but as a great power-grab Bill. Well, that is certainly the purpose for which he intends to use it. He is accusing Government Members of that of which he is guilty. I ask him to do the honourable thing and to put his political ambitions on ice for the purposes of the vote tonight so that this House can move more quickly to a detailed discussion of the essential clauses within this Bill.

First, I want to praise the absolutely forensic examination of the Bill by my right hon. and learned Friend the Member for Holborn and St Pancras (Keith Starmer), by my hon. Friend the Member for Rhondda (Chris Bryant), and by the former Attorney General, the right hon. and learned Member for Beaconsfield (Mr Grieve). I also praise some of the speeches that we have heard from Conservative Members. The hon. Member for Chelmsford (Vicky Ford) exposed the complexity of the Bill. Fair-minded comments have been made both by leavers and remainers on the Government Back Benches, including the hon. Members for Eddisbury (Antoinette Sandbach) and for Gainsborough (Sir Edward Leigh).

I am afraid that this Bill is the latest chapter in a sorry few months for this tin-earred minority Government. We have seen—let us be frank about this—an utter shambles in the negotiations. That is the view of the public, 61% of whom think that the Government are mishandling the negotiations, and of business leaders, with FTSE leaders refusing to sign the letter that No. 10 was trying to hawk around them last week. [Interruption.] Indeed, where is that letter? They would not sign it.

We have seen a complete failure to make progress. Where are those trade deals we were promised a year ago? Where is the coming together that the Prime Minister promised us? Instead of her trying to find a consensus on this absolutely generationally significant decision, we are now seeing the ideological pursuit of a hard Brexit driven by the one group on her Benches who are keeping her hostage. We are offered the illusion of being told that we are taking back control when instead we are seeing a Government taking back control from the devolved Administrations of Wales, Scotland and Northern Ireland, from this House, and indeed from the people.

This must be seen within a wider context—the vote on the Committees tomorrow, the delays in setting up the Select Committees, the programme motion to limit the time spent on this debate, the wider restrictions on judicial review, the charities Act muzzling organisations up and down this country, and the Trade Union Act 2016. This is all part of a similar agenda by the previous and present Governments to shut down democratic debate.

There are many wild claims about what the public want in these negotiations. Well, are we even asking them as we go along? The Government do not want to listen to Parliament or to the devolved Administrations.

My hon. Friend the Member for Walthamstow (Stella Creasy) and I, as co-operators in believing in co-operative structures where we listen to Members, have suggested setting up citizens’ juries on the negotiation process that would ask the public about the complexities of the negotiations as we go along, not just based on one decision made on a day in June last year. What are the Government so afraid of?

We have covered at great length in this debate the many problems with the Bill. I, too, am deeply unhappy with the Henry VIII powers. I would never trust giving those powers to a Government in any Bill, let alone a Bill of this seriousness that gives them the ability to amend it by statutory instrument, to control the exit day, or even to set up multiple exit days to string out the process to their advantage. I do not believe in giving them those sweeping powers.

Then there is the devolution power grab—the “naked power grab”, as First Minister Carwyn Jones put it. I am happy to work with those from the SNP and Plaid
Cymru and others who will seek to defend the devolution settlement that we have all fought for over the past 20 years. The Government say, “Trust us on the devolution settlement”, but look at what they did with the Agricultural Wages Board in Wales. Look at what they are now saying they will do to undermine the Trade Union (Wales) Act 2017, which the Welsh Government have just passed under their own powers. The Government want to undermine that, and they would seek to undermine the devolution settlement going forward.

We can see the loss of rights at the heart of the Bill. The hon. and learned Member for Edinburgh South West (Joanna Cherry) pointed to the example of the case involving LGBT pension rights. The former Attorney General, the right hon. and learned Member for Beaconsfield, said that given how the Bill is currently drafted, those rights could evaporate because they would not be justiciable. The Trades Union Congress has today pointed out how the Bill will put workers’ rights at risk.

I have said much about the single market and the customs union. I do not think the Bill gets it right on the transition. We have to get that right—that is an absolute no-brainer for our businesses—but I want us to stay inside the single market and the customs union. I welcome the general secretary of the Trades Union Congress setting out the trade unions’ concerns about these issues today, just as businesses are repeatedly setting their deep hearts out to be both in public and in private. Like my hon. Friend the Member for Lewisham East (Heidi Alexander), I do not want to sacrifice jobs and businesses on the altar of ideology.

Where is the guarantee in the Bill about a final parliamentary vote on the deal before these powers are exercised? Again, the Government say, “Trust us”, but where is the guarantee in the Bill?

I have a much bigger problem with the Bill and the process around it. Democracy is a process, not an event. It is a great irony that those who have often claimed that they support and defend democracy and liberty, and have said that is the very reason why they are pursuing this Bill, at the same time want to restrict our democracy and liberties, and the liberties of this House, by setting deeply dangerous precedents that will echo down the decades to come. We should not simply preserve the binary decision of the referendum day in aspic, freeze it in ice and pray it in aid of every variety of hard Brexit that certain Conservative Members want to push ahead with. Where have those democrats gone—where have the original hon. Member for Wycombe (Mr Baker) and right hon. Member for Haltemprice and Howden (Mr Davis) gone? They smile wryly, but they know in their heart of hearts that this is not right. A majority may have voted to leave the EU in June last year, but I do not believe they voted to give up their democratic rights and their right to be heard on so many issues.

7.56 pm

Jeremy Lefroy (Stafford) (Con): As always, it is an honour to speak after the hon. Member for Cardiff South and Penarth (Stephen Doughty).

We are debating the Second Reading of the European Union (Withdrawal) Bill, and I will be supporting it, but of course it is only half the story. The Government quite rightly want a smooth exit in terms of the laws that we will have on day one after leaving the EU, but the other side is that we need a smooth transition into the state that we will be in after EU withdrawal. We are nowhere near that at the moment, and the Government need to do some rethinking.

As many people have said, this Bill needs improving. It is certainly not perfect. I will not go into the details, but clearly clauses 7 and 9 are going to need much more circumscription around their powers. In particular, with regard to clause 9, we need a reference to approval of the final deal by Parliament.

I agree with all the colleagues on both sides of the House who have talked about the need to have some kind of efficient mechanism for dealing with the vast volume of legislation that is going to come forward, whether it is called triage or some other such name. This House is going to have to get used to debating an awful lot of legislation in future. We rightly say that we are repatriating the discussion, debating and approval of legislation from Europe in future, but after we leave we will still have to take note of, and in some cases bring into our own law, European legislation. Otherwise, we will simply not be able to trade in certain extremely important areas such as financial services, to name but one.

Therefore, we might as well get used to such detailed scrutiny of legislation as we go through this Bill. That is why I believe that eight days may not be enough. I am prepared to vote for the programme motion, but I echo very many colleagues in saying that we may need to revise that if the Government see that there is not enough time to scrutinise the Bill within those eight days of eight hours each.

I cannot understand why the Government have decided to make an exception for the charter of fundamental rights in clause 5. If we are going to take over legislation in full and have a smooth exit, let us take it all over. If we want to revise it or get rid of it later, we have said that we will do that. There are many ways in which we can make the charter of fundamental rights fit for purpose. Indeed, I remember working closely with my right hon. Friend the Secretary of State for Exiting the European Union to frustrate a previous Government’s attempts to pull out of a different Bill of Rights, the European convention on human rights, so I hope that he will have great sympathy with what I have to say.

Finally, let me return to the question of withdrawal. We are trying to leave in as smooth a way as possible, and we have to try to accede to the post-EU situation in as smooth a way as possible. I thought about this long and hard as a member of the Exiting the European Union Committee in the last Parliament; I am honoured to be on that Committee in this Parliament as well. I can see very little alternative to—in fact, I would welcome—accession to the European Free Trade Association. I think that that would be an extremely good and smooth way to transition out of the EU and into what we will have afterwards. The Government are rightly concerned about having a smooth exit with all the law in place when we leave, so they have an equal responsibility to ensure that our entry into the post EU membership situation is as smooth as possible. I urge them to make that their No. 1 priority, and to say that joining the EFTA, which has numerous forms of membership, is the best way.
8.1 pm

**Helen Goodman** (Bishop Auckland) (Lab): It is a pleasure to take part in the debate, and it is a particular pleasure to follow the hon. Member for Stafford (Jeremy Lefroy). He gave a thoughtful and considered speech, the tone and content of which were extremely consensual and helpful. If I may say so, it would be nice if more Conservative Members gave similar speeches.

I accept the referendum result, and I am happy to vote for the amendment in the name of the Leader of the Opposition tonight because it accepts the result as well. A majority of my constituents voted for Brexit, but more people have contacted me to raise concerns about the Bill—in particular, about the timetable and the potential impact on environmental legislation—than to tell me that they are happy with it.

At the beginning of the year, the Procedure Committee embarked on an inquiry into what was then known as the great repeal Bill. The inquiry was halted by the general election, but in April we published evidence and interim findings, and I want to share some of them with colleagues tonight. The potential in the Bill for the excessive use of delegated legislation is alarming. The Bill is not what people were promised during the referendum campaign, which was greater parliamentary sovereignty. It is a power grab by Tory Ministers, who cannot be trusted, as they have repeatedly shown.

Relying on delegated legislation will not give Parliament proper opportunities for debate, scrutiny or control. Let me remind hon. Members of some of the processes. A statutory instrument introduced under the negative resolution process can become law without debate or a vote. It can even become law before it has been published and laid before the House. The Secretary of State for Justice is frowning, but that is the case. Paragraph 1(3) of schedule 7 sets out that most of the statutory instruments will be subject to negative resolution procedure unless—Ministers are nodding now—they are about transferring powers from European agencies. Last year, a fifth of statutory instruments were in force three weeks after publication. If Ministers were given such a power, there would be nothing to stop them signing laws one day and seeing those laws on the statute book the same day.

Scrutiny by the affirmative and super-affirmative processes is not much better. Such statutory instruments must be approved explicitly, but most go to Committees upstairs, and now the Government are trying to overturn the result of the general election by packing those Committees. Even when such statutory instruments are debated by the whole House, time is limited to 90 minutes, and they cannot be amended.

The drafting of clause 7 is wholly objectionable. It is too wide. Ministers may make regulations as they consider and they cannot be amended. Ministers are nodding now—they are about transferring the potential impact on environmental legislation—than to tell me that they are happy with it.

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The drafting of clause 7 is wholly objectionable. It is too wide. Ministers may make regulations as they consider appropriate—not necessary, but appropriate—and regulations may repeal and replace primary legislation. That indicates that it is not the Government’s intention to limit such regulations to technical and non-controversial matters.

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): My hon. Friend is making a brilliant speech, but is the challenge of the Bill not this: we used to talk in this country about a elected dictatorship, but what is now being proposed is a barely elected dictatorship? Has she ever seen a bigger gap between a Government’s mandate and the power that they seek?

**Helen Goodman:** No, never. The fact that all the replacement of the functions of the 40 EU agencies is to be done by regulation means that vast swathes of legislation, covering matters from aviation security to medicine safety, will be implemented using these processes.

The Procedure Committee received evidence from academics, four other Select Committees and a large number of civil society organisations, from the TUC to the Archaeology Forum and a lot of environmental groups, who are rightly concerned because 80% of environmental legislation is derived from the EU. All our witnesses raised important issues. The risk is that delegated legislation will be used not just to transfer EU law, which is the Government’s stated intention, but to change its legal effect.

In clause 9 the Government seem to be seeking the flexibility to change the law to comply with the withdrawal agreement. How can the House be expected to agree to that, given that the Government have steadfastly refused to agree or even share their negotiating objectives with the House? The Government are still refusing to provide in primary legislation for a vote on the final deal, but we are supposed to pre-agree now any changes that flow from the withdrawal agreement. I know what my constituents want from Brexit. They want to control immigration, maintain the social chapter and continue with the EU arrest warrant. But I do not know what the Government want. We cannot pre-approve the final deal.

The Government claim that they want certainty, but their secrecy is preventing anyone from predicting where we will end up. It would be normal to share statutory instruments in draft, but the Government have not even told us in which areas of legislation they will use these procedures. Another major issue is who decides which procedures are used, and how Parliament, rather than the Executive, can do that. This cannot be dealt with solely through the Bill. Changes may be needed to Standing Orders. We may need to establish new Select Committees in the Commons and jointly with the Lords. The Leader of the House, who is not even in her place, has utterly failed to bring forward any plans to show what she will do in terms of resources, time or procedure. The Government have deliberately delayed establishing the Select Committees and have been secretive, nervous and unco-operative. Even today, Tory Members have had no letter from the Secretary of State, but the rest of us have not seen it. We cannot trust these Ministers, and so we cannot give them such vast powers.

8.8 pm

**Victoria Atkins** (Louth and Horncastle) (Con): I will endeavour to follow the plea of the hon. Member for Bishop Auckland (Helen Goodman) and deliver what I hope will be a thoughtful speech. She may not agree with every point, but I promise her that I have been thinking about it a great deal as I have sat through the debate not just today, but on Thursday. That has given me quite a lot of time to do so.

I have approached this debate as I would have done if I had been instructed in a case in my previous career. We have the end point, whereby the United Kingdom is leaving Europe. Can we achieve that end in a smooth way that provides as much certainty around the norm as possible? Indeed, I believe that the Government must achieve that in the smoothest way possible for all our constituents and all the businesses upon which our economy relies. Ensuring a smooth exit is the right
thing to do legally, morally and economically. There has been talk in the Chamber today about the impact on business, and we know that having successful businesses and a growing economy are the things that create jobs and help to pay for the services we care about, such as the national health service. It is in the interests of each and every one of us for the Government to achieve the smoothest possible transition out of the EU.

How do we achieve that? The Bill starts from the premise that EU law will be transferred into British law. At this stage, there are no changes; there is purely a replication across from EU law into the British legal system. Let us not forget that that is quite a lot of law—40 years' worth of law making—and it is an enormous task. What measures can the Government realistically take to achieve it? I have listened with great care to Members on both sides of the House, but particularly Opposition Members, who plan to vote against the Bill tonight. I have listened to what they have said about the process, and there are indeed some points on which areas of agreement can be found across the House, but I have not yet heard anyone come up with a different way of doing this in the very short timeframe we have. It seems to me that we have to work on the basis that the wholesale adoption of EU law is the way to go, and I foresee in the years to come that this Parliament will play a very active role in deciding which laws it likes and which it does not.

I want to inject just a touch of realpolitik. After two days of debating the power grab, as it is called by some, we face it—unprecedented legal course that we are taking. It is a very exciting time: it is not what I voted for, but we are in it and we have to make the best of it now. We must ensure the smoothest possible exit from the EU to our new place in the world.

I will end with this point: in 2015, I stood on a manifesto commitment that I would support the Conservative Government in holding a referendum and then in honouring its result. Tonight, I will vote to repeal the 1972 Act and to start the smooth process of transition. It is a promise made and a promise kept. We in this House are often accused of not keeping our promises, but this is a promise that I feel morally and democratically obliged to keep, and keep it I will.

8.15 pm

Mary Creagh (Wakefield) (Lab): I will be joining my colleagues in the Lobby tonight to vote against this Bill, because of the unprecedented Henry VIII powers that will transfer power away from Parliament and give it to Ministers. In some ways, these powers will turn the Prime Minister into a female version of Louis XIV, the sun king, who, as he lay on his deathbed in the palace of Versailles, said, “L'état, c’est moi.” That is what she is doing with the Bill, but as representatives of the British people, sent here with a democratic mandate, we say, “L'état, c’est nous.” We are the legislative force in this country; no sun king or sun queen will be created on our watch, and we will not give up our parliamentary democracy without a fight.

It is perfectly possible to recognise and respect the result of the referendum without sacrificing hard-won economic, social and environmental rights and freedoms. As we have heard, at the general election the people declined to give the Prime Minister the majority she sought. Through the general election, the people have already rejected a hard Brexit, so the question before us tonight is: who governs Britain—this Parliament, or a Prime Minister reliant on some hard-liners in her party and on the Democratic Unionist party, which she is paying whatever it demands to get her laws through?

Clause 9 would allow Ministers to introduce regulations without a vote in this House, and a huge power to the Prime Minister to amend laws, to extend them, to make any provision that can be made by an Act of Parliament, including modifying this legislation, a huge power that will last right up to exit day. It is therefore the great power grab Bill, which will create an infinite legislative loop: the powers can be extended infinitely to amend laws, through delegated legislation, with no scrutiny. The fact that the power to amend this Act lies within it means that the Bill can eat itself; it is like a constantly regenerating loop in some science fiction nightmare, providing new powers ad infinitum at the whim of whichever Government are in place at any given moment.

We have seen this before, because the Government have form. They did not want to give this place a vote on article 50, or on the final deal. They fought at every turn to frustrate this House in overseeing what they are doing, and frustrate us in our duties and responsibilities to our electors. The powers in clause 9 will end on exit day, but the Bill allows exit day to be set by Ministers, so those powers could continue for many years—indeed, there could be several exit days. That is not how we make laws in this country. We also have money and
Ways and means motions before us tonight that mean that Ministers can spend any sum or raise any tax as a result of this Bill. As well as being a legislative blank cheque, the Bill is therefore a literal blank cheque for the Government. That is not how we make laws in this country.

All these new laws made by delegated legislation can be amended by delegated legislation. The Government say that there will be opportunities for scrutiny, but they want a majority of one on all Delegated Legislation Committees, so they can rubber-stamp the delegated legislation, despite failing to win a majority at the general election. That is not how we make laws in this country. The Bill can create new criminal offences under the negative resolution procedure of things such as food adulteration or trading illegal chemicals. New criminal offences will be made with no parliamentary scrutiny. That is not how we make laws in this country.

This Bill should protect our hard-won social, environmental, political and economic rights. In fact, it guarantees nothing of the sort. Even if those rights are somehow replicated in the future, the Bill is silent about remedies, and it is the remedies, not the rights, that are the spur to action. The threat of EU fines led to us taxing waste that goes to landfill, which kick-started the recycling industry in this country. The threat of massive fines for filthy air pollution has led to the Government publishing not one, not two, but three clean air plans. The threat of fines under the water framework directive has led to UK water companies cleaning up our filthy beaches and rivers. Those environmental improvements and industries were created because the threat of financial penalties focused the minds of Ministers and civil servants. If there is no remedy for the citizen, the right that the law confers is toothless.

The Secretary of State for Exiting the European Union said on Second Reading that the Government would introduce proposals. Why are they not in the Bill? Francovich will not apply to the individual, so future rights will be removed from citizens. The acquis communautaire, which we have adopted, refers to the environment, but a third of it cannot be neatly cut and pasted into UK law.

The process is that amendments can be tabled after Second Reading tonight. We cannot table amendments until and unless the Bill completes Second Reading.

Luke Graham: To clarify, there is an amendment on the Order Paper, and I would suggest that some of those provisions should have been included in it.

Helen Goodman: Is my hon. Friend concerned that the replacement of the European Environment Agency by national bodies with massive powers would also be handled in that way?

Mary Creagh: My hon. Friend makes an excellent point. We will not simply be able to cut and paste chemicals measures. REACH is the big regulation on registering, evaluating and authorising chemicals. It protects the public and the environment from hazardous substances and it is vital to British jobs, growth and investment. Our chemical industry is the second largest exporter to the EU after cars, selling £15 billion of chemical exports to the EU every year. Leaving REACH could cause market freeze and supply chain disruption to the industry. The Environmental Audit Committee heard from techUK and the defence industries how incredibly concerned they were about that. One in five UK chemicals companies represented by the Chemical Business Association are not waiting for regulatory certainty from the Government, and are already investigating opportunities to set up shop in other EU countries, harming jobs, investment and growth in this country.

The Bill does not protect the citizen and it does not incorporate either the principle of EU law that the polluter pays or the precautionary principle. For those reasons, for the vast destruction of our environmental and social rights, I shall vote against the Bill.

Luke Graham (Ochil and South Perthshire) (Con): It is good to follow the hon. Member for Wakefield (Mary Creagh), but I want to turn from sun kings and queens to what the Bill is about: giving the House the mechanism to begin the process of withdrawal from the European Union.

Unfortunately, the hon. Member for Bishop Auckland (Helen Goodman) is about to leave the Chamber. I agree with some of the amendments she has suggested, but I would like to ask her why they have not been tabled. I will stand by the Bill.

Helen Goodman: The process is that amendments can be tabled after Second Reading tonight. We cannot table amendments until and unless the Bill completes Second Reading.

Luke Graham: To clarify, there is an amendment on the Order Paper, and I would suggest that some of those provisions should have been included in it.

As many hon. Members across the House have said, we would be open to some of the suggested amendments. The Government have committed to listening to the amendments and reacting to them as the parliamentary process progresses. There have not been many constructive measures from the Opposition, so, with other hon. Members, may I suggest that if they respect democracy, the Bill and the vote of the British people they should vote for the Bill? I say that as someone who voted remain, along with many of my constituents. However, as a democrat, I will support the Bill to make sure that we go through the process.

Clauses 7, 8 and 9 delegate considerable powers to Ministers. On Thursday, many Opposition Members said that the delegation of powers was unprecedented, but I draw their attention to section 32(4) of the Immigration Act 2016, which allows Ministers to “make such provision amending, repealing or revoking any provision...as the Secretary of State considers appropriate in consequence of the regulations.”

Although provisions in the Bill are wider in scope, they are not entirely unprecedented; I wanted to draw that to the attention of the House. I understand even as a new Member that there is a lot of politics at play in our discussion of the Bill, but it is complicated enough. Our constituents do not want us to blur lines; they want us to clarify them. I would urge Ministers and other hon. Members to decouple myths from facts. There have been people in Henry VIII costume on the lawns outside the House trying to grab airtime, and “Westminster power grabs” creates headlines, but what our constituents really want is for us to honour the vote and get on with delivering the best possible Brexit.

May I suggest to Ministers an example of where that would be particularly helpful? The Human Rights Act 1998 appears to be protected under clause 7(6). Some Opposition
Members are thinking about opposing the Bill because it does not transpose the EU charter of fundamental rights, but I am assured that all rights contained in the charter are in the Human Rights Act or other pieces of legislation. To help clarify that point, I urge Ministers to list the protections in current British law, so that we can compare and contrast them with those in the charter of fundamental rights and give assurances to Opposition Members that those rights are protected. We can then take those assurances back to our constituents, who care a lot about this.

The Bill represents the democratic vote of the United Kingdom. As I have said, I support it, but I hope that the Government act on their commitment to listen to learned colleagues in all parts of the House to ensure that substantive measures in the Bill receive the appropriate level of parliamentary scrutiny as the Bill proceeds through the House. If the Government establish a clear framework of strong parliamentary oversight, I hope that we can engage with the detail of the Bill, and finally introduce the substantive Bills that hon. Members and our constituents care about, including Bills on immigration and trade.

Alan Brown (Kilmarnock and Loudoun) (SNP): Will the hon. Gentleman clarify why his colleagues think it reasonable for the Government to argue that there should not be a border in Northern Ireland—Northern Irish citizens will continue to be able to claim Irish citizenship, which will allow them to become EU citizens—with special arrangements there, but not one of them is arguing for special arrangements for Scotland?

Luke Graham: That is not in the Bill. There is protection for the Belfast agreement under clause 7(6). We can go through that, but Scotland is a completely different situation, as the hon. Gentleman well knows. [Interruption.] Again, if we can complete Second Reading tonight, the Bill will go through subsequent stages, and we can get to substantive debates on immigration, trade, customs, agriculture and the issues that remain and leave voters in my constituency want us to tackle.

8.28 pm

Geraint Davies (Swansea West) (Lab/Co-op): I am pleased to follow the hon. Member for Ochil and South Perthshire (Luke Graham), who knows that people who voted for Brexit did so for a number of reasons. Some of them wanted, and expected, more money, which they were promised—£350 million a week—but now they face a debt of something like £50 billion. Some of them voted leave because they thought that they would still have a job, as we would have access to the single market, but now we know that we will not have unfettered access. Some of them voted for Brexit fundamentally because they thought that we would take back control with enhanced parliamentary democracy and with enhancement and supremacy of our courts.

The Bill does the opposite of what people expected for parliamentary democracy and the enhancement of our courts. What have been referred to as Henry VIII powers—new powers given to Ministers to change legislation as they deem appropriate, without consultation or reference to Parliament—mean that there will be fundamental changes without MPs having a look-in. Moreover, the legislation is drafted so broadly that it does not allow the courts effectively to use the right of judicial appeal to limit and constrain Government. There are no mechanisms to enforce the rights and protections we currently enjoy from Europe.

In practice, this may influence workers’ rights. The workers’ agency directive, which was pooh-poohed by the Government and the Beecroft report, is likely to be ruled out. On the environment, where 80% of the law is decided at EU level, the Government are currently in court under EU legislation in relation to the air quality directive and face fines if they do not fulfil their obligations. Under clause 17 of the Bill, a Minister can simply say, “Well, those EU regulations are inappropriate so we’ll get rid of them.” As for human rights, the fundamental charter is not assured. Any of our rights can be just crossed out by Ministers. On consumer rights, my hon. Friend the Member for Wakefield (Mary Creagh) mentioned REACH. The directive requires all chemical companies to prove that a chemical is safe before they market it. A Minister could cross that out and introduce the American system, which instead requires an agency to prove a chemical is hazardous. That is why asbestos is still legal in the United States and it might become so here. Far from enhancing Parliament, we are open to having our rights and protections stripped away.

The Bill’s aim was supposed to be to cut and paste, or transfer, rights, protections and laws. Nobody is arguing that that should not happen. The question is: can it occur without a massive power grab and so-called Henry VIII powers? I suggest that it can, but it needs four changes. I hope the Minister is listening. Several changes are needed to be able to achieve the transfer without the use of those draconian powers. The changes are: first, to ensure that the Bill enshrines the continuation of rights and protections in EU law; secondly, to have enforcement mechanisms in place for those rights which will be taken away when the EU institutions are taken away; and thirdly, to state in the Bill that the measure is not intended to impact on human rights and to ensure that, in any case where our rights and protections are challenged, they are referred to a Select Committee process. Most measures will be technical, but when there is a challenge to basic rights and protections we need something akin to a turbo-charged European Scrutiny Committee. I hope the Secretary of State is listening. That Committee can currently refer for debate any new EU legislation. That right should be enhanced, so that measures can be referred, amended and voted on here.

Fundamentally, we are talking about British values. The Prime Minister talks about British values and there are no more fundamental British values than parliamentary democracy and the rule of law. They are both unnecessarily under threat. If the Bill goes through as currently drafted, it will be a Trojan horse for well-armed Brexeters to get rid of parliamentary democracy and the rule of law as we know it. That is why they need to be disarmed.

There is no justification for the way the Bill is currently drafted. It should be taken back in its entirety. It can be brought back in October to cut and paste the particular safeguards. My own view, as hon. Members will know, is that as people voted for Brexit in good faith for a number of reasons that have not now materialised, they should have the right to have the final say on the exit package, to judge whether it stacks up against their reasonable expectations. That is what democracy is about. The Bill is about the destruction of democracy and I will vote against it wholeheartedly tonight.
8.33 pm

Huw Merriman (Bexhill and Battle) (Con): It is a great pleasure to follow the hon. Member for Swansea West (Geraint Davies).

I believe that this is the first speech I have made on Britain leaving the European Union. The reason for my remaining unusually silent in this place is that back when the referendum was announced, I took a decision to not go to my constituents and tell them which way they should vote, but to try to remain impartial and provide them with information on both sides of the argument. I did so as a point of principle. I took the view that, having asked people to vote for me in 2015 so they could have a referendum, I wanted it to be their decision as to how their vote should be determined. I wanted to bring them information. I did so by holding 10 debates across the constituency and by going to 25 schools in the final week. I was, of course, very willing to give my own view as to which way I was going to vote, so at 9.59 pm on referendum day I announced that I had voted to remain. I then found out that 60% of my constituents disagreed with me, because they had voted to leave.

Having tried to provide information on what article 50 would mean in the event that we left and what the Prime Minister’s reformed EU would look like if we remained, I took the view that I was duty bound to follow the mandate given to me by the people. That is why I voted, along with 498 Members, to trigger article 50. Having said that I would follow that instruction, I am now duty bound to become greatly and passionately interested in the shape of our EU departure. I very much intend to do that.

I am still drawn to the Norwegian argument that those on the remain side used as a reason why we should stay. We do not want to be a member of the single market, but be unable to influence its shape and have to pay into its obligations. I still find that an attractive argument and that is why I now advocate leaving the single market and the customs union. I firmly believe that the way we can shape the new future is not by trying to look back at the past, but by forging a brand new future.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Does the hon. Gentleman not then agree with the Scottish Conservative leader, Ruth Davidson, who said on 7 September in The Spectator that the UK should stay in the single market?

Huw Merriman: The hon. Gentleman will have heard me when I said that I believe we should leave the single market. I can pinpoint the particular reason. If we are going to follow the instructions our constituents gave us, at least let us be bold, ambitious and look outside the club of 27 member states who, frankly, have not allowed some of the poorest countries to trade with that block. We should now set our sights on helping those countries and forging links with them in a way that has not been possible thus far. There is, therefore, an ethical reason for leaving the single market and the customs union, and for forging a new way forward.

As one of the 498 MPs who triggered article 50, I look at the approximately 150 MPs who were not willing to do so. I can perhaps understand why they are not willing to support Second Reading. The Bill will preserve all EU law when we leave the EU. The 150 MPs do not wish us to leave the EU, so I can see, logically, why they are not willing to vote for Second Reading. I would, however, just make the point that it was the same ballot box that returned them to this place that they choose to disregard when it comes to the referendum. That leaves us with the remaining 498 MPs. We hear that many of them will not support Second Reading this evening. I can understand those who always wished the UK to leave the EU not wanting to retain EU laws but to get on with repeal straightforward, but I have not heard any voices on either side of the House advocating that position. I am working on the basis, therefore, having heard of no other mechanism for retaining EU law on day one, that there is no alternative to the Bill.

Why, then, will hon. Members not vote for the principle of the Bill on Second Reading? I am saying not that the Bill cannot be improved but that the Government will listen to ideas on how it can be improved—I can testify to that having had a conversation with the ministerial team today and fixed a meeting to walk through some of those improvements. On clause 6, for example, on the interpretation of EU law following departure, I have concerns that the lower courts will be required to follow retained EU case law and retained EU general principles. It appears that they will not be able to depart from EU case law but that the Supreme Court will. If a decision is taken by the lower courts on EU general principles, however, will the Supreme Court be able to depart on that basis?

There are issues to iron out, therefore, but notwithstanding all the intelligent arguments we have heard from lawyers in this place, the prime driver for me is the need to make suggestions and make this work. It behoves us to make it work. In a previous job, I took many cases through the court process, including the Supreme Court, and the more assistance we can give the Supreme Court with interpretation and the smooth administration of law, the greater the benefits we will all reap in the future.

But that is for another day. Tonight is all about whether we are willing to see all preserved EU rights and laws retained on day one, so as to deliver a smooth departure, retain the rights that many hon. Members want retained and ensure that we make a success of our leaving. I was willing to listen to other arguments, but I have heard none advanced, apart—I am afraid to say—from pure politics. I do not believe that our constituents, regardless of which way they voted, want politics on this subject; they want us to get on with the job and deliver a successful Brexit, not just for them but for the country and world at large.

8.41 pm


Those were the words of Winifred Margaret Ewing, elected to the House of Commons 50 years ago this year, and more fondly known as Winnie and, to her EU friends, Madame Ecosse. To this day, Winnie is the only parliamentarian of these islands to have been a Member of the Scottish, British and European Parliaments, and she will be the only person who will hold that accolade.
It is almost 20 years today since Scotland said yes to a Scottish Parliament with devolved powers under a settlement that stated that everything was automatically devolved unless it was explicitly reserved. Despite what was said earlier, those powers were not notional. As the First Minister of Scotland, Nicola Sturgeon, rightly said in her speech this morning, this Bill “threatens the very principle on which our Parliament is founded”. In its current form, the Bill is a reversal of devolution.

Although I am a pretty positive person, I am struggling to find light among the Brexit process. After a summer of meetings with businesses and trade bodies in my constituency and across Scotland and the UK, aimed at understanding their hopes and fears about Brexit, I find it hard to see good in any of it. The retail sector in my constituency employs a lot of EU nationals. Let me take the insurance and aviation sectors as an example.

Dr Philippa Whitford (Central Ayrshire) (SNP): As my hon. Friend knows, I have an airport and an important aerospace cluster in my constituency. Is she not concerned about the loss of open skies and the European Aviation Safety Agency? We might not be able to pass the engines, but perhaps that does not matter, because we will not be allowed to fly anyway.

Hannah Bardell: I share my hon. Friend’s concerns, and I am sure she shares those of the insurance sector, which cites aviation as a relevant example because national airlines based in any EU country require a range of specialist insurance cover. Most of that is a mandatory requirement for operation. The UK insurance market is the only location with the specialist aviation insurance knowledge and financial capacity to provide the full coverage for all the risks faced.

Stephen Kerr: Will the hon. Lady give way?

Hannah Bardell: I will not at the moment. I am going to make some progress.

To put it simply, planes will not be able to take off, as my hon. Friend the Member for Central Ayrshire (Dr Whitford) identified.

There is concern that the UK Government might use clause 8 to trigger article 127 of the European economic area agreement, immediately ripping away the UK’s access to the free movement of goods, people, services and capital. As the days pass, the fear and concern heighten. Frances O’Grady, the general secretary of the TUC, said this morning—she was adding to the list of Brexit superlatives—that the Conservative Government were headed towards a “kamikaze Brexit”.

In a single act of complete recklessness, the Government are pressing ahead with this deficient Bill without carrying out a proper economic analysis of any economy across the UK. The people in businesses I have spoken to do not want to fall off a cliff before new trade deals can be agreed. They cannot afford to crash out of the EU or to fall back on WTO rules, which the CBI president said would open a “Pandora’s box”.

The gap between any transitional period and the start of any trade deal is also a real threat. Agriculture, fisheries and the environment are just some of the areas devolved to Scotland that will be affected by the Bill. The Fraser of Allander Institute has shown that a hard Brexit could cost Scotland’s economy and its GDP up to £10 billion and 80,000 jobs. That is almost the entire number of people in my constituency. The Scottish Government did try to work for a compromise, presenting their proposals in “Scotland’s Place in Europe”, but they did not even receive a decent response.

Luke Graham: Will the hon. Lady give way?

Hannah Bardell: Not at the moment; I am going to make some progress.

The former Prime Minister David Cameron did not allow his civil servants or advisers even to write anything down before Brexit, and the Brexit Secretary admitted to the Select Committee that there had been no proper assessment of the economic consequences if there was no deal. What a reckless and incompetent way to run a Government or a country! I know that some of the magnitude of this is hard to comprehend, but to go to the people of this country with no proper impact assessment and no proper detail is absolutely scandalous. The Conservative Government pledged to produce a repeal Bill to “allow a smooth and orderly transition as the UK leaves the EU”, but this Bill seeks to undermine the devolved settlements and offers no guarantees to the devolved nations on the protections of their powers.

Michel Barnier told a press conference recently that there had been no “decisive” progress in talks with the UK at the conclusion of the third round of negotiations. While the Government are faffing about, time is not on the side of people, businesses and our industries. Perhaps even more damaging than the tardy approach to the negotiation of a transition is the admission that the Government have turned down countries wishing to strike trade deals after Brexit because they—the Government—do not have the capacity to negotiate them. Furthermore, since the Government’s approach to immigration was leaked, there is now a real risk that the transition period could be under threat.

Those in the legal profession have also raised concerns. Lord Judge, the former Lord Chief Justice, has warned that Parliament faces a legislative tsunami without the time to scrutinise legislation properly.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): My hon. Friend prays in aid Lord Judge, but it is fair to say that he is not the only senior magistrate to have problems with the Bill. Referring to clause 6, Lord Neuberger, the outgoing president of the Supreme Court, has said that if the Government “doesn’t express clearly what the judges should do about decisions of the ECJ after Brexit, or indeed any other topic after Brexit, then the judges will simply have to do their best. But to blame the judges for...making the law when parliament has failed to do so would be unfair.”

He is right, is he not?

Hannah Bardell: Yes, he is.

The Government had to be dragged through the courts even to give Parliament a say on the triggering of article 50. What hope have we that we will be able to scrutinise properly the 19,000 laws and regulations that will be coming back from the EU? Last week the Scottish Government announced an ambitious and inclusive programme for government that put carbon capture back on the table after the failure of the UK Government in that regard, and committed to establishing a Scottish investment bank.
Stephen Kerr: Will the hon. Lady give way?

Luke Graham: Will the hon. Lady give way?

Hannah Bardell: The UK Government should be delighted, but what have they been doing? They have been doing Brexit—just Brexit, and nothing else—and they cannot make progress with that. That is what doing the day job really looks like, and as we get on with the day job in Scotland, Westminster will be bogged down in nothing but Brexit.

Luke Graham: Will the hon. Lady give way?

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Mr. Graham, you have already spoken. If the hon. Member for Livingston (Hannah Bardell) wishes to give way, she will indicate that to you, but I certainly do not need you to be hanging on and on your two feet for the rest of her speech.

Hannah Bardell: Thank you, Mr Deputy Speaker.

This Bill threatens the very foundations and transparency of our democracy. There are voices of agreement and consensus around the Chamber, and it is incumbent on us to work together when we can find agreement, but the Bill, and the Tory Government’s antagonistic approach, give little space and opportunity for any collaboration.

With no clear answers to the issues of EU nationals’ rights, with the charter of fundamental rights and single market membership under threat, and with no detailed economic analysis of the effect of the UK’s leaving the single market, the Bill is a wrecking ball for British democracy and the cross-party working and consensus that created the Scottish Parliament.

The Government cannot hide behind this “what the people voted for” line, because the reality is that no one really knows what they voted for. There was no White Paper, there was no positive proposition, and there was no detail—nothing was written down. Many who voted for Brexit are now full of regret and frustration because they were sold a pup. We will not stand by and support this Bill. We will not give it a Second Reading, because two decades after Scotland voted for a Scottish Parliament, and giants of Scottish politics such as Donald Dewar and Winnie Ewing ushered in a new era of positivity that has benefited everyone in Scotland, the Bill is the biggest power grab since devolution. We in the SNP will not stand by and allow Scottish democracy and our Parliament’s powers to be eroded.

8.49 pm

Ms Nusrat Ghani (Wealden) (Con): It is an honour to follow the hon. Member for Livingston (Hannah Bardell), who gave an interesting speech.

Without the iconic and much-loved bongs of Big Ben, the Palace of Westminster might appear to be diminished, but the European Union (Withdrawal) Bill will ensure that this Palace is more sovereign and more accountable, with or without its hourly chimes. The Bill will restore this nation’s sovereignty, the supremacy of this Parliament and the self-determination of the British people. The final word on law will be ours, and I am happy to trust the judgment of our Supreme Court rather than that of the European Court of Justice. The British people will ultimately be entirely in control of the direction of our country. If they do not like what they see here in Parliament and do not feel represented by their MPs, they can vote us out. That is not the case for unelected, unaccountable Eurocrats.

This Bill is the logical next step in leaving the EU—what the public have trusted us to do. The key point of this Bill is to provide certainty as to how the law will apply after we leave the EU. This is an unprecedented period in our history, which is why so much has been, and will continue to be, debated, but to vote against this Bill is purely political game playing and ignoring the will of the British public. The public have a right to ask objecting Members who argue against converting EU regulations and law into domestic law on exit day where their objections were when the laws were enacted in Brussels and enforced on us in the first place.

The Bill maximises stability and certainty, which is what our economy needs and what our businesses require and deserve. The Bill ensures that consumers have clarity about their protection, that employees have clarity about their rights, that businesses have certainty, and, fundamentally, that rights and protections are enforceable through the UK courts, which are renowned the world over.

Many Wealden businesses and farms from Hailsham, Uckfield and Crowborough have raised their concerns over EU red tape. Many Wealden businesses are small. Like the national average, only 5% export to the EU, but 100% are caught by red tape, which makes setting up, recruiting and exporting more difficult. Brexit and this Bill start an opportunity to create business and farming environments that work for all businesses, whether they are local or just local.

I impress on the Government the need to consult business representatives fully. In Wealden we have dozens of vineyards, many farms and cutting-edge science and tech businesses. They should be consulted and their concerns should be addressed. Consultation is key in these exciting times ahead for the UK outside the EU.

Brexit presents us with not only an opportunity to become a sovereign nation once again, but countless opportunities beyond our own waters. Negotiating as one country, we can strike free trade deals unhindered by the need to get the signature of 27 other countries. We will be able to agree our own terms with not just our friends in Europe, but the ambitious entrepreneurialism of the rest of the world. I cannot be the only Member who believes that the patronising, out-of-touch and out-of-date European elites need to get over their obsession that the future lies solely in western Europe. In reality, it is Asia, Africa and South America that are brimming with the skills, ability and talent that will shape this century. We have an exciting opportunity to trade in goods and expertise, and to help to share prosperity in not only this country, but these new emerging markets.

I seem to have an extra moment to speak, so I shall also touch on Michel Barnier, as the hon. Member for Livingston referred to him. Michel Barnier’s recent comments about our moral and legal obligations to support development in third-world countries has not gone down well in my constituency. As one of only five EU member states to meet the UN’s 0.7% foreign aid spending goal, and just one of four to meet NATO’s 2% spending target on defence, we will take no lectures from Brussels about supporting those less fortunate than us. My constituents want to know who are Brussels
to talk to us about supporting developing nations when the common agricultural policy has for so long immorally and unfairly held African farmers back. Brexit allows us to treat Africa as equals and enables people there to decide their own destiny without financial discrimination from European elites.

Opportunities abound with Brexit. Although the media narrative and some Opposition Members suggest that it will be doom and gloom, I do not see things that way. I admit that some of what we hope for will be difficult, but I will never accept judgment for being ambitious for my country.

Daniel Kawczynski (Shrewsbury and Atcham) (Con)

rose—

Ian Paisley: Will the hon. Lady give way?

Ms Ghani: I am so sorry; I have been told that I need to crack on because of the time. I do apologise.

The Bill allows for an orderly exit from the EU. A vote against it is a vote for a chaotic Brexit, and such a vote would be irresponsible and undemocratic. That is not what the country voted for. Our job as parliamentarians is to deliver a smooth exit from the EU. I will be supporting democracy and respecting the will of the British people by supporting the Bill tonight.

8.55 pm

Paul Farrelly (Newcastle-under-Lyme) (Lab): I congratulate the shadow Secretary of State, my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), on the common-sense position that Labour has adopted on EU withdrawal and on this democratic travesty of a Bill. We certainly look forward to seeing him in my constituency, where his appearance next month is eagerly awaited.

Following the referendum, it is sadly clear that we will end our formal membership of the European Union. The question is how and what the future holds. As far as our country’s future relationship with our neighbours is concerned, Brexit should never become synonymous with “break it”, which, thankfully, only a minority of people want. There has to be a transitional agreement with the EU, as it will be impossible to reach a comprehensive deal at all levels by the end of March 2019.

Common sense says that such an agreement should include our remaining in the single market and the customs union. The Prime Minister’s policy stance means that the Bill is inimical to that common-sense course. That is the effect of clause 9, and that is a good, substantial reason to oppose the Bill.

The Government have not yet allowed a meaningful vote in Parliament on the terms of our withdrawal before the Bill implements those terms. That is another good, substantial reason to oppose the Bill. I voted consistently against triggering article 50 in the absence of assurances about that, about the rights of EU nationals who are already here and of our citizens on the continent, and about much more besides.

Like the right hon. and learned Member for Rushcliffe (Mr Clarke), I did not vote for the referendum legislation in the first place, because I thought it was a thoroughly bad idea, as it is certainly proving. I certainly will not vote to give this dreadful Bill a Second Reading tonight, but I will respect the referendum result by voting for the reasoned amendment. This flawed piece of legislation, with its flawed approach, needs to go back to the drawing board and return in better shape in October.

I will not dwell on clause 7 or any other clauses for too long—they have been well and truly dissected by many good speeches already—but I will show my constituents, to whom I will have to explain my votes, that I have indeed read the Bill by saying that when I got down to clause 7(2)(f)(ii), my jaw, which I had already prised off the ground, bounced off terra firma again. I will explain to my constituents why. To take one example, that clause proposes—in a modern parliamentary democracy, not a feudal, despotic monarchy—that a Minister of the Crown will have the power to issue regulations, which could not be changed, to correct parts of law that he or she does not consider “it is appropriate to retain”.

And so the Bill goes on. That is not just profoundly undemocratic; as Members. Have already pointed out, that approach to vesting such sweeping powers and discretion in this particular Executive flies in the face of the message sent by the British people in June.

The Prime Minister called that opportunistic, unnecessary election, confident that it would deliver her an increased majority, a highly personalised vote of confidence and a mandate to do what she pleased. But she was rumbled and found wanting—it did not. The country said, “No way” to “My way or the highway.” Our country would certainly not want us to vest in a minority Government the powers in the Bill, which might affect so many lives with minimal parliamentary oversight. If we do grant them, people will ask us—they are already—what is the purpose of electing MPs in the first place.

Let us take a look at some of the Ministers of the Crown whose sparkling judgment and impeccable intentions we are asked to trust. We are told that they would include in a blizzard of regulations only technical amendments and would not try to slip through anything more fundamental or controversial. As examples, let us take the right hon. Member for Surrey Heath (Michael Gove) and his one-time friend then victim, the right hon. Member for Uxbridge and South Ruislip (Boris Johnson). At the very top of the tree, our people gave their verdict in the general election on the Prime Minister’s powers of judgment. Every fortnight, there is a very funny column in Private Eye from the headmistress of “St Theresa’s Independent State Grammar School for Girls (and Boys)” now incorporating the “William III Orange Academy”. Just where are the two right hon. Gentlemen I mentioned who gave such a tour de force of alternative facts with bravado during the referendum? Well, they are back at the heart of the staffroom. What successful school rewards bad behaviour? It would be in special measures. What governing body would put the sort of trust that the Bill asks for in such a headmistress and her senior—I use the term loosely—“leadership team”?

Ian Paisley: The hon. Gentleman always makes good arguments, but is he actually telling us that we should just continue to accept European directives over which we have absolutely no say whatsoever? At least we can elect and change the Government here.

Paul Farrelly: The Bill asks us to transfer to the Executive what the hon. Gentleman considers a flaw without this Parliament having much of a say in what
may happen. There are good reasons to oppose the Bill on the basis of clause 9 and the lack of a meaningful vote in Parliament—the Bill would allow the Government to get around that.

To continue the school metaphor, the Bill is not only unsatisfactory and in need of improvement, but wholly inadequate. The Government need to go back to the drawing board and rethink their approach. There is no mandate for a hard, cliff-edge Brexit or for shredding long-won relationships with the other 27 countries of the European Union, nor is there a mandate for a hard transition. There is certainly no mandate to hand the powers in the Bill to a minority Government and a caretaker Prime Minister. I hope that my colleagues and concerned Members on both sides of the House will vote against the Bill. Not to do so would give the Government a strong signal that they can get away with anything they like.

9.1 pm

Paul Farrelly

Charlie Elphicke (Dover) (Con): I supported the remain side of the argument in the referendum, but my constituents listened politely to my advice and then two thirds of them voted to leave. A majority in this country voted to leave, so we have been handed instructions by the British people to leave the European Union and we need to respect the referendum result. This Bill is a key part of getting that ship under way. It is a process Bill that simply writes European law into our domestic legislation.

There are those who now say that we do not have enough scrutiny. However, it is strange that the European Communities Act has allowed all European law straight into our system since 1972 without any scrutiny in this House whatsoever. They did not complain about that, but they are suddenly worried about scrutiny. If we scrutinised and debated each and every one of the thousand statutory instruments and called them all in under the prayer motion procedure, we would do nothing between now and Brexit day but discuss the intricacies of writing bits of European legislation into our domestic legislation. I cannot speak for anyone else, but none of my constituents has asked me to do that. My constituents have not raised their determination for us to discuss the minutiae and process of putting European legislation into our legislation. Has anyone else had a constituent say, “Between now and Brexit day I want you to discuss getting European law into our legal system”? I very much doubt it.

My constituents have asked me, “How can we ensure that we do not have to pay too much money? Does the EU have a legal case to demand money from us for the Brexit divorce bill? Does it have a case to demand £50 billion or whatever it is from us?” So I spent some time doing some research. I looked at the matter carefully with the eminent Martin Howe, QC, and we concluded that the EU has no claim at all as a matter of law. In fact, a compelling argument suggests that we are owed £10 billion by the EU for the return of our stake in the European Investment Bank, but we do not hear about that from the Opposition. We do not hear them making the case for scrutiny of the divorce bill to try to get some taxpayer value—not a bit of it.

Then, my constituents raised with me their concern about whether there might be queues on the roads to Dover and problems with trade when we leave the European Union, to which I say it is important that we are ready on day one, and that we are prepared for Brexit day, deal or no deal. That is a prime concern of my constituents, because gridlock at Dover means gridlock for the UK economy as a whole.

It is very much in the national interest that we focus on being ready on day one, but we do not hear about that from the Labour party, either. We do not hear any constructive ideas whatever about how we can be ready on day one, how we can make a success of Brexit or how we can ensure that we do not have to shell out too much taxpayers’ money. No, what the Labour party wants to do is scrutinise process, because it does not have a clue.

The people of Britain clearly said we should leave the European Union, and they gave a clear instruction that they want to end uncontrolled EU immigration. That means that, yes, we have to leave the European Union’s internal market. They gave a very clear instruction that they want our trade policy to be made in Britain, not in Brussels. Yes, that means we have to leave the customs union, but it does not mean we cannot discuss a free trade agreement with the European Union, and that is what we should be focusing our time on here. Rather than discussing process or the scrutinising of laws that already exist just so they can be written into our legal system, we should be discussing how we will have relations with the European Union in the years after we leave, because that is what matters to our constituents.

The prosperity of our people, the success of our businesses and the lifeblood of our economy is about making sure we foster international trade not just with the European Union but with the wider world. That matters because 80% to 90% of all global growth in the years to come will not come from Europe. Those are not my figures, and it is not my argument—they come from the European Commission in reply to questions raised in the European Parliament.

Daniel Kawczynski: Clearly we want to ensure a reasonable win-win trade deal with the European Union, but is my hon. Friend aware of reports that, if we fail to get that deal and we go to WTO terms, our Exchequer will benefit by £13 billion a year from the taxes charged on imports from the European Union?

Charlie Elphicke: My hon. Friend makes a powerful argument. There are those who say that we have to beg Europe for a deal. Last time I looked, the European Union had a £100 billion surplus on trade with the United Kingdom. If there were tariffs, European exports to Britain would be hit by £13 billion, whereas our exports to Europe would be hit by only £6 billion. That shows why it is in Europe’s interest to do a free trade deal, and why it would be an economically illiterate act of self-harm by the European Union not to want to do a trade deal. If anything, a trade deal is more in the EU’s economic interest than it is in ours.

Those are the hard numbers, and that is where the House should be focusing. If we want scrutiny, we should scrutinise how we can reduce the divorce bill, ideally to nothing. We should scrutinise how we can make sure we have a positive relationship with the European Union in the years to come, how we can have free trade, how we can have trade across the rest of the world, and how Britain can be positioned to grow so that our sons and daughters can have the kind of future
that they expect us to build for them. That is why we need to approach this positively and thoughtfully, and it is why we need to apply scrutiny to the things our constituents care about, rather than process.

9.8 pm

Hywel Williams (Arfon) (PC): I apologise for missing the first few minutes of this debate.

It is a pleasure to follow the hon. Member for Dover (Charlie Elphicke), who is occasionally my hon. Friend. I remind him that gridlock in Dover is the same as gridlock in Holyhead, Ynys Môn and across north Wales, which causes gridlock for the English economy because so much traffic passes that way. That subject has been even less discussed than gridlock in Dover.

I have only one substantial point to make, which is that the Bill threatens the constitutional settlement between Wales and England, and it seemingly does so almost as an afterthought: Brexit is the issue but, by the way, we are unravelling the last 20 years of careful and moderate devolution, irrespective of the views of the majority of people in Wales, as expressed in two referendums.

I am referring not to the rushed duplicity of the June 2016 referendum, but to the two substantial referendums in Wales specifically on the devolution issue, after decades of the most detailed debates and campaigning. This was not change as an afterthought, when the consequences of the decision on Brexit are beginning to become slightly clearer; these were referendums on devolution itself. Perhaps I need to remind Government Front Benchers of the results of those referendums on the sort of government we want in Wales and with what sort of powers. The first was carried narrowly in 1997 and the second, on a modest extension of powers, was carried overwhelmingly in 2011, with the support of all parties and with the no campaign having degenerated into an obsession, deluded and irrelevant rabble—I am sorry to see that the hon. Member for Monmouth (David T. C. Davies) is not in his place to leap up to correct me.

That is the status quo that this Conservative Government either seek to overthrow or might overthrow by mistake, as carelessly as they might toss a cigarette into a pail of petrol. They will argue, correctly of course, that the devolution referendum is the superior authority to the devolution referendums, but I take that argument, as will many people in Wales, as exposing the true nature of the relationship between our two countries. It is one not of respect, but of heedless and thoughtless power of one over the other. The “Encyclopaedia Britannica” was wholly right in the index of its first edition when it said “For Wales, see England”.

The current devolution settlement is framed in the context of the UK’s pre-existing membership of the EU. By facilitating leaving in this way, the Bill, as drafted, redefines the UK constitution by default; it creates a new body of law and gives Ministers power to change law as they see “appropriate”, as we see in clause 7(1). The Bill intercepts and retains the returning EU power and funds, and maintains what are the responsibilities of the Welsh Assembly, such as agriculture and convergences policy—as London matters. The Bill amends the devolution settlement so that the devolved Governments will have to accept whatever the Minister here decides, including in respect of the provisions of the Wales Act 2017, which has not even come into force. Many hon. Members who spent a great deal of time on that Act may ponder why on earth we bothered.

I wish to go off on a slight tangent now about the offer or suggestion of having a triage system. I took part in a system that was similar but not exactly the same—hon. Members can look this up if they please—when we looked at the powers being transferred to the Welsh Assembly before legislation gave it those powers. Under this legislative competence order system, members of the Welsh Affairs Committee sat to ponder various bits of legislation and the various powers that would be transferred to Cardiff. This led to some powers of great importance, such as those relating to mental health, being passed with scarcely a murmur, while other far more contentious matters, such as those relating to the Welsh language, were discussed endlessly. They were eventually agreed to, as we had expected, but it was delayed and delayed for political purposes.

We have been told that the Bill is a “technicallity” and a “temporary necessity” and we are asked to extend our trust, but I would say that we are being asked to extend our credulity much too far. Both the Welsh and Scottish Governments have said that they cannot grant legislative consent to the Bill in its current form. I have written to the Welsh Secretary asking him what will happen if consent is withheld by the Welsh Government and the Scottish Government. My hon. Friend the Member for Dwyfor Meirionnydd (Liz Saville Roberts) asked him about this issue again at Welsh questions last week, but we are yet to get a clear reply. So this is how a constitutional question lurches towards a constitutional crisis. We should avoid it, and it is avoidable if the Government would be more open. Their manifesto in the 2017 election promised not to “devolve and forget”. Through the incompetence and arrogance, I fear that they are forgetting devolution, and we on the Plaid Cymru Bench will oppose their folly.

9.14 pm

Jack Brereton (Stoke-on-Trent South) (Con): Stoke-on-Trent voted overwhelmingly to leave the European Union: the proportion was higher than in any other city, with 70% of people voting to leave. That is why I will vote to support the Bill tonight.

The people of Stoke-on-Trent South voted for me and the Conservatives for the first time in 82 years because we demonstrated our trust in the public’s judgment in voting to leave and are the only ones with a strong, credible plan to deliver Brexit successfully. In electing me to this place, my constituents were clear in their rejection of the previous Labour MP and his attempts to disrupt and delay the Brexit process. My constituents who voted to leave in the referendum did so for a number of reasons, including economic, social and political ones, but the clear shared message from the general election was that constituents in Stoke-on-Trent South do not want to be worse off as a result of our leaving the EU. There is a feeling in Stoke-on-Trent of being left behind, with the EU remote and distant. People struggle to see the economic benefits. I am determined to be a strong representative of what my constituents voted for.

In leaving the EU, we must maximise new opportunities in Stoke-on-Trent and support our businesses to improve skills and jobs and boost prosperity. Critical to that is ensuring that we make a success of leaving. We must
create some certainty and get on with putting forward the necessary legislation. What I hear from businesses in Stoke-on-Trent South is a need for certainty. The Bill will create an orderly processes to move the existing EU legislation that makes up part of the UK legal system so that it is under Parliament's authority. As my right hon. Friend the Secretary of State for Exiting the European Union said on Thursday, it will ensure that on the day we leave, businesses will know where they stand, workers’ rights will be upheld and consumers will remain protected.

To delay or disrupt the process unnecessarily would be hugely damaging for our economy, businesses and jobs in all communities throughout the country. To those in the House who wish to disrupt the Bill today, or even to stop altogether the process of our leaving the EU, I repeat what several of my right hon. and hon. Friends have said: there will be further opportunities to improve the Bill in Committee. Suggestions about the need for amendments should not stop the Bill at this stage. I ask them to think of the impact on their constituents and on our country, because if the Bill is not allowed to progress to Third Reading, we will put at risk jobs and our future economic prosperity.

Businesses and my constituents want the Government to get on with the job and to ensure that we have certainty and can deliver a successful Brexit deal. Whether someone supported leave or remain is insignificant: the British public voted overwhelmingly to leave, especially in constituencies such as mine, Stoke-on-Trent South. We must respect the democratic result and work in the national interest. What matters now is that we in this House are seen to be doing everything possible to make a success of Brexit, and that we reduce the chance of disruption to our economy and seize on the opportunities that come from our leaving the EU. We must ensure that we give Ministers the ability to do that in the most efficient and effective way possible.

It is right that we scrutinise the legislation effectively, but we must also recognise the need for secondary powers to adjust EU legislation to fit into the UK legal system and to make sure it remains relevant from the moment we leave. There has already been much debate about the use of such powers, but they are necessary to make the process workable. As colleagues have said, they are well-established practices and will remain within Parliament’s oversight, and there will be appropriate safeguards to limit their use.

I am optimistic about our future after we leave the EU, which the Bill will help to facilitate. As with any change, there is always some initial uncertainty, but through the Bill we can help to provide confidence about our economic future. From that point, the Government can get on and deliver the more global-trading Britain that we want to see. Businesses in my constituency share those thoughts, although some may have initial trepidation. By and large, firms in Stoke-on-Trent—especially those across our manufacturing sector—see the significant opportunities that can be realised both in striking the right path outside the EU, regaining control of our own destiny and growing our trading opportunities around the world. Only by voting in favour of the Bill tonight can we ensure that the Brexit process will move forward successfully, without delay, and guarantee a stable future outside the EU.

Stephen Kinnock (Aberavon) (Lab): It is a pleasure to follow the hon. Member for Stoke-on-Trent South (Jack Brereton).

Last June, the British people voted to leave the European Union. It was an outcome that I campaigned against, but it is a decision that I fully accept and respect as a democrat. That is why I voted to trigger article 50, and I have spent the past 15 months considering how to make Brexit work. It is precisely in that vein, driven by a desire to defend and advance our national interest and to enact the will of the British people, that I have risen today to urge hon. Members to decline to give this Bill a Second Reading.

This Bill frustrates the will of the British people and it fails on its own terms. Brexit was supposed to be about Britain and her sovereign Parliament taking back control. Whatever a vote for Brexit meant, it was surely not a vote for the degradation of our fundamental constitutional values. The first principle of our constitution is parliamentary sovereignty under a constitutional monarch. That means that it is Parliament, not the Executive, that determines the rules and laws that govern this country. The Bill seeks to turn that fundamental principle on its head. Without substantial amendment, this Bill will usurp the sovereign power of this House, giving Ministers the absolute powers of feudal lords, and the Prime Minister the power of a 16th century monarch. It would emasculate this House, giving the Government, who were denied a majority in this House at the ballot box just three months ago, unaccountable power. As Lord Acton famously remarked,

“Power tends to corrupt, and absolute power corrupts absolutely.”

The relationship between the legislature and the Executive works only if it is one of equals. This Bill, if passed in its current form, would fundamentally undermine Parliament’s ability to hold the Executive to account and to apply the checks and balances that are the lifeblood of our democratic processes and institutions.

If this Bill does pass tonight, we must work together across the Floor of this House to fix it. First, we need a substantive impact clause, which would codify and formalise the promise that this Bill will make only technical changes and would mean that substantive rights and protections originating in EU law could not be removed without a vote in Parliament. Secondly, we need a limitation on the use and scope of the discretionary powers in the Bill—this will likely take the form of the “necessary and proportionate” requirement—and a protection for substantive rights. Giving Ministers the power to determine what is “appropriate” is an inadequate safeguard, as it hands Ministers absolute and unaccountable power that they need justify to no one.

Thirdly, we need an enhanced scrutiny requirement. This could take the form of the “sift and scrutiny” Committee that has been proposed by the Hansard Society. Failing that, the task could be delegated to the European Scrutiny Committee, with the aid of a beefed-up explanatory memorandum. That type of amendment is required so that this House has the power to determine what will be done by statutory instrument, what by the affirmative principle, and what by the whole House.

Fourthly, there must be an institutional parity clause. Without UK institutions to take on the job of EU bodies, we will see fundamental rights removed by the
The greatest threat to devolution is from Scottish Nationalists. They know that as long as their husband was on the throne, they would escape punishment for their crimes, because there was no check on their power. This Bill seeks to strip Parliament of its sovereign power, create a Cabinet of kings and transform the Floor of this House from the beating heart of our democracy into a spectators’ gallery, turning us from legislators to bystanders, wholly dependent on the benevolence of Ministers. Let us make no mistake: this Bill is not about delivering the will of the people; rather, it is about gagging our democracy and this House by way of a false discourse. It is a silent coup d’etat, masquerading as a technical necessity. It is for that reason that I urge all to decline giving the Bill a Second Reading, and the Government to return with a dramatically altered Bill that respects this House, our constitution and the will of the British people.

9.25 pm

Paul Masterton (East Renfrewshire) (Con): I am grateful for the opportunity to speak this evening. The Government must carry out the will of the British people, but we must remember that the people are not united. As the MP for East Renfrewshire—a constituency with one of the highest remain votes in the country—I will always put my constituents’ views first. Their concerns—indeed, my concerns—about what leaving the EU means for their businesses, families and futures will be heard and respected. Although I am not yet convinced that my remain vote was the wrong choice, I, like the vast majority of my constituents, do not seek to overturn or obstruct Brexit. We want it to work. It needs to work. We want to see practical, pragmatic, reasonable solutions to complex issues.

That is why I am pleased to see this Bill before the House today—a Bill that, when boiled down to its most fundamental principle, seeks to ensure that the positions at one second to midnight before we leave the EU and at one second past midnight after we have left are, so far as possible, the same. Whatever anyone’s view on Brexit, that surely can be seen as good and necessary. We cannot wake up the morning after we have left the EU with gaping holes in our statute book, and with no one knowing what the law is, what regulations apply or what protections exist. The Government can count on my support tonight as a result.

The aims and objectives of the Bill are clear, and they are right. However, as we move forwards, Ministers must not be deaf to the issues raised in this debate from across the House, particularly those concerning the delegated powers framework, which other Members have explained in far more detail and with far more eloquence than I could. The Bill is good in intent and purpose, but it is not perfect. The right thing is to work to amend it, not collude to wreck it.

I was 13 when the Scottish Parliament opened. Devolution is all I have known. Our departure from the EU gives us a golden opportunity to deepen and enhance the existing devolved settlements. That is what was promised, and it must be delivered. Just as the EU that we are leaving is not the same beast as the European Economic Community that we joined, so the United Kingdom of 2017 is not the same as that of 1972. However, the First Minister was right when she said this morning that devolution is under threat, although that threat does not come just from a small if vocal band who think that leaving the EU means returning to the constitution of the UK as it stood 40-odd years ago. The greatest threat to devolution is from Scottish Nationalists, who want to see it fail, thereby allowing them to claim falsely that separation is the only way.

The Bill, the mechanism for the repatriation of powers, and the future relationship of our Governments must be placed firmly in the present. Solutions must reflect the Union as it is and strengthen the Union of tomorrow. Our exit must reflect the reality of devolution, which is now a fundamental and permanent part of the UK. Twenty years ago today, Scotland voted yes to a new Parliament. I am committed to devolution and to the Union. They are not mutually exclusive. I will not allow either to be undermined in this process. In leaving the EU, we can deliver hammer blows to nationalism—yes, of the yellow and black variety, but also of a deeper purple variety. Proposals that give succour to nationalists of either hue should not expect to receive my support. I urge Ministers to recognise the chance before them to deliver for the moderate majority in Scotland, who want to see devolution succeed and the Union protected, with better, stronger, more sustained co-operation between our two Governments, working together, not pulling apart.

The reservation of the power to amend retained EU law will be necessary in the period immediately post Brexit. Common UK-wide frameworks will be required for the long term in a number of areas. Protecting the integrity of the UK single market is absolutely key.

More powers will be coming to Holyrood; of that there is no doubt. The idea put forward by the SNP that the UK Government who have just completed the transfer of £12 billion of income tax powers, and who are in the process of devolving huge swathes of social security powers, want to grab and micromanage hill farming in Scotland is not remotely credible.

The process of leaving the EU is transitional, but devolution is permanent. The question is whether the Scottish Government are willing and able to use the
new powers they will get will in the best interests of Scotland. Given that after a decade of the SNP in power, less than half of Scots believe that devolution has improved the quality of the health service or education provision, or the strength of the economy north of the border, I will not hold my breath. So I will answer the First Minister’s call today to stand up and defend devolution, but I will be defending it from her Government—from the wasted opportunities and wasted futures her Government have presided over. For the first 10 years of devolution, Scotland walked in the wrong direction. For the past 10 years, it has had no direction at all.

I have some difficulty listening to the First Minister and the nationalists opposite preaching to others about consensus while flat-out refusing to accept the result of not one but two referendums, and still, today, refusing to take the threat of a second independence referendum off the table. While SNP Members will no doubt make their views known with the melodrama and histrionics we have come to expect, never missing a chance to shoehorn in some grievance, I look forward to what I am sure will be the altogether more measured views of the Finance and Constitution Committee of the Scottish Parliament on this Bill. I hope that that Committee is given due respect and consideration by Ministers. We can make this work, if we work together.

Although SNP Members claim to be the voice of Scotland, they speak for no one but themselves. We must not let their hubris distract or deter us, the Conservative and Unionist party, from delivering Brexit and, in doing so, delivering for Scotland.

9.31 pm

Sir Edward Davey (Kingston and Surbiton) (LD): When a Government come to a Parliament and say, “Give us more powers, or there will be chaos,” democrats should be worried. Over the years, when a Government have said, “Give us more powers, or there will be chaos,” they have acted like dictators. I am not saying that the Government are a dictator, but they are doing what Lord Hailsham said: they are acting like an elective dictatorship. That is why they are, through this Bill, undermining the very weak concept of parliamentary democracy that we have retained in this country.

Mr Geoffrey Robinson (Coventry North West) (Lab): Does the right hon. Gentleman agree that it is even worse for the Government to behave as an elected dictatorship, given that they have lost their majority?

Sir Edward Davey: The hon. Gentleman makes a very good point, and I will come to that.

I would argue that the Bill undermines parliamentary sovereignty more than any EU directive ever did, and I will explain to the Minister why that is. I do not think, for example, that the Bill does what leave voters wanted in the referendum. Many leave voters I talk to say they voted leave because they wanted to restore parliamentary sovereignty—they wanted Parliament to take back control. But this Bill does not give control back to Parliament; it gives control back to Ministers, who do not want to be held to account properly in this House.

Leave voters talked about getting more democracy, but as the hon. Gentleman said in his intervention, democracy is being taken not by this place but by a Government who do not even have a majority in this House. That is not what leave voters voted for. During the hours we have debated this Bill, I have heard that when people answered the referendum question, they were saying we should do what we are doing now. Well, I am afraid that is not what happened. The question before the House tonight was not on the ballot paper in the referendum; it is a completely different question.

People might say that the Bill gives effect to the referendum vote, but the point is that there are many ways of doing that, and this Bill is not doing that in the spirit of the referendum and the spirit of increasing parliamentary sovereignty. In fact, we have heard from right hon. and hon. Members on both sides of the House alternative ways of giving effect to that referendum vote. Early in the debate, we heard some ideas from the right hon. Member for Derby South (Margaret Beckett). We have heard from the hon. Members for Totnes (Dr Wollaston), for Gloucester (Richard Graham) and for Aberavon (Stephen Kinnock). They have put forward ideas that go way beyond what is in the Bill in terms of holding the Government to account as they transcribe EU law into British law. I could think of a whole series of enhanced procedures for doing that, including special Committees and Select Committee hearings. Perhaps the Select Committee on Procedure should be asking that question and reporting back to the House—except the Government do not want that. They do not really want this House to be involved, and that is why they are excluding the Committees and going for this fast-track, fundamentally undemocratic approach.

Ministers will say, “What about time? All these alternative options will take time.” We put Bills through this House quickly when there is a war or a national emergency. There is no war or national emergency now; we have time to consider this as true democrats to ensure that we get it right. The fact that the Government are not doing that is outrageous.

The Bill’s approach is dangerous because parliamentary sovereignty in this country is such a weak reed, as it has been for many years. Executives of all hues—even, dare I say, coalitions—have, through the Whip system, managed to ensure that this House has not really taken part in some of the key decisions of the day. This is most seen in how the House debates Government expenditure decisions. Right hon. and hon. Members might be interested to know that the last time this House voted against a spending request from the Executive of the day was in 1919, when it voted against spending for the bathroom of the then Lord Chancellor. Since then, hundreds of billions of pounds have gone through this House without a proper vote against, because the Executive do not really believe in parliamentary sovereignty.

Parliamentary sovereignty is a weak doctrine in this country, and the danger of the Bill is that even more of what is left of it will be taken away. That is shocking. I believe that when leave voters talked about parliamentary sovereignty, they wanted to increase the power of this place. If we see the last vestiges of that power walking out of the door tonight, and if we see for the Second Reading of this Bill, that will be a backward step and will go against the spirit of the referendum vote. Allowing the Government these additional powers is tantamount
to the temporary abolition of this House. That is not what people voted for, and this House should defend itself and defend democracy.

9.37 pm

Ben Bradley (Mansfield) (Con): On 23 June 2016, the people of Mansfield voted overwhelmingly to leave the EU. They were so passionate about the issue that a record number turned out to vote on that day and 72% voted to leave. This decision was born out of not ignorance or fear but a feeling of indignation at the UK’s treatment by the EU and a desire to regain control of our borders, our laws and, most importantly, our sovereignty. With that decision has come a lot of uncertainty about Britain’s future—uncertainty that could have a massive effect on many aspects of our lives. I have spoken to a number of fantastic businesses in my constituency that will be affected in several different ways, some positive, some less so, but they all agree on the need for continuity and as much certainty as we can find. Nobody wants a situation in which our legislation disappears overnight, and it is that cliff edge that this Bill tries to avoid. A vote against it could plunge my constituents and the UK into chaos. At best, it would clearly lead to confusion and delay.

I welcome the words of the right hon. Member for Don Valley (Caroline Flint), who laid out very clearly the implications of voting against the Bill. I hope that her colleagues on the Opposition Benches will listen to her. Let us be clear that, despite the misleading media attention, the Bill does not give the Government carte blanche to legislate as they please. First, the limitations imposed by the affirmative procedure will prevent major decisions from being made without the scrutiny they rightly deserve, and even the negative procedure means that the instrument appears on the Order Paper and can be called out. Secondly, as we saw last June, the electorate simply will not stand being dictated to by an over-powerful Executive. The electorate ultimately have the power in their hands.

It is pretty hypocritical of Opposition Members to use the delegated legislation as an excuse when, as the hon. Member for Vauxhall (Kate Hoey) pointed out last week, the previous Labour Government relied so heavily on that kind of legislation to carry them through. I would be pleased to see further discussion of the safeguards that must be in place as we go forward to reassure Members who have legitimate concerns about how we sift out the bits of EU law we want to look at or about how we use the delegated legislation procedures, but that is exactly what the Committee stage is for. I therefore say to colleagues that any concerns in that regard should not prevent them from agreeing in principle to the Bill, as we are being asked to do today. One change that I would like to see proposed at that stage is including the leaving date in the Bill to give my constituents confidence that we are working towards a date and that there will be no lengthy delay in our leaving. I am sure that we can look at that closely going forward.

The powers that this Bill would bestow on Government are necessary to amend 12,000 EU regulations that require adaptation and incorporation into our newly independent legal system. It should be pretty clear to all of us that we cannot hope to take each and every one of those possible changes as votes in this House and sit here for hours and hours having thousands of votes—that is just not doable.

If passed, the Bill will stand us in good stead in the negotiations, showing that we respect the EU and the legislation that is currently in place, and that we can make trade and other legal arrangements with the EU on its own terms, but also that we have a contingency arrangement in place should no deal arise. A vital part of any negotiation is the ability to walk away. Opposition Members still do not quite seem to understand that concept. Regardless of whether we voted to leave or remain in the referendum, the political reality is that we need to prepare for life outside the EU. By voting for this Bill, we are not only enacting the will of the British people but giving the Government the very best chance of getting a good deal from the EU in the negotiations ahead, and ensuring that there is a secure and sturdy legal framework in the event of no deal. Frustrating or stalling the passage of this Bill, as Opposition Members are trying so hard to do, presents a significant threat to our bargaining position and our security in the long term. Clearly, what the UK needs now is continuity. The time to push for more safeguards and other amendments will come when we look at this more closely in Committee.

I conclude by thanking the Leader of the Opposition, in his absence, for his visit to my constituency on Saturday; it was a fantastic event, actually. With Mansfield hosting the Tour of Britain last Wednesday, I said at the time that any event that brings people in from outside the area to spend their money in Mansfield is worthy of our support, so it was brilliant to see so many of his supporters arrive in buses from Islington to wave their banners in the park and to boost our economy by buying their lunch and all the rest of it. I take this opportunity to thank him for moving his party so far away from the traditional values of thousands of lifelong Labour voters in Mansfield that they decided to vote Conservative for the first time ever in June. On the doorstep, their reasons were very consistent—“Brexit and Jeremy Corbyn”. The two are very closely connected. I remind the right hon. Gentleman that residents in Mansfield will not thank him if he attempts to frustrate and delay Brexit when we vote on this Bill. They do not want political games—they want a commitment to Brexit. Speeches by Opposition Members like that of the right hon. Member for Tottenham (Mr Lammy) and others just go to prove that the only way to get that is from this Conservative Government.

9.42 pm

Tulip Siddiq (Hampstead and Kilburn) (Lab): When a Conservative former Attorney General looks at a Bill and describes it as an “astonishing monstrosity”, it is clear that somewhere something has gone wrong. When a Conservative former Chancellor of the Exchequer says that we are facing the prospect of frittering away parliamentary democracy, something is not as it seems. When hundreds of thousands of people, whether it is June Barnes in Kilburn or Peter Singer in Hampstead, feel compelled to email their MP saying that they are in shock at the Government’s tactics, it is clear that the ministerial power grab at the heart of this Bill is unacceptable and brazen.

I am told that the Prime Minister campaigned to remain in the EU, and that has made her transformation into Brexiteer-in-chief even more difficult to stomach. The hard Brexiteers back-slapped and sneered their way through the referendum campaign saying that they would “take back control”, but the irony is that what the
Government are asking for in this Bill actually takes control away. It proposes taking away control of the law from Parliament, taking away control of governance from all our regions, and taking away hard-won rights from those who live and work here. Not only will this Bill be dangerous to our country’s integrity; it also poses a serious challenge to hard-fought-for rights of my constituents and many across the country.

Let me be clear that my opposition to the Government’s intended mass deployment of secondary legislation is due not to a prosaic attachment to the purest form of primary legislation but to the very real consequences it could have for my constituents’ lives. The decision to withdraw from the EU charter of fundamental rights is, at best, problematic and, at worst, actively contemptuous of the rights that protect all aspects of citizens’ lives. The EU charter of fundamental rights covers a broad set of protections that guarantee individual freedoms and rights, from the prohibition of torture and the right to life to holiday entitlement and working conditions. Without it, for example, workers in London, whose air quality is already at an illegal level, would lose layers of protection.

I would like to know which rights in particular the Government object to; perhaps the Minister can tell me. Is it the right to life, or the prohibition of torture and degrading treatment and punishment? Perhaps the Government take issue with the charter’s codification of equality rights, or perhaps the Secretary of State has a new-found disregard for privacy laws. Paying lip service to human rights is no guarantee of human rights, and introducing legislation that cannot be properly scrutinised to human rights is no guarantee of human rights, and the explicit disregarding of the charter risks the rights of working people.

The Government may ask why the British people should not simply trust them to replicate any protections and rights in forthcoming legislation. Well, when certain Conservative Members believe that rape victims should not have access to abortion, I do not blame the public for being sceptical of the Government and their ability to rule.

The Bill not only poses challenges to parliamentary scrutiny and people’s rights, but sends a stark message about the trajectory of devolution in this country, if one examines clause 11. The Government could have used the Bill as a real opportunity to address the governance of our regions. If there was ever a time to empower the newly elected representatives, it is now. As with the rights of the EU charter, it seems as though the Government are asking devolved nations to take their promises in good faith, and asking individual nations and regions to accept Whitehall control again. Curbing the scope of devolution and the ability of devolved bodies to act, particularly at this time, sends out a troubling message.

I am a London MP, and there is no doubt that Brexit will have a disproportionate impact on London, with 1 million EU nationals living in the city and making up 15% of the employment force.

**Catherine West:** I am grateful to my hon. Friend for giving way on the point about the London economy and EU nationals. Does she agree that an increasing number of EU nationals are very concerned, not just about the cost of their citizenship but about the constant changing of the goalposts by the increasingly incompetent Home Office?

**Tulip Siddiq:** I agree with my hon. Friend’s point. There are 17,000 EU nationals who live in my constituency, and they constantly come to my surgery because they are worried about the half-baked practice papers that are being put in front of them. In terms of the London economy, which my hon. Friend also mentioned, by 2020 a quarter of the GDP of the entire country will come from London alone. We have 800,000 private sector businesses. The Bill gives Ministers the power to modify retained EU law, and clause 11 stipulates that such powers should not be handed to the devolved authorities.

With the EU charter a thing of the past, London’s EU nationals will, as my hon. Friend suggests, have the right to question what their future holds and what rights will be guaranteed. An honest conversation is urgently needed on post-Brexit immigration arrangements and migrant protections for the huge population of non-EU citizens in London, and the Bill does not provide that. A lukewarm commitment to seek consent from devolved bodies will not do. Serious steps must be taken to mitigate the disproportionate impact that Brexit will have on the city where my constituency is based.

I will proudly vote against the Bill today with my Labour colleagues. The display put on by my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) last Thursday revealed this Bill to be everything that campaigners warned it would be. It is a shoddy power grab that disrespects the democratic traditions of our country and throws hard-fought rights into total jeopardy, and the Government should be ashamed of themselves for introducing it.

**Suella Fernandes** (Fareham) (Con): Despite some of the benefits that the UK has derived from its membership of the EU, overall, and overwhelmingly, our membership has had a corrosive effect on democracy. For decades, the political class in the UK has lacked the ability and accountability has diminished the potency of the one by the unaccountable and illegitimate EU. Whether for media headlines and an emphasis—on political correctness and polls. Moreover, EU law and judgments, leading to an inherent insecurity in British politics. This has been partly fuelled by a sacrosanct belief in experts, a disproportionate desire for media headlines and an emphasis—an unjustified emphasis—on political correctness and polls. Moreover, it has been driven by the ultimate power grab, which is the one by the unaccountable and illegitimate EU. Whether in trade, immigration, tax policy, or agriculture and fisheries, the power to determine the direction of this country has been stolen from our Parliament by the EU.

That sums up the EU: its inherent lack of legitimacy and accountability has diminished the potency of UK politics, leaving us with an exaggerated sense of
powerlessness, and a dulling of politics through a spiral of technocratic and administrative decisions. Whether we talk about trade, immigration or our courts, the EU has killed off innovation in politics. Through this Brexit Bill, we have a chance to reignite the ability to inspire and enthral through politics, law and justice, and that is why I am delighted to speak in its support.

The Bill is an essential piece of legislation and an integral part of the machinery that will make Brexit a reality and ensure that this Parliament rightly and faithfully honours the democratic instruction sent us by the British people in last year’s referendum. The reason why it is a prerequisite of Brexit and fundamental for this historic chapter in our country’s history is that it will achieve the central objective of those who voted leave in the EU referendum and of those who, although they did not support it, have come to accept the vote for taking back control of our laws. The Bill’s objective is to transcribe EU law in UK law, so that this Parliament—a beacon of democracy emulated around the world—will regain its power over whether and how such laws should apply.

Stephen Gethins: Will the hon. Lady tell us in what way the House of Lords is more accountable to the democratic populace than the European institutions?

Suella Fernandes: Through the Bill, our UK Parliament will regain authority over whether and how EU law will apply, and that is what honouring the result of the EU referendum is all about.

This Bill is necessary to ensure an orderly Brexit. The alternative does not bear thinking about. It is chaos, uncertainty and the abrupt evaporation of laws overnight, leaving us with nothing but a legal vacuum on the day after we have left the EU. That is what those who oppose the Bill are asking for, which is why I urge Labour Members to reconsider their position in opposition to the Bill and to vote for the pragmatism and necessity that it encapsulates.

A vote against the Bill is a vote in breach of voters’ trust and a vote for chaos for two reasons. First, the fact that the Bill has the effect of placing all current EU law into UK law is eminently sensible. Many of the laws will work in UK law without amendment, but some will need to be amended. There has been much criticism of the Henry VIII powers, but it is exaggerated and unjustified. The Hansard Society has calculated that of the 23 Government Bills in the 2015-16 parliamentary Session, 16 contained a total of 96 Henry VIII powers to amend or repeal primary legislation. Of those powers, 65 were included in Bills when they were introduced, and a further 31 were added to Bills during their progress through Parliament. There is therefore nothing alien or sinister about such powers, and to suggest otherwise is unjustified and disproportionate.

The Opposition have proposed no alternative. If there were individual votes to amend the EU laws, that would mean an individual vote on all 20,000 EU laws. If we conducted the process in that way, it would take over 200 days of parliamentary time, sitting 24 hours a day, seven days a week. An alternative would be to have a debate on every page of the law, but that would mean debates on over 600,000 pages of law. That leaves us with the only option of abandoning all EU law, which, as I have said, would mean legal chaos.

Secondly, the Bill is important because it repeals the European Communities Act 1972, which gives force to judgments from the European Court of Justice and regulations without any further need for scrutiny by Parliament. That is the biggest power grab to which this country has been subject. Politics should be less about mechanistic procedure and more about the big vision; less about systematic management and more about creating on a grand scale with radical thinking, setting a blueprint for society. Brexit is a birth and a chance for a new beginning, not a death. Now there is a chance for those who campaigned to leave the EU and those who see the opportunity ahead, even if they did not campaign for it, to unite in painting that bold and bright vision of the future of our country and of the world. For those who cannot or will not see that, the politics of yesterday may be good enough for them, but not for me.

9.55 pm

Mr Geoffrey Robinson (Coventry North West) (Lab): I shall be brief and to the point, as we are about to reach a critical stage in proceedings.

Like many hon. Members, particularly Opposition Members, I voted to remain in the European Union. Like many others, I was active in my constituency and throughout the west midlands in arguing that case, particularly to the manufacturers and traders for which the region is well known. I was disappointed, like many people, that the referendum turned out the other way. A result of 48:52 is pretty close, but in Coventry it was 40:60—60% of people voted to leave and 40% to remain.

When it came to the triggering of article 50 in the House, I had little doubt in my mind—indeed, I would never think of going against a clearly democratic vote—that we would have to do so, and we duly did. However, I also set out a couple of points that I thought would be essential if we were to avoid the worst aspects of what Brexit could mean: we needed a transitional period to the new arrangements, and those arrangements should be as soft as possible. I believe that both those points are as valid today as they were then. I agreed to sit back and watch how far the Government could get on achieving them. Unfortunately, they have not made much progress that anyone in this country or in Europe has noticed.

On the transitional arrangements, which would imply a period during which we would be in the single market and in the customs union, we have seen a remarkable performance. On the single market, half of the Cabinet is in and the other half is out; and another day the other half is in and the other half is out. The same goes for the customs union. What sort of negotiating activity that is I do not know. I cannot imagine what other kind of activity it is, but it is not skilful negotiation. We have not made any progress at all—if anything we have gone backwards on both those important considerations on which I was particularly looking for progress so that I could continue to give my unqualified support by recognising the vote in my Coventry constituency and happily supporting my constituents.

The simple fact is that the Government, having made a dog’s breakfast of the negotiations, have asked us to trust them to go ahead and change the laws of this land with a Bill that has been roundly criticised—I will not try to rise to the heights of hyperbole reached by colleagues on both sides of the House—as a travesty of
good government and good legislation. The Bill is clearly full of faults, defects and inadequacies that have to be put right. The Government say, “Trust us, we will put them right.” They say that at the end of the process we will have a Bill that meets the needs and has the guaranteed support of the House. I say no to that; it will not do. Given their record in the negotiations, they are neither competent nor honest enough to deliver what is possible, and there is insufficient determination in the Executive or civil service to do so.

10 pm

The debate stood adjourned (Standing Order No. 9(3)). Motion made, and Question put forthwith (Standing Order No. 15).

That, at this day’s sitting, proceedings on Second Reading of the European Union (Withdrawal) Bill may be proceeded with, though opposed, until midnight and Standing Order No. 41A (Deferred divisions) shall not apply.—[Andrew Stephenson.]

Question agreed to.

Debate resumed.

Question again proposed, That the amendment be made.

Mr Speaker: Does the hon. Member for Coventry North West (Mr Robinson) wish to conclude his oration, or has he already concluded it?

Mr Robinson: I would, very briefly, like to conclude. Thank you very much, Mr Speaker. The pause, if anything, has given me new breath and I shall seek to expend it.

I was saying that the Government have introduced the Bill with the words, “Trust us, we’ll put it right.” Nowhere has the Bill been more eruditely or expertly criticised than on their own Benches by the right hon. and learned Member for Beaconsfield (Mr Grieve), who unfortunately is not here for these latter stages. He has exposed it as being a shoddy Bill that should never have been brought forward.

We say very clearly to the Government tonight that, as far as the negotiations go, a transitional arrangement is vital. Soft terms are equally important for our manufacturers, traders and financial companies—everybody on whose livelihood the wellbeing of this country depends. If we go for the mess the Government are currently promising us, I regret to say that we will have a very hard Brexit and the citizens of the whole country will take a very hard economic knock to their wellbeing. I want to avoid that, so I say take the Bill away. Bring back a corrected Bill that is decently presented and does not try to wrench power away from Parliament for ends that we cannot yet even specify. Bring it back in a shape fit enough that we could be justified in voting for it.

10.2 pm

Stephen Kerr (Stirling) (Con): I rise with enthusiasm to support the main principles of the Bill and its Second Reading. We have heard many excellent contributions and I would like to express my appreciation for the quality of this debate. To me, the debate comes down to something rather straightforward. When this House passed the Bill to hold an in/out referendum on the United Kingdom’s continued membership of the European Union, it entered a compact with the British people to act on their direct instruction. This Second Reading debate is about main principles. The first principle of the European Union (Withdrawal) Bill is to repeal the European Communities Act 1972 on the day we leave the European Union. A vote against that principle will be an attempt to set aside the result of the referendum and a base disrespect to the British people—it is as uncomplicated as that.

The second principle of the Bill is to convert EU law, taken as a whole, into UK law so that we can have a stable and functioning statute book on the day we leave the European Union. A vote against that principle would create the potential for instability and uncertainty, because we would have a broken statute book on the day we leave the European Union. It is no more complicated than that. This is a grand moment for British pragmatism.

Sincerely held concerns have been and are being raised about the Bill’s so-called Henry VIII powers. A number of right hon. and hon. Members on both sides of the House have made positive suggestions that deserve the careful consideration of those on the Government Front Bench.—[Interruption.] Thanks for the prompt. There is clearly a willingness on the part of the Government both to listen and to accommodate, and I fully expect them to be as good as their word. That said, I find it strange that some of those who object so strenuously to the so-called Henry VIII powers and the Bill seem not to have had any concerns over the past 44 years when Governments have been expected to enact a steady stream of EU laws and regulations that neither the Government nor Parliament have had the power to change or the capacity to scrutinise properly.

Bill Grant (Ayr, Carrick and Cumnock) (Con): Does my hon. Friend agree that as a nation we need to learn to respect the outcomes of referendums? We have had two major referendums in the UK, but we seem repeatedly to fail to respect the will of the British people.

Stephen Kerr: My hon. Friend’s excellent point brings me neatly to the nationalists, who have called the Bill a power grab and a threat to the devolution settlement. It is no such thing. They cannot name one power that the UK Government intend to grab back any devolved powers.

Joanna Cherry (Edinburgh South West) (SNP): Does the hon. Gentleman agree with the Law Society of Scotland, a non-partisan body, that the Bill would remove legislative competence from the Scottish Parliament, including in areas of law not reserved to the UK, such as agriculture and fisheries? Has he read the Bill?

Stephen Kerr: The answer to the first question is no. I remind the hon. and learned lady, however, that it was a Conservative Government who passed new powers to the Scottish Government, and there is no evidence, other than in the feverish imagination of SNP Members, that the UK Government intend to grab back any devolved powers.

To the contrary: I have lost count of the number of times Ministers have said in this House and elsewhere that they anticipate that the Scottish Parliament will have new enhanced powers because of Brexit. The irony is that the SNP, if it ever got its way, would haul those very powers back to Brussels. The SNP Government
have spent the past 10 years power grabbing for themselves from local government and local communities, and their incessant centralising of power has undermined the very fabric of local democracy in Scotland. Just a few days ago, Scottish Ministers, against all advice, including from their own reporter, ran roughshod over local democracy in Stirling by foisting a huge commercial development on scenic greenbelt at Park of Keir. Many of my constituents—

Brendan O’Hara (Argyll and Bute) (SNP): On a point of order, Mr Speaker.

Mr Speaker: Order. I hope it is genuinely a point of order, rather than one of frustration from the hon. Gentleman.

Brendan O’Hara: I merely ask for guidance on the relevance of the hon. Gentleman’s speech on greenbelt and the Scottish Government to the topic of debate.

Mr Speaker: If the speech had been disorderly, I would have ruled as such, but it wasn’t, so I didn’t.

Stephen Kerr: Thank you, Mr Speaker.

Many of my constituents in Dunblane and Bridge of Allan are rightly angry at this power grab by the SNP. That is one of many such examples.

I have no hesitation in telling the Government, whom I am proud to support, that I want them to get on with Brexit. It will bring opportunities, and we must make the best of them. I want to get on with those free-trade deals across the world. We already know that customers globally have an insatiable appetite for Scottish food and drink, including Scottish salmon, and since Stirling is now the UK’s centre of excellence and innovation in salmon, and finish aquaculture in general, I declare a vested interest. Those in the House who gleefully seize on every statement by EU negotiators, at the supposed expense of Her Majesty’s Ministers, should consider how their antics appear to the voting public. We must work together across parties to get the best deal for the British people, and I have the utmost faith and confidence in my right hon. Friend the Secretary of State for Exiting the European Union and his ministerial team to do just that. We must be, among ourselves, united.

The Bill represents the best kind of pragmatism, for which this country is rightly renowned around the world. It will efficiently allow us to leave the European Union, it will allow our devolved Administrations to make more decisions about the lives and livelihoods of the people whom they serve, and it will allow us to have a statute book that functions on the day we leave the European Union. I celebrate its British pragmatism.

10.10 pm

Nick Thomas-Symonds (Torfaen) (Lab): It is a pleasure to follow the hon. Member for Stirling (Stephen Kerr).

Let me make it clear at the outset that since the referendum of 23 June last year, I have always respected the outcome of the vote, both in my constituency and throughout the United Kingdom. That is why I have spent the last 15 months arguing for the best possible Brexit deal, which will secure jobs and prosperity in my constituency. This Bill, however, is not about the principle of withdrawal from the EU. It is about constitutional arrangements, and, as a Welsh Member of Parliament, I note in particular that the Welsh Government does not have the power to amend retained EU law—in other words, the law that is brought back via the Bill. This is about the kind of democracy that we are, and it is about the rights of our citizens. As I said in an earlier intervention, citizens currently have the right to take the Government to the European Court when they are found wanting in respect of certain matters, including environmental matters. Where is that remedy, or its replacement, in the Bill? It is not there.

Above all, there is the argument—I have heard it on a number of occasions, and I respect it—about bringing powers back to the House of Commons. The Bill does not achieve that. It is not so much a Bill to take back control to Parliament as a Bill to take control away from the legislature and give it to the Executive. I am deeply concerned about the Henry VIII powers in clauses 7, 8, 9 and 17; to put it simply, I do not trust Tory Ministers with those powers.

At the weekend, I was very interested to read a leaked letter signed by, apparently, up to 40 Tory MPs. It set out various red lines in respect of the transition deal that they want to see. What did it say about Henry VIII powers? It said: “There can be no Henry VIII laws which automatically add EU/EEA laws onto our statute books”.

How are we, as Opposition Members, supposed to trust Ministers with Henry VIII powers when their own MPs will not?

I looked back at the past to see whether there is any precedent for handing over such powers to the Government. I had to go back as far as the Rating and Valuation Act 1925, would you believe, to find an Act that allowed Ministers to change the provisions of that Act. It states that “any such order may modify the provisions of this Act so far as may appear to the Minister necessary or expedient for carrying the order into effect”.

That led the Lord Chief Justice of the day, Lord Hewart, to write a book called “The New Despotism” in 1929— I recommend it to Ministers—about what he called “the departmental despot”, who would be in a position to carry out law making away from proper accountability, away from scrutiny, and away from the reach of ordinary law.

Mr Tanmanjeet Singh Dhesi (Slough) (Lab): I agree with my hon. Friend. That clauses 7, 8 and 9 are Henry VIII clauses, enabling Ministers to repeal and replace elements of the statute book at will and implying that our Parliament will not be able to take back control. It is clear that, rightly respecting the British public’s decision, we will be leaving the EU because article 50 has been triggered, but does my hon. Friend agree that, as it stands, the Bill is fatally flawed because it amounts to a power grab by Ministers?

Nick Thomas-Symonds: My hon. Friend is absolutely right that it is fatally flawed, and that is why I will vote against it with him. Friends in the Lobby tonight.

I will simply never be able to trust Tory Ministers with things like workers’ rights, environmental protections and consumer rights. Let us take workers’ rights as an example. The Prime Minister has promised to retain all our workers’ rights as long as she holds office. In light
of recent events, I hardly think that is particularly comforting, but in case we have any other doubts, let us just see what the then Tory Employment Minister, currently the International Development Secretary, said during the referendum campaign. She gave a speech at the Institute of Directors on 17 May 2016, about a month before the referendum. What does she want to do? To quote her, she wants to “halve the burdens of the EU social and employment legislation”. That is what the Tory Employment Minister said at the time of the referendum. It is no surprise that the Tories cannot be trusted now.

**Christian Matheson** (City of Chester) (Lab): Did my hon. Friend see last Tuesday’s Order Paper, which listed a whole bunch of private Members’ Bills tabled by Brexiteer Conservative Members, including a Bill to take away the working time directive?

**Nick Thomas-Symonds**: I am grateful to my hon. Friend for drawing attention to that, and it simply reinforces the case we are making: that Tory Ministers simply cannot be trusted with powers of this nature.

We have also frequently heard the argument about the need for legal certainty, but the Bill as drafted does not provide that legal certainty. What guidance does it give to judges post-Brexit as to how they are supposed to interpret the law that originated from the European Union? Absolutely none. The idea of a preliminary reference to the European Court is of course no more, because of the red line on the ECJ. That is completely gone. The remedy that citizens once had to go to the European Court is also gone. So the idea that, post Brexit, the Bill will assist our constitutional arrangements and provide clarity is simply wrong.

**Mr Mark Francois** (Rayleigh and Wickford) (Con): No, people will not be able to go to the ECJ—the hon. Gentleman is right about that—but they will be able to go to the British Supreme Court, just down the road from here, where decisions that affect them and their countrymen will be taken by British judges according to British law. What is wrong with that?

**Nick Thomas-Symonds**: I have nothing against British judges taking decisions. What I am talking about is the failure of this Bill to provide clarity about how the law now will be transposed into the law then. Let us talk about a judge down the road who is faced, for example, with a citizen demanding a remedy of holding the Government to account for failure to deal with pollution. They would previously have had a right to go to the European Court. What will be their right under the European Court? The Government have absolutely no idea. Let us have a Bill that gives that clarity post Brexit, which this Bill manifestly fails to do.

**Mr Francois**: Will the hon. Gentleman give way again?

**Nick Thomas-Symonds**: No, I am not giving way again; I have given way three times, and many Members want to speak in this debate.

Let me summarise by saying this: the Bill is shoddy, and undermines the parliamentary democracy that it was meant to enhance. It is not worthy of support, and I urge colleagues not to support it tonight.

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**Several hon. Members rose—**

**Mr Speaker**: Order. A five-minute limit on Back-Bench speeches must now apply if I am to accommodate colleagues.

10.18 pm

**Robert Courts** (Witney) (Con): It is an honour to contribute to this historic debate, and to follow the hon. Member for Torfaen (Nick Thomas-Symonds), who made an impassioned contribution.

I would like to start with a sober analysis of what the Bill is really about. It is about an overall approach. It is essential for a smooth and orderly exit from the European Union and provides the continuity that is needed for businesses and individuals alike. It is badly named, too—in the early stages of its progress it was called a repeal Bill, and the press call it that, but is much better seen as a continuity Bill. It is more notable for what it does not do than for what it does.

I suggest that it is incumbent on those who propose to vote against the Bill—rather than those who feel that it needs amending—to say what they would do instead to transfer EU law into British law. We have heard nothing from Labour Members about how they would achieve that. There are, of course, options. We could in theory simply ignore EU law, but that would lead to chaos, and I am sure no hon. Member would want that. Or we could vote on every measure that we need to transpose from EU to British law. But as we have heard, if we spoke 24/7 on such matters from this day onward, we would need 200 days of parliamentary time. That is not a practical option. That is why we need the Bill.

This is a necessary Bill that will perform the sensible task of providing continuity by moving the acquis of EU law into British law on the date of leaving. Essentially, it will turn off the tap on further EU regulations, but will not pull the plug and drain away any of the existing regulations.

We need some sober analysis of the Bill’s purpose, because it is not intended to give the Government sweeping new powers. It will not give the Government powers to pick and choose which regulations to keep or dispose of. That will be a matter for this sovereign Parliament in the years that follow. The Bill simply seeks to change, on a technical basis, references to EU bodies that will no longer be relevant into references to the relevant British bodies. As the Secretary of State said, it is not for Ministers to change laws because they do not like them. The Bill is also—this is a crucial point—strictly limited by the sunset clause to two years after the exit date.

We have heard about scrutiny, and parliamentary scrutiny is essential. The Government have said that all substantive policy changes will be strictly the preserve of the Bills to follow on trade, agriculture and immigration. As we all know, statutory instruments have been used for many years to deal with less contentious regulations. They are a parliamentary procedure. Members will be able to pray against them, and it is not true to say that that will bypass Parliament. Every regulation will be subject to parliamentary procedure, particularly in cases where the affirmative procedure is used.

The Secretary of State has made it clear, and I welcome this approach, that when constructive suggestions are made on drafting and scrutiny, the Government...
will listen, but the appropriate time for such observations
is in Committee. None of those points, many of which
have been very constructive, are any reason to vote
against the Bill tonight. That would lead to chaos and
induce exactly the hard Brexit that so many Opposition
Members have mentioned.

This is an important Bill and I urge the House to
support it. We will look at constructive suggestions in
Committee, but now is not the time.

10.23 pm

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op):
The last seven hours have demonstrated what this place
does best. My right hon. Friend the Member for Don
Valley (Caroline Flint) and my hon. Friends the Members
for Lewisham East (Heidi Alexander), for Gedling (Vernon
Coaker), for Wakefield (Mary Creagh) and for Cardiff
South and Penarth (Stephen Doughty) have made excellent
contributions to the debate. They have demonstrated
that this Chamber of this House of Commons is able to
debate matters in a way that no other place can, and
that is what makes the content of the Bill so offensive.

Listening to Government Members today, I have
heard several variations of something that they will all
know is called the politician’s fallacy: “Something
must be done. This Bill is something. Therefore we must do
it.” I heard no substance or content, simply an argument
that this is what we have and therefore we must do it.
Nobody on the Opposition Benches is arguing that the
whole adoption of European law should not take
place; the argument is that the way in which the Bill is
written is an affront to the democratic values that we
hold dear.

We have heard from the right hon. Members for
Basingstoke (Mrs Miller) and for Broxtowe (Anna Soubry),
the right hon. and learned Member for Rushcliffe
(Mr Clarke) and the hon. Members for Bromley and
Chislehurst (Robert Neill), for Gainsborough (Sir Edward
Leigh), for Chelmsford (Vicky Ford), for South Thanet
(Craig Mackinlay), for Wellingborough (Mr Bone), for
Eddisbury (Antoinette Sandbach), for Poole (Mr Syms)
and for Totnes (Dr Wollaston) that the Bill is flawed.
They have all said in their own words that the Bill is
flawed, but they have hope, anticipation, expectation
and trust in the Government. They have been assured
that amendments will come forward to assuage their
concerns. Rather than consider what might come, I ask
them to look at how this Government have treated this
House. The article 50 vote was delayed while the Prime
Minister pursued a legal case to prevent her own Members
from having a vote on it. There is a motion before the
House tomorrow that will rig the Committee system to
allow a minority Government to have a majority on Bill
Committees, which is simply unacceptable.

Mr Francois: Will the hon. Gentleman give way?

Gareth Snell: I will not.

Words such as “the Minister may make regulations”
are littered throughout the Bill, and clauses 7, 8, 9 and
17 produce unprecedented levels of power for the Ministers
on the Treasury Bench. We are to understand that they
have been in listening mode today, but when asked
either by Government Members or by Opposition Members
to address some concern not once have they intervened
to do so. They have sat quietly, passing notes—I can
only presume to the Government Members who delivered
their whipped speeches so wonderfully—instead of making
a contribution to the argument.

Mr Francois: Will the hon. Gentleman give way?

Gareth Snell: No, I will not give way.

We also have a programme motion that seeks to allow
64 hours of debate on what Government Members have
described as one of the greatest constitutional changes
in their lifetime. The money resolution seeks to allow
any amount of money to be spent by Ministers if they
deem it necessary.

Mr Francois: I will give you one last chance.

Gareth Snell: No, I am not going to take it.

The ways and means resolution allows for “any taxation”.
I thought the Conservative party was opposed to general
taxation, but its Members are voting this evening for
taxation for the sake of paying for a Bill that they will
not allow to be scrutinised in this House. We are elected
by our constituents as equals to have a say on the future
of our country once we leave the European Union. No
seat delivered a greater leave vote than mine. My constituents
made their voice clear and I respect that, but they sent
me here to get the best deal for them. I will be denied
that right if I vote for this Bill’s Second Reading this
evening.

The leave campaign talked about taking back control,
but this Bill takes control away from Parliament. We
will be relegated to observers in something that we have
been told is the greatest constitutional event of our
lifetimes. I will be joining my colleagues in voting against
the Bill’s Second Reading, because it is not what my
constituents want, it is not what I came here to do, and I
refuse, like my hon. Friend the Member for Lewisham
East, to vote myself out of a role in the Brexit negotiations.

10.28 pm

Chris Philp (Croydon South) (Con): It is a pleasure to
follow the energetic speech of the hon. Member for
Stoke-on-Trent Central (Gareth Snell). This is of course
a Second Reading debate and we should properly be
considering the general objectives and principles of the
legislation. I think there is in fact some measure of
consensus around the fact that such a Bill, or one
similar to it, is required to give practical effect to our
departure from the European Union. Even the right hon. and
learned Member for Holborn and St Pancras (Keir
Starmer) admitted in his speech on Thursday that something
like this was required, and even the House of Lords
Constitution Committee accepts that something like
this is necessary. It is clearly reasonable, when we have
to pass 1,000 statutory instruments to effect leaving the
European Union, that we do something like this Bill. I
remind Opposition Members that all those 1,000 statutory
instruments are voteable, should they wish. The idea
there is no democratic scrutiny is not accurate.

On Thursday and today, we have heard Opposition
Members claim that the Bill gives unfettered power to the
Executive, but it is very clear in both clauses 7 and
9 that the powers are circumscribed. Clause 7(1)
states that the powers can be used only to correct a
“failure of retained EU law...or any...deficiency”.
Clause 9(1) clearly states that the powers can be used only to implement the exit agreement, an agreement on which this House will have a vote. The idea that the powers can be used across the board does not bear scrutiny.

Clauses 7(6) and 9(3) make it completely clear that a whole range of things, such as introducing new criminal laws, cannot be done under this Bill. The powers are fairly clearly circumscribed. To top that, there are sunset clauses that mean the powers are strictly time-limited, which gives further reassurance.

Clauses 7(4) and 9(2) mean that the Bill itself can be amended by regulation. If there is one little tweak we might consider, it is exempting the sunset clauses from that provision, but that is the kind of fine tuning that can quite properly happen in Committee, rather than on Second Reading.

I have heard quite a lot of extraordinary hyperbole and crocodile tears from some Opposition Members in this debate. The right hon. and learned Member for Holborn and St Pancras, who is not in his place, said on Thursday that he feels the Bill disenfranchises Parliament, but for the last 40 years he has been perfectly content for regulations and laws passed in Brussels by qualified majority voting, with no veto or definitive say by the UK Government, to be implemented in UK law by Orders in Council without so much as a sniff of a vote in this House. Where was his righteous indignation for the whole of the last 40 years?

The hon. Member for Holborn and Kilburn, who is in her place—[Interruption.] Sorry, Hampstead and Kilburn. I should know, having stood in that constituency in 2010. The hon. Member for Hampstead and Kilburn (Tulip Siddiq) said the Bill is a wholesale threat to rights in 2010. The hon. Member for Hampstead and Kilburn (Tulip Siddiq) said the Bill is a wholesale threat to rights under EU law, but the Bill copies and pastes wholesale those rights into UK law. Any material amendment to those rights would have to be passed by a vote of this House. She specifically referenced human rights law. She obviously has not read clauses 7(6)(e) and 9(3)(d).

Tulip Siddiq: I have read them.

Chris Philp: The hon. Lady should know, then, that the Bill expressly prohibits these powers being used in any way to interfere with human rights law. She will have seen that the Bill expressly precludes her concerns.

The Scottish National party is going into paroxysms of apostasy at the merest hint that London might exercise even a smidgen of the powers currently exercised in Brussels. I have not heard a single word of protest in the two years I have been a Member about those self-same powers being exercised in Brussels. Where were the SNP’s shouts of indignation then?

Everyone seems to agree that the Bill is necessary. No doubt there are points of detail that can and will be improved on, but anyone who is serious about implementing the British public’s decision should vote for Second Reading this evening.

10.33 pm

Pete Wishart (Perth and North Perthshire) (SNP): I begin by trying to find a bit of consensus and agreement across the House. We are all basically agreed that we need to improve the Bill in Committee. Everyone seems to suggest that lots of amendments are required to improve this legislation.

I may have inadvertently misled the House last Thursday when I broke the crushing news that only eight days will be available in Committee, because actually only seven days will be available. That is because we are going to lose four hours out of the eight in days five and eight. So we will have seven days to rewrite the whole of the law system of the United Kingdom, whereas 41 days were given to the Maastricht treaty, 29 were given to the Lisbon treaty and 21 were given to entering the Common Market. We will have only seven days for this great repeal Bill—what an absolute embarrassment for this Government. They had better come back with a proper programme motion to give this House sufficient time—
and it has served us so well since then. This Bill drives a coach and horses through that. Indeed, it is worse than that, as the Law Society of Scotland tells us:

“The effect of the Bill would be to remove the legislative competence of the Scottish Parliament in relation to any matter in retained EU law. This would be the case even if it related to areas of law not reserved to the UK under the Scotland Act, such as agriculture or fisheries.”

Then we must consider the Henry VIII power, an innovation so spectacular in its political audaciousness that one of Henry’s executioners would baulk at the whole experience. We have our own powers, which I refer to as the Robert the Bruce powers. We are actually compelled to exercise them as part of this Bill, even though we might have fundamental concerns in respect of democratic oversight. We are sailing towards the big Brexit iceberg, but Scotland has an opportunity. We can get down below decks, get on that lifeboat labelled “Scotland”, get out on to the ocean and row as quickly as we can to the shores of sanity.

Several hon. Members rose—

Mr Speaker: Order. After the next speaker, the time limit on Back-Bench speeches will need to be reduced to four minutes. I call Liz Twist.

10.38 pm

Liz Twist (Blaydon) (Lab): First, let me make it clear that people in my constituency voted leave in the referendum, but they did not vote to risk the regulations and protections that they have to safeguard them. I want to talk about not clauses and regulations, but practicalities. My constituency has suffered serious problems arising from two landfill sites. Last year, we had three months of—not to put too fine a point on it—stench from one of the sites. The year before, we had a serious litter escape that blighted the local rural landscape.

The House will not be surprised to hear that many of us want greater environmental controls, not only on landfill sites, but to protect our rivers, air and natural environment. My constituents are worried about and want to retain all the employment and health and safety rights that they have under European regulations. It is crucial that Members of this House have the opportunity to examine the process of bringing those regulations into domestic legislation and how they are to be carried forward. In its reliance on secondary legislation, the Bill takes away the House’s ability—the ability of all us Members—to ensure that existing protections remain. I want to make sure that not only environmental but other protections from European legislation remain; if they will not, I want to be able to raise those issues with the Government and in the Chamber.

Government statements have said that they are going to transfer all regulations—everything is going to be okay, and it is all going to be incorporated into UK law—but as more than one Member has said today, the devil is in the detail. It is that detail that we need the opportunity to deal with. To use another well-known phrase, fine words butter no parsnips. The Government have come forward with fine words, but we need them to come forward with practical mechanisms to allow the proper scrutiny of regulations in this House, and they must do so.

10.41 pm

Tommy Sheppard (Edinburgh East) (SNP): Some Government Members seem perturbed at the description of clause 7 as a power grab, but given the breadth of its powers and the absolute and unqualified way in which they are presented, the legislation represents a transfer of political authority from the elected House of this Parliament to the political Executive of Government on a scale not seen in modern times. Any democrat should be concerned about that, but what concerns me more is Ministers’ justification for why such powers are necessary. They are effectively saying that this is now the only way that they can achieve Brexit and get the job done. That speaks volumes about the woeful inadequacy of the Government’s preparations for leaving the European Union.

It is no surprise: we all know and, indeed, have always known that the repatriation of European law and its integration into UK law would be complicated. It will throw up inconsistencies and anomalies and it will require further legislation. That is no secret. It is perturbing that 15 months after the referendum, having built a brand new, shiny Government Department, committed hundreds of millions of taxpayers’ money to the process and instructed thousands of civil servants on the job, the best the Government can come up with is, “Trust us; it will be all right on the night.” Where is the schedule of the principal EU laws that are to be repatriated, indicating the effect on domestic legislation and bringing forward legislative amendments for the House’s approval in order to make it work? Where is the schedule—the plan? There is none. It is a shocking abrogation of the Government’s responsibility.

If clause 7 is a power grab by the Executive, clause 11 is a power grab by the British state over the United Kingdom’s devolved national Parliaments. Let me explain it this way to my friends in the Scottish Conservative and Unionist party. Twenty years ago to the day, we voted to establish a national Parliament in Scotland. Our predecessors in this place went on to decide what its powers should be. If this country had control over fishing and agriculture back then, there would have been no dispute whatsoever: those powers would have been given to Holyrood. They would not have been included in schedule 5 to the Scotland Act 1998, which sets out the reserved powers. It would have been seen as an automatic, simple thing to do, yet that is not what is happening under the Bill, and we have to ask ourselves why.

We are being invited to trust Ministers, but I want to withhold my trust, because there are alternatives that they could have considered. They could simply have repealed the relevant bits in the 1998 Act and changed schedule 5. They could have repealed the measure and put in a new qualification on the Scottish Government to comply with whatever international agreements the UK forms in the future, or—here is the kicker—they could have said in the Bill, “This is our intention to devolve these powers,” and they could have put a time limit on that, after which it would automatically happen. The absence of that leads me not to trust the Government.

Drew Hendry: Does my hon. Friend agree that it would be incredible if the Scots Tories voted for this Bill to take powers away from Scotland, when even their leader, Ruth Davidson, says that this could do great economic harm to the UK?
Tommy Sheppard: I absolutely concur with my hon. Friend. I say to colleagues opposite: do not let yourselves be played for fools. It is quite clear that there is no intention to devolve. The reason why we warn about this Bill being a danger to devolution is that it is against not just the letter, but the spirit of the Scotland Act 1988, which achieved devolution.

Bill Grant: I thank the hon. Gentleman for giving way. Will you tell the House what powers will be taken away from Scotland with this Bill? Will you detail the powers that we are taking away—

Mr Speaker: Order. I can do no such thing, but the hon. Member for Edinburgh East (Tommy Sheppard) might be able to do so.

Tommy Sheppard: I find it incredible—Members on the Government Benches have had the answer to this question on three occasions. The point is that there is an opportunity in this place, in this month, in this debate to transfer powers from Brussels to Holyrood, and it is not being taken. Government Members invite us to trust them, but I fear that we cannot do so; if we could, they would have made clear their intention in the Bill. That is one reason why I will vote to decline giving this Bill a Second Reading tonight.

Bill Grant rose—

Tommy Sheppard: I ask the hon. Gentleman to please sit down, as time is very short.

Finally, many Members have stood up and said how their constituents voted over Brexit. Let me put this on the record: the people who sent me to this place to speak on their behalf voted by 74% to retain their European citizenship and against the process in which they have been dragged kicking and screaming every step of the way. We all agree that we will need to put European legislation into British law—in fact, I am quite surprised by how readily Government Members agree and cheerlead for that—but that while it is clear that the vast majority
of it will be uncontroversial and technical legislation that we need to get on with, there needs to be a triage process that brings before Parliament the things that do not fit into that category. Otherwise, what is the point of us?

This could be a watershed moment for our democracy. We know the cynicism about the work that we do here and our motivations for doing it. People who have watched us today will have seen us at our best, and they should see us do this every day on such important matters. This should be a watershed moment in the Brexit process, too, because we know how much of a struggle that is proving. We are wandering around the continent, drifting from place to place, never quite sure who is with us and who is not. Those are the characteristics of a bad stab do, not a negotiation strategy.

Today could be watershed moment. Across the House, we have had common cause about wanting to work as equal partners with our European friends. Let us do that. Let us take their invitations to speak at the European Parliament. Let us say today that we are going to protect the rights of their citizens who live in our country. Let us change our debate, because I find in life that, even with the most hardened enemy, once we stretch a hand out, it is incredible how often a hand is stretched back.

10.53 pm

Ruth George (High Peak) (Lab): It is a pleasure to follow my hon. Friend the Member for Nottingham North (Alex Norris).

As I said in the general election campaign and since to my constituents, I respect the result of the referendum, but this Bill is not about whether Britain leaves the European Union. It is about how we leave it, what role Parliament has in the process and how we safeguard all our vital rights and protections as we leave. I believe that Brexit must not lead to any drop in those rights and protections and that the power to decide them should be brought back to Parliament. In fact, bringing powers back to Parliament was one of the major arguments of Brexit’s proponents. In March 2016, the Foreign Secretary announced his decision on how he would campaign in the referendum, saying:

“Sometimes the public can see all too plainly the impotence of their own elected politicians… That enrages them… Democracy matters… At a time when Brussels should be devolving power, it is haulng more and more towards the centre, and there is no way that Britain can be unaffected.”

Well, we have not been unaffected. In fact, the Government are now looking to our decision to leave the EU as an excuse for far greater centralisation of power than we have had for almost 500 years. The Bill would put huge and unaccountable power into the hands of Ministers, sideline Parliament on major decisions and thereby put our crucial rights and protections at risk. Members should not just take my word for it.

Lloyd Russell-Moyle: Does my hon. Friend agree that the recent case of the Government acting illegally over employment tribunal fees is an example of how they cannot be trusted to act legally and justly for this country, and why Parliament needs to scrutinise them?

Ruth George: I absolutely agree.

The House of Commons Library, in its impartial comment, says:

“Clauses 7, 8 and 9 of the Bill grant the Government new and unprecedented powers.”

Parliament is being asked to grant wide powers when there is little idea yet of how they might be exercised.

I have seen for myself how the process of secondary legislation can be abused, when working on behalf of low-paid shop workers, many of whom are subject to attacks and injury. Five years ago, I was appalled at the secondary legislation Committee that debated some of the most abhorrent cuts proposed by the last Government—cuts to compensation for over 90% of innocent victims of crime. To their credit, every single Conservative Member on the First Delegated Legislation Committee called on the Government to withdraw or amend their proposals, including the right hon. Member for Wokingham (John Redwood), who is not renowned for his opposition to spending cuts.

However, instead of listening to their own Members and to the whole Committee, and instead of reconsidering the legislation, the Government just changed the Committee. Six weeks later, the same proposed cuts came back to a second Committee with three Parliamentary Private Secretaries, the vice-chair of the Conservative party and the Conservative party chair’s parliamentary adviser. As the hon. Member for Tonnes (Dr Wollaston) told us, the Conservatives on the new Committee said not one word during the two-hour debate on the proposals; instead, they simply voted them through.

It is wrong for the Government to use this Bill, which is fundamentally important to the process of Brexit, to seek such methods to undermine our powers in Parliament. This power grab is so significant that it undermines the primary purpose of the Bill—to transpose EU regulations into UK law.

We are expected to believe that the Secretary of State for Exiting the European Union is listening to the comments made on both sides of the House about the flaws in this Bill, but he has not been seen in the Chamber for the last seven and a half hours of this debate, so I am not quite sure how much he is listening.

Such sweeping powers as the Government are seeking would cause lasting damage to the role and power of Parliament and do nothing to help deliver the Brexit deal we need—one that puts jobs and the economy first and maintains our rights and protections.

As the hon. Member for North East Somerset (Mr Rees-Mogg) put it just a month ago:

“It is about control. Do we make our laws according to our own democratic principles on the day we have left or not?”

The Bill says that we do not. For that hon. Member and for all other hon. Members, this Bill is about upholding our democratic principles. By voting against it, I will uphold those principles.

10.58 pm

Sammy Wilson (East Antrim) (DUP): DUP Members’ starting point on the Bill is, “Does it help us deliver the will of the people of the United Kingdom to leave the EU?” We believe that it does. We believe that it is, in fact, an essential building block.

I have listened to the arguments that have been made today. Some Opposition Members—the hon. Members for Bath (Wera Hobhouse) and for Cambridge
(Daniel Zeichner) and the right hon. Member for Tottenham (Mr Lammy)—have made it quite clear that their reason for opposing the Bill is that they do not want to leave the EU. If they had stopped there, I could have understood their argument, but it is rather ironic that they go on to say how undemocratic the Bill is when they are quite happy to stay in the EU with directives and other laws going through without any reference to this House. In fact, 20,000 have gone through, yet those Members want to continue that.

Lady Hermon (North Down) (Ind): I am very grateful to the hon. Gentleman for allowing me to interrupt his rhetoric. There is one critical point that I would like him to address, and that is that the Bill is not going anywhere without the legislative consent of the Scottish Parliament, the Welsh Assembly and the Northern Ireland Assembly. We have no Assembly in Northern Ireland, so how will the Government get legislative consent?

Sammy Wilson: The fact that we do not have an Assembly in Northern Ireland might make it easier for the Government, but we will leave that aside.

The other argument that has been made is that the Bill is flawed and people want changes, yet the only way of getting them is to allow it to go to the next stage where the Minister has already made it clear he will consider amendments, provided that they are not designed as wrecking amendments.

May I make something clear from our point of view? We do not want to give the Government carte blanche to do whatever they wish. First, that is why we wanted to leave the EU. Secondly, we have had some experience of that in Northern Ireland. During the period of direct rule, decisions about the laws in Northern Ireland were made by Orders in Council in this place, which could not be amended. Of course, that sometimes led to bad law.

Arguments have been made against the Bill, claiming that it is a power grab. It is quite clear from what Ministers have said, from what the legislation says and from the restrictions placed on Ministers that that is not the case. First, it enables EU law to be brought into the sphere of this Parliament where eventually, if it is not appropriate, it can be amended through due process. Secondly, Ministers have made it quite clear that the powers in this legislation will be limited. Thirdly, they have made it clear that they will be only for technical amendments and that there cannot be changes, for example, that create criminal offences, change human rights, introduce new tax powers and so on. There are limits on what Ministers can do.

Ruth George: Does the hon. Gentleman agree with the House of Commons Library that in spite of what he has said it is difficult to ascertain how the content of the Bill can be regarded as any limit on the scope of the powers given to the Government under clause 17?

Sammy Wilson: Of course there are limits, and the ultimate limits is that we have heard speeches from Government Members today, and a considerable number of people, not just on the Opposition Benches, have made it quite clear that they perceive dangers in this Bill and would not give the Government a free hand. If Ministers tried to overstep the promises made on the Floor of the House and the limits on the face of the Bill, we can be sure of one thing: it will probably not be Opposition Members who stop Ministers doing that but Government Members. That is the ultimate brake on Ministers who try to abuse the powers that are being given to them.

Mr Francois: Reference was made earlier to the Lisbon treaty and, like me, as he was in the House at the time, the hon. Gentleman will remember debating it night after night. There is a fundamental difference between that and the Bill, in that the Bill can be amended in Committee or on Report, whereas we could not change a single dot or comma of the Lisbon treaty.

Sammy Wilson: Of course. That is the flaw in the argument of Opposition Members who have said that this Bill is flawed and therefore ought to be rejected tonight. If the Bill is flawed, the place to change it is here when it comes back for debate and amendment in Committee. That is the real test of whether people want an effective Bill, or no Bill because they do not want us to leave the EU in the first place.

Let us consider the impact of not having the powers in this Bill. First, we would now be gassed up for the next number of years in trying to get the legislation through. Secondly, there would be no certainty for businesses. I have heard people say here so many times, “We need certainty.” Well, the one way of having certainty is to transfer EU law into UK law so that there is a framework. Lastly, the Bill will enable Ministers, when they go out to negotiate our free trade deal with the rest of the EU, to ensure that we start from a basis of compliance and equivalence.

11.5 pm

Helen Hayes (Dulwich and West Norwood) (Lab): It is a pleasure to follow the hon. Member for East Antrim (Sammy Wilson). It was interesting to hear him say that he does not wish to give the Government carte blanche; I think he omitted the phrase, “Unless they give us £1 billion.”

My constituents voted overwhelmingly to remain in the European Union, and I have been clear in my commitment to continue to speak up for their views. In Dulwich and West Norwood, we are deeply concerned about the impact of Brexit on the economy, on our public services, on our rights and protections at work, on our justice system, on our environment, and on our local communities. We are concerned about the practical impact of Brexit on the number of nurses in our NHS, on the number of construction workers building the homes we so desperately need, and on rising inflation as a consequence of the fall in the value of the pound. We are also concerned about the impact of Brexit on our British values of tolerance, diversity and internationalism.

Over the past year, this Government have done nothing at all to reach out to the 48% of voters who voted to remain—nothing to reassure us that our legitimate concerns are being listened to and will be addressed. The Prime Minister sought to strengthen her mandate to implement Brexit on her terms at the general election, but her mandate was weakened. If one thing is absolutely clear from the general election result, it is that the Government absolutely do not have a mandate to implement Brexit.
on any terms. They do not have a mandate to implement a harmful Brexit. They do not have a mandate to be dishonest with the British people about the impact that Brexit will have, or to skirt over the detail of important constitutional change, yet the Government persist in running scared of parliamentary scrutiny, and have responded to criticism and the clear feedback of the UK electorate not by engaging, reaching out and reassuring, but by closing down debate. The Bill as drafted would put huge and unaccountable power into the hands of Government Ministers and put crucial rights and protections at risk. It is nothing less than a power grab for Tory Ministers, and it fundamentally undermines parliamentary democracy.

The single biggest commitment made by the leave campaign was to spend an additional £350 million a week on our NHS. There is no sign whatsoever that the Government are even close to being able to fulfil this commitment. The longer the negotiations progress, the less confidence many people will have that the Government are capable of negotiating a Brexit deal that will protect our national interests. Yet in the EU withdrawal Bill, this minority Conservative Government are seeking permission to implement Brexit on any terms, at any cost, and that is simply not acceptable.

The article 50 process has already eroded Parliament’s role in relation to the Brexit negotiations, denying a meaningful vote on the Government’s proposed final deal, and we are now being asked to surrender control over the future direction of legislation that derives from the EU. This EU withdrawal Bill is designed to set a baseline of legislation for erosion and dismantling, with no mechanism for keeping pace with future developments in EU law, rather than a foundation for further development and a strengthening of rights and protections. The Government cannot expect the British people to have confidence that they will still be able to rely on the protections and regulations we currently receive from the EU when the EU withdrawal Bill, as currently drafted, would give the Government the power to vary regulations at will.

The promises made by the leave campaign and the Government in relation to Brexit are fast proving to be the emperor’s new clothes, and I, for one, am not afraid to say that I cannot see them. My constituents did not vote for Brexit, and they certainly do not accept it on any terms. The Brexit negotiations must take place in an open and transparent way, and they must be accountable to Parliament. If, as I suspect, these promises cannot be delivered by Brexit, we must have the opportunity to reject the Government’s deal and go back to the drawing board. I urge Members across the House, whether they are in favour of Brexit or not, to reject this Bill because it places too much power in the hands of too few Ministers, it compromises the sovereignty of Parliament, and, in doing so, it works—

Mr Speaker: Order. I call Lloyd Russell-Moyle.

11.9 pm

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Mr Speaker,

“We will scrap the Conservatives’...White Paper and replace it with fresh negotiating priorities that have a strong emphasis on...the Single Market”
Mr Speaker: Order. Before I call Mr Russell-Moyle, I would point out that every intervention is mucking up the chances of the remaining speakers who want to make a contribution. I call Mr Russell-Moyle.

Lloyd Russell-Moyle: I agree. The Bill also—[Laughter.] I wanted to move on quickly.

The Bill also fails completely to mention or touch on how some of the soft-law mechanisms will be brought into the UK framework, such as the open method of co-ordination. It does not even mention that area of EU co-ordination. We will clearly want to adopt significant parts of it, but the Bill is completely quiet about it.

Of course there is a need to give Ministers certain powers, but even the emergency powers provided during the second world war were not powers for Ministers to spend unfettered amounts. This Bill gives Ministers the power to spend such amounts and gives them unheard-of powers. It is not a democratic Bill, and it cannot be classed as bringing power back to this country or to this Parliament. Clearly what we need to do tonight is to vote against this Bill. We need to send it back and get the Government to give us a decent Bill that will preserve our democratic rights for our people and for our Parliament.

11.16 pm

Joanna Cherry (Edinburgh South West) (SNP): Last week, we heard excellent forensic legal analysis, on both sides of the House, from the shadow Secretary of State for Exiting the European Union and from the right hon. and learned Member for Beaconsfield (Mr Grieve). I endorse much of what they both said but, for my part, I, like my SNP colleagues, will vote against the Second Reading of the Bill. There is no question that the Scottish National party could support the Bill until there is considerable movement towards respecting the wishes of Scottish voters who, as well as having endorsed the devolution settlement 20 years ago tonight, also voted to remain in the European Union.

Conservative and Unionist Members for Scottish constituencies seem to be a little hard of hearing and appear not to have read their briefings about the Bill—or indeed the Bill itself—so let me spell out for them why this is a power grab on the devolved institutions. I will use not my own words, but those of the non-partisan and neutral Law Society of Scotland:

“The effect of the bill would be to remove the legislative competence of the Scottish Parliament in relation to any matter in retained EU law. This would be the case even if it related to areas of law not reserved to the UK under the Scotland Act, such as agriculture or fisheries.”

There are some of the devolved powers that are being grabbed back.

If Conservative Members cared to examine the Bill with the attention it deserves, particularly in relation to Scotland, they would see that it creates a complex division of decision-making responsibility that does not reflect the reality of devolution. In particular, it empowers UK Ministers to make changes in devolved policy areas without any involvement of either the Scottish Government or Parliament. This includes policy areas such as the Scottish justice system, where the Scottish Parliament has primary responsibility. That is why we say that this Bill is a power grab.

Twenty years ago tonight, I hosted a party in my flat in Edinburgh for friends from all political parties that had voted for devolution in Scotland. The devolved scheme that followed was the brainchild of the late, great Donald Dewar.

Chris Law (Dundee West) (SNP): On the position of Scottish Conservatives on devolution, I thought that Scottish Tory MPs would be interested in some breaking news. The Scottish Conservative leader, Ruth Davidson, has said on the BBC in the past hour that she is “not flying the flag for Brexit”, and would in fact vote again for remaining in the EU. I would like to hear what my hon. and learned Friend has to say about that.

Joanna Cherry: My hon. Friend makes my point for me.

The point I was about to make is that 20 years ago in Scotland, people from all political walks of life voted for the devolved settlement. It is the settled will of the Scottish people. The question for the 12 new Scottish Tory MPs is: will they make their presence felt in this Parliament, and will they protect the democratic will of the Scottish people, including their own constituents, who voted for devolution 20 years ago by 75% and voted to remain in the European Union by 62%? Tonight is a test of their mettle. Will they represent their constituents’ views? Will they defend the devolved settlement in Scotland? Will they follow what their leader in Scotland, Ruth Davidson, has said, or will they troop through the Lobby like lobby fodder to undermine the settled will of the Scottish people and their constituents?

Several hon. Members rose—

Mr Speaker: Order. I call James Frith—three minutes.

11.20 pm

James Frith (Bury North) (Lab): I join the House only 48 hours after the birth of my son, Bobby James. Dads on this side of the House proudly change nappies before coming to Parliament; we do not get out of changing nappies because we are in Parliament.

Having considered how we exit the baby, I am now considering how we exit the European Union. As many Members have said, this is not about whether we leave but how. For me, opposing the Bill is scrutiny, not mutiny, on Brexit. I maintain a commitment that I made to the people of Bury North in my election victory to fight for a practical Brexit. I do not trust the Government to show Britain the best exit, let alone set out with vision and aplomb. Bombastic swagger, yes; vision, zero. It was going to be easy, we were told, but I ask for more grace in negotiation. Perhaps Ministers could remember the 48% as well as the 52% when handling Brexit. The referendum result was clear, fair and decisive, but in exiting we need a deal that works for the 48 and the 52, not the 1922.

I stood at the election with a clear view on Brexit that, as a remainer, I would fight for a Brexit that worked for everyone in Bury North. Whether people were leavers or remainers, it was time for unity—a practical Parliament that kept uppermost in people’s minds jobs, skills and opportunities for all. The result of the election did not change the Government’s instincts overnight. They have not changed their position on
workers’ rights, on access to justice, on working time, or on security and safety at work. Those measures were bombardeed on their way into law, and they will be picked apart by Government Members in the transition. The repeal Bill should be a copy and paste exercise, but instead the Government seek measures that would allow them not to copy and paste but to copy and cut. Decades of social progress, enshrined in law, are at the mercy of the pick-and-choose brigade who run the Tories. If foxhunting and grammar schools are back on the agenda, what of workers’ rights? I urge Members to vote against the motion. They should accept Brexit, but how we leave matters: they should not support the Government on the Bill.

11.23 pm

Melanie Onn (Great Grimsby) (Lab): The Secretary of State for Exiting the European Union urged us to vote for the Bill, and said:

“Providing certainty and stability in the lead up to our withdrawal is a key priority. Businesses and individuals need reassurance that there will be no unexpected changes to our laws after exit day and that is exactly what the repeal Bill provides.”

If the Government really wished to provide certainty they would guarantee in the Bill that there would not be any reductions in workers’ rights post Brexit. The Secretary of State and the Prime Minister have gone to great lengths to reassure us that people will not see any reductions in their rights at work under this Government, but the White Paper covers only two of the three main ways in which rights could be reduced after Brexit. The third is by leaving those rights in secondary legislation, coupled with the powers that the Government have sought to grant themselves in the Bill, which would allow any Government in future to water down basic privileges that people enjoy at work today. The only assurance we are being offered that that will not happen is the words of the Secretary of State asking us to trust him and his Government. I am afraid that it just is not good enough to ask us to place our faith blindly in the Government. The point has already been made in this debate that even if we were inclined to trust him based on his record, those around him continue to fail to convince us that they would carry through their lightly given assurances.

My right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), in his excellent speech on Thursday, quoted the Foreign Secretary, the International Trade Secretary and the International Development Secretary, who have all made their true intentions known on this issue. He could have added to that list the Transport Secretary, who said in 2014 that he wants to “slay health and safety culture”, or even the Prime Minister, who said that the Labour Government’s adoption of the social chapter showed their weakness in standing up to trade unions. According to the Prime Minister, the only reason a Government would ensure that part-time workers are treated the same as full-time workers, ensure that no one is made to work more than a maximum of 48 hours a week, or secure leave for pregnant women, is if a trade union made them do it.

I cannot in good conscience support the Government’s Bill, which I fundamentally believe fails to protect the scrutiny role of Parliament, and therefore puts the rights and interests of working people at even greater risk. I genuinely hope that Ministers will consider carefully and take on board the well thought out objections to the Bill from those on the Government Benches. However, I cannot share those Members’ optimism that the Government are listening all that closely.

11.26 pm

Mike Hill (Hartlepool) (Lab): I have cut down my speech, because it is almost the witching hour and the Brexit Minister needs to weave his magic.

I represent the town of Hartlepool and the outlying villages. I have about 96,000 constituents, and in the EU referendum, of those who voted, more than 70% voted to leave—the highest percentage in the north-east. Clearly, the vast majority of people in my constituency want Brexit. It is my duty, as their MP, to reflect that opinion, but I believe it would be a dereliction of that duty if I voted to give Ministers executive powers to implement changes to complex and important regulations without recourse to scrutiny by Parliament.

Despite all the rhetoric and spin, I do not see voting against this power-grab Bill as blocking Brexit—far from it. As a former union official, I know that if you allow the other side to have it all their way in negotiations you may as well not be in the room. That would not be acting in members’ best interests. I believe I am acting in my constituents’ best interests by voting to protect the right to hold the Government to account during the Brexit process. To do otherwise would be unacceptable and disrespectful to my constituents.

11.27 pm

Matthew Pennycook (Greenwich and Woolwich) (Lab): It is a pleasure to wind up this Second Reading debate. I pay tribute at the outset to all those who have contributed to it. Sadly, it is not possible to recognise all the impressive contributions that have been made over the course of this two-day debate, but I would like to single out and congratulate my hon. Member for Bury North (James Frith) on the birth of his son, and my hon. Friend the Member for Canterbury (Rosie Duffield) on her excellent maiden speech. She brought home to the House not only her love for her constituency, but how much it benefits from economic and cultural exchange with our partners in Europe.

A large number of contributors have stressed the historic nature of this debate, and they were right to do so. The Bill before us is one of the most constitutionally significant pieces of legislation in our country’s history and, in practical terms, will facilitate one of the largest legislative projects ever undertaken by Parliament. The maturity and seriousness of much of the debate that has taken place has rightly reflected the significance of the issues at stake.

The Opposition accept that the Brexit process requires legislation to disentangle the UK from the European Union’s legal structures and to ensure that we have a functioning statute book on the day we leave. Indeed, we acknowledge that this is an essential step if we are to avoid the most chaotic of departures, and as such the Secretary of State is absolutely right to argue that every hon. Member has a shared interest in getting the legislation right.

As many hon. Members have rightly argued, the Bill is not about whether Brexit will take place. As the Secretary of State made clear in his opening remarks last week, the Bill in itself will not determine whether we leave the European Union. That decision was taken
on 23 June 2016 in the referendum and was given effect by the triggering of article 50, an act of notification that was itself only possible because this House, including Labour Members, overwhelmingly backed the Government’s European Union (Notification of Withdrawal) Bill. What is at issue is how we leave, the role of Parliament in that process and the precedents we set. As the right hon. and learned Member for Rushcliffe (Mr Clarke) argued in a characteristically incisive speech on the first day, the question is whether a Bill such as this is necessary but whether this particular form of the Bill is remotely acceptable. Quite simply, we do not believe it is.

Of the significant number of speakers in this debate, only the most cavalier have failed to remark upon the flawed nature of the Bill. As my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) so forensically exposed last week, those flaws are not just serious; they are fundamental. The deficiencies in our delegated legislation system have been remarked upon by many Members, not least in the powerful contributions by my hon. Friend the Members for Rhondda (Chris Bryant) and for City of Durham (Dr Blackman-Woods) and for High Peak (Ruth George), but the delegated powers conferred on Ministers in clauses 7, 8 and 9 are extraordinary in their constitutional potency and scope. As several hon. Members have mentioned, clause 9 could theoretically be used to amend the Act itself, with only the most basic restrictions acting as safeguards against an overweening Executive. Given that clause 9 allows for the use of sweeping powers over the implementation of the withdrawal agreement, the Bill would allow all aspects of such an agreement, including the divorce bill, to be agreed by Ministers with the least possible scrutiny in this place.

Clause 17 is a power so extensive in its potential application that it could extend to every facet of our national life, and as a consequence opens up the possibility of changes to vast areas of law without full parliamentary process. As my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) put it in her passionate contribution, these are powers that would make a Tudor monarch proud.

To those who believe that we can merely correct those powers—that we can put through enhanced scrutiny in Committee and the Bill will be fixed—I say that the sweeping powers in the Bill are not its only weakness. Provisions in the Bill rule out a sensible transitional arrangement. Far from delivering clarity on the status and nature of EU-derived law, the Bill is riddled with ambiguities that will create deep uncertainty about how this body of law will apply after incorporation. In ruling out the charter of fundamental rights for purely ideological reasons, the Bill could mean that individuals and businesses cannot assert the rights that it elsewhere seeks to maintain. And in its treatment of the devolved institutions, the Bill risks further destabilising the Union between the four nations of the UK. In short, it is a fundamentally flawed Bill, and the right hon. and learned Member for Beaconsfield (Mr Grieve) was right to refer to it in his contribution as an “astonishing monstrosity”. As he put it in an article in the Evening Standard on Thursday, it “seeks to confer powers on the Government to carry out Brexit in breach of our constitutional principles, in a manner that no sovereign Parliament should allow.”

The central questions before each Member are whether they truly believe the Government accept just how deficient the Bill is, whether they trust Ministers to co-operate in rectifying its many deficiencies and whether, as a consequence, they are confident that it can be made watertight in the eight days that the programme motion allocates for the Committee stage. In short, the question is whether hon. Members believe that it is feasible and probable that the breathtaking tapestry of sweeping delegated powers woven into the Bill can be unpicked and the Bill made good, or whether it is so deeply flawed that, as my right hon. Friend the Member for Leeds Central (Hilary Benn) put it in a brilliant speech, the Government should go away and do their homework again.

We do not need to legislate in this fashion to achieve the necessary aims that lie behind the Bill, and if we are all honest, we will agree that the Government should not have put hon. Members on both sides of the House in this position. Ministers have known for a considerable time of the real and genuinely held concerns about the approach that the Bill takes. The Opposition raised concerns following the publication of the White Paper; we reiterated those concerns when the Bill was first published; and, in a letter to the Secretary of State at the start of the month, we called again for constructive engagement. While many Conservative Members will no doubt all too readily dismiss the concerns that we have raised, those concerns have been echoed for some time by voices from the Government Benches, as well as by parliamentary Committees and numerous non-parliamentary organisations.

In short, the Government have had ample time to make it clear that they are willing to correct the flaws in the Bill and to table amendments which show that they mean it, but only now are we being told that Ministers are in listening mode and are open to ideas for constructive improvements to the Bill. As many Members have noted, we are being asked, in a sense, to take it on trust that conversations will be held, and that we will have assurances down the line about how Ministers will use the powers in the Bill. Yet the Secretary of State, in his opening remarks, defended the wording of the Bill as it stands, and offered no concrete concessions that might reassure Members on both sides of the House. Given the Government’s track record, which a number of my hon. Friends have highlighted, we need proof of real movement. We need more than vague offers to talk during Committee stage.

Many of us remain utterly bewildered about why the Bill has been drafted in this form, and why Ministers felt it that it was wise to ignore the Exiting the European Union Committee’s call for the Bill to be published in draft so that its flaws could be addressed before we reached this point. The unique challenge of disentangling the UK from the EU’s legal structures and ensuring that we have a functioning statute book on the day we leave required a Bill that created consensus across this House, not one that undermines it. It required a Bill that restored power to the House of Commons, not one that concentrates unparalleled power in the hands of the Executive.

All of us—all Members, throughout the House—agree that a Bill of this kind is necessary, but that does not mean that Parliament should accept this fundamentally flawed Bill. It is for that reason, and that reason alone, that the Opposition will vote against it tonight.
11.37 pm

The Lord Chancellor and Secretary of State for Justice (Mr David Lidington): By my count, no fewer than 107 Members have spoken during the two days of this Second Reading debate. I hope that the House will forgive me when I say that, in the time left to me, I shall not be able to respond fully and in detail to each one of those contributions. However, I do want to express my appreciation to all Members who have taken part; and, like the hon. Member for Greenwich and Woolwich (Matthew Pennycook), I want to single out the hon. Member for Canterbury (Rosie Duffield), who made a fine maiden speech. Those of us who were in the Chamber to listen, or who read her speech in Hansard, will recall the obvious passion and affection with which she spoke about the different communities that make up her constituency. Let me add that I—and my parliamentary friends—also appreciated the generous tribute that she paid to her predecessor, Sir Julian Brazier, and I thank her for it.

I want to spend the time that I have in trying to address what seem to me to have been the three chief criticisms of the Bill expressed in various quarters of the House during the two days of debate on Second Reading: the question of the underlying principles of EU law; the matter of devolution and the powers of the devolved Administrations; and the issue of the delegated powers that are granted by the Bill. Then, again, I will try to say something about how the Government see the way forward. Let me start, however, by reminding the House why the Bill is needed.

Both the Opposition Front-Bench spokesman, the right hon. and learned Member for Holborn and St Pancras (Keir Starmer), and my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), neither of whom could be characterised as ardent champions of the leave cause—indeed, I count myself rather in their camp on the issue—said that the Bill does not determine whether or not we leave the European Union. That was a decision that the electorate took democratically last year, and both the fact of our departure and the process and timetable that govern that have to proceed now according to the process and timeframe laid out in article 50 of the treaty on European Union. What the Bill does is enable us to have a coherent, functioning legal basis. It is to put those rights at risk, and open up the risk of a chaotic departure from the European Union, which is not going to be in the interests of either individuals or businesses in this country.

Mr Kenneth Clarke rose—

Stephen Timms (East Ham) (Lab) rose—

Mr Lidington: I give way to my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke).

Mr Clarke: Throughout the discussion on this Bill, it has been entirely uncontroversial for everybody to agree that a Bill is required to ensure continuity and certainty for existing EU legal arrangements, putting them into British law straight away for the future. Will my right hon. Friend give an undertaking that when we move to the Committee stage in a few weeks, or probably about a month, the Government will produce substantial amendments to address what this whole debate has been about: the huge extension to the Government of discretionary powers that go far beyond the limited ambition my right hon. Friend is describing? I would prefer him and the Government to come back, address those issues and turn this Bill into one that resembles the reassuring descriptions of it that keep being given by the Secretary of State for Brexit and by him—two members of the Government whose word I would actually accept implicitly, but in the political world I have known Governments to go back on reassuring words quite frequently.

Mr Lidington: I want to come on to that point later, but I first give way to the right hon. Member for East Ham (Stephen Timms).

Stephen Timms: I invite the Secretary of State to respond to the criticism of his party colleague, the right hon. and learned Member for Beaconsfield (Mr Grieve), who is surely absolutely right to describe this as an “appalling monstrosity” of a Bill, which the House, frankly, should throw out.

Mr Lidington: That is a not a verdict with which I agree. Some of the criticisms of the Bill have been exaggerated up to and beyond the point of hyperbole, and I will seek to explain why.

In concluding my comments about why the Bill is needed, I want to stress that the time available to us under the terms of article 50 is limited. We must assume that in March 2019 this country will leave the European Union. That will be the deadline, and therefore by that date we need not only to have primary legislation enacted, but to have established the new regulatory bodies. We will need to have given effect to the secondary legislation that is proposed under the defined powers laid out in the Bill.

Several right hon. and hon. Members have said, “Yes, certain rights may be preserved, but what about the general underlying principles of EU law?” As I said earlier, when we leave, the treaties will cease to apply to this country, but under the Bill, the general principles of European law, as recognised by the Court of Justice before exit day, or as embodied in extant European
[Mr Lidington]

legislation, will be retained in United Kingdom law for the purposes of interpreting retained EU law. Existing sources of rights and domestic rights of action will continue to operate in United Kingdom law undisturbed by the Bill. That includes rights such as the right to equal treatment and non-discrimination. Similarly, notwithstanding our exit from the EU, individuals will continue to be able to challenge secondary legislation and administrative action under our domestic law by way of well-established grounds of judicial review.

To take two important issues that have been raised, all the rights and remedies available under the working time directive or the Equality Act 2010 will remain in force, but they will be enforced through the United Kingdom courts—ultimately, our Supreme Court—rather than through the European courts.

Mr Dominic Grieve (Beaconsfield) (Con): I wonder whether my right hon. Friend says can actually be correct. The feature of the Bill is that it removes the right of challenge for breach of the general principles of EU law. As a consequence, rights that currently exist and are exercised—indeed, were exercised by our right hon. Friend the Secretary of State for Exiting the European Union—will in future not be available. That is an important point that the Government will have to consider during the passage of the Bill.

Mr Lidington: For the most part, those rights are used when they are given effect through specific items of European Union legislation, rather than in the abstract. My right hon. and learned Friend makes an important point, and it is true that after exit it will not be possible for an individual to bring a free-standing claim, or for the courts to quash an administrative action or disapply legislation on the grounds that it breaks one or more of the general principles of European law, except as those principles have been preserved by the Bill—which will be the case if those principles have been given effect through a specific piece of legislation. That position flows logically from the decision by the electorate to leave the European Union, because that does involve separating the United Kingdom’s legal order from the European Union’s legal order.

The issue of devolution has been the subject of much debate among Scottish Members of Parliament—

Lady Hermon: I am grateful to the Secretary of State for allowing me to intervene and help him with the general principles of EU law, which are respect for human rights and the principles of proportionality and non-discrimination. Those are principles that we in this country should be enormously proud of and embrace, instead of setting them aside. The Bill, in schedule 1, excludes anyone from relying on those general principles before a court, tribunal or public authority.

Mr Lidington: Those principles of human rights and non-discrimination are embodied in United Kingdom legislation and given effect by our courts. That was the situation 40 years ago, before we entered the European Union, it has remained the situation throughout our membership, and it will continue to be the position, unaffected by this Bill.

As for devolution, every single decision taken by the devolved Administrations will continue to be taken by them. The only question is how we best allocate to the UK Government and to the devolved Administrations the competencies and powers that will return to this country, because the devolution Acts were drafted in the context of this country’s membership of the European Union and the lists of devolved and reserved powers were drawn up against that background. For example, the common fisheries policy includes matters relating to the detailed management and regulation of fisheries, but it also covers EU agreements with third countries, such as the EU-Morocco fisheries agreement, and includes such matters as the UN convention relating to migratory fish stocks—international agreements that one might think should fall naturally to the United Kingdom Government. That will be a matter for continuing discussion between the United Kingdom Government and the devolved Administrations.

We shall need to come forward with some common frameworks to ensure, for example, that a Scottish farmer can sell some of his produce to customers in England or Northern Ireland without having to worry about two different sets of hygiene and food safety regulations, or that a Welsh paint manufacturer can sell freely anywhere in the United Kingdom without having to be concerned about different rules on the regulation of the chemicals in that paint. I am confident that the outcome of negotiations and continuing discussions with the devolved Administrations will be a significant increase in the powers being exercised by those devolved Administrations. That remains the Government’s intention. I can also say to my hon. Friend the Member for East Renfrewshire (Paul Masterton) that, yes, Ministers in the Department for Exiting the European Union and across Government will continue to talk to and listen carefully both to the views of Ministers in the devolved Administrations and to parliamentarians in the Scottish Parliament, the Welsh Assembly and soon, I hope, in the Northern Ireland Assembly.

Above all, the debate has centred on delegated powers, and I emphasise that the Bill already contains significant safeguards, which the debate has sometimes tended to overlook. Each of the four clauses that authorise secondary legislation has a defined purpose, and a statutory instrument made under such a clause cannot be made to do something else. It has to deliver something that is within the purpose defined in that clause. If we look at clause 7, for example, the power to make a statutory instrument is limited to something that will put right a failure or deficiency in retained EU law “arising from the withdrawal of the United Kingdom from the EU.” That power cannot be exercised for any other purpose. A Minister cannot make regulations because he dislikes the underlying policy or indeed because he dislikes the underlying EU law, but only when there is a problem with the operability of a piece of EU law that has been brought about by this country’s departure from the EU. A similar condition applies to clause 8, which deals with our international obligations. There has been a lot of debate about clause 9, but its powers can be used only for the purpose of implementing the withdrawal agreement. The powers in clause 17 are limited to consequential amendments, and “consequential” has a long-established, tightly defined meaning in parliamentary practice and in law. The idea that there is some sweeping power in the Bill to rewrite the law of the United Kingdom is simply wrong. The statutory instruments may be used only for the purposes set out in the Bill.
In addition, the Government have included sunset clauses. The powers in clauses 7 and 8 lapse two years after exit day, and those in clause 9 lapse on exit day itself. The Bill also includes further safeguards in a list of exclusions from the scope of any delegated legislation, so none of the powers that grant secondary legislation can be used to make retrospective provision, to increase taxation, to create criminal offences or to affect the scope and application of the Human Rights Act 1998.

Despite the assurances incorporated in the wording of the Bill, very genuine, sincere concerns have been expressed on both sides of the House about whether there is sufficient parliamentary control over and scrutiny of how the powers will be used. [Interruption.]

Mr Speaker: Order. If the Secretary of State would be good enough to face the House, we would all benefit from his mellifluous tones.

Mr Lidington: It strikes me that there have been constructive comments and suggestions from a range of Members, including my right hon. and learned Friend the Members for Rushcliffe and for Beaconsfield (Mr Grieve), my right hon. Friend the Member for Broxtowe (Anna Soubry), my hon. Friend the Member for Totnes (Dr Wollaston), the right hon. Member for Birkenhead (Frank Field) and the hon. Members for Vauxhall (Kate Hoey) and for Blackley and Broughton (Graham Stringer). Between Second Reading and Committee, the Secretary of State for Exiting the European Union and his team intend to discuss those suggestions further with colleagues on both sides of the House.

We accept that we need to get the balance right—for example, between negative and affirmative procedure and between debates in Committee and debates on the Floor of the House—and, as my right hon. Friend the Secretary of State for Exiting the European Union has already pledged, we wish to discuss further the issue first raised by the right hon. Member for Leeds Central (Hilary Benn) about linking the timing of SIs under clause 9 to the date of debates on the withdrawal agreement, although we will have to bear in mind the possibility that that agreement might be concluded only very shortly before the date of exit.

Mr Grieve: My right hon. Friend is discussing matters that have to be considered in detail in Committee. A sensible programme motion has been tabled, but can the Government assure the House that, if more time is needed because, in truth, we have difficulty getting through the programme within the period specified, they will properly consider making more time available to the House?

Mr Lidington: We think that the 64 hours that have been guaranteed are reasonable, and they compare with the 39 hours and 17 minutes that the Blair Government granted on the Bill to ratify the Lisbon treaty. We have shown today that, where there is good reason to extend debate further, we are willing to consider it very seriously and carefully indeed. I hope my right hon. and learned Friend will take that assurance in the spirit in which it is intended.

I hope that the House will recognise that it is in the national interest that we put this Bill on the statute book and that we deliver the democratic verdict of the British people in a way that allows businesses and individuals to plan for their future, confident in what the law will be on and after exit day. I hope that the House will therefore give a clear vote for the Bill on Second Reading.

Question put, That the amendment be made.

The House divided: Ayes 296, Noes 318.

Division No. 13]  [11.59 pm]

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Alexander, Heidi
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniassi, Tonia
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blackford, Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Brudshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carden, Dan
Carmona, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambo
Cherry, Joanna
Clwyd, Rh Ms
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cruijds, Jon
Cryer, John
Cummings, Judith
Cunningham, Alex

Cunningham, Mr Jim
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
Del Cordova, Marsha
De Piero, Gloria
Debonnaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tampanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliot, Julie
Elman, Mrs Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flynn, Paul
Fovargue, Yvonne
Fris, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Ms Karen
Leew-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Milliband, rh Edward
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Graeme
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
O’Marra, Jared
Onasanya, Fiona
Om, Melanie
Onwurah, Chi
Osamar, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Piddock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slagter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Stancil, Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul J.
Swinson, Jo
Tami, Mark
Thewlis, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma

Adams, Nigel
Afalami, Bim
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allan, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Mr Graham
Breerton, Jack
Brighouse, Sir Anthony
Bromham, Sir Henry
Brody, Mr Stephen
Bromley, Sir Peter
Browne, Sir Michael
Brunner, Rhodri
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rh Alun
Campbell, Mr Gregory
Cartwright, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chihaie, Rehan
Chope, Mr Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, Rhodri
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Geoffrey

Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Wyre
Williams, Mr Paul
Williamson, Chris
Wilson, Phil
Wishart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Nic Dakin and
Vicky Foxcroft

NOES

Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dockier, Julia
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Dowden, Oliver
Doyne-Price, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellwood, rh Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Everett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
Fernandes, Suella
Field, rh Mark
Ford, Vicky
Foster, Kevin
Fox, rh Dr Liam
Francois, rh Mr Mark
Frazier, Lucy
Freedman, George
Freer, Mike
Fry, Mr Marcus
Gallie, Sir Roger
Garnier, Mark
Gauke, rh Mr David
Question accordingly negatived.

Question put forthwith (Standing Order No. 62(2)), That the Bill be now read a Second time.

The House divided: Ayes 326, Noes 290.

Division No. 14] [12.14 am

**AYES**

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rch Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rch Karen
Brady, Mr Graham
Bran, Jack
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alistair
Cairns, rch Alun
Campbell, Mr Gregory
Campbell, Mr Ronnie
Cartlidge, James
Cash, Sir William
Caulfield, Maria

**Tellers for the Noes:**
Andrew Griffiths and Mrs Heather Wheeler
Grant, Bill
Grant, Mrs Helen
Gray, James
Grayling, ch Chris
Green, Chris
Green, ch Damian
Greening, rh Justice
Grieve, rh Mr Dominic
Gyimah, Mr Sam
Hair, Kirstine
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, rh Mr John
Heald, rh Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heath, Jones, Iain
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoare, Simon
Hoey, Kate
Hollinsbery, George
Hollinrake, Kevin
Hollick, rh Mr Philip
Holloy, rh Adam
Hopkins, Kelvin
Howard, John
Huttleston, Nigel
Hughes, Eddie
Hunt, rh Mr Jeremy
Hurd, rh Nick
Jack, Mr Mclester
James, Margot
Javid, ch Saidj
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jennick, Robert
Johnson, rh Boris
Johnson, Dr Caroline
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, rh Mr Marcus
Kacwyczynski, Daniel
Keegan, Gillian
Kennedy, Seema
Kerr, Stephen
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lamont, John
Lancaster, Mark
Latham, Mrs Pauline
Leadsom, rh Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Letwin, rh Sir Oliver
Lewer, Andrew
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Liddington, rh Mr David
Little Pengelly, Emma
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig
Madeclean, Rachel
Main, Mrs Anne
Mak, Alan
Malthouse, Kit
Mann, John
Mann, Scott
Masterton, Paul
May, rh Mrs Theresa
Maynard, Paul
McLoughlin, rh Sir Patrick
McPartland, Stephen
McVey, rh Ms Esther
Menzies, Mark
Merriman, Huw
Metcalf, Stephen
Miller, rh Mrs Maria
Miller, Amanda
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Moore, Damien
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mundell, rh David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Norman, Jesse
O’Brien, Neill
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Percy, Andrew
Perry, Claire
Philip, Chris
Pincher, Christopher
Poulter, Dr Dan
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Purseglove, Tom
Quin, Jeremy
Quince, Will
Raab, Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Douglas
Rowley, Lee
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Seely, Mr Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Skinner, Mr Dennis
Smith, Chloe
Smith, Henry
Smith, Julian
Smith, Royston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Julian
Stewart, Rory
Stride, rh Mel
Stringer, Graham
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Mr Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevylyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shaihs
Vickers, Martin
 Villers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whatley, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, Sammy
Wollaston, Dr Sarah
Wood, Mike
Wrarrg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Andrew Griffiths and
Mark Spencer
NOES

Abbott, rh Ms Diane
Abrahams, Debbie
Alexander, Heidi
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniacci, Tonia
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Beckett, rh Margaret
Ben, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blackford, Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brahe, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Carden, Dan
Carmichael, rh Mr Alistair
 Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalambous, Bambos
Cherry, Joanna
Chewd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela
Creagh, Mary
Creasy, Stella
Craddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debbonaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Dods, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Elford, Clive
Elliott, Julie
Ellman, Mrs Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrell, Paul
Farron, Tim
Fellows, Marion
Fitzpatrick, Jim
Fletcher, Colleen
Flynn, Paul
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Prent Kaur
Gillond, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hendy, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollem, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Azfar
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Ms Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhan
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGuirk, Conor
McGover, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Meams, Ian
Miliband, rh Edward
Monaghan, Carol
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
O’Mara, Jared
Onasanya, Fiona
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Piddock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruan, Chris
Russell-Moyle, Lloyd
Ryan, rh Joanne
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Slaughte, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Stamper, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Sweeney, Mr Paul J.
Swinson, Jo
Tami, Mark
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twig, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
EUROPEAN UNION (WITHDRAWAL) BILL

Proceedings in Committee

(2) Proceedings in Committee of the whole House shall be completed in eight days.

(3) The proceedings shall be taken on each of those days as shown in the first column of the following Table and in the order so shown.

(4) The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Table

<table>
<thead>
<tr>
<th>Proceeding</th>
<th>Time for conclusion of proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Clauses and new Schedules relating to Clause 1, Clause 1</td>
<td>Four hours from the commencement of proceedings on the Bill on the first day.</td>
</tr>
<tr>
<td>New Clauses and new Schedules relating to Clause 6, Clause 6</td>
<td>Eight hours from the commencement of proceedings on the Bill on the second day.</td>
</tr>
<tr>
<td>New Clauses and new Schedules relating to Clause 2, Clause 2, new Clauses and new Schedules relating to Clause 3, Clause 3, new Clauses and new Schedules relating to Clause 4, Clause 4</td>
<td></td>
</tr>
<tr>
<td>New Clauses and new Schedules relating to Clause 5 or Schedule 1, Clause 5, Schedule 1</td>
<td></td>
</tr>
<tr>
<td>New Clauses and new Schedules relating to Clause 11 or Schedule 3, Clause 11, Schedule 3</td>
<td></td>
</tr>
<tr>
<td>New Clauses and new Schedules relating to Clause 10 or Schedule 2, Clause 10, Schedule 2</td>
<td></td>
</tr>
</tbody>
</table>

Proceedings on Consideration and up to and including Third Reading

(5) Any proceedings on Consideration, any proceedings in legislative grand committee and proceedings on Third Reading shall be taken in two days in accordance with the following provisions of this Order.

(6) Any proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion two hours before the moment of interruption on the second day.

(7) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

Programming committee

(8) Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to other proceedings up to and including Third Reading.

Other proceedings

(9) Any other proceedings on the Bill may be programmed.—(Stuart Andrew.)
Division No. 15  

[12.30 am]

**AYES**

Adams, Nigel  
Afolami, Biim  
Afriyie, Adam  
Aldous, Peter  
Allan, Lucy  
Allen, Heidi  
Andrew, Stuart  
Argar, Edward  
Atkins, Victoria  
Bacon, Mr Richard  
Badenoch, Mrs Kemi  
Baker, Mr Steve  
Baldwin, Harriett  
Barclay, Stephen  
Baron, Mr John  
Bebb, Guto  
Bellingham, Sir Henry  
Benyon, rh Richard  
Beresford, Sir Paul  
Berry, Jake  
Blackman, Bob  
Blunt, Crispin  
Bone, Mr Peter  
Bottomley, Sir Peter  
Bowie, Andrew  
Bradley, Ben  
Bradley, rh Karen  
Brady, Mr Graham  
Breneron, Jack  
Bridgen, Andrew  
Brine, Steve  
Bridgen, Andrew  
Brokenshire, rh James  
Bruce, Fiona  
Buckland, Robert  
Burghart, Alex  
Burns, Conor  
Burt, rh Alistair  
Cairns, rh Alun  
Campbell, Mr Gregory  
Cartlidge, James  
Cash, Sir William  
Caulfield, Maria  
Chalk, Alex  
Chishti, Rehman  
Chope, Mr Christopher  
Churchill, Jo  
Clark, Colin  
Clark, rh Greg  
Clarke, Mr Simon  
Cleverly, James  
Clifton-Brown, Geoffrey  
Coffey, Dr Thérèse  
Collins, Damian  
Costa, Alberto  
Courts, Robert  
Cox, Mr Geoffrey  
Crabb, rh Stephen  
Crouch, Tracey  
Davies, Chris  
Davies, David T. C.  
Davies, Glyn  
Davies, Mims  
Davies, Philip  
Davis, rh Mr David  
Dinenage, Caroline  
Djanogly, Mr Jonathan  
Docherty, Leo  
Doherty, Mr Martin  
Doherty, Michael  
Dowden, Oliver  
Dreary, Steve  
Dry, Jack  
Dundon, rh Mr Alan  
Dunning, Mr Philip  
Dusink, Michael  
Ellwood, rh Mr Tobias  
Elphicke, Charlie  
Eustice, George  
Evans, Mr Nigel  
Everett, rh David  
Fabricant, Michael  
Fallon, rh Sir Michael  
Fernandes, Suella  
Field, rh Sir Michael  
Ford, Vicky  
Foster, Kevin  
Fox, rh Dr Liam  
Francesco, rh Mr Mark  
Frazier, Lucy  
Freeman, George  
Freer, Mike  
Fysh, Mr Marcus  
Gale, Sir Roger  
Garner, Mark  
Gauke, rh Mr David  
Ghani, Mrs Nusrat  
Gibb, rh Nick  
Gillan, rh Mrs Cheryl  
Girvan, Paul  
Glenn, John  
Goldsmith, Zac  
Goodwill, Mr Robert  
Gove, rh Michael  
Graham, Luke  
Graham, Richard  
Grant, Bill  
Grant, Mrs Helen  
Gray, James  
Grayling, rh Chris  
Green, Chris  
Green, rh Damian  
Greanfall, Justine  
Grieg, rh Mr Dominic  
Gyimah, Mr Sam  
Hair, Kirstene  
Halton, rh Robert  
Hall, Luke  
Hammond, rh Mr Philip  
Hammond, Stephen  
Hancock, rh Matt  
Hands, rh Greg  
Harper, rh Mr Mark  
Harrington, Richard  
Harris, Rebecca  
Harwood, David  
Hart, Simon  
Hayes, rh Mr John  
Heald, rh Sir Oliver  
Heappey, James  
Heaton-Harris, Chris  
Heaton-Jones, Peter  
Henderson, Gordon  
Herbert, rh Nick  
Hinds, Damian  
Hoare, Simon  
Hollingbery, George  
Hollinsrake, Kevin  
Hollobone, Mr Philip  
Holloway, Adam  
Howell, John  
Huddleston, Nigel  
Hughes, Eddie  
Hunt, rh Mr Jeremy  
Hurd, rh Mr Nick  
Jack, Mr Alister  
James, Margot  
Javid, rh Sajid  
Jayawardena, Mr Ranil  
Jenkin, Mr Bernard  
Jenkins, Andrea  
Jennick, Robert  
Johnson, rh Boris  
Johnson, Dr Caroline  
Johnson, Gareth  
Johnson, Joseph  
Jones, Andrew  
Jones, rh Mr David  
Jones, Mr Marcus  
Kawczyński, Daniel  
Keegan, Gillian  
Kennedy, Seema  
Kerr, Stephen  
Knight, rh Sir Greg  
Knight, Julian  
Kwarteng, Kwasi  
Lamont, John  
Lancaster, Mark  
Latham, Mrs Pauline  
Leadsom, rh Andrea  
Lee, Dr Phillip  
Lefroy, Jeremy  
Leigh, Sir Edward  
Letwin, rh Sir Oliver  
Lewer, Andrew  
Lewis, rh Brandon  
Lewis, rh Dr Julian  
Liddell-Grainger, Mr Ian  
Liddleton, rh Mr David  
Little Pengelly, Emma  
Lopresti, Jack  
Lord, Mr Jonathan  
Loughton, Tim  
Mackinlay, Craig  
Maclean, Rachel  
Main, Mrs Anne  
Mak, Alan  
Malthouse, Kit  
Mann, rh Scott  
Masterton, Paul  
May, rh Mrs Theresa  
Maynard, Paul  
McLoughlin, rh Sir Patrick  
McPartland, Stephen  
McVey, rh Ms Esther  
Menzies, Mark  
Merriman, Huw  
Metcalf, Stephen  
Miller, rh Mrs Maria  
Milling, Amanda  
Mills, Nigel  
Milton, rh Anne  
Mitchell, rh Mr Andrew  
Moore, Damien  
Mordaunt, Penny  
Morgan, rh Nicky  
Morriss, David  
Morton, Wendy  
Mundell, rh David  
Murray, Mrs Sherryl  
Murrison, Dr Andrew  
Neill, Robert  
Newton, Sarah  
Nokes, Caroline  
Norman, Jesse  
O'Brien, Neil  
O'Malley, Dr Matthew  
Opperman, Guy  
Paisley, Ian  
Parish, Neil  
Patel, rh Priti  
Paton, rh Mr Owen  
Pawsey, Mark  
Penning, rh Mike  
Pensone, John  
Perry, Andrew  
Perry, Claire  
Philp, Chris  
Pincher, Christopher  
Poulter, Dr Dan  
Pow, Rebecca  
Prentis, Victoria  
Prisk, Mr Mark  
Pritchard, Mark  
Pursglove, Tom  
Quin, Jeremy  
Quince, Will  
Raab, Dominic  
Redwood, rh John  
Rees-Mogg, Mr Jacob  
Roberson, Mr Laurence  
Robinson, Gavin  
Robinson, Mary  
Rosindell, Andrew  
Ross, Douglas  
Rowley, Lee  
Rudd, rh Amber  
Rutley, David  
Sandbach, Antoinette  
Scully, Paul  
Seely, Mr Bob  
Selous, Andrew  
Shannon, Jim  
Shapps, rh Grant  
Sharma, Alok  
Shelbrooke, Alec  
Simpson, David  
Simpson, rh Mr Keith  
Skidmore, Chris  
Smith, Chloe  
Smith, Henry  
Smith, Julian  
Smith, Rosston  
Soames, rh Sir Nicholas  
Souby, rh Anna  
Spellman, rh Dame Caroline  
Spencer, Mark  
Stephenson, Andrew  
Stevenson, John  
Stewart, Bob  
Stewart, Iain
Stewart, Rory
Stride, rh Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Sym, Mr Robert
Thomas, Derek
Thomson, Ross
Throup, Maggie
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, rh Mr Edward
Vara, Mr Shailesh
Vickers, Martin

Villiers, rh Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, rh Mr Ben
Warburton, David
Warman, Matt
Watling, Giles
Whately, Helen
Whitaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williamson, rh Gavin
Wilson, Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, Mr William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Andrew Griffiths and Mrs Heather Wheeler

Flint, rh Caroline
Flynn, Paul
Fovargue, Yvonne
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hardy, Emma
Harman, rh Ms Harriet
Hayes, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hendry, Drew
Heburn, Mr Stephen
Hemmon, Lady
Hill, Mike
Hiller, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollem, Kate
Hosie, Stewart
Howarth, rh Mr George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Ms Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Linden, David
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmod, Mr Khalid
Mahmod, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Steward Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Means, Ian
Miliband, rh Edward
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
O’Mara, Jared
Onasanya, Fiona
Oon, Melanie
Onwarah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Piddock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
EUROPEAN UNION (WITHDRAWAL) BILL
(MONEY)

Question accordingly agreed to.

EUROPEAN UNION (WITHDRAWAL) BILL
(WAYS AND MEANS)

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the European Union (Withdrawal) Bill, it is expedient to authorise:

(1) the payment out of money provided by Parliament of—
(a) any expenditure incurred by a Minister of the Crown, government department or other public authority by virtue of the Act; and
(b) any increase attributable to the Act in the sums payable by virtue of any other Act out of money so provided;

(2) any charge on the Consolidated Fund or the National Loans Fund, or any other charge on the public revenue, arising by virtue of the Act.—(Stuart Andrew.)

Question agreed to.

Business without Debate

SELECT COMMITTEES (NOMINATION)

Ordered,

That at the sitting on Monday 11 September, notwithstanding the practice of the House, the provisions of Standing Order No. 121(2) (Nomination of select committees) shall not apply in respect of the Motions in the name of Andrea Leadsom relating to the nomination of Members to the following select committees:

Backbench Business
Business, Energy and Industrial Strategy
Communities and Local Government
Culture, Media and Sport
Defence
Education
Environment, Food and Rural Affairs
Exiting the European Union
Foreign Affairs
Health
Home Affairs
International Development
International Trade
Justice
Northern Ireland Affairs
Science and Technology
Scottish Affairs
Transport
Treasury
Welsh Affairs
Women and Equalities
Work and Pensions
Environmental Audit
Petitions
Procedure
Public Accounts
Public Administration and Constitutional Affairs.—(Stuart Andrew.)

COMMITTEES

Mr Speaker: We now come to the 27 motions on nominations to the Select Committees. With the leave of the House, we will take motions 6 to 32 together.

Ordered,

BACKBENCH BUSINESS

That Bob Blackman, Rehman Chishti, Patricia Gibson, Jess Phillips, Alex Sobel and Mr William Wragg be members of the Backbench Business Committee.

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

COMMUNITIES AND LOCAL GOVERNMENT
That Mike Amesbury, Bob Blackman, Helen Hayes, Kevin Hollinrake, Fiona Onasanya, Andrew Lewer, Mr Mark Prisk, Mary Robinson and Liz Tweddle be members of the Communities and Local Government Committee.

CULTURE, MEDIA AND SPORT
That Julie Elliott, Paul Farrelly, Simon Hart, Julian Knight, Ian C. Lucas, Christian Matheson, Brendan O’Hara, Rebecca Pow, Jo Stevens and Giles Watling be members of the Culture, Media and Sport Committee.

DEFENCE
That Leo Docherty, Martin Docherty-Hughes, Mr Mark Francois, Graham P. Jones, Johnny Mercer, Mrs Madeleine Moon, Gavin Robinson, Ruth Smeeth, John Spellar and Phil Wilson be members of the Defence Committee.

EDUCATION
That Lucy Allan, Michele Donelan, Marion Fellows, James Frith, Emma Hardy, Trudy Harrison, Ian Mearns, Lucy Powell, Thelma Walker and Mr William Wragg be members of the Education Committee.

ENVIRONMENT, FOOD AND RURAL AFFAIRS
That Alan Brown, John Grogan, Paul Flynn, Dr Caroline Johnson, Sandy Martin, Mrs Sheryll Murray, David Simpson, Angela Smith and Julian Sturdy be members of the Environment, Food and Rural Affairs Committee.

EXITING THE EUROPEAN UNION
That Mr Peter Bone, Joanna Cherry, Mr Christopher Chope, Stephen Crabb, Mr Jonathan Djanogly, Richard Graham, Peter Grant, Wera Hobhouse, Stephen Kinnock, Seema Malhotra, Andrea Jenkyns, Jeremy Lefroy, Mr Pat McFadden, Craig Mackinlay, Mr Jacob Rees-Mogg, Emma Reynolds, Stephen Timms, Mr John Whittingdale, Hywel Williams and Sammy Wilson be members of the Exiting the European Union Committee.

FOREIGN AFFAIRS
That Ian Austin, Chris Bryant, Ann Clwyd, Mike Gapes, Stephen Gethins, Ms Nusrat Ghani, Ian Murray, Andrew Rosindell, Royston Smith and Nadhim Zahawi be members of the Foreign Affairs Committee.

HOME AFFAIRS
That Mr Christopher Chope, Stephen Doughty, Preet Gill, Sarah Jones, Tim Loughton, Stuart C. McDonald, Esther McVey, Will Quince, and Naz Shah be members of the Home Affairs Committee.

INTERNATIONAL DEVELOPMENT
That Richard Burden, James Duddridge, Mr Nigel Evans, Ms Pauline Latham, Chris Law, Mr Ivan Lewis, Lloyd Russell-Moyle, Paul Scully, Mr Virendra Sharma and Henry Smith be members of the International Development Committee.

INTERNATIONAL TRADE
That Julia Dockerill, Mr Nigel Evans, Mr Marcus Fysh, Mr Ranil Jayawardena, Mr Chris Leslie, Emma Little Pengelly, Faisal Rashid, Keith Vaz, Catherine West and Matt Western be members of the International Trade Committee.

JUSTICE
That Mrs Kemi Badenoch, Ruth Cadbury, Alex Chalk, Bambos Charalambous, David Hanson, John Howell, Gavin Newlands, Laura Pidcock, Victoria Prentis and Ellie Reeves be members of the Justice Committee.

NORTHERN IRELAND AFFAIRS
That Mr Gregory Campbell, Maria Caulfield, Mr Stephen Hepburn, Lady Hermon, Kate Hoey, Jack Lopresti, Conor McGinn, Nigel Mills, Ian Paisley and Jim Shannon be members of the Northern Ireland Affairs Committee.

SCIENCE AND TECHNOLOGY

SCOTTISH AFFAIRS
That Deidre Brock, David Duguid, Hugh Gaffney, Christine Jardine, Gerald Killen, John Lamont, Paul Masterton, Danielle Rowley, Tommy Sheppard and Ross Thomson be members of the Scottish Affairs Committee.

TRANSPORT

TREASURY
That Rushanara Ali, Charlie Elphicke, Stephen Hammond, Stewart Hosie, Mr Alister Jack, Kit Malthouse, Alison Mc Govern, Catherine McKinnell, John Mann and Wes Streeting be members of the Treasury Committee.

WELSH AFFAIRS
That Chris Davies, Geraint Davies, Glyn Davies, Paul Flynn and Ben Lake be members of the Welsh Affairs Committee.

WOMEN AND EQUALITIES
That Angela Crawley, Philip Davies, Rosie Duffield, Kirstene Hair, Jared O’Mara, Jess Phillips, Mr Gavin Shuker and Tulip Siddiq be members of the Women and Equalities Committee.

WORK AND PENSIONS
That Heidi Allen, Alex Berghurst, Marsha De Cordova, Neil Coyle, Ruth George, Steve McCabe and Chris Stephens be members of the Work and Pensions Committee.

ENVIRONMENTAL AUDIT
That Dr Therese Coffey, Geraint Davies, Zac Goldsmith, Caroline Lucas, Kerry McCarthy, Anna McMorrin, John McNally, Dr Matthew Offord, Dr Dan Poulter, Joan Ryan and Alex Sobel be members of the Environmental Audit Committee.

PETITIONS
That Rehman Chishti, Martyn Day, Michelle Donelan, Steve Double, Mike Hill, Susan Elan Jones, Catherine McKinnell, Paul Scully and Liz Twist be members of the Petitions Committee.

PROCEDURE
That Bob Blackman, Mr Peter Bone, Mr Christopher Chope, Ronnie Cowan, Nic Dakin, Chris Elmore, Helen Goodman, Mr Ranil Jayawardena, David Linden, Melanie Onn and Mr William Wragg be members of the Procedure Committee.

PUBLIC ACCOUNTS
PUBLIC ADMINISTRATION AND CONSTITUTIONAL AFFAIRS

That Ronnie Cowan, Paul Flynn, Mr Marcus Fysh, Mrs Cheryl Gillan, Kelvin Hopkins, Dr Rupa Huq, Mr David Jones, Sandy Martin and David Morris be members of the Public Administration and Constitutional Affairs Committee.—(Stuart Andrew.)

PETITIONS

Changes to the Number 23 bus route, Erewash

12.48 am

Maggie Throup (Erewash) (Con) rose—[Interruption.]

Mr Speaker: Order. Colleagues will want courteously to attend to the words of Maggie Throup in respect of her petition and will not be diverted into superfluous and distracting conversations which jar somewhat and might be thought by the hon. Lady to be a tad discourteous, so I am sure that Members will toddle out of the Chamber quickly and quietly. Mr Yasin, there is no need, my dear chap, to look bemused—it will all become clear ere long. It is very good of you, Lady Hermon, to wave goodbye to us all as you depart the Chamber—very thoughtful.

Maggie Throup: I rise on behalf of residents in my constituency, and in particular those living in Cotmanhay and Kirk Hallam, who have been adversely affected by recent changes to the No. 23 bus route operated by trentbarton. The petition has been signed by nearly 300 local residents, and I am delighted to present it to the House this evening for consideration.

The petition declares:

The petition of residents of Erewash,
Declares that the number 23 bus route operated by Trent Motor Traction Company Ltd and Barton Buses Ltd (known as trentbarton), and which currently serves the community of Cotmanhay including Church Street and Nelson Street, acts as a vital lifeline for many local residents as their only way of accessing Ilkeston town centre and Ilkeston Community Hospital; further the proposed amalgamation of the number 21 and 23 bus routes will mean that residents living on and around Church Street and Nelson Street will be negatively impacted as they will have to walk a considerable distance to Cotmanhay Road in order to access an alternative bus service; further the residents will no longer have access to a bus service that calls at Ilkeston Community Hospital; and further that these new arrangements will also negatively impact the residents of Kirk Hallam.

The petitioner therefore request that the House of Commons urge the Chief Executive of trentbarton to reconsider the proposed changes and to reinstate the original number 23 bus route.

And the petitioners remain, etc.

[Petition P002054]

Warwick Road, Carlisle

12.50 am

John Stevenson (Carlisle) (Con): I would like to present a petition on behalf of the residents of Warwick Road, Carlisle. Only a few houses are directly affected, but more than 5,000 people have supported the petition on behalf of the residents at the top end of Warwick Road.

The petition states:

The petition of residents of Warwick Road, Carlisle,
Declares that they are against proposals from Cumbria County Council to construct a third lane along a section of Warwick Road, Carlisle.

The petitioners therefore request that the House of Commons urges Cumbria County Council to withdraw proposals to construct a third lane along a section of Warwick Road, Carlisle, as it will provide none of the stated benefits to the city and cause an unacceptable negative impact on the quality of life of Warwick Road residents.

And the petitioners remain, etc.

[Petition P002054]
School Funding: North Northumberland

Motion made, and Question proposed. That this House do now adjourn.—(Craig Whittaker.)

12.51 am

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): I thank you, Mr Speaker, and especially so this evening as we find ourselves the last ones standing after a lengthy evening of voting on the important European Union (Withdrawal) Bill.

Northumberland voted to leave the EU, as I did, and as we progress the people’s call, I want to make sure that the children currently coming through the schools in my constituency, and those who will follow, are well prepared academically to take up all the opportunities that the United Kingdom, as a sovereign state once again, will afford them. The reality, however, is that at present north Northumberland’s children are being short-changed on account of years of being right at the bottom of the list in funding formula allocations, exacerbated by, until May of this year, a Labour council that skewed the education grant in favour of the urban-based children in the south-east of the county, to the relative detriment of children in the rural areas of north Northumberland and the market towns of Alnwick, Amble and Berwick.

To help change those children’s destiny, we need to change how we frame the education package across the county. We need to rethink radically how we sustain an effective transport network to get every child to school each day. The House should bear in mind that the catchment area for Glendale valley schools, for instance, is some 250 square miles, so continuing to pay bus companies large sums of money to provide limited services, and charging post-16 students’ families more than £600 per year per pupil for transport passes, is simply unsustainable. It often feels to me that we have cartels operating to ensure that bus companies providing services bid up the costs as a way to undertake other service provision. That cannot be the way to maximise the effective use of education budgets. Surely this is money that could be spent on frontline teaching, education resources and tools to give our children the very best chance in life, which is what a country such as the United Kingdom should be affording them wherever they live.

The new Conservative leadership at Northumberland County Council is determined to change radically how we provide transport for our kids, but we need the Department’s assistance. The present arrangements with bus companies do not provide value for money to the taxpayer. My councillors want to lead the way in providing innovative solutions on rural transport, including for school pupils, that can provide better and bolder solutions to the problems we face. In Alnwick we have an excellent social enterprise, NEED—North East Equality & Diversity—which provides accessible transport solutions to individuals and organisations. My councillors want to find ways to use this social enterprise model to create appropriate bus size provision across my most rural communities.

To that end, I would like to encourage a new system that will empower schools themselves to no longer have to rely on the big bus companies with a very limited offer, but to create a community transport solution, perhaps something like the yellow bus model we see in the United States. I call on the Minister, therefore, to pump-prime a Northumberland project that puts education and transport needs at its heart. I ask him to sit down with me, councillors and the relevant Transport Minister to help design a community transport hub that can flex to the needs of the most rural based children and others in communities currently cut off from so much by the lack of public transport.

Jim Shannon (Strangford) (DUP): I sought the hon. Lady’s permission to intervene because I wanted to support her comments. As she will recognise, Northern Ireland had some of its best examination results for a great many years—they were the envy of many parts of the United Kingdom of Great Britain and Northern Ireland. Should the Minister not contact the Northern Ireland Assembly and the Education Department to see how that educational success was delivered within the limits of the available school funding?

Mrs Trevelyan: Indeed, we will look into that, and perhaps my hon. Friend will help us make progress.

I hope that the Minister will commit to driving forward—excuse the pun—this rural transport hub project by seeking grant funding to help pump-prime it. We can be so much smarter with the money we have if we do not have to spend it on a double-decker, one-size-fits-all offer. The current provision cannot solve the complex issues in our rural communities, and off-the-shelf approaches do not reflect the realities and problems facing my sparsely populated communities. The project would be an opportunity to show the art of common sense in action both for our school children and for others needing rural transport solutions, and also—I speak always as an accountant—for the taxpayer.

Secondly, I bring to the Minister another radical proposal to improve the educational and future life chances of Northumbrian children. I like to call it “academy plus”. He might recall that back in 2011, when I was a governor of Berwick High School, in the northernmost point of a county of more than 2,000 square miles, we decided that following years of neglect by Labour-run county hall, we should take advantage of the academies offer being driven forward by the new Conservative-led Government. And so we duly did. We had to do so, however, without a sponsor, because none of the world-class universities of the north-east would commit to becoming one—Berwick Academy seemed too remote; it was not big enough, having a school roll of only 800 pupils; it was too difficult to engage with the pupils because of the distance from Tynedale or Durham. It was depressing that we could not get them to take a strong lead and help us to build aspirations.

The county now has several academies, but it has continued to be an enormous challenge to find academy sponsors, or more recently academy chains, to take on those schools. There are a number of reasons for that, but key to the challenge is perhaps that it has proved difficult to make Northumberland a first-choice destination for teachers, given that they also have the option of Newcastle schools or of going over the border to Scottish schools. A primary school in the north with a roll of 300 pupils will afford more personal development and career options than a—wonderful, in my opinion—tiny rural school of 50.
How might we find a radical way to provide an excellent education for our rural Northumbrian pupils now and for the long term? How can we create a dynamic offer for teachers to come to Northumberland? Now is the time for bold, challenging thinking. It is the very least our young people deserve. Is the Minister minded to consider how our Conservative council could become the lead partner in building an educational framework similar to that of a traditional academy trust? At the moment, all bar four of our county’s academies are failing to give our children the very best. Those good or outstanding schools are the Duchess’s High School in Alnwick, King Edward VI in Morpeth, Queen Elizabeth in Hexham and Cramlington Learning Village, which until recently was in special measures but is now making great progress. All the others, however, are in the “requiring improvement” category, and the overriding message from Ofsted is repeatedly that the challenges facing the leadership of each school are made more difficult because each teaching group is working in isolation. It means that no one is winning for our children’s future. Our primary, middle and secondary schools across the county will all need more support if they are to climb from their present situation to outstanding reports.

I am proposing a plan to develop in Northumberland a pilot programme for recruitment that can provide support and the right tools to generate educational leaders who can work together under a coherent and cohesive educational outcome framework. I would like to see our schools commissioner on board with this new plan, alongside Northumberland County Council, drawing in the best from university education leaders in the north-east and business leaders on our local enterprise partnership to create an umbrella of educational direction and drive results for all our schools.

I want to see our schools maintain their own heads and governing bodies. That would not be about forcing federations on different communities. What we need is an educational framework that overarches all of them so that, for instance, school readiness is tackled across the patch and parents cannot play schools off against each other. All our kids would be part of one Northumberland partnership, which would create an umbrella framework of higher achievement in all schools. We need to drive standards forward to meet the needs of our children’s future career choices. So this is my second request to the Minister: I ask him to find radical solutions to the unique challenge of providing the very best educational outcomes for Northumberland’s children, and to work with our schools commissioner and my passionate new Conservative county councillors to create the new partnership framework. We think of it as “academisation plus”.

There will be a need for some initial investment to make that happen—my county council will need to set up a back-office management support system, with a few co-ordinators and an educational lead—but for a small investment, long-term positive outcomes for the unique nature of Northumberland education can be driven forward. There can surely be few more positive and beneficial expenditures of taxpayers’ money than expenditure on the future workforce and leaders of our country. Our children deserve to be able to fulfil their dreams. They deserve to have an education that creates possibilities and opens doors, and—regardless of location, class or means—to be equipped with an education that can stand the test of any challenge presented by the world in which they will grow up.

Jim Shannon: I have been listening intently to what the hon. Lady has been saying. In my constituency and that of my hon. Friend the Member for North Down (Lady Hermon), there has been collaboration between schools at a certain level of higher education, from the sixth form onwards. Because not every school can deliver certain subjects individually, half a dozen schools have come together. One example is Glastron College, for whose board of governors I am a member; Strangford Integrated College is another. St Columba’s College in Portaferry, a Catholic-controlled maintained school, has joined Bangor Grammar School, Bangor Academy and Sixth Form College and Movilla High School. All those schools are working together for the betterment of the children involved.

Mrs Trevelyan: That is exactly the sort of vision that we hope to have in Northumberland. Given the enormous expanse of territory, the challenge for our children is the need to spend hours travelling in order to achieve the flexibility and the breadth of education to which those living in a city, or even in a less sparsely populated county, might have easier access.

If children are indeed to fulfil their dreams, we will need departmental leadership from the Minister to help Northumberland County Council host the new concept. I understand that education action zones used to exist, and I also understand that £77 million has recently been allocated to education output areas, but that will be directed towards the development of education in cities. Northumberland, our most sparsely populated English county, needs such investment too.

I have always been a believer in nudge politics. We humans always respond better to encouragement and carrots than to chastisement and sticks. However, if long-term outcomes for the children of Northumberland are to be as good as they can be, we need university voices to be heard in rural communities where aspiration to a top-quality education, whether it involves apprenticeships in engineering or university studies in the sciences—I speak as a mathematician, and I apologise for the bias—are still not always understood or valued. What is considered elitist and far beyond can become within reach: indeed, education for life can become a passion for all those children. The 21st century, in which they will live, demands that we accept our responsibility to give them the tools and the passion to learn, as well as all the standard basic skills. That should be taken more seriously than it has been in the most northern county of England for too long.

I want to see an educational leadership framework that gives each and every one of my schools the nudge that they need to rise to the educational challenges ahead by supporting them with a coherent educational framework of which everyone is a part. There would be no rivalries, no catchment area battles, no school partnership lines in the sand, but an overarching educational Northumberland nudge partnership. As the Minister himself said in a speech last week, “a small group of thoughtful, committed citizens can change the world; indeed, it’s the only thing that ever does.”
The teachers and councillors of my beautiful, unique and most sparsely populated of English counties wish to do exactly that for the children in their care.

Mr Deputy Speaker (Mr Lindsay Hoyle): Let us give a nudge to the Minister.

The Minister for School Standards (Nick Gibb): I congratulate my hon. Friend the Member for Berwick-upon-Tweed (Mrs Trevelyan) on securing this important debate. I know she cares passionately about education in general and the schools in her constituency in particular, so it is a pleasure to be discussing these issues with her this morning—as I realise it now is.

This Government want to ensure that all children, regardless of where they live, receive a world-class education. Over the past seven years, we have made significant progress. There are now 1.8 million more children in schools that are rated as good or outstanding than in 2010, and the attainment gap is beginning to close. Since 2011, the attainment gap at secondary school has closed by 7%, and at primary school the gap has closed by 9.3% over the same period. This is important progress, but there is more to do to ensure that every child receives the education they deserve to fulfil their potential.

Thanks to a curriculum that ensures that all children are taught the core knowledge they need to be successful, the promotion of the evidence-based teaching practices such as Asian-style maths mastery and synthetic, systematic phonics, and the hard work of hundreds of thousands of teachers, standards across England are on the rise. According to the latest international figures, secondary pupils in England outperform pupils in the other nations of the United Kingdom. However, despite nearly nine in 10 schools being rated as good or outstanding by Ofsted, there are still more than 1 million pupils attending schools that are not yet good enough. While much has been achieved over the past seven years, there is a lot more to do.

One of the obstacles to providing a good school place for every child is the current anachronistic and unfair funding system, which sees different schools in different parts of the country receiving very different sums of money for pupils with similar characteristics. The data used to allocate funding to local authorities are over a decade out of date. Over that period, for example, the free school meals rate has fallen by around a third in Lincolnshire, but the funding each local authority receives has not responded to these changes. That is why this Government are determined to reform the funding system, and we are well on the way to making that a reality.

In March 2016, we launched our first stage of consultation on a national funding formula. We asked for views on the principles that should underpin it and its overall design. Subsequently, in December last year we launched the second stage of our consultation, on the detailed design of the formula. As part of the second stage, to ensure maximum transparency we published detailed illustrative impact data for all schools and local authorities. This enabled us to hold a truly national debate during the three-month consultation.

Under those proposals, schools in Northumberland would have gained 1.2% more funding on average, and schools in my hon. Friend’s constituency would have gained 2.2% on average. Since publishing those proposals, we have been able to identify additional funding for all schools.

Throughout the consultation period on the national funding formula, the Secretary of State and I met headteachers, governors and many hon. Members from across the House, and I want to thank all those who contributed to the more than 25,000 consultation responses we received. Informed by that feedback, we will introduce a national funding formula from April 2018, as planned. This will put an end to the unfair postcode lottery system by ensuring that all schools in England are funded on a consistent and transparent basis.

I agree with my hon. Friend. Friend, however, that funding, while important, is only part of the issue, and what also matters is how local solutions are created and drive improvement in pupil outcomes; my hon. Friend has raised a number of important points regarding school transport, academy sponsorship, and teacher recruitment and career development.

On school transport, local authorities have responsibility for the provision of home to school transport. In consultation with schools, they are best placed to determine the specific needs of a particular local community. They already commission a range of free and subsidised transport services, spending around £1 billion each year on home to school transport. The existing home to school transport framework allows local authorities the flexibility and freedom to make transport arrangements which best suit the needs of pupils and offer value for money for their local communities.

Lady Hermon (North Down) (Ind): I am curious to know whether, when we have the examples of sparsely populated areas in Northern Ireland, Wales and the highlands and islands in Scotland, lessons could be learned for England, especially Northumbria, as the most sparsely populated county in England—I have learned something this evening and it was worth waiting for. Can we learn from examples around the United Kingdom that might help the hon. Member for Berwick-upon-Tweed (Mrs Trevelyan) in her quest to give a nudge to the education authorities in her area?

Nick Gibb: I am sure we can learn from the other constituent parts of the United Kingdom, as we learn from other countries around the world, on school transport and on how the funding system works, and on the curriculum and other issues. In our new national funding formula, we include an important element of sparsity as a key component. That will be reflected in the way that the schools in Berwick and Northumberland are funded—that, although not of course in other parts of the United Kingdom, as I am responsible with the Secretary of State only for school funding in England.

I accept that rural areas have their own challenges. In recognition of the extra costs that providing services in sparse rural areas can require, the Government have increased the rural services delivery grant to the most sparsely populated areas from £15.5 million in 2015-16 to £80.5 million in 2016-17. The Department for Transport is also supporting pilots in local rural authorities to determine how integrated transport services can offer value for money.
We keep the school transport framework under review. We have looked at different approaches to providing a national home to school transport framework and we have found that those do not offer better value than the current system, but that is not to say that local approaches will not do so. I encourage all local authorities to keep their transport arrangements under review and to identify ways in which they can improve the services they offer.

The Secretary of State has recently undertaken to review our guidance on home to school transport and I will ensure that this correctly reflects the flexibilities that local authorities have in providing it. I would be interested to hear more about Northumberland County Council’s proposals so that we can consider them in more detail.

On academy sponsorship in Northumberland, I understand my hon. Friend’s argument about the historical lack of sponsor and multi-academy trust capacity in the wider local authority, though I should point out that 13 academies in Northumberland are rated by Ofsted as good or outstanding. It is important to support and encourage local authorities to respond to their own challenges and opportunities, and local partners should work together in the best interests of their schools and pupils.

We must, however, ensure that schools that have become academies are able to enjoy the freedoms afforded by academy status. As such, there are constraints in place that prevent local authorities from establishing multi-academy trusts which mean that no more than 19.9% of trustees or members of an academy trust can be associated with the local authority, including serving councillors.

We are, however, making progress in developing local solutions and using the expertise of established trusts from neighbouring local authorities. The 13 academies I mentioned that are rated good or outstanding should also form the basis of new sponsors of multi-academy trusts in the future. In neighbouring authorities, for example, the Three Rivers Learning Trust—whose lead school is the King Edward VI Academy, rated outstanding by Ofsted—has recently been approved to sponsor underperforming schools. Although currently based in and around Morpeth, the regional schools commissioner’s team is working with the trust to provide further support in wider Northumberland.

Multi-academy trusts from other local authorities are also moving into Northumberland to provide support, including the North East Learning Trust and WISE Academies—two high-performing trusts with good track records in delivering school improvement. Janet Renou, the regional schools commissioner for her area, is fully committed to working with the county council and has already had a productive meeting with Wayne Daley, the new lead member for education, and his team. She is keen to work together to develop joint strategies to increase attainment and capacity across the county.

Lastly, my hon. Friend the Member for Berwick-upon-Tweed rightly acknowledged that teachers are fundamental to the education system. The quality of teaching is widely recognised as being the biggest in-school factor affecting the outcomes of children and young people. The effects of high-quality teaching are especially significant for pupils from disadvantaged backgrounds, which is why we need to ensure that we continue to invest in the quality of teaching and in the support and development that teachers get throughout their careers. The Secretary of State announced earlier this year that we would be exploring options to strengthen the qualified teacher status to establish a stronger sense of career progression for all teachers, including those at the beginning of their career and more experienced teachers seeking to excel in the classroom or to go into leadership. We intend to consult on those proposals later in the year, and I hope that my hon. Friend and the teachers and school leaders in her constituency will feel able to contribute to that consultation process. However, we recognise that there is more to do to support schools to attract and retain top graduates, and we are taking steps to understand and address school-level variation in teacher supply. Over the past six months, we have been working with schools, multi-academy trusts and local authorities to understand why some schools are facing more significant supply challenges and, crucially, to design and develop solutions to those challenges.

In conclusion, the Government’s record on education over the past seven years is a cause for pride. Last year, 147,000 more six-year-olds were on track to become fluent readers than in 2012 thanks to the introduction of systematic synthetic phonics. However we cut the numbers, England outperformed the rest of the UK in the OECD’s most recent PISA science assessments. The proportion of pupils studying the EBacc core of academic subjects at GCSE has risen from one fifth in 2010 to two fifths last year. The attainment gap between disadvantaged pupils and their more affluent peers is shrinking at both key stage 2 and key stage 4. But we have more to do. We must spread opportunity and excellence to all corners of the country, so that every child—whatever their background and wherever they are from—receives the education that takes them as far as their talents will allow.

Question put and agreed to.

1.16 am

House adjourned.
Mr Speaker: We await the hon. Lady’s oration on that occasion with eager anticipation.

Albert Owen (Ynys Môn) (Lab): The Minister’s response is simply not good enough. We have waited for report after report, and these carbon budgets have been delayed time and again. I know that we have had an unnecessary and uncosted election, but even the United Nations is saying that our air is not clean. It is time that the Government took this seriously, acted and told the House the exact figures.

Claire Perry: I think the hon. Gentleman is showing the effect of our late sitting hours with his grumpiness. He should be celebrating the fact that Britain has led the world in decarbonising our economy, while growing the economy at a greater rate than any other G7 country. If he wants more affirmation, he should read the PwC report on that. What we have to do now is set out a very difficult and long-term plan to meet the fourth and fifth carbon budgets and to go beyond. As always, that requires all of us to support this difficult progress right across the economy. I hope that the hon. Gentleman will have a cup of coffee and cheer up.

Barry Gardiner (Brent North) (Lab): The Minister is right to say that we have an excellent method of calculating our emissions, but she might have pointed out that other countries do not, and that the Intergovernmental Panel on Climate Change is currently preparing updated guidelines on how best to account for emissions. Will she confirm that, for that vital work to proceed, the UK Government will be one of those who increase their financial contribution to the IPCC to make good the shortfall left by President Trump’s decision to pull out of the Paris agreement? Does she also agree, now that the cost of offshore wind energy has fallen by a half in just two years, that those are the easiest emissions to calculate, because they are zero?

Claire Perry: I hope that the hon. Gentleman will be one of those who increase their contribution to the funding of that agency, directly as a result of the pull-out of the USA from the Paris agreement—although technically it cannot withdraw until 2020.

Taylor Review

2. Jeff Smith (Manchester, Withington) (Lab): To ask the Secretary of State what progress he has made on assessing the recommendations of the Taylor review of modern working practices. [900785]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Margot James): We welcome, accept and agree with Matthew Taylor’s ambition that all work in the UK should be fair and decent, with realistic scope for development and fulfilment. The report is comprehensive and detailed. We will give it the careful consideration it deserves, and we will respond in full later this year.

Jeff Smith: Taylor agreed that we needed to ensure that the self-employed were genuinely self-employed and to strengthen their rights. A Labour Government would shift the burden of proof, so that the law would...
assume that a worker was an employee unless the employer could prove otherwise. We would set up a dedicated commission to modernise the law on employment status. Why cannot this Government commit to real action like that?

Margot James: Much of what the hon. Gentleman refers to is covered by Matthew Taylor in his report, and one of his recommendations that we will be following up with interest is that all workers should be informed of their status in writing by their employer before they start their work.

Michael Fabricant (Lichfield) (Con): Has my hon. Friend looked at the working practices of the John Lewis Partnership—with which I no longer have any connection whatever—and seen the way in which it has people on its boards of management? Does she not believe that this is an important way to achieve worker involvement?

Margot James: I thank my hon. Friend for his commendation of the John Lewis Partnership, with which I concur. It is, indeed, a very good employer, but it is not alone: many other large companies engage with their employees in much the same way.

Rachel Reeves (Leeds West) (Lab): Will the Minister join me in welcoming the Supreme Court’s ruling that employment tribunal fees for workers are illegal? Will she now accept that it is the Government’s responsibility to end the use of bogus self-employment by companies that seek to avoid paying national insurance and giving workers the rights that they deserve? Will she commit to introducing the necessary legislative changes in this Parliament to give workers the rights that they need and to ensure that taxpayers get the tax revenue and national insurance that they deserve?

Margot James: Indeed, what the hon. Lady refers to as bogus self-employment is one of the reasons why the Prime Minister appointed Matthew Taylor to review employment protection in the context of the modern economy. She raises some good points, and I trust her Committee will be investigating them. My Department will co-operate fully.

David Simpson (Upper Bann) (DUP): As well as the whole issue around modern working practices, what more can the Government do to incorporate productivity within this?

Margot James: Productivity is a crucial part of our industrial strategy, as are good employee communications and practice. The union between Matthew Taylor’s report and the industrial strategy will focus very much on improving productivity as the basis of improving people’s earning power.

Weekly Earnings

3. Jessica Morden (Newport East) (Lab): To ask the Secretary of State what steps he is taking to increase average weekly earnings.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Margot James): We need an economy that works for everyone. We are developing the industrial strategy to improve living standards and boost earning power, so that everyone in our country can share the benefits of our economic success.

Jessica Morden: With average weekly real earnings lower than they were in 2007 and with the Institute for Fiscal Studies saying that the flatlining of real wages is unprecedented since at least the end of the second world war, does the Minister accept that Britain needs a pay rise? What are Ministers doing to tackle this?

Margot James: That is one of the reasons why the Government have introduced the national living wage, a means of boosting the earning power of people at the lower end of the pay scale. I acknowledge that average earnings have been static over the past year, but it is important to recognise that people on the national minimum wage were given a 4% pay rise in April this year, and 1.3 million of those people have been taken out of paying income tax altogether.

Rachel Maclean (Redditch) (Con): Does the Minister agree that this Government have done more than any other to raise the wages of the lower paid in our society, including an average £1,000 pay rise per worker?

Margot James: I have to agree with my hon. Friend, who makes a very good point. Indeed, the rise in national minimum wage to which I referred in my earlier answer is the best pay rise for low-paid people in this country for 20 years.

Alison McGovern (Wirral South) (Lab): It is almost comical; we would not even have a minimum wage if it were not for Labour Members. The Minister spoke about the Government’s industrial strategy, which she thinks will help to give people a pay rise, but that strategy is absolutely at odds with the current Brexit strategy. Will the Department have a word with the rest of the Government and commit to keeping our country in the single market?

Margot James: I remind the hon. Lady that this Government’s policy is to be outward-facing and achieve the best trade deal possible with the European Union, but we have to bear in mind the concerns of my constituents and hers about immigration. That has to be tackled, and it is no use the Opposition running away from that. They cannot assume that we will be able to remain in the single market indefinitely and address people’s legitimate concerns about immigration.

Mr Philip Hollobone (Kettering) (Con): Average weekly earnings in Kettering are typically 5% below the national average, so anything the Government can do to cut basic levels of tax is particularly important. Does my hon. Friend agree that, because we raised the income tax threshold from £6,500 a year in 2010 to £11,500 a year, basic rate taxpayers typically pay £1,000 a year less in income tax?

Margot James: I very much agree with my hon. Friend’s point. I am sorry to hear about the situation with regard to earnings in Kettering, but I am sure that the Government’s commitment to improving skills and
our target of 3 million apprenticeship places by 2020 will help the people of Kettering, as they will help people all over the country.

Alison Thewliss (Glasgow Central) (SNP): The Government’s pretendy living wage is not available to those under the age of 25. If a 25-year-old and 17-year-old start the same job on the same day, the 17-year-old will be paid £3.45 less than their older counterpart. When will the Government ensure that all workers receive a real living wage of £8.45 an hour?

Margot James: I remind the hon. Lady that the Government set the national living wage, but only after consultation with the independent Low Pay Commission. It is the commission’s view that we need to have several levels of the national minimum wage because youth unemployment is persistently higher than unemployment among those above the age of 25. The policy is really to balance maximum earning power with maximum levels of employment.

Jack Dromey (Birmingham, Erdington) (Lab): According to the Governor of the Bank of England, Mark Carney, the last time wages were stagnant for so long was 150 years ago, when Gladstone was Prime Minister. Darwin was launching the theory of evolution and trade unions were illegal. Now we know from Library figures that, year on year, wages went up under the previous Labour Government and, year on year, wages have gone down under this Conservative Government. Is it not simply the truth that workers get a pay rise under Labour and a pay cut under the Tories?

Margot James: I remind the hon. Gentleman that this Government are concerned not just about pay, but about employment. If we look at the record of the previous Labour Government—or, indeed, that of any Labour Government—we see that their record on employment is poor. The record of this Government is the maximum number of jobs, with more than 1 million new jobs created, which is an important point. If he wants to talk about anniversaries, let me say that this week is the 10th anniversary of the financial crisis, and I remind him of the deficit that this Government inherited following that crash.

Space Sector

4. Mr Ranil Jayawardena (North East Hampshire) (Con): What steps he is taking to support growth in the UK space sector.

6. Adam Afriyie (Windsor) (Con): What steps he is taking to support growth in the UK space sector.

Joseph Johnson: My hon. Friend raises an important point. British expertise has been absolutely fundamental to the development of the Galileo and Copernicus programmes. The “Collaboration on science and innovation” paper we published just last week made it clear that the UK would very much welcome an agreement to continue to collaborate with our European partners on major science, research and technology initiatives. My right hon. Friend the Secretary of State and I have made it clear that we want our companies and our universities to continue participating in key EU space programmes.

Adam Afriyie: The ingenuity, expertise and experience of our UK space sector enables us to punch well above our weight and to collaborate globally in bodies such as CERN, ESA and many others that predate the EU. Does the Minister agree that we should continue fully to support the role that British companies play in both other European space agencies and the EU space programme?

Joseph Johnson: My hon. Friend has great expertise in this area, through his association with the parliamentary space committee. I can reassure him, as I did a moment ago, that we are committed to continuing to collaborate closely with European countries to develop our space sector to the benefit of all those in employment in this sector in this country.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Minister probably knows that precision engineering companies in Huddersfield are very much involved in the Mars probes and the space programme, but does he know that they are increasingly worried, as is the University of Huddersfield, about the future of partnerships across Europe and the funding from Europe that makes that exploration and the existence of those cutting-edge companies possible?

Joseph Johnson: At the ESA ministerial council in December, the UK committed a record sum of €1.4 billion to ESA. We are committed to continuing to participate in ESA, which, as the hon. Gentleman knows, is not part of the EU but a separate organisation entirely. We see great value in continuing to participate in the programmes it administers.

Jim Shannon (Strangford) (DUP): The Minister is right to address the space sector. He will also be aware of issues within the aerospace sector, in particular at Bombardier. He will be aware of Boeing’s attempts to stop the contract and to add $30 million to every C Series plane coming out of Belfast. What is he doing to ensure that Bombardier’s contract is secured?

Mr Speaker: The hon. Gentleman got the word “space” in, but there is a distinction between aerospace and space. Some people might think that he was cheekily shoehorning his own preoccupation into a question to which it was not obviously entirely relevant.
Joseph Johnson: None the less, I assure the hon. Gentleman that we are engaging very closely with the companies involved and will follow up on his points.

Vicky Ford (Chelmsford) (Con): In my constituency of Chelmsford, more than 500 jobs at Teledyne e2v are directly involved in the space sector. We are making the cameras that will go on satellites out in space to see whether there is life on other planets. Will the Minister reassure my constituents that the UK’s ongoing contribution to the European Space Agency is being considered?

Joseph Johnson: Absolutely; we are committed to our ongoing membership of the European Space Agency. As I said a second ago, we have just provided £1.4 billion of new funding for its programmes. Teledyne e2v in my hon. Friend’s constituency makes an important contribution to the success of the programmes that ESA is running.

Manufacturing Capacity

5. Mr Laurence Robertson (Tewkesbury) (Con): What recent assessment he has made of the UK’s manufacturing capacity.

Claire Perry: The hon. Gentleman points to one of the impacts of the referendum result, which is that many industries have had a substantial currency tailwind, which has helped sectors such as aerospace and steel to deliver rather impressive results this year. He is right that we need to keep those sectors thriving. We need not only to get the most frictionless and wide-ranging trade deal that we can with the EU, but to export right across the world, where British goods and products are very well regarded.

Antoinette Sandbach (Eddisbury) (Con): Minister, 3,500 people in my constituency are employed in the manufacturing sector. Does she welcome the investment in Winsford by Tiger Trailers, a company with 200 employees that started three years ago, which plans to invest £22 million in a new building, doubling the size of its workforce, and exporting to Europe and elsewhere?

Claire Perry: I am delighted to welcome, and indeed celebrate, that investment. There has been a series of such announcements in the automotive manufacturing sector—it has been confirmed that the electric Mini will be built in the UK. It is clear that British industry is investing, growing and thriving in the UK. We will do all we can to ensure that that continues.

Sir Vince Cable (Twickenham) (LD): Given the importance of the aerospace sector in manufacturing capacity and the rather non-committal reply to the hon. Member for Strangford (Jim Shannon), will the Government commit themselves to standing very firmly, alongside the Canadian Government, behind Bombardier and its workers in resisting bullying from Boeing and its friends in the United States Administration?

Claire Perry: I am sure the right hon. Gentleman would agree that it is vital the dispute is settled, and that we create the environment for many manufacturers in this vital sector to thrive and grow.

Electric and Autonomous Vehicles

7. Alan Mak (Havant) (Con): What steps he has taken to support the development of electric and autonomous vehicles.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Our industrial strategy capitalises on our strengths as we build the next generation of motor vehicles. On 25 July, we committed £246 million to the Faraday challenge to make Britain a centre for the development of battery storage. The following day, BMW announced that the new electric Mini will be built in Oxford.
Alan Mak: As the fourth industrial revolution gathers pace, countries that embrace electric and autonomous vehicles will find it easier to move both people and products, reducing costs and boosting productivity. Will the Secretary of State continue to support such vehicles, as they drive our future economic growth and productivity?

Greg Clark: I will indeed and I am grateful to my hon. Friend for his championing of those investments. We already have an outstanding reputation in the automotive sector through our leadership and investment in both electric and automated vehicles. Ford, for example, has announced that its European smart mobility research will be based in Britain, and Nissan is conducting its automated vehicle testing in the UK. Our code of practice for testing new technologies is globally recognised as the best in the world. We have a successful motor industry and we want it to be stronger still.

Stephen Kinnock (Aberavon) (Lab): On 20 February, the Secretary of State said that he would release the famous letter to Nissan "when it is no longer commercially confidential"—[Official Report, 20 February 2017; Vol. 621, c. 784]. Will he explain whether that will be in 2017, 2018, 2019, or sometime thereafter?

Greg Clark: Yes, I will release the letter. The hon. Gentleman reminds us of the fact that the investment Nissan is making in Sunderland has secured 7,000 jobs on that site and nearly 50,000 jobs in the supply chain. It was a very welcome investment. We need to respect Nissan’s confidentiality, but I have made a commitment to the House that, when it no longer applies, I will certainly release the letter.

Mr Gregory Campbell (East Londonderry) (DUP): What discussions is the Secretary of State having with manufacturers on prolonging battery life as rapidly as possible, and on rolling out electricity charging points to ensure the existing points are working and not broken down, and that they become more readily available throughout the UK?

Greg Clark: We are gaining international respect and attention, including from some of companies that have been mentioned, for our commitment to research and development of battery storage. That is why, through our industrial strategy, the Faraday challenge to make us the best in the world in battery storage is so important.

The hon. Gentleman is absolutely right to mention charging points. We want to make it possible for people to plug in and charge their cars. We have over 11,000 publicly accessible charge points. That is the largest network in Europe, and we want to expand it further.

Energy Supply

8. Maria Eagle (Garston and Halewood) (Lab): What steps is he taking to ensure the security of the UK’s energy supply after the UK leaves the EU? [900791]

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Richard Harrington): The British energy market is one of the most liquid and developed markets in the world, and it provides security through diversity of supply. We enjoy cordial links with the EU in this field and expect that to continue after EU exit.

Maria Eagle: Does the Secretary of State accept that it is vital that we stay in the European internal energy market after Brexit in order to facilitate tariff-free trading of gas and electricity across borders, which we currently have? I know that the Department has been busy trying to find out why 20% of its staff have left without telling it why, according to a report in The Times, but will the Government reply to the report by the Business, Energy and Industrial Strategy Committee, and when will they announce policy options in this crucial area?

Richard Harrington: As the hon. Lady will be aware, the Government are considering all aspects of their future relationship with the EU, including the arrangements for trading energy. Our priority is maintaining affordable, clean and secure energy supplies for businesses and households.

23. [900806] Colin Clark (Gordon) (Con): Two thirds of our energy will still come from oil and gas in 2035, so will the Minister join me in congratulating the economic success of European Energy Regulators, coming as a prerequisite of European Energy Regulators and Council for the Co-operation of Energy Regulators and European Network Transmission Systems Operators and Council of European Energy Regulators, comes as a prerequisite.

Richard Harrington: I fully agree with my hon. Friend about the importance of the oil and gas industry, which supports more than 300,000 highly skilled jobs in regional centres of excellence across the UK, I understand from my recent visit to Aberdeen, where I was joined by him, that the sector is working on a compelling proposal for a deal, building on the unprecedented support we have already given to the industry, and I look forward to receiving it in the near future.

20. [900803] Alan Brown (Kilmarnock and Loudoun) (SNP): The UK is already a net importer of electricity. Post-Brexit, for the security of energy, the UK needs to maintain access to interconnectors and to remain part of the integrated energy market, as this provides tariff-free access to gas and electricity. Will the Minister confirm whether the UK will remain in the internal energy market post-Brexit?

Richard Harrington: I absolutely can confirm that maximum continuity of supply is very important to us. We have an excellent relationship with the EU on this, and it is the Government’s responsibility to make sure that it continues. I am sure that that will satisfy the hon. Gentleman.

James Heappey (Wells) (Con): It looks like membership of the internal energy market is not connected to single market membership but that membership of a couple of key industry and regulatory bodies, such as the Agency for the Co-operation of Energy Regulators and European Network Transmission Systems Operators and Council of European Energy Regulators, comes as a prerequisite. Has the Minister had any discussions with those organisations to see whether the UK can be a member when not a member of the EU?
Richard Harrington: As I am sure my hon. Friend is aware from his former membership of the then Energy and Climate Change Select Committee, we are talking all the time to these organisations, and our priority is to maintain the maximum continuity of supply that everyone in this country has been used to and will continue to enjoy.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Until now, the Government have put nuclear at the heart of their energy strategy, but their decision to leave Euratom puts at risk the security of markets, businesses and workers in the sector. Could this mean that the Secretary of State is finally wavering over his support for the over-budget and very late Hinkley Point?

Richard Harrington: I can confirm that the Secretary of State is very much in favour of the arrangements at Hinkley Point and that the Government are in favour of a mix of energy that includes nuclear and all its other sources. This has been very successful and ensured energy security and the continuity of supply that everybody enjoys.

Drew Hendry: The Minister will be aware that energy from nuclear plants will cost £92.50 per megawatt hour but that the new strike price for offshore wind is only £57.50—nearly half. Is he happy for people to pay higher bills for his Government’s nuclear obsession?

Richard Harrington: I thank the hon. Gentleman for effectively congratulating the Government on the results of the recent auction for energy prices—I, too, was delighted that the cost of offshore wind effectively dropped by half. I also remind him, however, that energy has to remain a mix. Nuclear is part of that mix, and as with all mixes aimed at maintaining continuity of supply, some are more expensive and some are cheaper. What matters is the average price paid, and I think that Hinkley will turn out to be a really good deal for the taxpayer, as it involves no public funds upfront, which is very unusual for this kind of massive development.

Dr Alan Whitehead (Southampton, Test) (Lab): I am a little concerned by the Minister’s reply to my hon. Friend the Member for Garston and Halewood (Maria Eagle). The Secretary of State specifically told the BEIS Select Committee in the spring that it was very much in Britain’s energy security interest to continue to participate in the internal energy market. Does the Minister agree with his own Secretary of State on this matter? If so, what action has he been taking to ensure that we can participate in that market after Brexit?

Richard Harrington: It is the job of the hon. Gentleman—the Opposition spokesman—to be concerned about everything that the Minister says. I fully accept that. In this particular case, however, I can but reiterate that maintaining continuity of supply is our first priority. That is what my right hon. Friend the Secretary of State says we must do, and that is what we shall do.

John Stevenson (Carlisle) (Con): As the Minister knows, nuclear is an important industry in Cumbria. As well as being a security issue, energy is an industrial issue. Can the Minister confirm that a nuclear sector deal is one of the Government’s main priorities?

Richard Harrington: Yes, I can. Having met Lord Hutton and other members of the Nuclear Industry Association, I am delighted to say that the sector deal is at an advanced stage, and we hope it will be one of the first that we are able to announce.

Corporate Governance

9. Jo Swinson (East Dunbartonshire) (LD): What steps he is taking to encourage long-term decision-making in corporate governance. [900792]

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): One of Britain’s greatest assets in competing in the global economy is our reputation for being a dependable place in which to do business. In our response to the recent Green Paper on corporate governance, we set out plans to build on those strengths through greater transparency and accountability to shareholders, employees and suppliers, and others with an interest in the long-term success of companies.

Jo Swinson: A myopic focus on short-term profit and share price in many British boardrooms damages the UK economy, leading to chronically low rates of business investment and the treatment of workers as units of production rather than human beings. Some respondents to the Green Paper suggested that long-term investors should be rewarded with stronger shareholder voting rights. Can the Secretary of State explain why the Government rejected that interesting proposal?

Greg Clark: We consulted widely on the Green Paper, and the set of reforms that we are making has enjoyed broad support. We are proposing to extend the holding periods for long-term share incentives from three years to five years. I think the hon. Lady played some part in the introduction of the three-year periods, and I hope that she will welcome the extension. We are also making it a more explicit requirement of boards, including boards of directors, to reflect in their reports and accounts what they are doing for a wider range of stakeholders, not just the short-term issues. I hope the hon. Lady will welcome that as well.

Industrial Strategy Challenge Fund

11. Mr Gavin Shuker (Luton South) (Lab/Co-op): To ask the Secretary of State what assessment he has made of the capacity of the industrial strategy challenge fund to increase economic growth. [900794]

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): The industrial strategy challenge fund will help to drive growth in all parts of the country by using research and development to position us well in global markets where Britain has particular strengths.

Mr Shuker: Can the Secretary of State explain why his challenge fund is directed at sectors that are dominated by an over-representation of men, while many of the professions in which females are over-represented face low investment, low skills, low pay and low productivity?

Greg Clark: Our exchanges this morning show the potential and the strengths that we have in successful sectors such as the automotive, healthcare and medicine,
and satellite and space sectors, in which we are creating very good jobs. However, my ambition and my Department’s ambition—which I hope the hon. Gentleman shares—is to increase the proportion of women and other groups who are under-represented in those industries, because there is talent there that we should be using, and part of our drive is to get the best talent into those world-beating industries.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): A recent report produced by Sheffield Hallam University found that the challenge fund had too narrow a sectoral focus, which was disproportionately benefiting areas in the south-east at the expense of traditional manufacturing areas in, for instance, the west midlands. What elements of the fund will benefit areas such as mine?

Greg Clark: I have not seen the report. I will look at it, but I think it is mistaken. The challenge fund includes, for example, the Faraday challenge, which I launched at the University of Birmingham along with many industrialists and academics from across the west midlands. It is proposed that the west midlands should be at the heart of the challenge. Investment in driverless cars, and in satellites and space, is taking place throughout the country. One of the big features of the challenge fund is that it reaches every part of the country, and, indeed, every part of the United Kingdom.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): With Brexit uncertainty mounting, inflation rising, growth faltering, business confidence at a six-year low, and the euro at a record high—I am sorry, but that is the truth. Our economy therefore needs action from this Government, but instead it is groundhog day, with the same money announced over and over again, which makes it back to the future for our regions, with, as my hon. Friend the Member for West Bromwich West (Mr Bailey) indicated, the challenge fund money being shown by Sheffield Hallam research to impact only 1% of the economy, overwhelmingly in the south-east. So will the Secretary of State stop prevaricating, do the right thing and tell us right now what level of regional growth he expects the challenge fund to deliver? Or does he not even know what success looks like any longer?

Greg Clark: Talking of groundhog day, the hon. Lady talks complete nonsense. The industrial strategy challenge fund and the industrial strategy Green Paper have been widely welcomed in all parts of the country. After our exchanges, I will send the hon. Lady the establishment of new enterprise zones. Are Ministers keeping under review the possibility of another round of them becoming available?

Ms Rimmer: The Government’s delay in giving out the business rate relief they announced in the spring Budget caused considerable suffering to thousands of businesses across the country. Measures such as the introduction of the staircase tax have also caused considerable tax increases for thousands of businesses across the country. Confidence has fallen back in the second quarter. The chairman of the Federation of Small Businesses has said—

Mr Speaker: Order. This is a most interesting essay, for which unfortunately we do not have time. What I am looking for from the hon. Lady—I am sure she will gratify the House—is a short question with a question mark at the end of it.

Ms Rimmer: The chairman of the FSB has said that enough is enough and a fundamental review of the business rates should be conducted. Will the Minister agree with the chairman and bring forward a date for a fundamental review of business rates?

Margot James: The hon. Lady raises very important issues, and I have met the chairman of the FSB to discuss business rates. Some of her questions should really be directed to my right hon. Friend the Chancellor, but in the meantime let me say that there has been a cap on rates increases, and small business rate relief will mean that bills will not increase by more than £50 per month for the first year. There has also been a £300 million local authority fund to provide discretionary relief on business rates, and I would encourage the hon. Lady to pressurise her council for the full benefit thereof.

Tom Pursglove (Corby) (Con): One way that this Government have very effectively supported SMEs is through the establishment of new enterprise zones. Are Ministers keeping under review the possibility of another round of them becoming available?

Margot James: I agree with my hon. Friend: enterprise zones have for the most part been a huge success in attracting investment and providing new jobs. We will keep in mind any future growth in the number of enterprise zones; we do not currently have any plans, but they have been a success and we will keep them under review.

Small and Medium-sized Enterprises

12. Ms Marie Rimmer (St Helens South and Whiston) (Lab): To ask the Secretary of State what steps his Department is taking to support small and medium-sized enterprises.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Margot James): British Business Bank programmes are supporting £3.4 billion of finance to almost 60,000 businesses. Growth hubs and the business support helpline provide information and guidance. In the hon. Lady’s area, the Liverpool city region growth hub has engaged and supported over 4,550 businesses, and I am leading a taskforce to identify opportunities to support SME growth.
The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Some of the biggest economic opportunities are in the rural parts of the United Kingdom, and I welcome the contribution of many rural representative groups to the development of our industrial strategy, including several organisations in Ayrshire.

Dr Whitford: Ayrshire has enormous industrial potential, including as a possible site for the medical manufacturing innovation centre and, of course, for the UK’s first spaceport, but for it to succeed and for local people to benefit and access those jobs we require wider infrastructure development. Ayrshire is not covered by a city deal, so will the Secretary of State speak to the Chancellor and back a full Ayrshire growth deal?

Greg Clark: The hon. Lady knows that I have great enthusiasm for a deal in Ayrshire, and conversations around that are ongoing. I am sure that she will welcome the progress being made on the spaceport, which is important for Prestwick, and the £3.5 million support for the Halo project at the old Johnnie Walker bottling plant in Kilmarnock. A lot is being done in Ayrshire, but I would like that progress to continue.

Jo Churchill (Bury St Edmunds) (Con): Has the Secretary of State considered rural enterprise zones? Municipalities may be more available than in towns. Clustering and smaller businesses to locate in rural areas, where premises may be more available than in towns. Clustering them together so that they can support each other is an excellent suggestion and I will take it forward.

Property Market Transparency

15. Nigel Mills (Amber Valley) (Con): What steps his Department is taking to increase transparency in the property market.

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Margot James): Knowing who ultimately owns and controls a company is crucial in the global fight against corruption, and the UK is leading by example. Our public register of company beneficial ownership went live in June 2016.

Nigel Mills: Will the Minister confirm whether the Government will proceed with the public register of companies that own high-value property in the UK and whether we will still see it in April 2018, as intended?

Margot James: We published a call for evidence on the proposal to create a new register showing the beneficial owners of overseas companies that own or buy property in the UK. The responses are currently being analysed, and we will publish a response in due course.

Reneable Energy and Carbon Budget Targets

16. Zac Goldsmith (Richmond Park) (Con): What steps the Government are taking to meet their renewable energy and carbon budget targets.

The Minister of State, Department for Business, Energy and Industrial Strategy (Claire Perry): As I have mentioned several times, the UK has led the world in introducing legally binding carbon budgets with cross-party support, and we have exceeded our budgets to date. We are also on track to exceed our ambition to generate 30% of our power from renewables by 2021—it is looking like we will deliver 35%. However, all that has not been done at the expense of economic growth and productivity. Indeed, yesterday’s PwC report says that Britain is leading the world in clean growth and is reducing emissions while growing the economy.

Zac Goldsmith: Millions of tonnes of wood pellets from clear felling biodiverse forests in the US, Canada and the Baltic states are burned to make electricity for the UK every year. In the light of clear evidence from the old Department—what used to be called the Department of Energy and Climate Change—that that results in carbon emissions at least equal to those of coal, will my hon. Friend reconsider the huge annual subsidies for large-scale, inefficient biomass electricity generation?

Claire Perry: My hon. Friend’s question demonstrates his deep knowledge in this area, but I am happy to reassure him that my Department’s follow-up, which was published in February this year, to the biomass energy counterfactual study that he references showed that the UK’s imported biomass is both sustainable and carbon beneficial. Although there is a risk of non-sustainable practices, they are not happening thanks to our strict sustainability criteria, and we continue to monitor the situation, because we are determined to maintain our global reputation for clean growth.

19. [900802] Clive Lewis (Norwich South) (Lab): Pope Francis warned yesterday that history will judge adversely politicians who do not act on climate change, so when will the Government heed his words and publish their long overdue report and fifth carbon budget emissions reduction plan?

Claire Perry: Again, I refer back to the fact that politicians, led by the hon. Gentleman’s colleagues and with cross-party support, published in 2008 the world’s first legally binding plan to reduce emissions. We also led the world in the Paris agreement that out set long-term, binding targets for the rest of the world. He should be proud of what we have achieved in this House and should join us in spreading the word that the UK is a leader in clean growth. Given the results of yesterday’s auctions, there is no longer a trade-off to be made between the cost of energy production and clean growth. We can both decarbonise and grow the economy, and he should be jolly well proud of that.

Mr Speaker: The Minister clearly leads a joyous existence. We have again received evidence of that today, for which we are grateful. We will take one further question.
Domestic Energy Price Cap

17. John Penrose (Weston-super-Mare) (Con): Whether Ofgem is able to implement a domestic energy price cap within its present powers.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Ofgem has extensive powers that would allow it to establish a cap on household energy prices that cause consumer detriment. The Competition and Markets Authority identified a consumer detriment averaging £1.4 billion a year, which I expect Ofgem to take measures to eradicate.

John Penrose: I thank the Secretary of State for that clarification. Is it not pathetic of Ofgem to ask the Government to pass a law ordering it to impose an energy price cap when, as he says, it has the legal powers to do that already? Does that not show that Ofgem is miserably failing to stick up for energy customers? Will he therefore push Ofgem to grow a spine and introduce a cap without delay?

Greg Clark: Ofgem has yet to respond to my request. I have the power to oblige Ofgem to put a cap in place. Doing that would seem excessive, and it would require primary legislation. Ofgem has those powers, so there is no need for that. That is why, faced with this huge detriment of £1.4 billion on average, I believe it is essential that Ofgem uses the powers that Parliament has given it to eradicate the detriment.

Topical Questions

T1. [900809] Caroline Flint (Don Valley) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Over the last few weeks we have made significant progress across a number of the Department’s responsibilities. We have been discussing the first sector deal, which will involve the Government working alongside life sciences businesses to capitalise on our expert science and research base to make that industry even more competitive. Our reforms of corporate governance, which will ensure that businesses publish pay ratios between chief executives and staff, will help to maintain the UK’s reputation as a confident place in which to do business. We continue to invest in innovation throughout the country through the industrial strategy. In July, I announced the FaradAy challenge, a £0.25 billion investment in battery technology in all parts of the country that will boost both research and development investment in battery technology in all parts of the industry.

Caroline Flint: The Secretary of State knows that the concern for Ofgem, even though it has the power, is that energy companies would appeal to the CMA and frustrate the process. What he has not acknowledged today is that, under section 26 of the Energy Act 2010, he already has the power to introduce a price cap if one group of customers is treated less favourably than other customers by an energy supplier. Why does he not seek measures to introduce the power he already has?

Greg Clark: Ofgem is the regulator, and it had a report from the Competition and Markets Authority saying that consumers are being ripped off to the tune of £1.4 billion a year. We have a regulator with powers given by Parliament, and those powers should be used. That is the challenge for Ofgem. I would be very surprised and very disappointed if any of the big six, knowing the objectivity of the CMA report, were to protest and appeal against such a determination.

T2. [900810] Kevin Hollinrake (Thirsk and Malton) (Con): I know the ministerial team has been working hard on this, but the issue with sleep-in shifts, if it is not resolved, is that charities will have to close their doors and the people they support, including those with learning disabilities, will be left without care. Will the Minister update us on the progress on quantifying the back-pay liabilities of those charities and on when an appropriate solution will be delivered?

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Margot James): Social care providers play a vital role in supporting some of the most vulnerable people in our society, but workers in that sector should be paid fairly for the important work they do. The Government are working closely with providers and worker representatives to estimate the scale of any back-pay liabilities for sleep-in shifts, and we have temporarily suspended HMRC enforcement action while that work continues, and it is continuing as a matter of urgency.

Rebecca Long Bailey (Salford and Eccles) (Lab): On 27 June, the Secretary of State failed to confirm to me that he would legislate for a price cap to deliver to 17 million customers the £100 saving promised by the Prime Minister if Ofgem did not propose such a cap. On 3 July, Ofgem announced its plans, which fall short of the Prime Minister’s promise, and later stated that a cap is really a matter for Government legislation. I ask again, will the Government now legislate for a price cap to deliver the Prime Minister’s promise?

Greg Clark: The hon. Lady is misinformed; Ofgem has not responded formally to my request, and it should act on the evidence presented to it, using its powers. The ball is in its court, and I expect Ofgem to do its job and stand up for consumers.

Rebecca Long Bailey: I am saddened that the Secretary of State is non-committal, because at the same time as we have rising prices, power distributors recently made an average yearly post-tax profit of 32%, paying out share dividends of £5.1 billion. For water, the situation is even worse, as over the past decade companies have made £18.8 billion in profits, paying out £18.1 billion of that as dividends, with Macquarie paying £1.6 billion in dividends alone, while Thames Water incurred £10.6 billion of debt, ran up a £260 million pensions deficit and paid no UK corporation tax. So I ask him: what are the Government’s plans to reform our broken utilities markets?

Greg Clark: On the specific point of retail energy markets, a two-year investigation has been carried out by the CMA, and it is now for Ofgem to respond. I hope it will respond and eradicate that deficit; that is the test that Ofgem faces. We have made it clear that we will rule nothing out if it falls short, but I do not want to remove the obligation on it to respond in that way. I hope that the hon. Lady will welcome our intention to publish a consumer Green Paper and that she will contribute to
it. This will look across the board—across other utilities as well—to see whether the existing regulatory arrangements are sufficient.

T3. [900811] Jo Churchill (Bury St Edmunds) (Con): The life sciences industry is worth £64 billion to the UK, and Sir John Bell’s report last week indicated how important manufacturing was. Will the Minister therefore join me in welcoming the opening of the cell and gene manufacturing unit and welcome further jobs in this industry in the east of England, particularly in my constituency?

The Minister for Universities, Science, Research and Innovation (Joseph Johnson): We indeed welcome that. Medicines manufacturing is key, which is why we have launched a £146 million medicines manufacturing programme under the industry strategy challenge fund. That includes £12 million for expansion of the cell and gene therapy manufacturing centre. The other centres, a vaccines centre, a medicines manufacturing innovation centre and three advanced therapy centres, are open to competition and could be located anywhere in the country, including in the east of England.

T5. [900813] Jessica Morden (Newport East) (Lab): This week’s electricity grid connection deal would make the Cardiff tidal lagoon the UK’s largest renewable energy project, generating some of the cheapest power in the country, and it would be a big boost to Newport, but its potential can be realised only with the Government first backing the pilot project in Swansea bay. When will that happen?

Greg Clark: I am aware of the issue and the representations being made on it. I am happy to meet the hon. Gentleman to explore what steps might be available, but he will be aware that pensions are, correctly, run at arm’s length from the Government, through an independent regulator and through the trustees, and so the Government’s ability to determine these things is very limited.

T6. [900814] Sir Edward Leigh (Gainsborough) (Con): Trading on the world’s markets as a free trade nation after 2019 will be a bit like swimming in the Serpentine on a winter’s morning: bracing and invigorating but a bit heart-stopping if one is not prepared. Will my right hon. Friend the Secretary of State explain how he is gearing up his entire Department to ensure that British industry no longer debates the rights or wrongs of staying in the EU or the single market but is fully prepared, and up-to-scratch with conferences, seminars and all the rest, to trade on the world’s markets?

Greg Clark: My hon. Friend will be aware that my right hon. Friend the Secretary of State explain how he is gearing up his entire Department to ensure that British industry no longer debates the rights or wrongs of staying in the EU or the single market but is fully prepared, and up-to-scratch with conferences, seminars and all the rest, to trade on the world’s markets.

The Minister of State, Department for Business, Energy and Industrial Strategy (Claire Perry): We will publish the clean growth strategy very shortly, but it is not just a question of simple decarbonisation; we have to decarbonise right across the economy and maximise the economic opportunities for doing that throughout the UK. We also have to ensure that we are not putting a high energy-cost burden on consumers and business and that all parts of Government are committed to the strategy for the long term. When we are able to publish the plan, which will be very shortly, I look forward to debating the issue further with the hon. Lady.

T7. [900815] Martin Vickers (Cleethorpes) (Con): The results of yesterday’s renewables sector auction were very beneficial for my constituency. Will the Minister outline what further developments he has in mind to encourage and support the construction of turbines in the UK? How will we ensure, particularly in northern Lincolnshire, that the skills are there to meet the demands?

Richard Harrington: I congratulate my hon. Friend on the news about the funding for the offshore wind farm in his constituency. I assure him that it is our ambition to have a strong industrialised supply chain. We have had great progress in attracting investment—for example, the UK’s first offshore tower manufacturing facility in Scotland is providing the UK’s first towers. I am pleased to say that we are working well with the sector to deliver a sustainable UK-based supply chain under the industrial strategy.
Mary Glindon (North Tyneside) (Lab): Smulders in North Tyneside is a fine example of a company that is already advanced in its own low-carbon growth strategies. What direct support will the Minister give to businesses such as Smulders under the delayed clean growth plan?

Claire Perry: I am sure that the hon. Lady will welcome the fact that we have made available more than £2 billion to support innovation and research and development in the sector. If a company in her constituency has specific projects that it would like to bring forward, I would be delighted to meet her to consider them.

T8. [900816] Stephen Hammond (Wimbledon) (Con): Now that it is autumn, many of our constituents are concerned about the cost of fuel and energy this winter. What can the Secretary of State say to reassure all our constituents that fuel and energy will be accessible for all this winter?

Greg Clark: We still have in this country some of the lower energy prices in Europe, but the major energy companies’ increases for those on the standard variable tariffs are clearly unacceptable. The issue has been identified by Ofgem, which needs to take action to correct it.

Peter Kyle (Hove) (Lab): Since the launch of the much heralded productivity plan 18 months ago, productivity has plummeted to pre-crash levels. Will the Secretary of State tell us which one part of that productivity plan he feels is responsible for the cataclysmic productivity figures we have today?

Greg Clark: The hon. Gentleman is an intelligent fellow and knows that the route to building productivity in this country is to look to the long term to establish, in a serious way, a shared analysis and determination about what is to be done. On skills, for example, I hope he will share our view that by investing in technical education through the new T-levels and extending the hours for which people are educated, we are taking a step towards addressing what is a generational challenge for the UK economy.

Vicky Ford (Chelmsford) (Con): More than eight out of 10 British manufacturers export elsewhere in the EU and tariffs or customs delays could have a negative impact. Will the Secretary of State confirm that the Government will seek to negotiate transitional relationships that maintain the economic benefits of the single market and customs union until a new relationship with the EU can be implemented?

Greg Clark: It is completely understood that a cliff edge would be bad for business. Companies need to have the confidence to be able to make investment decisions over the next few months and years. That acceptance across Government is welcomed by business.
Hurricane Irma: Government Response

12.35 pm

The Minister for Europe and the Americas (Sir Alan Duncan): At last Thursday’s statement, Mr Speaker, I undertook to update the House as appropriate, and I thank you for the opportunity to do so now.

At this very moment, my right hon. Friend the Foreign Secretary is on his way to the Caribbean to see for himself our stricken overseas territories and further drive the extensive relief efforts that are under way. The thoughts of this House and of the whole country are with those who are suffering the ravages of one of the most powerful Atlantic hurricanes ever recorded. It followed Hurricane Harvey, and was set to be followed by Hurricane Jose. More than half a million British nationals, either residents or tourists, have been in the path of Hurricane Irma, which has caused devastation across an area spanning well over 1,000 miles.

Given the circumstances, the overall death toll is low, but, unfortunately, five people died in the British Virgin Islands and four in Anguilla. At this critical moment, our principal focus is on the 80,000 British citizens who inhabit our overseas territories of Anguilla, the Turks and Caicos Islands and the British Virgin Islands.

Commonwealth realms in the Caribbean have also suffered. They include Antigua and Barbuda and the Bahamas as well as other islands such as St Martin and Cuba. We have around 70 British nationals requiring assistance on St Martin, and we are working with the US, German and Dutch authorities to facilitate the potential departure of the most vulnerable via commercial means today.

To prepare for the hurricane season, the Government acted two months ago—in July—by dispatching the Royal Fleet Auxiliary Mounts Bay to the Caribbean. This 16,000-tonne landing ship from the Royal Fleet Auxiliary is one of the most capable vessels at our disposal. Before she left the UK in June, the ship was pre-loaded with disaster relief supplies, facilities for producing clean water and a range of hydraulic vehicles and equipment. In addition to the normal crew, the Government also ensured that a special disaster relief team, consisting of 40 Royal Marines and Army personnel, was also on board. This pre-positioning of one of our most versatile national assets, along with an extra complement of highly skilled personnel, allowed the relief effort to begin immediately after the hurricane had passed. By Friday night, the team from RFA Mounts Bay had managed to restore power supplies at Anguilla’s hospital, rebuild the emergency operation centre, clear the runway and make the island’s airport serviceable. The ship then repositioned to the British Virgin Islands where its experts were able to reopen the airport.

Meanwhile in the UK, the Government dispatched two RAF transport aircraft on Friday carrying 52 personnel and emergency supplies for more than 1,000 people. On Saturday, another two aircraft left for the region to deliver a Puma transport helicopter and ancillary supplies. This steady tempo of relief flights has been sustained and yesterday it included a Voyager and a C-17. I can assure the House that that will continue for as long as required.

Already, 20 tonnes of UK aid has arrived, including more than 2,500 shelter kits and 2,300 solar lanterns. Nine tonnes of food and water supplies are due to be flown out to Anguilla imminently and will be followed by building materials. A further 10,000 buckets, 2,500 solar lanterns and 300 shelter kits will be arriving this week on commercial flights.

As I speak, 997 British military personnel are in the Caribbean. RFA Mounts Bay arrived in Anguilla again yesterday at dusk, as 47 police officers arrived in the British Virgin Islands to assist the local constabulary. We should all acknowledge and thank the first responders of the overseas territories’ own Governments. They have shown leadership from the start and are now being reinforced by personnel from the UK.

Many people—military and civilian—have shown fantastic professionalism and courage in their response to the disaster. I hope that I speak for the whole House in saying a resounding and heartfelt “Thank you” to all of them. [Hon. Members: “Hear, hear.”] This initial effort will soon be reinforced by the flagship of the Royal Navy, HMS Ocean. The Government have ordered our biggest warship in service to leave her NATO task in the Mediterranean and steam westwards with all speed. HMS Ocean loaded supplies in Gibraltar yesterday and will be active in the Caribbean in about 10 days.

The Prime Minister announced last Thursday—within 24 hours of the hurricane striking—a £32 million fund for those who have suffered. But in the first desperate stages, it is not about money; it is about just getting on with it. The Foreign Office crisis centre has been operating around the clock since last Wednesday, co-ordinating very closely with Department for International Development and Ministry of Defence colleagues. The crisis centre has taken nearly 2,500 calls since then and is handling 2,251 consular cases. The Government have convened daily meetings of our Cobra crisis committee. Over the weekend, the Foreign Secretary spoke to the Governors of Anguilla and the British Virgin Islands, along with Governor Rick Scott of Florida, where Irma has since made landfall over the weekend.

I have spoken to the United States Assistant Secretary of State for European and Eurasian Affairs about the United States Virgin Islands in respect of logistic support for the British Virgin Islands. As well as those affected across the Caribbean, some 420,000 British citizens are in Florida either as residents or visitors, and UK officials are providing every possible help. The Foreign Secretary spoke to our ambassador in Washington and our consul general in Miami, who has deployed teams in Florida’s major airports to offer support and to issue emergency travel documents to those who need them.

The House will note that Irma has now weakened to a tropical storm that is moving north-west into Georgia. I spoke to the Prime Minister of Antigua and Barbuda on Friday. The hurricane inflicted some of its worst blows on Barbuda, and a DFID team has been deployed on the island to assess the situation and make recommendations. Put starkly, the infrastructure of Barbuda no longer exists. I assured its Prime Minister of our support and I reiterate that this morning. On Saturday, the Foreign Secretary spoke to the Prime Minister of Barbados to thank him for his country’s superb support, acting as a staging post for other UK efforts across the Caribbean.
We should all be humble in the face of the power of nature. Whatever relief we are able to provide will not be enough for many who have lost so much, but hundreds of dedicated British public servants are doing their utmost to help and they will not relent in their efforts.

12.42 pm

Emily Thornberry (Islington South and Finsbury) (Lab): Let me thank the Minister for advance sight of his statement. I join him in commending the British personnel who are playing such a typically superlative part in leading the relief effort. I also join him in sending my thoughts and those of everyone in the House to those individuals in the British overseas territories and beyond who have lost their lives as a result of the hurricane, and to the tens of thousands more who have lost their homes and livelihoods in its terrible wake.

The unprecedented nature of the devastation makes it all the more important for us to ensure that the Governments and British citizens of the overseas territories, British expats living on the affected islands and British tourists visiting the region receive all the help they need as urgently as they can get it to cope with the immediate aftermath of the disaster, and to begin the long and arduous process of recovery.

I appreciate the efforts spelt out by the Minister today and last Thursday, and I know how hard he and his civil servants have been working over the past week, but he will equally appreciate the widespread criticism that the Government’s response has been both too little and too late. That criticism has come not just from the Opposition or from the respective Chairs of the Select Committee on International Development and the Select Committee on Foreign Affairs, but from the very groups I mentioned earlier: the Governments and British citizens of the overseas territories, British expats and British tourists. Theirs is the experience and criticism that really counts. So let us consider what they have been saying and the questions they have been asking, which the Minister will perhaps address today.

First, on the issue of evacuation, I thank the Minister for what he said, but it is alarming to many of us on both sides of the House that almost a week has gone by and he is still talking about the potential evacuation of British citizens, and, even then, only the most vulnerable. By contrast, across the islands, we hear the same accounts that the French, Dutch and American Governments have swiftly evacuated their citizens. It is the British who are left stuck, with the only commercial plane services available charging extortionate rates to get them out. A young British woman on the British Virgin Islands, holidaying with her mum and her two-year-old son, says:

“The UK should be doing more. People need evacuating. It’s becoming dangerous with supplies running low. I’ve looked at getting out but pilots want £2,250.”

That is clearly unacceptable, and it proves the point that, with the security situation deteriorating in many of the affected islands, all British citizens should be considered vulnerable. So can the Minister clarify for the House when all British citizens who want to be evacuated can expect to be evacuated, and what the Government are doing in the meantime to guarantee their safety, their shelter and their security?

On the wider issue of safety and security, the Minister will be aware of the concerns on islands such as Tortola that, as desperation and shortages grow, law and order is completely breaking down. In the absence of a clean-up operation, the threats of disease and water-borne infections are also growing. One resident has said:

“There is debris all over the island... people are running around like headless chickens... there has to be some... coordination.”

So what are the Government doing as part of their emergency support for the overseas territories to help their Governments re-establish some basic command and control, to maintain law and order where it is threatening to break down, and to put in place emergency plans to stop the causes of preventable, water-borne diseases before those diseases begin to spread?

Thirdly and finally, as we talk about the need to help the Governments of the overseas territories, and we hear the reassurances from the Minister and his colleagues that they are in it for the long term, we have to ask what that means. It cannot mean simply cleaning up the damage that has been done, giving people new homes and new livelihoods, and hoping that this will last for a few years until the next hurricane strikes. That is not fixing things for the long term; it is just patching things up until next time. With climate change making such hurricanes more intense and more frequent and showing no signs of slowing down, we urgently need a long-term plan for the overseas territories—a plan that is built around resilience and sustainability. So can the Minister confirm that when the Government sit down with their counterparts in the affected islands, the question of coping with climate change and future extreme weather events will be at the top of the agenda, with financial commitments to match, and will not, as usually happens, be the afterthought that always proves too difficult and too expensive?

Sir Alan Duncan: I thank the right hon. Lady for her comments. I am glad that, in her opening remarks, she recognised the magnitude of the hurricane—the largest natural disaster of this nature I think we have seen in any of our lifetimes. I am sorry, though, about the criticism she is levelling. Having seen this in the very centre and having watched it, and knowing, as a former DFID Minister, what is possible and what is done by the Government, I am afraid I comprehensively reject her criticisms, which I think are unjustified. It is inevitable that people in distress will want more, but it is essential to appreciate that when half a million people are hit by a hurricane, we cannot evacuate half a million people. What we have to do, particularly for those who wish to reside in the countries in which they permanently live, is to bring them help and, of course, the reconstruction the right hon. Lady mentioned. For instance, on St Martin, which is not one of our overseas territories—it is both Dutch and French—we are working closely with the Dutch and French. As I said in my statement, we hope that people will be evacuated even today.

It is quite right that people are prioritised according to need, and that is exactly what our call centre has done with the over 2,000 calls it has had, which have been logged and prioritised, and people have then, through all the logistical work I described in the statement, been evacuated and helped as required.

Let me say something about security, because that is a perfectly valid point that the right hon. Lady has raised. We had a serious threat of the complete breakdown of law and order in the British Virgin Islands. The prison was breached, and over 100 very serious prisoners...
escaped. What we then had to contend with—this is what Ministers, the MOD and everyone else are for—was how to cope with the threat that followed from that. So on Friday we put some Marines off RFA Mounts Bay to protect the governor and maintain law and order. I am pleased to say that 48 hours later we have been able significantly to reinforce the Marines. We have maintained and kept law and order on the British Virgin Islands, which at one point could have dramatically threatened the already unfortunate plight of those who have been hit by the hurricane. I hope that the right hon. Lady recognises what the governor there has done, what the Marines did, and what we all did to make sure that law and order was preserved.

On the long term, the right hon. Lady is right. DFID looks at the long term in all its programmes, quite rightly. In the face of growing severe weather incidents, it is important to build resilience and proper defences into the infrastructure wherever possible, but the infrastructure in a lot of these overseas territories is very flimsy, very small and very vulnerable. Perhaps the silver lining in the cloud is that where so much has been swept away, when things are rebuilt they will be better able to withstand the ferocity of the sort of hurricane that we have seen over the past week.

Several hon. Members rose—

Mr Speaker: Order. I gently point out that a Member who toddled into the Chamber after the statement started should not then stand expecting to be called. That is in defiance of our conventions.

Sir Henry Bellingham (North West Norfolk) (Con): I am grateful to the Minister for his statement. I would like to reinforce his heartfelt comments about all the personnel who have been involved in sorting out this horrendous damage. For example, in the BVI and Anguilla, there has been total destruction of all the schools. All 15 schools in the BVI have been destroyed. Does he agree that there is a need for a comprehensive, five-year reconstruction package? Does he also agree that one of the lessons coming out of this disaster is the need for a permanent naval base in one of the OTs? If the French and Dutch can do that—they both had two warships on standby before the hurricane—then surely we should. It would send a really strong signal of solidarity to the OTs.

Sir Alan Duncan: As he is a former Foreign Office Minister, I totally respect the thinking and comments of my hon. Friend. We do not directly govern the overseas territories; they govern themselves. It is perhaps questionable whether it is appropriate, looking at the geography, to have a permanent base at any of them. However, we do rotate our naval assets so as best to cover the danger of hurricanes and to be able to respond to them. I think that in this case that has been shown to be very effective. The trouble is that if we have permanent assets, people or machinery pre-positioned, they can often get hit by the very hurricane that we are trying to respond to a few days later.

Chris Law (Dundee West) (SNP): First and foremost, our thoughts are once again with those who are affected by the impact of the devastating Hurricane Irma. The SNP echoes the widespread calls for the UK Government to step up their efforts to ensure that those who are in need of urgent assistance receive it as swiftly and safely as possible. We welcome the fact that more than 700 British troops and 50 police officers have been sent to the British Virgin Islands after they were battered by the most powerful storm recorded in the Atlantic ocean. In addition, 20 tonnes of aid and £32 million is a start, but there must be more and we must ask the Minister to provide details of additional help to come. This is too little and too late.

There is real concern about the lack of preparedness by the UK Government in responding to the hurricane. The severity of Hurricane Irma had been predicted and there was time to prepare, but the UK Government did not do so. It is clear that in comparison to other territories’ and Governments’ responses, the UK Government have been lagging behind in their support and strategy. To give just one example to put this beyond any doubt, the French Government deployed their military before the storm, but the one ship sent by the UK Government arrived only on Thursday. Of course, if the UK Government had a proper shipbuilding strategy and this was implemented, they might be able to act sooner. Will the Secretary of State for International Development learn from the example of other Governments with reconstruction efforts and emergency funds? Once the International Development Committee is reconvened in Parliament, an inquiry into the UK Government’s slow response must be made an immediate priority to ensure that the UK is as prepared as it can be in dealing with such disasters.

Why have the UK Government lagged behind other countries in their support and strategy in responding adequately to Hurricane Irma? As I said last week—we have not heard a word about it so far from the Government Benches—it is clear that climate change plays a clear part in the ever-increasing 100-to-500-year storms that we have seen last week, as echoed by Gaston Browne, the Prime Minister of Barbuda. I therefore ask again what further pressures the UK Government are putting on Donald Trump to change his stance on the Paris climate change agreement.

Sir Alan Duncan: Again, I am rather dismayed by the hon. Gentleman’s sweeping criticisms of the efforts that have been made, because they are unsupported by the facts. For instance, the French do not deploy in advance specifically for hurricanes; they have troops permanently based there because the nature of French overseas territories government is different from ours. Our overseas territories are self-governing; the French govern directly, and therefore they have soldiers there all the time. But if they are there, depending on where the hurricane goes, they may not necessarily be in the right place, and some of their assets which they hoped would help may have been destroyed. Our flexible naval deployment is the best way of helping people in response to a hurricane when we know pretty well only at the last minute exactly where the force of the hurricane is going to hit.

On a shipbuilding strategy, I do not know where the hon. Gentleman has been over the past few weeks, but we have just announced one. Perhaps he might have the good grace to admit that we have announced a shipbuilding strategy and that instead of criticising us, he ought to be standing there saying, “Thank you very much.”
I reiterate the point—perhaps I chose my language imperfectly—that we are not so much evacuating people, but that we are not so much helping people, but helping them to depart in a way that I would argue, and I think we can prove, is very efficient and is the right way done to the highest standards.

Tom Tugendhat (Tonbridge and Malling) (Con): I welcome my right hon. Friend’s statement to the House today, and very much welcome the additional assets that have come forward. I join him particularly in thanking the military units who were so quick to respond. RFA Mounts Bay and the Royal Marines, alongside whom I have served for the best part of a decade, have demonstrated the flexibility that we know they all have. Given the different responses by different countries in different ways, based on their own experience, what lessons learned is he hoping to put in place so that when such an event, sadly, occurs again—as we must expect it to—we are even better prepared?

Sir Alan Duncan: I am very pleased to welcome praise from the new Chairman of the Foreign Affairs Committee and delighted at this new experience for me as I stand here today. There are always lessons learned, and there are always exercises after an event like this to make sure that we do learn the lessons. The focus at the moment should not be on levelling criticism where it is not justified; it should be—that is what this statement is about—on giving immediate help to those who desperately need it. The response we are giving is “all hands on deck”, and that is where the focus of our attention needs to be at the moment.

Mr Ben Bradshaw (Exeter) (Lab): My constituent Mark Wilson has been stuck on St Martin since the hurricane, his house completely demolished, with no access to food and water, and increasingly frightened about roving mobs. He finally managed to get off the island last night under his own steam. I am sorry to have to tell the Minister that he and his family in Exeter have been extremely angry and frustrated by what they see as the inadequacy of the British Government’s response, particularly compared with that of the French and Dutch Governments. However, my question is on the longer term. These territories receive significant European Union help. Will the Minister guarantee that, if and when we leave the European Union, this will continue?

Sir Alan Duncan: I have taken a close interest in the calls to the centre, particularly from Members of Parliament. I saw the right hon. Gentleman’s name among those who had called a specific helpline and investigated the plight of his constituent and confirmed that he had come off the island. As I said earlier, we have about 70 British people on St Martin, but I would ask the House to understand that it is not one of our overseas territories. It is half Dutch and half French. That is why we have been working with them, as they are best equipped on an island that is one of theirs, to help the British. I would like to send warm words of gratitude to the French and the Dutch for the co-operation they have shown in helping British citizens as much as they have helped their own.

Sir Hugo Swire (East Devon) (Con): I am sure that we will all welcome Labour’s latter-day conversion to our responsibilities and obligations to the British overseas territories, but many of the islands that are worst affected in the Caribbean are also part of the Commonwealth family. Has my right hon. Friend or one of his ministerial colleagues yet spoken to the secretary-general of the Commonwealth to see if there could be a co-ordinated Commonwealth response to help out some of the worst affected areas?

Sir Alan Duncan: I have not done so personally, but I take note of the suggestion that someone should do so. The Commonwealth countries do not necessarily have massive financial resources of their own to spend, but any co-operation to try to work together to address the crisis can only be welcomed and I will make sure that that phone call is made.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): Our thoughts are with all those affected and the British personnel who are now helping in the region. I welcome the progress we have seen over the past few days, but the Minister responds to two concerns that have been raised. The first is that the Royal Navy was unable to land heavy equipment on Anguilla because they could not use the docks or the beach. More broadly, we were less well prepared on the ground than both the French and the Dutch. For example, there was no stored equipment such as water, tents and generators on land, whereas such equipment was stored by those other countries. What lessons will he learn for the future so that we do not have these mistakes again?

Sir Alan Duncan: The conditions when Royal Fleet Auxiliary vessel Mounts Bay arrived at Anguilla were still very severe, but what they did have was the helicopter and they were able not only to do an immediate assessment across Anguilla but to restore power to the hospital and get the airport going again. What they did was significant. In terms of landing on difficult windy sands, the vessel did not do so on that occasion partly because we were trying to maximise or optimise the utility of the ship by getting it to do what it could urgently to make do and mend in Anguilla before going to the British Virgin Islands, where it became clear that the devastation was greater and where the population is larger. Before the threat of Hurricane Jose came in, which would have meant that they had to sail away again, they brought urgent help to the British Virgin Islands having left half their supplies to help Anguilla. Those operational decisions are to be admired.

Jeremy Lefroy (Stafford) (Con): HMS Illustrious helped greatly during Typhoon Haiyan in the Philippines, as did HMS Bulwark during Ebola in Sierra Leone, and now RFA Mounts Bay in the Caribbean followed by HMS Ocean. It is absolutely vital that the Royal Navy and the Royal Fleet Auxiliary have the vessels to back up British work on international development, and we know that HMS Ocean is due to be decommissioned. Can the Minister assure me that this is being fed right into the naval shipbuilding strategy?

Sir Alan Duncan: There is a shipbuilding strategy for two new aircraft carriers, but obviously on the detail of our shipbuilding and fleet the answer should come from
Ministers from the Ministry of Defence rather than me, but I reiterate that Mounts Bay did an incredible job, is perfectly well suited to the task and had been pre-positioned with appropriate supplies. That is the answer to the question asked by the hon. Member for Liverpool, West Derby (Stephen Twigg), the Chairman of the International Development Committee, because to take supplies in from a ship that has not faced the risk of those supplies being destroyed is the best way of bringing urgent relief to where it is most needed. I would point out as well, on the question of co-operation, that we have HMS Ocean leaving Gibraltar, which will also carry helicopters on behalf of the French.

Tony Lloyd (Rochdale) (Lab): The Minister should know that my constituents, Christine and Tonic Bibby, who are in their early and late 70s, have been stranded on St Martin since the hurricane. They have a desperately worried family here in Britain and are running out of water and food and have no electricity. There has been very little news about what positive action will help this couple. May I have some clarification? Will they be made safe, will they get the emergency supplies they need to sustain life, and will the evacuation proceed very quickly?

Sir Alan Duncan: Again, I have seen the hon. Gentleman’s name among those of many colleagues who have been in touch to represent their constituents’ needs. As I have said, there are 70 British on St Martins. It is not one of our overseas territories, but we are working with the French and the Dutch and we are confident that those in most need—and I hope more—can be assisted to depart today. The whole purpose of our hotline and the crisis centre is to ensure that we can properly rank people in order of need and I hope more can be assisted to depart today. The whole purpose of our hotline and the crisis centre is to ensure that we can properly rank people in order of need so that if, for instance, they are elderly, running out of food, have dependants or suffer from an illness, they will go higher up the list of priorities and will get help more quickly than the more able bodied.

Crispin Blunt (Reigate) (Con): I think that any fair-minded person would recognise the self-evident priority that the Government have given to their responsibilities to the British Virgin Islands and Anguilla. I am sure that my right hon. Friend welcomes the €2 million that the European Commission has made available to the territories and countries of the member states affected, but that stands in sharp contrast to the £32 million that the Government have made available. Pre-Irma, the only source of development aid for Anguilla was the European Union because of the rules of our development assistance. Anguilla borders the European Union in St Martin. What consideration is now being given to future support for Anguilla after we leave the European Union?

Sir Alan Duncan: Our focus at the moment is on helping those who require help and who are suffering from the devastating effects of the hurricane. I am sure that these policy issues will be addressed in due course. As my hon. Friend understands well, there are a number of overseas territories that receive assistance. Under the overseas development legislation, we are obliged to meet their reasonable needs. They have not been caught up in this, and no doubt assistance in the future will be reviewed following the consequences of the hurricane.

Stephanie Peacock (Barstons East) (Lab): Last week and over the weekend, I raised with the Foreign Office the case of two families caught up in the hurricane—one in the British Virgin Islands and two constituents in St Martin. I acknowledge that the situation is incredibly difficult and pay tribute to the service personnel who have worked hard to provide support, but I would say to the Minister that the resources he has outlined and the rescue operation he has spoken of were simply not what was experienced by people on the ground. May I press him, as other hon. Members have, on the long-term plans to improve future responses?

Sir Alan Duncan: I am very conscious that the island that has been most mentioned today in terms of the needs and plight of constituents is St Martin, which is, strictly speaking, not ours, although that does not mean that we do not want to extend as much help as we possibly can. All I would say to the hon. Lady is that if she still has constituents facing difficulties I would urge her to get in touch with me directly. I will do my utmost to investigate where they are on the list of priorities, but the latest advice I had, before I made the statement, was that in the case of St Martin the cases of pressing need should largely be addressed today.

Oliver Dowden (Hertsmere) (Con): Does my right hon. Friend agree that we owe the British overseas territories a special duty of care and that when it comes to long-term reconstruction DFID should be prioritising the interests of those territories, which previous Governments have failed to do?

Sir Alan Duncan: Intrinsic to my hon. Friend’s question was a reference to DFID, and I hope that he therefore will not mind if I steer him to DFID for a more comprehensive answer, but I am sure that in the light of this hurricane there will be a lot of policy issues that will have to be assessed and reassessed. I am sure that is one of them.

Jo Swinson (East Dunbartonshire) (LD): This has clearly been a terrifying experience for all those caught up in the awesome power of Hurricane Irma and our thoughts are with them. We must also praise the efforts of our brave service personnel. The Minister’s statement contained a lot about inputs but even more important are the outcomes, so will he tell us how many of the 2,000 or so consular cases he mentioned have requested assistance to be airlifted out, how many of those have been evacuated already and how many are due to depart on the flights later today that he mentioned?

Sir Alan Duncan: I do not have those exact details at my fingertips because this is an unfolding set of affairs. “Evacuation” is a word, but with assisted departure it is not as though we are trying to remove the entire population of an island, although in the case of Barbuda I am afraid that most people have had to go because there is nothing left. The details for which the hon. Lady is asking will become clearer in due course as we analyse how quickly we have been able to help people. We will of course be extremely self-critical and self-examining as to whether we have done this well or not, and whether the people we have put at the top of the priority list were those who most deserved to be there. So far, I am confident that the answer to that question is yes.
Robert Jenrick (Newark) (Con): Over the weekend I liaised with my right hon. Friend the Minister on behalf of friends of mine in the British Virgin Islands who are co-ordinating the evacuation of 300 British citizens. He was exceptionally helpful and responsive, and I am very grateful to him. Those citizens were very frightened by the breakdown of law and order in the British Virgin Islands, and I would be grateful if he could do everything he can to restore order there. Many of them are also trying to organise private evacuations by chartering private jets and boats to get themselves out, but they need the Ministry of Defence’s assistance to enable flights to land on the island. Will my right hon. Friend also take that matter up for us?

Sir Alan Duncan: I am grateful to my hon. Friend for his kind words. Yes, it was a busy weekend, but his gratitude should not really go to me nearly as much as it should go to the people in my private office and in the crisis centre who have been working flat out and, in many cases, beyond the call of duty. I will put the nice words he has said about me on a plaque and hand it to my staff. He is right about the airport in one sense. We can get an airport going, but it then takes quite a lot of logistical planning to ensure that the right aircraft come in. We have to get in the ones that can deliver aid. It is up to the airport authority to decide which flights can come in and in what order, what sort of planes the airport can take and whether the runway is going to get too congested as supplies are unloaded. I am confident that things are now ramping up quite a lot as a semblance of normality returns.

Chris Stephens (Glasgow South West) (SNP): I have received a number of phone calls from my constituent Mrs Joyce, whose son Brendan works for the Royal Navy in the British Virgin Islands. He has lost everything, and I thank the Minister’s office for dealing with that inquiry. Can the Minister be more specific about the food and water supplies going to the British Virgin Islands? He said that their arrival was imminent. When are they going to arrive on the island, and can he be more specific about assessing these needs in the days and months ahead?

Sir Alan Duncan: I think that there is water in the BVI. The main issue there, as I said earlier, is law and order, but we have managed to contain the situation. DFID has supported the delivery of more than 5 tonnes of food and water donated by the Caribbean Disaster Emergency Management Agency. It has also deployed a field team to find out exactly where the pockets of need are, so that the supplies can get to them as quickly as possible.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): I should like to join the Minister in paying tribute to the UK armed services personnel who are delivering vital aid and support as we speak, and who are once again proving that they really are the most versatile and best-trained armed forces in the world. Can my right hon. Friend update the House on any requests from other Governments in the region to utilise our world-leading assets and personnel?

Sir Alan Duncan: I have just been talking about this with the Under-Secretary of State for Defence, my right hon. Friend the Member for Bournemouth East (Mr Ellwood). Yes, we are co-ordinating and there will, for example, be some French assets on HMS Ocean, which I think is leaving Gibraltar today. I was in Gibraltar over the weekend, but obviously I had to come back for last night’s vote so I unfortunately had to leave before she docked. There is co-operation and we are grateful to the French and the Dutch. I have also been speaking to the United States. Everyone is proceeding in a spirit of maximum co-operation and urgency. In a way, it should lift our spirits to know that all countries are working together in the best possible way.

Toby Perkins (Chesterfield) (Lab): In an interview yesterday, Haydn Hughes, the former Anguillian parliamentary secretary, stated: “Up to today, six days after Hurricane Irma hit Anguilla, there has been no meaningful action provided by the UK Government”. He said that there was no sense of a “plan of action” or of “how any aid moneys would be allocated”. Anguilla is still without electricity or running water. It is a British overseas territory. The Minister is right to say that this is a cataclysmic disaster, but the scale of the UK’s response does not in any way meet the size of the disaster that has befallen those people, for whom we have a responsibility. Will he ensure that when the Foreign Secretary gets there, there will be a real drive to increase the urgency and the co-ordination on the ground, so that the people of Anguilla can have a real sense that Britain is there for them?

Sir Alan Duncan: To take one person’s comments and say that they describe the overall picture is deeply unfair. What we have done in Anguilla has been a great help. As I have said, RFA Mounts Bay got the power in the hospital going again and delivered supplies. It also got the airport going again before it went to help the British Virgin Islands. Unlike the British Virgin Islands, however, Anguilla has not asked for UK consular support. The Government are still leading on that. The hon. Gentleman really just needs to hold back on his criticism and appreciate that a lot is being done in the midst of this very complicated post-hurricane mayhem, although any kind of complaint is quite understandable because so many people are in deep distress.

Alex Chalk (Cheltenham) (Con): I acknowledge that the Minister does not have direct departmental responsibility for this, but may I press him on the issue of our international aid budget? Given our close connections with, and responsibilities for, the British overseas territories, does he agree that the Government should look urgently at ensuring that that budget will help to provide the necessary wide pipeline of aid in the months and years to come?

Sir Alan Duncan: I am tempted to commit DFID to spending lots of money, as I would wish, but I am sure that my hon. Friend will appreciate that we will have to assess future budgets. I am sure that my right hon. Friend the Secretary of State for International Development will make her plans clear in due course, once we have been able to work out how to proceed in those distressed and, in many cases, devastated islands. May I add a tiny thing to an answer I gave earlier? The Mounts Bay used its helicopter to drop a significant amount of water and
food on Jost van Dyke yesterday and has done an enormous amount to prioritise the need that we are addressing.

Patrick Grady (Glasgow North) (SNP): What discussions is the Minister having with the commercial airlines that operate services in and out of the British Virgin Islands? I have been contacted by a constituent whose sons in Tortola in the BVI have been sheltering in a house with 11 people and assorted dogs. They are all safe, but they were hoping to get out on a flight this afternoon. However, they have been unable to make contact with British Airways to find out whether it will actually depart. Apparently the phone lines just keep ringing out. What steps are the Government taking to support commercial operators in emergency situations to ensure that there are clear lines of communication between those affected, their families and the airlines?

Sir Alan Duncan: The commercial airlines got quite a lot of people out in advance. When we are in contact with people who are asking for that kind of assistance, we endeavour to help with the communications the hon. Gentleman has described. I stress again that our focus has to be prioritised. Those who are ill, dependent, old or disabled get first treatment and, yes, there will be a bit of a queue. However, I am confident that the civil airlines are doing their utmost. Indeed, my right hon. Friend the Foreign Secretary spoke at length to the Association of British Travel Agents last night in order to discuss exactly the kind of co-ordination and co-operation the hon. Gentleman has just mentioned.

Wendy Morton (Aldridge-Brownhills) (Con): I am grateful to the Minister for coming to the Chamber and updating us on the situation, and for providing a degree of clarity and a depth of information that is useful to us. The FCO crisis centre and crisis line are clearly providing a vital lifeline to many in the affected areas. Can he give us an indication of the volume of calls involved, and of the workload that the centre is handling at the moment?

Sir Alan Duncan: Yes; there have been about 2,500 cases. Perhaps I can alert the House to the fact that I am endeavouring to book a room tonight to allow members of our crisis centre to meet colleagues so that the facts can be described and explained. At the moment, I am aiming for a meeting at 6.30 in a Committee room, and if I am successful in organising it, I will try to get a note out through the Whips straight after this statement so that the details of any consular cases, and of what we have been doing and how and why we have done it, can be put directly to colleagues by members of the crisis centre. In that way, colleagues’ detailed questions about the operational performance of the response can be answered directly.

Henry Smith (Crawley) (Con): Will the Minister join me in paying tribute to the British overseas territories that have been helping each other to recover from this crisis? For example, later today a relief flight with the Premier of the Cayman Islands on it will go from that territory to Anguilla with medical supplies, and it will evacuate Anguillans to the Cayman Islands for support.

Sir Alan Duncan: My hon. Friend is absolutely right. Bermuda and the Cayman Islands have been helpful, and the Government of Gibraltar, where I was at the weekend, are going to put some very helpful vehicles on to HMS Ocean. The spirit of mutual help from overseas territories and Commonwealth countries—indeed, from all countries—is commendable.

May I confirm that I have arranged for a briefing for all Members of Parliament in Committee Room 16 at 6.30 this evening? It will be cross party, and everyone is invited should they wish to quiz someone from the crisis centre or raise any consular concerns.

Tom Pursglove (Corby) (Con): Could the Minister say a little bit more about the Foreign Secretary’s visit and his plans for it?

Sir Alan Duncan: My right hon. Friend the Foreign Secretary is at this moment flying to the British Virgin Islands. I believe he will also be flying to Anguilla, although the logistics are being put in place at the last moment. He is keen to see the devastation for himself and to reassure Governors, who have done a magnificent job under the most incredible pressure. I could not be more full of praise for the Governors and their staff, in the light of what they have withstood, for what they have managed to do to maintain the continuity of government and co-ordinate with us the aid that their populations so desperately need. My right hon. Friend the Foreign Secretary will also co-ordinate very closely with DFID and the MOD about what can be done in the next phase of help to our overseas territories and anyone else deemed to be appropriate.
Sky/Fox Merger

Mr Speaker: I call the Secretary of State for Digital, Culture, Media and Sport to make a statement.

1.22 pm

The Secretary of State for Digital, Culture, Media and Sport (Karen Bradley): I apologise for beginning my statement by correcting you, Mr Speaker, but I am now the Secretary of State for Digital, Culture, Media and Sport. The Department has a new word in its name.

I am here to give an update on the proposed merger between 21st Century Fox and Sky plc and on my decision about whether to refer the transaction for a full six-month investigation by the Competition and Markets Authority. I should first remind the House that in my quasi-judicial role I must, first, come to a decision on the basis of relevant evidence; secondly, act independently in a process that is fair and impartial; and, thirdly, take my decision as promptly as is reasonably practicable. I am committed to transparency and openness in this process and have been clear that my decisions can be influenced only by facts, not by opinions, and that they can be influenced only by the evidence, not by who shouts the loudest.

I turn, first, to media plurality, and I can confirm that none of the representations received has persuaded me to change my position. Accordingly, I can confirm my intention to make a referral on the media plurality ground to the CMA. On the question of commitment to broadcasting standards, over the summer my officials reviewed the almost 43,000 representations received. A significant majority of them were campaign-inspired, arguing against the merger going ahead but generally without providing new or further evidence or commenting on Ofcom’s approach. Overall, only 30 of the 43,000 representations were substantive, raising potentially new evidence or commenting on Ofcom’s approach. Almost all were related to commitment to broadcasting standards.

In the light of those representations, I asked Ofcom to provide further advice. May I put on record my gratitude to Ofcom for its efforts to respond to the questions that were raised? I am, today, publishing the exchanges between my Department and Ofcom. In those exchanges, I sought clarification on, first, the threshold that Ofcom applied to its consideration of the commitment to broadcasting standards ground; secondly, the consideration made of broadcasting compliance; and, thirdly, the consideration made of corporate governance issues. I also asked Ofcom to consider whether any of the new, substantive representations that I received affected its assessment.

I have taken careful account of all relevant representations and Ofcom’s advice, and I have today, as required by the legislation, written to the parties to inform them that I am now minded to refer the merger to the CMA on the grounds of genuine commitment to broadcasting standards. I will now set out the technical reasons for that decision.

Questions were raised about the threshold for referral. The legal threshold for a reference to the CMA is low. In my view, it would be appropriate for the CMA to consider the representations received and Ofcom’s additional advice, I believe that those concerns are sufficient to warrant the exercise of my discretion to refer.

The first concern, which was raised in Ofcom’s public interest report, was that Fox did not have adequate compliance procedures in place for the broadcast of Fox News in the UK and that it took action to improve its approach to compliance only after Ofcom expressed concerns. Ofcom has confirmed it considers that to raise concerns that are non-fanciful but not sufficiently serious to warrant referral. I consider that those non-fanciful concerns warrant further consideration. The fact that Fox belatedly established such procedures does not ease my concerns, and nor does Fox’s compliance history.

Ofcom was reassured by the existence of the compliance regime, which provides licensees with an incentive to comply. However, it is clear to me that Parliament intended the scrutiny of whether an acquiring party has a “genuine commitment” to attaining broadcasting standards objectives to happen before a merger takes place. Third parties also raised concerns about what they termed the “Foxification” of Fox-owned news outlets internationally. On the evidence before me, I am not able to conclude that that raises non-fanciful concerns.

However, I consider it important that entities that adopt controversial or partisan approaches to news and current affairs in other jurisdictions should, at the same time, have a genuine commitment to broadcasting standards here. Those are matters the CMA may wish to consider in the event of a referral.

I turn to the question of corporate governance failures. Ofcom states in its latest correspondence that such failures raise non-fanciful concerns in relation to the broadcasting standards ground. However, it again concludes that those concerns do not warrant a reference. I agree that corporate governance issues at Fox raise non-fanciful concerns, but in my view it would be appropriate for those concerns to be considered further by the CMA. I agree with the view that, in this context, my proper concern is whether Fox will have a genuine commitment to attaining broadcasting standards objectives. However, I am not confident that weaknesses in Fox’s corporate governance arrangements are incapable of affecting compliance in the broadcasting standards context. I have outstanding non-fanciful concerns about these matters, and I am of the view that they should be considered further by the CMA.

Before I come to a final decision, I am required, under the Enterprise Act 2002, to allow the parties to make representations on my proposed decision, and that is the reason why my decision remains, at this stage, a “minded to” one. I have given the parties 10 working days to respond. Following receipt of any representations from the parties, I will aim to come to my final decision in relation to both grounds as promptly as I can.

“we consider that there are no broadcasting standards concerns that may justify a reference.” At the time, Ofcom appeared to be unequivocal. Following the additional representations, Ofcom has further clarified that “while we consider there are non-fanciful concerns, we do not consider that these are such as may justify a reference in relation to the broadcasting standards public interest consideration.”

The existence of non-fanciful concerns means that, as a matter of law, the threshold for a reference on the broadcasting standards ground is met. In the light of all the representations and Ofcom’s additional advice, I believe that those concerns are sufficient to warrant the exercise of my discretion to refer.
[Karen Bradley]

I remind the House that should I decide to refer on one or both grounds, the merger will be subject to a full and detailed investigation by the CMA over a six-month period. Such a referral does not signal the outcome of that investigation. Given the quasi-judicial nature of this matter, my decision cannot be guided by the parliamentary timetable. If I come to my decision during recess, I will write, as I have done previously, and return to this House at the earliest possible opportunity to provide an update. I commend this statement to the House.

1.29 pm

Tom Watson (West Bromwich East) (Lab): I thank the Secretary of State for advance sight of her statement.

The Secretary of State has taken her responsibilities seriously, and I give her credit for that. I give her credit, too, for listening to the evidence before her, including new evidence submitted after she had announced her initial decision, and for changing her mind. I also want to praise my right hon. Friend the Member for Doncaster North (Edward Miliband), who has run a very effective campaign in this area. Dare I say it, but I think he leads the race for Back Bencher of the year for his campaign?

I welcome the Secretary of State’s decision—or, I should say, the fact that she says she is minded to make such a decision—to refer the bid on broadcasting standards grounds, as well as on media plurality grounds. This is the first time that a Minister in the current Government has ever stood in the way of what the Murdochs want—and, frankly, not before time. So well done, and as they say in the Black country, “She’s a good ‘un.”

The Secretary of State has done everything we asked her to do—or almost everything. Her statement does in my view, however, reflect a failure on the part of Ofcom. In its first report, as she said, Ofcom said that there were “no broadcasting standards concerns that may justify a reference”. It has now admitted that there are, as she said, “non-fanciful concerns”. On that basis, she had to refer the bid, and she has done so. It should have been obvious to Ofcom, as it certainly was to all Labour Members, that concerns about the Murdochs were more than fanciful.

After all, the Murdochs have a long history of regulatory non-compliance and of corporate governance failure. Just last week, Fox recognised its own failure to comply with broadcasting standards when it pulled Fox News, which has breached Ofcom’s rules again and again, from the UK. Ofcom could have gone further, too, on the “fit and proper” test. It decided that a post-merger Sky would pass, despite clear evidence of impropriety and failure of corporate governance both at 21st Century Fox and at News Corporation.

Such failures include the phone hacking scandal, which still has loose ends that are yet to be tied up. Just last week, News Group settled 17 cases related to allegations of criminality at The Sun newspaper, ensuring that James Murdoch will not have to appear in court later this year. Those 17 cases are just the first tranche of 91 new claims of phone hacking and illegality in obtaining information against The Sun and News of the World. This story is far from over, even if we will read little about it in the pages of the Murdochs’ newspapers, and all these cases are claims against a company that claimed for over a decade that there was no problem and that tried to move heaven and earth to prevent abuses from being uncovered. This is alongside the ongoing sexual and racial harassment scandal at Fox News, which is part of 21st Century Fox’s empire.

As I have said, the Secretary of State has done almost everything we asked her to do. The one thing we still want, and we have said this time and again, is that we need to get properly to the bottom of the scandals at the Murdoch empire—part 2 of the Leveson inquiry. She has now shot her fox with the Murdochs. She has burned her boats, and they already do not like her—I know what that is like—but that liberates her. Go on, Secretary of State, do the right thing: go ahead with Leveson 2.

Karen Bradley: I am a little unsure about whether I have been damned with faint praise. I do not know that I will ever again hear such good words from the hon. Gentleman across the Dispatch Box.

I want to repeat the point I made in my statement: I have made this decision on the basis of the evidence. I take my quasi-judicial role very seriously. I have looked at the evidence before me and considered Ofcom’s response to the further evidence that we put to it, and that is why I have made this announcement. I remind the hon. Gentleman that the “fit and proper” duty that he mentioned is a duty on the independent regulator. It is a responsibility of Ofcom as an ongoing duty. It will not end at any point but will be there for Ofcom to continue to consider for any holder of a broadcasting licence.

On the matter of Leveson, I will shortly come to the House with the responses to the consultation about it that we have carried out. The hon. Gentleman will perhaps understand that this summer has been fairly busy, with the need to review significant amounts of evidence.

I ask the hon. Gentleman to join me in condemning the campaign that has been run by some very left-wing activists. Some people spent the summer walking around my constituency wearing masks with my face and carrying big electronic A-boards. They not only pursued me around town, but actually went and found my family, who live outside my constituency, and protested there. I am taking this decision on the basis of evidence, not of any campaign of intimidation and harassment, and I hope he will join me in condemning those activities.

Tom Watson rose—

Mr Speaker: I do not think there is a procedure for responding.

Tom Watson: On a point of order, Mr Speaker.

Mr Speaker: We do not normally take points of order in the middle of statements, but I am in a generous mood, and I will hear the hon. Gentleman if he is characteristically brief.

Tom Watson: I will be brief. Sir, I am very sorry to hear the allegations that the Secretary of State has made, and I promise her that I will go away and look at the evidence. If Labour party members are involved in this, we will deal with them. Let me say to her that I
have been as sickened as she has been by the way in which our colleagues in this House have been targeted for doing their jobs. A heavier load is carried by our female colleagues, so let me make it clear: you can either be a misogynist or you can be a member of the Labour party, but you cannot be both. If she gives me the evidence, we will deal with this.

Karen Bradley: Further to that point of order, Mr Speaker.

Mr Speaker: Yes, briefly.

Karen Bradley: I just want to respond by thanking the hon. Gentleman. I think we are at one on that point, and we would like to work in a cross-party way on these matters.

Mr Speaker: Thank you.

Damian Collins (Folkestone and Hythe) (Con): I thank the Secretary of State for her statement, and for agreeing to appear in front of the Select Committee during the first week back after the conference recess, when we will have the chance to question her further on this matter. I hope that she will agree that this process is working: it is right that such questions about broadcasting standards and whether licence holders are fit and proper persons are taken by the appropriate independent regulatory body. It should not be for politicians to exercise discretion about who they think should or should not hold licences, but to provide official guidance for the regulator.

Karen Bradley: As I have not had the chance to do so in the House, I congratulate my hon. Friend on his return as Chair of the Select Committee. I look forward to being interrogated by him, I am sure at length, in a few weeks' time. He is right: the process is set down in the Enterprise Act. Parliament voted for this process, and it has asked me as Secretary of State to follow the process. I have taken that role very seriously, and I will continue to make sure that I act scrupulously fairly in this matter.

Brendan O'Hara (Argyll and Bute) (SNP): I thank the Secretary of State for prior sight of her statement. She rightly acknowledges that there is growing public concern about the concentration of media ownership in fewer and fewer hands. SNP Members absolutely share those concerns. It is essential that there is a plurality of voices within the media across the UK for the maintenance of diversity and standards.

Before the recess, SNP MPs absolutely welcomed the fact that the Secretary of State was minded to refer this matter to the CMA, and we are delighted that she has now confirmed that it is her position so to do. We also welcome the fact that she is now minded to refer the takeover on the grounds of broadcasting standards as well. In doing so, I believe that she has bolstered the confidence of the public that broadcasting standards and diversity within the media will have been carefully considered, even should this takeover be given the green light at some point in the future.

If the CMA says that this deal does not pass the public standards test, will the Secretary of State follow its advice, or, in her quasi-judicial role, will she allow Fox to make further representations and give assurances before she reaches a final decision? As the process is ongoing, will she commit to consulting MPs such as my hon. Friend the Member for Livingston (Hannah Bardell) to ensure that employees' views are also taken into account before she reaches a decision? We welcome her commitment to openness and transparency, but will she do everything she can, within given constraints, to ensure that the announcement of a decision, when it is reached, is made to this House rather than through a written ministerial statement?

Karen Bradley: To deal with the last point first, I have given every statement to the House first. The only occasions on which I have not been able to come to the House in person have been when Parliament has been in recess. At those times, I have always written to Mr Speaker, the Lord Speaker, the Chairs of Select Committees and my shadow on the Opposition Front Bench. I will continue to ensure that Parliament hears first about any decisions that I take.

The hon. Gentleman referred to the hon. Member for Livingston (Hannah Bardell), who I know has raised concerns in this Chamber about Sky employees. The terms on which I can intervene on the merger are set out very clearly in the Enterprise Act 2002. They relate to public interest tests, and I am minded that the CMA should look further at those on plurality and commitment to broadcasting standards. The rules governing this process are quite prescriptive, but I am aware of the hon. Lady's concerns.

It is worth putting it on record that although nothing has changed in my “minded to” decision on plurality, I can make a referral to the CMA only once. I must make that referral on the basis of all the grounds for referral; I cannot do it piecemeal. That is why I have not yet referred to the CMA on the issue of plurality. Now that I have set out my “minded to” decision, the parties have 10 working days to come back to me. I will then make a final decision on the basis of that.

The hon. Gentleman is right that this is an important part of the process of gaining public confidence in media mergers. It is something that Parliament has prescribed, and I am determined to ensure that I abide by the rules.

Mr John Whittingdale (Maldon) (Con): I understand and support my right hon. Friend's decision, or at least the decision she is minded to take. However, she will be aware that by the time the CMA reports, it will be well over a year since the matter was first proposed, which has created considerable uncertainty for the companies and for investors. Does she therefore agree that whatever verdict the CMA may reach, that ought to resolve the matter?

Karen Bradley: My hon. Friend is right that this process has taken a significant period of time. It was always known that this would be a lengthy process. I remind the House that the proposed merger was set out in December last year, but no official notification of the merger was made to the authorities until February. We have been determined to deal with it as promptly as possible. The small matter of purdah also got in the way earlier in the year. I am afraid to say. I am mindful that I have to act as promptly as is reasonably practicable. I am aware that there are those who are keen to see this matter progress. I want to get the CMA working on it as
soon as possible, and that will be the final part of the official process set out in the Enterprise Act, although there are always opportunities for discussion at that point.

Edward Miliband (Doncaster North) (Lab): I welcome the Secretary of State’s decision on plurality and her “minded to” decision on broadcasting standards. I join my hon. Friend the Member for West Bromwich East (Tom Watson) in praising the Secretary of State. She has made a brave decision—or is minded to make a brave decision—but it is the right decision and one that the Murdochs will not like. I have my own experience of the Murdochs, and she is absolutely to be commended for that.

The Secretary of State is ignoring what is, in my view, the unreliable and flawed advice of Ofcom. She knows that I and a number of colleagues believe that its view on “fit and proper” is also flawed and unreliable. If its advice on broadcasting standards is flawed, I think we can draw some conclusions about its position on “fit and proper”, although I know she will not comment on that.

I have one specific thing that I want to ask the Secretary of State. Can she reassure us that if the CMA holds the inquiry she is minded to have, it will be a comprehensive look—the first time this has happened, I think—at the Murdochs’ disgraceful record in news and, indeed, broadcasting—from the News of the World to Fox News to Sky News Australia? Crucially, will she confirm that it will look at the issue of corporate governance, which was something that she flagged up in her letter to Ofcom, although I do not think it looked at that properly? That needs to be looked at, as it relates to broadcasting standards.

I end by saying that the Secretary of State has done her job today; it is now for the CMA to do theirs.

Karen Bradley: I thank the right hon. Gentleman for his question. Together with the right hon. Member for Twickenham (Sir Vince Cable) and my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), he contributed one of the 30 substantive representations that I received. He referred to the “fit and proper” test. One question that he raised in his representation was the level of the threshold. What has become clear from the conversations we have had and our work is that the threshold for referral to the CMA is a different threshold from the “fit and proper” test. The “fit and proper” test is, quite rightly, something for Ofcom.

If the right hon. Gentleman looks at my statement, he will see the reasons I have set out for referral to the CMA. As and when the “minded to” decision becomes a final decision, I will set out those reasons in full.

Michael Fabricant (Lichfield) (Con): I am grateful to my right hon. Friend for coming to the House today. No right hon. or hon. Member could deny that she has come to the House frequently and kept us informed. As she has said, this process has lasted for over a year, so I ask her two questions. First, does this announcement today mean that there will be a further delay? Secondly, does she fear that there will be calls for a judicial review, which would delay the decision still further?

Karen Bradley: My hon. Friend makes an important point. Clearly, there is always scope for anybody to call for a judicial review about the process if they feel that that is appropriate. That is why I have been scrupulous in my work during this process to ensure that I comply fully with the terms of the Enterprise Act.

My hon. Friend also asked about delay. The referral to the CMA on plurality alone would be for six months, and the referral to the CMA on both grounds is also for six months, so that does not change the timeframe to ask the CMA to look at commitment to broadcasting standards in addition to plurality.

Sir Vince Cable (Twickenham) (LD): I add my welcome and appreciation to the Secretary of State for her referrals. I suggest that if she were to revisit Leveson 2—a judge-led inquiry—that would add to the evidence base for Ofcom’s investigation, if it happened quickly.

Karen Bradley: I presume that the right hon. Gentleman means the CMA and not Ofcom when he talks about the inquiry. As I said in response to the hon. Member for West Bromwich East (Tom Watson), I will respond to the responses to the Leveson consultation that we carried out. I thank the right hon. Gentleman for his representations, which he made with the right hon. Member for Doncaster North (Edward Miliband).

Kevin Foster (Torbay) (Con): I thank the Secretary of State for her statement. Given the lobbying that has gone on, much of which right hon. and hon. Members have received, will she lay out in detail what can be taken into account legally under the quasi-judicial test?

Karen Bradley: I know that right hon. and hon. Members on both sides the House have been subjected to significant lobbying on this matter. I have been clear throughout that I can look only at substantive evidence. When I came to the House in June, I said that I could look only at new evidence, not evidence that was already in the public domain. Lobbying with no new evidence or shouting the loudest is not the answer; the answer is to their constituents, who I know will have written in good faith, to reassure them, and to let them know that the activities they took part in were not conducive to this quasi-judicial process.

Mrs Pauline Latham (Mid Derbyshire) (Con): My right hon. Friend has been subjected to abuse and intimidation, as has her family. We have all been bombarded by emails from organisations such as 38 Degrees. Will she explain to the House exactly how much weight she puts on the bombardment of emails to all of us?

Karen Bradley: My hon. Friend makes an important point, as did my hon. Friend the Member for Torbay (Kevin Foster). Those emails have filled up inboxes and distracted colleagues from important constituency casework. I have made this decision in spite of the lobbying, not because of it.

Chris Bryant (Rhondda) (Lab): Good corporate governance in a construction company means that the directors of the company make sure that its building sites, for instance, are safe to work on. Good corporate
governance in a supermarket company means that the directors make sure, for instance, that their staff do not sell alcohol to underage kids. One would think that good corporate governance in a broadcasting organisation would mean that the directors of the company would make sure that their organisation abides by good broadcasting standards, which is why I wholeheartedly support what the Secretary is State is doing today. Rupert Murdoch’s defence over phone hacking was, in the end, that his company was far too big for him to possibly know what was going on across the whole of it. That was not good corporate governance, and it could not possibly lead to good broadcasting standards.

Karen Bradley: I refer the hon. Gentleman to the comments on corporate governance that I made in my statement: “I have outstanding non-fanciful concerns about these matters, and I am of the view that they should be considered further by the CMA.”

Julian Knight (Solihull) (Con): I congratulate the Secretary of State on her steady handling of this sensitive issue. She clearly shares with me and other hon. Members concerns about pressure on Members from third-party organisations outside this place representing what is, in essence, a quasi-judicial process as something that it clearly is not. Will she make it very clear that we have to avoid histrionics and instead get to the heart of the matter?

Karen Bradley: I congratulate my hon. Friend on his appointment to the Select Committee—I look forward to being interrogated further. He is absolutely right. This process is set down in statute. It cannot be influenced by loud voices, sustained campaigning or a lack of evidence; it can be influenced only by the evidence.

Paul Flynn (Newport West) (Lab): We are all beneficiaries of decisions taken nearly 100 years ago in this Chamber to impose on broadcasters a statutory duty of political balance. Is that not now threatened by what has been described as the “Foxidation” of news, which is taking news away from journalists of integrity and transferring it to alternative bodies that produce news that is corrupted and prostituted for certain political ends? Is it not the Secretary of State’s prime duty to ensure that we do not Foxidise our news services?

Karen Bradley: That was one of the points made in the representations I received between my statement and my statement today, and it is one of the matters I would like the CMA to consider. Broadcasters in the United Kingdom are subject to the United Kingdom broadcasting code. I want to be clear, through the work of the CMA, about the impact that partisan reporting, which may occur in other jurisdictions, might have on the impartiality we expect of our broadcasters here in the UK.

Paul Farrelly (Newcastle-under-Lyme) (Lab): I, too, welcome the Secretary of State’s statement. Five years on, it seems as if little has changed. The newspapers have been cast off, but Rebekah Brooks is back having been reappointed by the Murdochs, and Fox wants to take over Sky. There are a lot of loose ends to be tied up on corporate behaviour and governance, including evidence given to the Select Committee. One is the second part of the Leveson inquiry, which might well reveal more.

May I press the Secretary of State on this matter, not least because the Conservative manifesto pre-empted the conclusions of her consultation? When will we learn whether an amended Leveson 2 will go ahead, as the Select Committee unanimously recommended?

Karen Bradley: If I may repeat myself, Mr Speaker, I will come to the House with the responses to the consultation, and our views on that consultation, in due course.

Jo Stevens (Cardiff Central) (Lab): I, too, welcome the Secretary of State’s statement. May I press her again on that point? She said earlier that the consultation outcome will be published “shortly”. When is shortly going to be?

Karen Bradley: In due course.

John Grogan (Keighley) (Lab): One recent precedent—it is from less than a decade ago—was when the competition regulator, on competition grounds, forced Sky to sell 17.5% of ITV. Is it not inconceivable that, in six months’ time, the CMA will wave through a merger that gives one family control of not just two large newspapers but Sky News, a national radio channel, and radio news supplied to every commercial radio station in our country?

Karen Bradley: I have set out that I am minded to refer the decision to the CMA for a six-month inquiry as part of the terms of the Enterprise Act. These will be matters for the CMA, should I make a final decision to make that referral.

Christine Jardine (Edinburgh West) (LD): I congratulate the Secretary of State on her statement that she is minded to refer the matter on the grounds of governance, but does she not recognise that a commitment to Leveson 2 would go some way towards reassuring the public that the individuals who own the media in this country will be subject to full scrutiny?

Karen Bradley: Just to be clear, I am minded to make a referral on the basis of commitment to broadcasting standards, not corporate governance. It also worth saying that the CMA has to look at the merger on the basis of the evidence available at the time. Whatever comes out in the future may impact on the “fit and proper” test, as decided by Ofcom, the independent regulator, but the merger has to be governed by information in the public domain and the private domain, with the evidence provided to the CMA as part of the process.

Ian C. Lucas (Wrexham) (Lab): I commend the Secretary of State for her decision, but is it not incumbent on her to secure the evidence to make the correct decision? She must now take forward Leveson 2, which the House clearly wants and the victims were promised so long ago.

Karen Bradley: As I said, I will come back with the Government’s view about the consultation on the Leveson inquiry, which we conducted earlier this year. However, I again make the point that the merger has to be looked at in the context of today and not what might come out in the future. That is a matter for the fit and proper test, which is covered by an ongoing duty of Ofcom.
Jim Shannon (Strangford) (DUP): I thank the Secretary of State for her statement. It has taken a bit of time, but we are very pleased to hear it and about the steps she is taking to refer the Sky-Fox merger. I have been in correspondence with her Department on behalf of literally hundreds of constituents, some of whom are seeking private legal action. They consistently tell me that they would like to see Leveson 2. Can she give my constituents some reassurance?

Karen Bradley: I am sorry to have to repeat myself, but I will come to the House in due course with my response to the consultation we carried out.

Point of Order

1.57 pm

Wes Streeting (Ilford North) (Lab): On a point of order, Mr Speaker.

Mr Speaker: I was anticipating a point of order from the hon. Gentleman, but I had not spotted him, so I feared he had beetled out of the Chamber. I am delighted to see that he has not done so.

Wes Streeting: Thank you, Mr Speaker.

Yesterday in Education questions, I asked Ministers if they were comfortable about handing over £45 million of public money to a training provider, learndirect, which has been deemed “inadequate” by Ofsted regarding outcomes for learners. In reply, the Minister of State, Department for Education, the right hon. Member for Guildford (Anne Milton), told the House:

“In this case, the provision judged to be inadequate by Ofsted—apprenticeships—is no longer offered by learndirect.”—[Official Report, 11 September 2017; Vol. 628, c. 434.]

This is not the case. Not only is Learndirect Ltd continuing to receive public money to complete existing apprenticeships until July 2018, but Learndirect Apprenticeships Ltd, a company with the same directors and the same website, will still be funded to provide new apprenticeships on an ongoing basis. I am sure that the Minister did not intend to mislead the House, so I hope she might come to the Dispatch Box to correct the record, to explain why public money continues to be given to a provider that is delivering inadequate outcomes for learners, and perhaps to understand why the perception exists that Ministers do not have a grip on the learndirect scandal.

Mr Speaker: I am very grateful to the hon. Gentleman both for his point of order and for his courtesy in giving me advance notice of its thrust. I have to say to him that it is not unusual for an hon. Member to find a Minister’s answer at the Dispatch Box less than totally satisfying. Moreover, the content of Ministers’ answers to questions, as colleagues will know, is the responsibility of the Minister concerned. The hon. Gentleman has been operating as a kind of self-employed sleuth in analysing the evidence and concluding, at least to his own satisfaction, that there is a disconnect between what the Minister said and the factual position. He has clearly been keeping his beady eye on websites and attending to his duties in an extremely assiduous manner.

I have to take care not to act as referee or umpire on the matter of whether a Minister has misled the House, but if a Minister were to accept that she had unintentionally misled the House—because she thought what she said was true—I am sure that she would take swift steps to put the matter right. If she takes a different view and does not accept the hon. Gentleman’s interpretation and conclusion, however, I doubt that she will be volunteering to come to the Chamber.

The thrust of the hon. Gentleman’s comments will have been communicated to the Secretary of State by now—if it has not been, it will be within a matter of minutes. Meanwhile, he has succeeded in putting his dissatisfaction and clear view of the facts on the record. The safest thing I can say in conclusion is that we await events.

We come now to a notable parliamentary delight. I call Mr Peter Bone to move his ten-minute rule motion.
I am sure you will recognise those words, Madam Deputy Speaker. They are, of course, the words of former Prime Minister David Cameron, in his fiery “Fixing Broken Politics” speech. I think that many Members will agree that this picture is still very familiar. In that speech and the subsequent manifesto, the Conservative party promised to implement the measures of the Wright Committee to strengthen Parliament, and this commitment was translated into the coalition agreement. The House business committee was to be introduced within three years, but, for whatever reason, the creation of this committee to regulate the parliamentary timetable was never proposed or voted on—apparently the Whips just did not get round to putting it on the Order Paper.

My Bill seeks to put this oversight right and bring in these long-overdue recommendations. It is patently absurd that I, as a Member of Parliament, can propose legislation only through winning a ballot or by sleeping for a week outside the Table Office. We were all elected to properly represent the interests of our constituents, but currently we have little freedom to do so. On 23 June 2016—Independence day—the British people voted to reassert this Parliament as the supreme democratic power in the land. Now that we are taking control of our laws back from the European Union, they will expect us to represent them and to hold Government to account in their interest. How can we possibly do this if the House is unable to run its own affairs? The referendum was a decision to strengthen Parliament and we must live up to this expectation as an institution. Instead of the Government running the whole timetable, my Bill makes sure that the Commons takes back control of its agenda.

I am today proposing to institute a business of the House commission that will decide the parliamentary timetable. The commission would be made up of the Leader of the House, who would be directly elected by the whole House, the shadow Leader of the House and Back-Bench MPs. Crucially, it should be made up of a certain type of Back-Bench MP. It should be immune from Government or shadow Government domination and thus be made up of Members who are true parliamentarians. Those who concern themselves with becoming Ministers or shadow Ministers—and there is nothing wrong with that at all—are far too often beholden to the Government or Opposition Whips.

Having such Members on the commission would be counterproductive to its aim. To try to combat this tendency, members of the commission should, when elected, commit to staying members of the House commission for the entirety of the parliamentary term. The numbers on the commission would be half from Members of the governing party and half from the Opposition. The chairman of the commission should also be an impartial voice whose interest is with Parliament rather than the Government. I suggest that this role be filled by the Chairman of Ways and Means, which of course is exactly what the Wright Committee proposed.

Too often now House business is agreed through the usual channels between the Whips’ Offices. This backroom dealing lacks the transparency one would expect of a democratic Parliament. The business of the House
[Mr Peter Bone]

Commission would resolve this current anomaly by meeting in public. It would hear representations from Government, Opposition and Back Benchers each week on what they would like to be included in the timetable. It would deliberate before issuing the timetable for the following week, which would then be voted on in the House. In that way, our Parliament would be given an open and transparent system of timetabling, rather than the closed door dealing and Government handout that currently dominates our system.

The aim of the Bill is to finally establish a commission that would be responsible for timetabling the business of the House. This mother of Parliaments has a democratic heritage like no other, but without control of our own affairs we cannot fulfil our role as a Parliament. Parliament should be the mother rather than the “pliant child” of our democratic process, and I am seeking leave to introduce the Bill in order to rectify that. When the voters in the referendum voted to take back control, they were voting to take back control from the European Union and give it to Parliament, not to the Government.

Question put and agreed to.

Ordered,

That Mr Peter Bone, Mr Christopher Chope, Chris Bryant, Henry Smith, Paul Flynn, Mr Philip Hollobone, Angus Brendan MacNeil, Zac Goldsmith, Tom Brake, Esther McVey, Philip Davies and Sir Edward Leigh present the Bill.

Mr Peter Bone accordingly presented the Bill.

Bill read the First Time; to be read a Second time on Friday 3 November, and to be printed (Bill 106).

Finance Bill

Second Reading

Madam Deputy Speaker (Mrs Eleanor Laing): I should inform the House that Mr Speaker has not selected the amendment.

2.12 pm

The Financial Secretary to the Treasury (Mel Stride): I beg to move, That the Bill be now read a Second time.

Earlier this year, before the general election and in agreement with the Opposition, the Government removed a number of clauses from an earlier Finance Bill to ensure that the House had an opportunity to scrutinise the Bill in more detail. The Government announced their intention to return to the House at the earliest opportunity to legislate for the measures that had been removed, and that is the basis for the Finance Bill that they have now presented to the House. Last week we had a good debate on the resolutions on which this Bill is founded. Today I will be reflecting some of the themes of that debate, as well as setting out again the background of the Bill and its main provisions.

This Bill makes a significant contribution to the public finances through sound policies pursued by a Government who are putting a fair and competitive tax system at the heart of their plans. Those plans have ensured that the economy has grown continuously for more than four years to become 15% larger than it was in 2010. It is an economy that is experiencing record levels of employment, including more women in work than at any time in our history; an economy that has delivered the lowest level of unemployment since the mid-1970s, and the lowest level of youth unemployment since 2001; and an economy that is built on sound money, with the deficit reduced by three quarters to ensure that international investors maintain their faith in us. And indeed they have: foreign direct investment was 40% higher at the end of 2015 than it was in 2010. However, the Government are not complacent—far from it. We know that we must continue to press forward with vigour in supporting new growth and productivity.

Let me now turn to the specific provisions of the Bill, and, in particular, to those that will make our tax system fairer. This is a Bill that abolishes permanent non-dom status. Those who are non-domiciled for tax purposes pay about £9 billion each year in tax and national insurance, which is a huge contribution to our public finances. Lest we forget, it is £1 billion more per year than they paid 10 years ago under the Labour party; more, in fact, than they paid in any year during which the Opposition were last in power. The Government, however, are now putting an end to an unfairness whereby people living in the UK could claim that they were non-doms on a permanent basis. That is something that the Labour party failed to end in 13 years of government. Yes: under Labour, many people who had been living here for over 25 years, clearly settled in the United Kingdom, still technically claimed to be non-doms, and while they did make an important contribution, it was not necessarily a fair one. It is this Government who are changing that.

Michael Tomlinson (Mid Dorset and North Poole) (Con): My right hon. Friend has mentioned Labour and the 13 years of disastrous Labour rule. Is it not
ironic that when he commenced his remarks, there was only one Back-Bench spokesperson for the Labour party in the Chamber who was even prepared to contribute to the debate?

Mel Stride: I thank my hon. Friend for those observations, which I am sure the House has duly noted.

Let me now deal with termination payments, an issue on which the Opposition divided the House last week. The current rules are unclear and complicated. Some payments are taxed as earnings, some are only taxed above £30,000, and others are completely exempt from tax and national insurance contributions. Although most employers use the current rules as intended, the present system allows some to ignore those rules and deliberately manipulate their payments to minimise their tax by exploiting the differential tax treatment. That is clearly not fair. The Bill makes the rules simpler and fairer by recommending that we exempt the first £5,000 of termination payments from tax, while tightening the rules in respect of what is rightly included within such payments.

In last week’s debate, some Members raised concerns that the Government would be taxing compensation that is paid to employees when it is proved that they have been discriminated against—for example, after an employment tribunal. I am happy to reassure them. All compensation awards caused by proven discrimination against someone in employment will remain completely exempt from tax. All that the Bill does in the way of change is close the obvious loophole that enables an employer to treat part of a termination payment, as opposed to a tribunal award, as an “injury to feelings” in order to benefit from the tax exemption. It is HMRC’s longstanding position that if an employee claims a tax exemption for injury, it must have actually impaired that employee’s ability to work, and the Bill simply reconfirms that position.

Members also raised concerns that the Government intended to reduce the tax-free amount from £30,000. The Bill makes no such provision. If there were ever any desire to reduce the tax-free amount, it would be subject to a statutory instrument and the affirmative procedure, so the House would have to expressly approve any such proposal.

We also need to ensure that the taxation of different ways of working is sustainable, so that we have the funds to invest in the public services on which we all rely. It is therefore important that this tax treatment is fair between different individuals. The Office for Budget Responsibility has highlighted the fiscal risks arising from the growing number of people working through companies. Such individuals can pay themselves in dividends, and, in so doing, can pay significantly less tax than employees and the self-employed, although in many cases their economic activities are broadly the same. Part of the reason for that difference is the entitlement to a £5,000 dividend allowance, which is available in addition to the income tax personal allowance that the Government introduced at £11,500 in April.

Reducing this allowance to £2,000 will help to reduce the differential in tax treatment and help remove some of the working distortions to which I have referred. It will also ensure that support for investors is more effectively targeted: a £2,000 dividend allowance will ensure that around 80% of general investors continue to receive dividend income tax-free. The less well-off will be protected, with those general investors who are affected having investment portfolios worth around £100,000 on average, putting them in the top 10% of wealthiest households in the country. So the Bill will make our tax system fairer in a number of ways.

Stewart Hosie (Dundee East) (SNP): The Financial Secretary uses the example of someone who works through a company, and compares that with a wealthy investor with a large portfolio. The concern many of us have is for the small businessperson—the owner-proprietor—with a start-up business earning a very modest wage who relies on the £5,000 tax-free dividend in order to make ends meet. What consideration has he given in that regard?

Mel Stride: There are other considerations that the hon. Gentleman should focus on when he looks at individuals setting up in business, and there are many successful entrepreneurs throughout our country. We are the party and Government who have reduced taxation on business. It used to be 28% under the last Government and we have brought it down now to 19% and it will be further reduced to 17% over time. So the hon. Gentleman should look at this in the round, and I persist in my point that we need to look at the different tax consequences of the different models—an individual going into business on their own, whether as a sole trader or partner, or in an incorporated structure—to make sure we do not have people effectively just using one model for no other reason than the tax advantages thereof.

Lucy Frazer (South East Cambridgeshire) (Con): My right hon. Friend refers to the importance of working out different tax models and how they affect the economy and the individual. Does he agree that Labour’s policy to increase tax negatively affects individuals’ income, investment to this country and therefore the country’s economy as a whole?

Mel Stride: My hon. and learned Friend is entirely right. As I have said, we are the party of bringing down corporation tax and small business tax, and we continue to bring those taxes down. The Labour party’s current policy is to raise corporation tax to 26%, which is going to do very little to encourage entrepreneurship in this country; it will in fact do the reverse. It must also be borne in mind that, on personal tax, it is Labour’s policy to start dragging more people into the higher tax rate, whereas it is this Government’s policy, through increasing the personal allowance, to take people out of tax and lower the tax burden entirely.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Last week the Institute for Public Policy Research published an influential report on some of the major economic challenges facing the British state, not least chronic geographical wealth inequalities. What measures are there in this Bill to meet those challenges?

Mel Stride: The Government’s record on income equality is extremely strong. The hon. Gentleman may be aware that we have the lowest level of income inequality in this country for 30 years, as measured by the Gini coefficient. We are assisting the lower paid through the
national living wage and national minimum wage and HMRC’s vigorous actions in making sure that that is complied with by businesses, and, as I have already stated, through the personal allowance changes we have made, which have taken many out of tax—3 million individuals, heading towards 4 million as we go up towards £12,500 as the new allowance.

Jonathan Edwards: I was asking about geographical inequalities.

Mel Stride: We are a party and Government who recognise that all parts of our economy are equally important in sharing the proceeds of growth. That is why we are investing through our national productivity fund—through the work we are doing on skills, the investment we are making in infrastructure and the northern powerhouse, and through all these approaches—to make sure that prosperity, living standards and household income are improved throughout the length and breadth of our country.

Rebecca Pow (Taunton Deane) (Con): In my constituency, the backbone of business is small and medium-sized businesses. Does my right hon. Friend agree that this Government have put in place a raft of measures particularly to help them, and many are not paying any business rates at all, which is extremely helpful to them?

Mel Stride: My hon. Friend raises an important point on business rates, which are very important as one of the key components of costs for businesses. In 2016 we announced a £9 billion package to ensure that business rates were not too onerous for small businesses, and we have of course this year announced a further £400 million-plus to make sure that further funds are available to those who require it.

Anna Soubry (Broxtowe) (Con): My right hon. Friend is making an excellent speech. Does he share my concern that the shadow Chancellor does not seem to be present—although he is active on his Twitter account? Does my right hon. Friend know why the shadow Chancellor is not here to hear this excellent speech? Is he stirring up insurrection and urging people to engage in unlawful strike action?

Mel Stride: As usual, my right hon. Friend makes some very insightful observations. I have no news, I am afraid, as to where the shadow Chancellor is. Perhaps he has his nose deep in the little red book, but my advice to him is to read my speech and to learn, because there is much to learn from what I have already said and what I am about to share with the House.

Philip Davies (Shipley) (Con): It might well be that the shadow Chancellor is trying to cause insurrection outside the Chamber, to try to cause misery to the general public, but does my right hon. Friend agree that he does not seem to be doing much of a job of causing insurrection with his own party in this House, because none of them can be bothered to turn up to this debate?

Mel Stride: That is a fair observation—[Interruption.] That is a fair comment from my hon. Friend—[Interruption.]
Philip Davies: Will the Minister give way again?

Mel Stride: I will give way again to my hon. Friend—why not?

Philip Davies: Does my right hon. Friend agree that we have actually received more income since cutting corporation tax and the highest rates of tax, meaning more money to spend on public services? If we had followed the advice of the Labour party and increased taxes, we would have received less tax revenue and therefore would have had less money to invest in our public services.

Mel Stride: My hon. Friend is entirely right. The amount of onshore corporation tax that we took in the last financial year is close to £50 billion—50% more than in 2010. As we have brought taxes down, the tax revenue take has increased. We can draw only one corollary from all this: if the Labour party gets its way and starts to put those rates up again, some of that tax take might be damaged.

Stewart Hosie: The Minister just prayed in aid the new penalties for the enablers of tax avoidance, which I welcome. This Bill is riddled with retrospective legislation, which I hope he will say more about later, but will the Minister explain to the House why those new penalties do not kick in until after the Bill receives Royal Assent when there is retrospectivity all over the place in the rest of the legislation?

Mel Stride: I believe that that is due to an element of convention, but I am happy to speak to the hon. Gentleman after the debate. We have already clamped down on those who generate such schemes, and we are clearly clamping down on those who use and seek to benefit from them. The third thing is that we will now be actively clamping down on those who enable those schemes through their advice along the way, and they will face penalties of up to the entire amount that they have charged for their services. That is just another example of this Government’s determination to leave absolutely no stone unturned when it comes to clamping down on tax avoidance, evasion and non-compliance.

Wendy Morton (Aldridge-Brownhills) (Con): While the Opposition squeal about tax evasion, does my right hon. Friend agree that it is the Conservatives who have done more in government to tackle tax evasion than Labour did in 13 years?

Mel Stride: My hon. Friend is right. Some Opposition Members claimed in last week’s debate that HMRC does not have the resources to clamp down on tax evaders, but that is demonstrably untrue. First, we have provided £1.8 billion since 2010 for exactly that purpose. Secondly, as I have already said, we have brought in £160 billion since 2010 by clamping down on such activities. The truth is that we are succeeding.

Rachel Maclean (Redditch) (Con): At a time when our public finances are still challenged due to the Labour party’s economic mismanagement, is it not important to get as much money as we can from tax avoiders and evaders? Our party is doing that.

Mel Stride: My hon. Friend is right, which reminds us of the overall purpose of raising tax and ensuring that we bring it in, namely to live within our means, pay down our deficit and, critically, have the fine public services that are a hallmark of a civilised society. All of us can unite in wanting that.

The Bill legislates for new rules to prevent large multinational businesses playing the system by claiming tax deductions for excessive interest expenses and ensures that companies cannot use losses to pay no tax even in years when substantial profits are made. In last week’s debate, I was somewhat surprised by the concerns raised by some Opposition Members about the provisions relating to the taxation of businesses trading in Northern Ireland. They are nothing new. They were announced in the 2016 autumn statement and do not create a tax loophole. The legislation simply ensures that all small and medium-sized enterprises with trading activity in Northern Ireland will be able to benefit from the Northern Ireland corporation tax regime in the same way as larger companies already can, and it also introduces additional anti-avoidance rules to ensure that the regime operates as intended. The Bill’s provisions do not weaken that at all; they simply mean that more businesses will be able to apply the regime to the taxation of profits genuinely arising, and only arising, from activities carried out in Northern Ireland once the regime is put into effect.

Sir Edward Leigh (Gainsborough) (Con): My right hon. Friend refers to the taxation and regulation of business, but once we are in the hard, bracing winds of international free trade after Brexit, does he agree that it is essential that our Government ensure that we have a low-tax, deregulated, pro-business environment so that our businesses can compete on the world market?

Mel Stride: My hon. Friend is entirely right. That is why the Government have been clear through our tax planning and the information that we have been signalling to the marketplace. Certainty for business is extremely important, which is why we have lowered corporation tax and have stuck to that position. We are making considerable progress, and I will take my hon. Friend’s point on board.

In short, the Bill continues our hard work to drive down the tax gap and ensures that we will provide a fair and competitive tax system. The other part of the deal is that those taxes must be paid.

Robert Jenrick (Newark) (Con): On that point, will my right hon. Friend re-emphasise the fact that the tax gaps for large and small companies have fallen by 40% and 50% respectively since we took over from the Labour Government?

Mel Stride: My hon. Friend is correct. The tax gap currently stands at 6.5% for all taxes, which is lower than in any year under the previous Labour Government. In fact, the tax gap was 8.3% in 2005-06, so we are the party that has been bearing down on the tax gap.

This Bill introduces significant changes to the clauses in one area that the Government intended to legislate for before the general election. Many businesses of all types and sizes have already gone digital. They do their banking online, pay their bills online, market their
products and services online, and buy what they need online. Making tax digital is the natural next step. It will not only make tax administration more convenient for our businesses, but it will reap rewards for the Exchequer. Avoidable tax errors under the current system cost us almost £9 billion in 2014-15. That is more than double the cost of running HMRC and the Treasury combined.

Many Members, including members of the Treasury Committee, as well as business owners, agents and stakeholder groups have had concerns about whether all businesses would be ready for this development. Well, we listened to that feedback, and one of my early decisions as Financial Secretary was to amend the timetable for delivering Making Tax Digital. Digital record keeping will now only be a requirement for businesses with a turnover above the VAT threshold, and they will only have to provide updates on their VAT liabilities.

Vicky Ford (Chelmsford) (Con): I thank my right hon. Friend for his announcements about Making Tax Digital and for pointing out that the change will not affect the smallest of businesses. Small businesses are the backbone of our economy, and does he agree that we on the Government Benches put small businesses first?

Mel Stride: My hon. Friend is entirely right. We do put small businesses first, which is precisely why we listened so carefully to the feedback we received on our proposals and have made changes that will allow breathing space for businesses to prepare and for us to pilot further the plans we will introduce in due course.

As the vast majority of businesses already submit VAT returns on a quarterly basis, the transition to quarterly updates through Making Tax Digital should not be unduly onerous.

Ruth George: Although the delay in Making Tax Digital gives breathing space for very small firms, those firms will now face additional administrative requirements, possibly alongside Brexit and a dip in the economy. Is that not an added concern for businesses now that they have seen how onerous the proposals actually are?

Mel Stride: The hon. Lady may be aware that in the consultation we received the message from businesses that they broadly welcome these changes as we move into the digital age and do things more efficiently and effectively. However, businesses did have concerns, to which we have listened, about the timing and pace of the changes we originally proposed. The policy is robust, but the Government and I are determined to get the changes right and to make them at the right pace that suits those companies.

Lucy Frazer: Does my hon. Friend remember that in 2010, when the digitisation of VAT was introduced, more than half of businesses with a turnover of more than £100,000 signed up voluntarily? Does that show that moving to the new economy and technology is welcomed by many?

Mel Stride: My hon. and learned Friend is absolutely right. In my meetings with the Federation of Small Businesses we have all concluded and agreed that this is the right direction. Indeed, we will make provision to ensure that such businesses, although they will not be mandated to become part of this new regime, will have the opportunity to do so voluntarily, and I believe that a very large number of companies will wish to take that opportunity.

Sammy Wilson (East Antrim) (DUP): I, too, welcome the fact that the Government have listened to many small businesses not just on their concerns about the extra work load but on how many businesses in rural areas have already been able to submit their accounts digitally. Now that there has been a delay, and regardless of whether there will be an extension, will the Minister assure us that the Treasury and HMRC will consider the lessons that can be learned? First, what additional work is required? Secondly, if broadband is not rolled out as quickly as intended, will that also be considered when making any final decisions about the roll-out of this scheme?

Mel Stride: My hon. Friend is a doughty champion of small businesses in Northern Ireland, and I value the comments and observations he has made to me during the decision-making process on this issue. On broadband roll-out in rural communities, the Bill has specific provisions to ensure that there is a digital exclusion test such that individuals or companies that genuinely cannot use the systems to the requisite degree can be exempted from the relevant provisions of the Bill.

We will not mandate other taxes until we are clear that the programme has been shown to work well. My hon. Friend the Member for North West Hampshire (Kit Malthouse) and my right hon. Friend the Member for Loughborough (Nicky Morgan) made some important points on that matter in last week’s debate, and I can confirm that, once we are through the pilot, businesses will indeed be able to use the system voluntarily ahead of its mandating.

In summary, the Bill is about addressing imbalances in the tax system and making it not only fairer but more sustainable. It is a Bill to ensure that the taxes that are due are paid, preventing opportunities for avoidance and evasion, and it is a Bill to take the tax system forward into the digital age while ensuring that the pace of change works for businesses large and small.

The policies contained in the Bill are set to raise billions more for our vital public services—doctors, nurses, paramedics, teachers, police, prison officers, fire services, our armed forces and all those others in the public sector who help make our country great. This Bill is central to our plan to keep Britain moving forward, and I commend it to the House.

2.44 pm

Peter Dowd (Bootle) (Lab): It is a pleasure to address the 1922 committee today.

The House considered the Ways and Means resolutions last Wednesday, and today is round two on Second Reading of the Finance Bill. We have just had wall-to-wall complacency from the Minister; it is as simple as that. Sandwiched between the two debates, we have debated the European Union (Withdrawal) Bill. The legislative powers up for sequestration by Ministers are eye-watering and unprecedented, and they cover a range of areas,
including finance. Quite simply, that process does not befit a parliamentary democracy. Parliamentarians— I use the word loosely—on the Government Benches should be concerned about their acquiescence last night. The hand-wringing, unprecedented ceding of power to the Executive was unbecoming, and it goes to the heart of the scrutiny on this Bill. [Interruption.] It does.

What next? The devolution of tax-raising powers to the Chancellor without discussion, challenge or scrutiny? Forced loans? Ship money, going back to the civil war? We will have the delights of considering in detail the Finance Bill’s 72 clauses in Committee in October, but that might change if the Government apply the principle agreed in the withdrawal Bill. Last night we saw all the incensed huff, puff and bluster of Conservative Members, their worry about the Government’s land grab on parliamentary sovereignty, evaporate, as if by magic, before our very eyes.

Mr Mark Harper (Forest of Dean) (Con): I am listening carefully to the hon. Gentleman. He should be careful of complaining about scrutiny. There are rather more Conservative Members than Opposition Members here to scrutinise the Bill. The EU (Withdrawal) Bill, which he references, specifically excludes Ministers from making taxation measures. He should read legislation before commenting on it.

Peter Dowd: I saw a few tumbleweeds on the Government Benches last week. If there is a shiver looking for a spine to run up, it need not bother looking on the Government Benches. After last night’s vote, there were none to be found. The national interest is not synonymous with the interest of the Tory party, as most Conservative Members would like to think, although the word “arrogance” is.

Philip Davies: The shadow Minister says last night was an outrage. Does he agree with his friends and acolytes in Momentum who said on Twitter that the hon. Member for Bolsover (Mr Skinner) is a “scab” for voting with the Government last night on the EU (Withdrawal) Bill? Does he agree or disagree?

Peter Dowd: My hon. Friend the Member for Bolsover (Mr Skinner) is a hero.

Anna Soubry: I would make exactly the same point as my hon. Friend the Member for Shipley (Philip Davies). How many Labour Members, including the hon. Member for Bolsover (Mr Skinner), voted in favour of last night’s Bill?

Peter Dowd: Conservative Members acquiesced in their droves, and it is a shame—it is absolutely shocking—that they did so.

John Redwood (Wokingham) (Con): Will the hon. Gentleman give way?

Peter Dowd: In a moment.

Last week, we witnessed the Brexit Secretary, also known as Britain’s Brexit bulldog and master negotiator, on the receiving end of more punches from my right hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer), the shadow Secretary of State for Exiting the European Union, than a well-oiled guest at a summer Tory Pimm’s party. What a cocktail of horrors it must have been for the Brexit Secretary.

Mr Harper: On a point of order, Madam Deputy Speaker. I wonder whether you could help the hon. Gentleman, as he is five minutes into his speech and appears not to have noticed that we are debating the Finance Bill. I thought the debate on the European Union (Withdrawal) Bill, to which he has devoted all his remarks, took place yesterday. [Interruption.]

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I could not quite hear the right hon. Gentleman’s point of order, but I am guessing what I thought he probably said. I must say that the content of the speech by the hon. Member for Bootle (Peter Dowd) is not a matter for me, but I am aware that we are discussing only the Finance Bill and we must stick to that. The Bill is, however, wide and varied. I have it here and I have looked at it —[Laughter.] And I will make absolutely certain that nobody speaks outwith the order that is due.

Peter Dowd: Thank you, Madam Deputy Speaker. Your judgment is wonderful, as ever, on these matters.

What a cocktail of horrors it must have been for the Brexit Secretary. I almost felt sorry for him by the time my right hon. and learned Friend the Member for Holborn and St Pancras had finished his humiliating dissection of his case—but not quite. If squirming was an Olympic sport, the Brexit Secretary would have won a gold medal, hands down.

John Redwood: Will the hon. Gentleman confirm that when a Minister brings a statutory instrument to the House, it can be debated by the House and voted down if the House does not like it? That is a parliamentary process; it means Parliament is in control.

Peter Dowd: It depends on the nature of the order, so let us move on.

I come to the future economic credibility of the country, where we have David the deluded, Boris the blunderer and Liam the loner—what a team! They would be out of their depth in a puddle. Regrettably, the importance of the Ways and Means resolutions and the Finance Bill has been somewhat overshadowed by the Brexit debate, notwithstanding its significance. That has given the Government a collateral opportunity to sneak the Finance Bill through while everybody else’s attention is elsewhere. That is a murky approach to the respect that should be afforded to Parliament, but this caliginous Government are bent on pursuing it, come what may. The Chancellor, who has now gone, doubtless to check his spreadsheets, commented from a sedentary position last week that the Ways and Means resolutions were just “technical”. There is nothing technical about aiding and abetting non-doms to avoid paying taxes. There is nothing technical about legislating to tax those who have been injured on grounds of discrimination.

Let us consider the following: “the economy we have today is creating neither prosperity nor justice.”

Those are not my words but the words of the Institute for Public Policy Research in its recent publication “Time for Change”. 

"Time for Change".
Charlie Elphicke: I am a bit perplexed by the hon. Gentleman’s comments about non-doms, because those of us with long memories will recall a long stretch under the Labour Government when each year they promised to do something about non-doms but then did nothing at all, until they were humiliated into action by the previous Chancellor. Our Government are now taking further action, but the Opposition are critical of that, whereas I would have thought they would be supportive.

Peter Dowd: I am afraid the hon. Gentleman’s memory is wrong about that, as are the memories of some Ministers, and I will come on to discuss that in a moment. This Finance Bill does little, if anything, to address the legitimate concerns raised in the IPPR report. On being provided with his speech last week, I suspect even the Financial Secretary asked—if only himself—whether he really had to present more worn out, tired platitudes that pass for Tory economic policy. He drew the short straw—a very short straw; in fact, he was the only one in the ballot. He was both the warm-up act and the main act. The Chief Secretary graced us with her presence for a short time and then went off with the Chancellor, calculator in hand, to work out how they will pay for all their U-turns.

James Cartlidge (South Suffolk) (Con): On U-turns and our national debt, will the hon. Gentleman clarify whether it is still Labour policy to spend £100 billion clearing all outstanding student debt?

Peter Dowd: I do not mind Government Members making up their policies on the hoof, but they should have respect and not make ours up on the hoof.

As I was saying, when the Chancellor and the Chief Secretary wallized off, they left the Financial Secretary to do the business, and he did a very good job last week. He managed to keep a straight face throughout his adumbration of how remarkably well the economy is doing, but amnesia had taken hold.

Vicky Ford: I return to the £100 billion costing of university fees, where the hon. Gentleman seemed to be unsure whether or not this was still his policy. We are debating the Finance Bill, so if that was his policy, how would he intend to finance it?

Peter Dowd: Far be it from me to give advice, but the lady should go to a dictionary to find out the difference between “a debt” and “a fee”. She clearly does not know what she is talking about.

Madam Deputy Speaker: I refer the hon. Gentleman to the answer he gave earlier.

Mr Jim Cunningham (Coventry South) (Lab): It is not for us to provide answers for the Government; it is for the Government to provide answers for us. More importantly, has my hon. Friend noticed that the Government no longer talk about their “economic strategy”? Does he know why that is? It is because they have not got one any more.

Peter Dowd: My hon. Friend is an experienced Member and he has hit the nail on the head.

Wes Streeting (Ilford North) (Lab): Our party’s policy was clearly stated in our manifesto—it was to abolish all tuition fees. That is a damn sight better than the position we have seen this week, whereby the Chancellor has had to ask for 250-word submissions from his Back Benchers on ideas for student finance. They are the Government, but the Opposition have a clearer policy than the people running the country.

Peter Dowd: They make it up as they go along.

May I jog the Financial Secretary’s memory? He forgot to mention the £1.7 trillion national debt, which, as it happens, has grown by more than £2 billion since he sat down at around 7 o’clock last Wednesday.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Questions have been asked of the hon. Gentleman and I would like to hear the answers. I cannot hear what he is saying.

Peter Dowd: While I am on the subject, since the Financial Secretary stood up around 25 minutes ago, £4 million has been added to the national debt. If Government Members do not recognise those Office for National Statistics-based calculations, they may wish to make up their own, which is what the Chancellor seems to do fairly regularly.

The Financial Secretary also forgot to mention the fact that median incomes in the north-west, south-west and west midlands are 30% lower than those in London and the south-east, and 35% and 22% lower than those in Wales and Scotland respectively.

Several hon. Members rose—

Peter Dowd: No, I have given way a significant number of times already.

In the context of higher unemployment levels, the Financial Secretary forgot to mention the insecure and casual labour market that is taking hold in various sectors, with 15% of people employed in such jobs. He also forgot to mention the 6% of people on short-term contracts and the 3% and growing on zero-hours contracts.

The Financial Secretary forgot to mention any plan to deal with the 4 million children, or nearly a third of them, who live in poverty—and that number is on
the up. All that adds up to the UK—this wonderful, halcyon Britain—being one of the most unequal places in western Europe.

So, what have the Government done about it and what are their intentions? British productivity is dreadful: since 2010 it has flatlined, at the very least. We remain 13% behind the average of the G7 richest nations, and when we compare ourselves to Germany, the bête noire of many Brexiteers on the Government Benches, we lag behind by 30%. There has been no action from the Government.

Investment levels are grim. Investment is at the heart of any growth in either the private or public spheres, but it appears to be pretty short-term in many sectors. Brexit uncertainty is exacerbating that, but we should not use that as an alibi because low investment levels pre-date the Brexit debate. There has been no action from the Government on that. The question is: does the Finance Bill do anything of significance to put any of those problems right? What is the answer? No action.

What about inflation? Well, there is no action there either. The inflation rate, now at 2.9%, climbed last month to its joint highest level in more than five years, given the rise in the price of petrol and clothing. According to the ONS, clothing and footwear prices had the biggest impact on the headline inflation rate in August, climbing 4.6% year-on-year to their highest level since records began.

Even the Government's analysis of the loosening of the rules governing non-dom giveaways, such as the so-called business investment relief, says it has had a negligible effect on investment. While we are on non-doms, we have heard once again the false promise that the Bill will curb it for many. How can we believe such claims when an entire part of schedule 8 is called "Protection of overseas trusts"? That is what this Government like to do: protect people's overseas trusts. Ministers may not have thought that we would notice, but they made absolutely sure that non-doms knew that nothing would change if they squirrelled their wealth away in trusts.

As a result of the moves to undermine the rules on what can qualify as a Northern Ireland company, corporations will find it easier to shop around within the UK for where to put their brass plates. How does it benefit the people of Northern Ireland if we reduce the amount of jobs and investment that a company must make to qualify as a Northern Ireland company?

The changes to the tax treatment of termination payments will mean that people who lose their jobs may face higher tax bills when they are least able to pay—people like the thousands of HMRC employees in my constituency, and in others, who are being forced to choose between relocating or being given their P45s. They are undervalued, underpaid and under-resourced, and soon to be over-taxed if the Government get their way. The Office of Tax Simplification said that the change "is likely to have a significant cost impact for some people, particularly those lower paid employees who may more often be the ones receiving smaller termination payments; who are, after all, losing their job."

No evidence has been produced to show that the proposals will simplify very much. The Government must stop looking to ordinary workers to pay for their mismanagement of the public finances. Instead, they should stop the smoke and mirrors games and get serious on tax avoiders.

The Bill, like the Conservative Government who produced it, is not fit to deal with the problems that the country faces. Even the Tory party membership are recognising that. More importantly, though, the country is recognising that. So, in the spirit of Brexit: auf wiedersehen, au revoir and goodbye!

3.6 pm

John Redwood (Wokingham) (Con): I felt for the shadow Minister's being asked to speak in this debate after many hours of toiling away on a different subject yesterday. He obviously struggled, because he produced his notes for yesterday's debate and gave us 10 minutes or so as if we were still debating ministerial powers and Parliament's right to control all secondary regulations. Just to clarify the point that I made to him, and which he tried to muddle: everything is a parliamentary process when it comes to legislating by statutory instrument, because those statutory instruments that are tabled for negative resolution—meaning that they would not normally get a debate or a vote—are an invitation to the Opposition. It is their job to go through them all and decide whether Ministers have made any mistakes, and therefore whether those instruments should be brought before the House for debate and a vote. They are all debateable and voteable if the Opposition do their job, but it is clear that this Opposition do not want to do their job; they want to make synthetic points instead.

Thanks to your excellent guidance, Madam Deputy Speaker, the shadow Minister did come to understand that this is the debate on the Finance Bill. We then moved to the interesting issue of the student debts. A number of my right hon. and hon. Friends made an intervention and has now left. He should have stayed to hear this. His leader said that he would deal with it and has now gone back on that.

Michael Tomlinson: The Leader of the Opposition's precise words were:

"I will deal with it."

Those were his words. The hon. Member for Ilford North (Wes Streeting) wandered into the Chamber, made an intervention and has now left. He should have stayed to hear this. His leader said that he would deal with it and has now gone back on that.

John Redwood: My hon. Friend is much tougher than I am and has made it clear that the Leader of the Opposition misled the electors; I was being a little kinder. The right hon. Gentleman used tricksy language, in some ways, but his shadow spokesman did not. More importantly, millions of voters out there heard what my hon. Friend described, believed that Labour was making an honourable offer to get rid of all student debt and voted accordingly. They are now told that they were conned, let down and completely misled.
Ruth George: Had the Treasury team shown the House some respect by publishing the Bill and the explanatory notes in time for us to read them and properly give the matter some scrutiny. Members from all parties, but particularly Conservative Members, might not have had to concentrate on old arguments about Labour from the election that have since been cleared up, and might instead have been able to look at the matter we are meant to be debating.

John Redwood: We think that this is a debate about the Finance Bill, and about how much money we raise and how we raise it. A very important question to consider when deciding how much money we raise is how much we need to spend. We are debating, in part, a very important promise that was made by the Opposition party. My electors—and many other Members’ electors—thought that that party would want to sustain it and come up with ideas about how to raise the odd £100 billion, but we now discover that that promise was not meant to be for any time other than the election and that it has now reneged on it. That is exactly what the people outside this House want to hear about. They want us to be topical and relevant to their lives. Very technical matters that deal with certain kinds of tax abuse are all very important to a limited number of people and in the interests of fairness, but what matters out there, and what should go back from this debate today, is this: does the principal party of opposition have any principles, or did it merely offer to cancel student debt before an election knowing full well that we cannot raise in this Finance Bill, or any other, £100 billion to deal with it?

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): Given that Conservative MPs want to spend a considerable amount of time on this matter—indeed, they appear to have decided to filibuster their own Finance Bill—and given that the quote from the Leader of the Opposition has been used, let me finish that quote, word for word.

He said:

“I don’t have the simple answer for it at this stage—I don’t think anybody would expect me to, because this election was called unexpectedly. We have had two weeks to prepare all of this, think anybody would expect me to, because this election was very popular before the election. I am not persuaded whether there is something that we have missed.

That is the quote.

John Redwood: I am very grateful for that clarification. I think that we can rest our case. It seems very clear that an impression was given. This is relevant because the Opposition now have the opportunity to tell us how they would raise £100 billion. I will let them into a secret: if there was an easy way to cancel everybody’s student debt, I would be delighted, because it would make us extremely popular. Clearly, it made Labour very popular before the election. I am not persuaded that there is a simple way of raising £100 billion, which is why it would be interesting to hear in this debate whether there is something that we have missed.

The hon. Member for High Peak (Ruth George) chided me for not debating what is in the Bill, and said that she did not have time to read it all. That is very odd, because I seem to remember that this Budget was delivered weeks and weeks ago—before the general election. She has had plenty of time to study the Bill and to come up with some principles that the rest of us here could debate today. I wish now to move on to some of the actual measures that the Government are recommending, but, first, I give way.

Rachel Maclean: I thank my right hon. Friend for giving way. He is making an extremely powerful speech. It is relevant, because the shadow Minister mentioned what the deficit was under the previous Government, and the current one will raise less. That is very odd, and I am sure that it will be very irritating for him and betraying them cruelly.

John Redwood: Let us move on. Let me summarise the situation by saying that what we have learned today is that the Opposition have no intention of honouring what we thought was a pledge and what they say was not a pledge. Labour does not want to retire the student debt. It does not have a clue how to do it, and it even admits that £100 billion is too big a sum to raise in this Finance Bill to honour that pledge.

Philip Davies: My right hon. Friend is being a bit unkind to the Labour Opposition, because they have given us some indication of how they would go about raising the money that they need for their fantasy policies. They have told us that they would adopt the policies that were used in Venezuela. Was my right hon. Friend as surprised as I was when the shadow Minister mentioned how appalled he was at the rate of inflation, given that he wants to adopt the policies of Venezuela? Perhaps my right hon. Friend can tell us what those policies led to in Venezuela.

John Redwood: I have written and spoken about that in other contexts. I fear that I might be straying a bit far from the strict words of the Finance Bill, but my hon. Friend tempts me. I do remember that the leadership of the Labour party was full of praise for the two last leaders of Venezuela, but we now know that that very expensive experiment has ended in terrible tears with a lot of civil dispute, an inability to buy simple foods in shops, complete chaos in getting in basic supplies, a country near bankruptcy, having run out of foreign exchange, and a country that cannot even run its own oil resources properly because it does not know how to invest, to balance its budget and to run finance prudently. It is very sad that the Labour party backed this particular wrong horse. It is even more bizarre that it will not now distance itself from it and admit that the experiment failed badly. However, it does tell us something very interesting.

When the Venezuela experiment began, it was great. The Government gave more money to the poor, which was extremely popular. In the first instance, the policy just about worked—people had a bit more money to spend—but shortly the Government ran out of other people’s money to spend and they ran out of borrowing capability. Instead of helping the poor, they crushed the poor. Instead of making a prosperous economy, they bombed the economy and they are now all much worse off as a result of their policy of generosity. I am grateful that the Government understand that we need to have a prosperous and growing economy and to run our finances sensibly in order to pay for the attractive programmes for better public services and to create less inequality of income by giving more money to those who, through misfortune or for other reasons, cannot earn as much as others.
Lucy Frazer: One matter that is in the Finance Bill is in relation to tax avoidance and tax evasion. Does my right hon. Friend remember that the Labour Government committed to recover £8 billion that had been lost through tax avoidance, and that the Institute for Fiscal Studies said that they would not recover even half that sum?

John Redwood: I do remember that. We also have the respective abilities in Government, and we see that this Government have been rather more successful at clamping down on tax loopholes that Parliament has thought unacceptable and that, in turn, has generated more revenue.

Very important to this Government’s strategy is the principle that, yes, we have to tax rich companies and rich people because they have the money, but that there is not enough money if we just tax the very rich. We must tax people who are comfortably off as well. There is also an understanding that, if we try to over-tax the very rich, we would end up getting less money, not more money, because the very rich have privileges and freedoms that the rest of us do not have. They have good lawyers, good accountants, and addresses in other countries. They can shift their businesses around, invest somewhere else, decide to spend their money somewhere else and go and live in a home in another country, which the rest of us are not able to do. Therefore, it is very important that the Government monitor the situation extremely carefully. For example, when the Government are taxing non-doms—they have got £9 billion in tax from non-doms, which is an extremely important contribution to our public services—they should be careful that they do not overdo it, because it would be quite easy to flip the thing.

I am not a particular friend of the non-doms. I have certainly never had the advantage of all these offshore facilities. I have always had a salary in Britain and paid PAYE like everybody else. Everything that I have had has had to go through the tax books quite properly, so I do not speak from any personal experience. However, what I do know is that I would rather live in a country that increases the wealth of people with riches and enterprise and who want to invest here than in a country that was completely intolerant. I would also rather that the non-doms paid some of our taxes for us than live in a country where the rest of us had to pay all the taxes because we had driven all the non-doms away.

So far, the Government have charted a sensible course, but I hope that they will watch the situation very carefully. I hope also that those in the Labour party who are serious about government and want to learn a bit more about how successful Governments, past and future, operate might learn from the corporation tax proposals in this and related Finance Bills. Interestingly, during the time when the Government have taken the corporation tax down from a 28% rate to 19%, they have massively increased the amount of revenue that companies pay. One problem with the Labour proposals before the last election was that Labour recommended a lot of spending that was not going to be financed by tax at all. It also recommended quite a lot of spending that it said would be financed by tax. One of its biggest alleged increases was from raising the corporation tax rate. If we tried that, we might find that we raised less money from corporations, drove marginal businesses away from our country and enabled clever accountants and lawyers in large corporations legitimately to base activities and profits in other countries, because they would no longer find our tax rates so acceptable.

Alex Norris (Nottingham North) (Lab/Co-op): Given that the only numbers in the Conservative manifesto were the page numbers, does the right hon. Gentleman understand why Labour Members are slightly concerned that, despite what he says, the numbers in the Finance Bill do not add up?

John Redwood: No, I do not share that view and I do not think that was a very effective point. There was quite a lot in the Conservative manifesto. Indeed, there were some things in the Conservative manifesto that the Conservatives were rather surprised about, and we have been having friendly family conversations about them ever since. I am sure that my hon. and right hon. Friends will discern that there are some better parts of the manifesto which we are most keen to get on with. However, we certainly did not just have a manifesto of page numbers, as I am sure the hon. Member for Nottingham North (Alex Norris) will remember. The smile on his face tells me that he enjoyed some parts of the Conservative manifesto as well. We are all very pleased about that, even though he was probably amused by different parts of that particular publication from the ones that I was amused by and pleased about.

We wish to see a policy that promotes enterprise and growth. That means taxing people in companies with the money fairly and sensibly, but also setting internationally competitive tax rates that they will stay to pay and ensuring that the country is an attractive place in which people want to do business, invest and employ.

Simon Hoare (North Dorset) (Con): My right hon. Friend is talking about practical application, rather than merely theory. When President Hollande took office in France, he hiked the French tax system in order to squeeze the rich until the pips squeaked, as it were. My right hon. Friend will recall that the wealthy French then moved in very large numbers to Chelsea. The lingua franca of Chelsea changed from Russian to French overnight. People will move to where they find the tax regime benign and fair.

John Redwood: That is quite right. And they will all contribute to our tax revenues and not to the French tax revenues in the process, which means the French state has an even more difficult task.

There was one particularly important thing in the shadow Minister’s speech. He correctly agreed with the Government that we need to raise productivity. He would not take my intervention, in which I wanted to raise one of the sadnesses in the long period of Labour Government from 1997 to 2010. The Labour Government had so much money to spend because they inherited a prosperous economy. In fact, they extended that prosperity in the first part of their government before they went for the crash in the end. However, although they had quite a lot of money to spend, there was no growth whatever in public sector productivity over those 13 years.

In this House, we all say we want to raise productivity. Surely we should take a special responsibility for public sector productivity because that is the sector in which we directly spend the money, employ the people, hire the
managers, and set the aims and objectives. As the Labour party is particularly close to the public sector in many ways, it would be good if it shared with us some thinking on having a policy that really does promote higher-quality and better-paid jobs in the public sector. If we have a more productive workforce, we can pay them better and create better conditions. That is what we all want to do.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): If we want to improve productivity, why do we not stop the Department for Work and Pensions closures and keep the people who will chase the tax dodgers? Those are the people we want. If we want to improve productivity, we need to keep the jobs, stop the centralisation programme and keep the DWP jobs going.

John Redwood: The idea is to provide a better-quality service, applying modern technology and techniques to serve those who need the scheme. I am sure that the Minister will be interested in any detailed criticisms the hon. Gentleman may have. This Government have spent a lot of our public money on dealing with abuse on the tax side, because they rightly believe that we should be fair, crack down on tax abuse and ensure that people do not cheat the welfare system. Neither is a good thing to do. If we want a sensible financial balance, we should surely be fair to both sides by ensuring that we are not cheated out of public money and that we are not short-changed by people who break the law on tax.

Stella Creasy (Walthamstow) (Lab/Co-op): The right hon. Gentleman was waxing lyrical about corporation tax earlier. Of course, private finance initiatives—with companies that Members on both sides of the House have concerns about—have been beneficiaries of the Government’s changes to corporation tax. Those companies benefit from the lower corporation tax espoused by the right hon. Gentleman, even though they signed contracts with the Government to pay a higher rate of corporation tax that was part of the value-for-money assessment for those contracts. If he wants to get the money owed to the public sector, does he recognise that corporation tax may need to be amended in certain ways and with some companies to reflect that?

John Redwood: The hon. Lady is very brave to mention PFI because that was a failed experiment by the Labour Government, who got through an awful lot of public money needlessly by not doing good deals with the private sector and not understanding that they had to be more careful in the kinds of contract they signed.

Stella Creasy rose—

John Redwood: I will give her another go.

Stella Creasy: I welcome the right hon. Gentleman’s concerns about PFI. I would like to hear him talk about Private Finance 2, which is this Government’s proposal, including £23 billion of infrastructure investment that will be done under the same contracts, and which therefore faces the same challenges. Many Labour Members recognise the need to deal with PFI. I would hope to hear the right hon. Gentleman—a man who has been so proud of the role of corporation tax—deal with them equally rather than avoid the question. I am sure that his constituents would like that too.

John Redwood: I did not avoid the question at all. I pointed out that most PFI contracts were signed under the Labour Government. When I was a Secretary of State, I remember being offered a PFI route to financing a new hospital. I looked at the numbers and did not think they worked, so I said, “I’d rather finance it in the normal way by public borrowing because that would clearly be cheaper and give us more control.” That was a bit of a surprise to my officials but they quite liked the advice I gave them on the subject. It is the job of a Minister to understand these things, but a lot of Labour Ministers did not understand the contracts they were signing, and those contracts had weaknesses. If the hon. Lady has problems with contracts that Ministers are currently signing, it is her job as an Opposition MP—she will not be shy about doing this—to give chapter and verse. She has not been specific, but we do not have time to turn this into a debate about individual contracts. I am sure that my ministerial friends, particularly in the Treasury spending department, would be very interested to hear where they think they have gone wrong. However, we probably need to move on.

Stella Creasy rose—

John Redwood: Oh, if she really wants to intervene again, she may.

Stella Creasy: I thank the right hon. Gentleman for giving way again. I am pleased to hear his concerns. I note his intention to increase public sector borrowing. I repeat that the Government are talking about £23 billion of infrastructure spending financed by this Bill. They are looking at PF2, which is “exactly the same” as PFI. They are not my words, but those of the National Audit Office. Will he join me in supporting amendments to the Bill to ensure that those companies pay their fair share of tax and the public sector gets the money it deserves?

John Redwood: I have no evidence that makes me believe they will not pay their fair share of tax. I am sure that my ministerial friends have heard the hon. Lady’s point and will look carefully at the issue. It is good that a lot of our future infrastructure programme will be privately financed, but I always apply a simple test. If the thing is going to be privately financed, I want to ensure that the private sector is bearing significant risk in return for the reward it wants to earn. I do not like phoney PFIs, whereby the private sector cajoles the public sector into taking all or most of the risk while giving a higher reward than one would get on a normal Government bond in order for the contract to be signed. There were quite a lot of those under the Labour Government and the taxpayer is much the poorer as a result. It is part of the reason that we did not get the gains in public sector productivity that we would like to achieve. If we do not discipline the big investment spend, we do not drive forward the productivity gains that we clearly need to make across a large public sector.

In conclusion, the best way to raise the extra money we need to pay wages and improve public services—an aim that is shared across the Chamber, contrary to
Labour’s belief—is to drive further growth in the economy so that more people are in jobs to pay tax, and so that more companies are doing things here and making profits here on which they can pay tax. We need a series of tax rates that are not too complicated and that are low enough to be sensible so that we are internationally competitive. Then individuals and companies will have every incentive to do more, invest more, work harder and work smarter in order to carry the economy forward. I trust that is what my hon. and right hon. Friends will be doing.

I do have some worries about the length of modern Finance Bills. It is useful to have another doorstep, but it is a bit of a barrier to our reading every page and giving it the credit that it undoubtedly deserves. It would be good to see whether we could have a period of fewer and simpler taxes so that we do not need quite so much language in Finance Bills. It would also certainly be good to look at what one can learn from the success of raising more revenue from richer income tax earners by going from 50% to 45% and getting more revenue out of companies by going from 28% to 19%. We could apply that principle more generally to other taxes because we would then have a win-win situation. We would have more money for our public services, more economic growth, more people in jobs and more people keeping more of the money they earn. That might make for happier constituents, and that is my main aim in being here.

Kirsty Blackman (Aberdeen North) (SNP): I am grateful for the opportunity to speak in the debate on behalf of the Scottish National party. The SNP submitted a reasoned amendment to the Finance Bill because we believe that it is a wholly inadequate response to the economic challenges faced by Scotland and the UK. Our reasoned amendment is on the Order Paper, but it has not been taken, and I have noted that.

Madam Deputy Speaker (Dame Rosie Winterton): Order. The hon. Lady will, I hope, be aware that the amendment was not selected, so it should not be debated. I am sure she will want to return to the main business of the House.

Kirsty Blackman: I thank you for that, Madam Deputy Speaker. I just wanted to briefly mention that we did table the amendment, but I will not debate it. You will be happy to know that it is not part of the substance of my speech.

As the hon. Member for Bootle (Peter Dowd) mentioned, the House gave a Second Reading to the European Union (Withdrawal) Bill last night. That Bill, the Government tell us, is intended to transcribe EU law into UK law so that there will be minimum fuss on the day the UK leaves the EU, but it fails pretty miserably. The UK’s position is that the UK will leave the customs union, the single market and arrangements for freedom of movement. The economy of these islands will suffer as a result, but the UK Government have not taken that seriously in the Finance Bill, or at any other stage so far.

This Finance Bill derives from the most muddled of processes. The business that comes through this House is pretty difficult to understand and chaotic at times, but this Bill has been one of the most impressive examples. We had the Budget back in March, and the original Finance Bill was published on 20 March. I remember that because it was my birthday, and receiving a Finance Bill was a wonderful birthday present—I was delighted. The Second Reading of that Bill was on the day when the Prime Minister, in her wisdom, announced that she was calling a general election, so she upset a fair few of her colleagues that day, as well as making the debate slightly different from how it was supposed to be.

The further stages of that Finance Bill were a complete and total guddle. Then we had the election, and the Government lost their majority. We have ended up with this bodged-together Bill, based on the remains of what was put forward back in March. My concern is that by the time Third Reading of this Finance Bill comes round, we will be about eight months from the Budget that created it. That is an incredible length of time, and I can prove it.

I draw the House’s attention to some of the assumptions made in the March 2017 Budget. First, let us look at the Office for Budget Responsibility predictions for inflation—Members should remember that the Finance Bill is written on the basis of those predictions, as well as other measures. The OBR predicted that the quarter 1 figure for inflation would be 1.9% and that the quarter 2 figure would be 2.4%. Actually, the quarter 1 figure was 0.2% higher, at 2.1%, and the quarter 2 figure was 0.3% higher, at 2.7%. That means that the money people have to spend is going less far than was predicted in March—the things that people buy are getting more expensive.

At the spring Budget, the OBR had predicted that average earnings would grow by 2.9% in quarter 4 of last year and by 3% in quarter 1 of 2017, but they actually grew by only 2.8%—1.1% less—in quarter 4, and by 2.4%—0.6% less—in quarter 1. That means that people have less money to spend on goods, which we have already said are more expensive.

Perhaps most tellingly, though, the OBR predicted that real household disposable income would drop by 0.2% in quarter 1 of this year. In fact, it dropped by 1.4%—by significantly more than the prediction on which basis the measures in this Finance Bill were created. As I said, that shows that people have less money to spend. Folk are feeling the squeeze, and the situation is worse than was predicted by the OBR when these Budget measures were written.

I spoke on behalf of the SNP on Third Reading of the previous Finance Bill. I would add, for Conservative colleagues, that only four people spoke in that debate, and one quarter of them were from the SNP, so it is grand that Conservative Members are taking the moral high ground today, but they did not pitch up for the last debate. When I ended my speech then, I said:

“I hope that in the next Parliament, the new Government will recognise the financial impact of Brexit on household budgets and jobs. I hope we see real changes that take into account the effects of Brexit.”—[Official Report, 25 April 2017; Vol. 624, c. 1056.]

So far, I have been completely disappointed.

In Scotland, our Government have recognised the combined impact of inflation and wage stagnation, and we have committed to removing the public sector pay cap. That is part of the reason why we voted with the Labour party on termination payments. We do not feel that now is the time to be squeezing people’s incomes further and to make such changes, and we will be looking to scrutinise them in Committee.
Kirsty Blackman: I very much appreciate the Minister taking that action. I thank my hon. Friend the Member for Glasgow Central for her tenacity in repeatedly bringing this matter to his and to my attention.

I need to flag up the issue of carbon capture and storage. I have already said that the way in which this Finance Bill has been produced has been a complete guddle. The issue of carbon capture and storage highlights the very worst of the UK Government’s Treasury and how it has behaved in the past. Because the Treasury and the previous Government went, in effect, above the head of the Department of Energy and Climate Change, the £1 billion ring-fenced budget that was in place was pooled with no warning, and carbon capture and storage was left dead in the water. The Scottish Government have recognised the importance of carbon capture and storage to our future energy strategy, and they are providing money to explore the possibility of reviving the project. It is really important that Scotland prioritises projects such as this and that they proceed. This is one of the clearest examples I can remember of the Treasury completely ignoring advice from officials and, indeed, from Ministers. I hope that this Treasury makes different decisions from those of the previous Treasury and moves forward in a more collegiate manner. Particularly because this is now a minority Government, the Treasury can no longer behave as it likes and give way with it. It needs to talk to people and listen to their answers.

Last time I spoke about this, I mentioned the provisions in clause 64, which is about errors in taxpayers’ documents. I raised with the Minister my concern that people will lose out as a result of employing somebody who they think is qualified to help with their tax return, but is in fact not qualified. I was not clear—I am still not clear from this Bill—about exactly how the process will work and whether people will be unduly penalised for something that was not their fault. I look forward to exploring that matter further in Committee with the Minister. I hope that he has heard what I have said and will provide appropriate responses.

This would not be a proceeding on a Finance Bill if I did not bring up the issue of VAT on police and fire services. In its first three years, Scotland’s police force paid £76.5 million in VAT. Highways England, a national body, does not pay VAT. London Legacy, a national organisation, is exempt from VAT. The Tories must now reverse their damaging imposition of VAT on police and fire services, which uniquely applies only in Scotland.

I am looking forward to the Committee stage of this Bill so that we can debate in detail the Government’s lack of action on squeezed households. Whatever happened to the Prime Minister’s support for “just about managing”? Conservative Members talk all the time about how they are reducing inequality and what a great thing that is, but I want to mention the median income for non-retired households—that sounds incredibly technical. In 2007-08, the median income for non-retired households was £28,817. In 2015-16, the figure was lower: £28,481. These stats are from the UK Statistics Authority. It is all well and good for Conservative Members to say that household income is rising, but the income of working households is not rising, and it has not risen for the best part of a decade. That is why people feel like their incomes are squeezed. It is why people are looking at their bank balances and worrying whether they can afford to pay the bills at the end of the month.
Ross Thomson: The hon. Lady says that we have to protect the income of hard-working households, yet although the First Minister had made a promise not to increase basic rate income tax, she now, in her programme for government, talks about increasing it, which will hurt the very people whom the hon. Lady is talking about protecting.

Kirsty Blackman: I do not think that the hon. Gentleman read the programme for government very well—he might want to go and have another look at it.

This Finance Bill is derived from a Budget that did not have inclusive growth and fairness at its heart. If the Chancellor wishes to increase productivity, he could do more to ensure that people receive fair pay for the hours that they work. He could do more to ensure that any growth in the economy is spread equally and that those at the bottom of the pile get a leg-up, as well as those at the top of the pile. He could properly tackle the precarious economic position that young people find themselves in. He could remove the inequity in VAT for police and fire services in Scotland. Lastly, and most importantly at this time, he could fight against a hard Brexit that drags us out of the single market and the customs union.

Madam Deputy Speaker (Dame Rosie Winterton): I call Mr Mark Harper.

3.43 pm

Mr Mark Harper (Forest of Dean) (Con): I am very grateful to be called to speak by you, Madam Deputy Speaker, particularly since we worked so well together in a previous incarnation. I am pleased to be speaking in this debate with you in the Chair.

It is a great pleasure to follow the hon. Member for Aberdeen North (Kirsty Blackman), who speaks for the SNP. She referred to the recent general election. I completely agree that while it did not go as well for her own party, I, for one, am very pleased to be joined on these Benches by a number of excellent Scottish Conservative colleagues who are of a Unionist nature. The one very important thing that came out of the general election was that we strengthen the United Kingdom and the bonds that bring us together, whichever political party people are from, and weaken the forces of nationalism trying to break our country apart.

Stewart Hosie: Obviously this has very little to do with the Finance Bill, but for the sake of completeness, the right hon. Gentleman might want to remind the House that the Scottish National party won the election in Scotland with a majority, which is something that the Tories do not have. As for nationalism, I think he should perhaps look in the mirror and reflect on his British nationalism before he casts aspersions on anybody else.

Mr Harper: I was not casting aspersions. I was simply reminding everybody that the Scottish nationalists—that is what they are; they are a nationalist party—want to break up the United Kingdom, and I was simply congratulating my colleagues from Scottish constituencies on helping to strengthen our United Kingdom.

Charlie Elphicke: I think that my right hon. Friend is being too generous to the Scottish nationalists. They are not simply nationalists; they are incompetent. They were warned on the question of VAT and the police before they took those reforms though, and they went ahead regardless. It is their fault and their mess, and as usual they are trying to blame everyone else for it.

Mr Harper: I am grateful to my hon. Friend for that intervention. By the way, Madam Deputy Speaker, I did not think that it would be out of order for me to make some brief remarks about something other than the Finance Bill, given that the Opposition Front-Bench spokesperson spent 10 minutes talking about yesterday and the hon. Member for Aberdeen North spent quite some time doing the same.

Let me move on to finance and the essential capability of the Bill, which is, of course, to raise revenue. My right hon. Friend the Member for Wokingham (John Redwood) talked about that, and of course the central point is about balancing the public finances. I shall not talk about that at length because I was fortunate enough to secure a Westminster Hall debate on the subject which, much like today’s, was well attended, with more than 20 Conservative colleagues and only one Opposition Back Bencher, the hon. Member for Iswyyn (Chris Evans). To be fair to him, he spoke extremely well, but he was the only Opposition Back-Bench Member to speak in that debate, which demonstrated that when it comes to balancing the public finances, Opposition MPs are very good at spending money, but not so good at thinking of ways of balancing the books and ensuring that we have sound public finances. That is important because the sound public finances that the Bill helps to put in place will ensure that the country continues to grow and that we can continue to deliver pay rises for people across the country.

Stella Creasy: I want to take up the right hon. Gentleman’s challenge. I am sure that he is proud that the previous Government, of which he was part, extended capital gains tax to residential property sales for non-domiciles, so will he join me in suggesting that we close this loophole on commercial property sales? There is one idea that could raise some money for investment in this country.

Mr Harper: I am very pleased that the measures in this Bill, which Opposition Front Benchers seem so unwilling to support, raise something like £1.6 billion—I am sure that the Financial Secretary will correct me if I am wrong—on top of the £1 billion we have raised from non-doms. Put together, that is £2.6 billion, which is more than the Labour party raised in all the time it was in government. If the hon. Lady compares Labour’s record in government with ours, she will see that we have been much more effective in raising taxes from non-doms to spend on our public services than her Government ever was.

Ruth George: How does the right hon. Gentleman think that the estimate of £1.6 billion to be raised by increased taxes on non-doms will be affected by the increase to two years in the time they have to transfer their funds into offshore trusts, thereby avoiding that increase in taxation? How will that impact on the figures?
Mr Harper: Again, I am sure that the Financial Secretary will correct me if I am wrong, but the Treasury’s estimate of an extra £1.6 billion is, I think, robust. The hon. Lady ought to be aware that in the seven years the Government have been in power, we have introduced significant measures to clamp down on aggressive tax avoidance and evasion, and the Finance Bill continues those measures. We have managed to reduce the tax gap and are collecting more of the revenue that we should collect. Again, that record is better than that of the hon. Lady’s party in office.

Wes Streeting: The right hon. Gentleman is right that the Government have tried to take measures to tackle multinational tax avoidance, but they have not been very successful, have they? When the diverted profits tax was announced, it was hailed as the so-called Google tax. That was all well and good, except for the fact that Google did not end up paying very much, did it?

Mr Harper: The hon. Gentleman has put his finger on an important point. There are measures that we can take here in the United Kingdom to raise more money from multinational corporations, and we have taken some of them, but to do a proper job we have to take measures in accordance with international partners. That is why I am pleased that the Government have been leading a lot of the work on the OECD’s base erosion project to come up with international definitions of profits and international agreements on how to tax those profits. Individual countries are not able to take those steps by themselves.

Wes Streeting rose—

Stella Creasy rose—

Mr Harper: I will give way to the hon. Gentleman again.

Stella Creasy: I thank the right hon. Gentleman for—

Mr Harper: I am sorry; I meant to give way to the hon. Member for Ilford North (Wes Streeting).

Stella Creasy: Age before beauty.

Wes Streeting: Imagine lacking both!

The right hon. Gentleman is absolutely right to say that we need more international co-operation if we are to curb the excesses of multinational corporations’ power. Does he therefore share my sadness that we are currently in total control of our finances at home and that we should draw in all the money that is owed to us in the best possible ways? That is going to be so important in keeping us productive.

Rebecca Pow: My right hon. Friend is making a sound case, but would it not be right to suggest that it is even more important, in the light of Brexit, for us to be in total control of our finances at home and that we should draw in all the money that is owed to us in the best possible ways? That is going to be so important in keeping us productive.

Mr Harper: I agree with my hon. Friend. Indeed, that is why the Financial Secretary to the Treasury set out a number of important areas in the Bill that deal with those issues.

I want to pick up on an issue that, interestingly, has been referred to by a number of colleagues. My right hon. Friend the Member for Wokingham (John Redwood) touched on the question of public sector productivity, and the hon. Member for Aberdeenshire, North, who speaks for the SNP, also alluded to productivity. I think the hon. Lady got it a little wrong, however, when she talked about improving productivity by giving people higher pay. It is actually the other way round. We all want our constituents to get a pay rise—I think that that unites everyone in the House—but the only sustainable way to drive up pay in the public and private sectors is to improve productivity in both sectors. I shall set out a few areas in which we could do that.

First, however, I want to make a slightly humorous point to the Financial Secretary to the Treasury. I do not want to see an increase in the productivity of the parliamentary draftsmen in Her Majesty’s Treasury. Producing Finance Bills as thick as this one is perhaps not what we ought to be doing. I understand the complexity of these matters—I declare an interest as a non-practising chartered accountant—but I know from talking to colleagues in the business that they do not enormously welcome Finance Bills this thick. Much as this might upset them, I have to say that creating jobs for tax accountants is also perhaps not something that we ought to be doing. Slimmer Finance Bills with simpler, less complex legislation introducing lower tax rates from which we collect more revenue are the way to go. If we were to do that, we would be doing everyone a service, and those in the tax business could perhaps find more productive things to do. This gentle chiding is perhaps directed less towards my right hon. Friend the Financial Secretary to the Treasury than towards officials in his Department.

Craig Mackinlay (South Thanet) (Con) rose—

Mr Harper: I shall give way to a fellow chartered accountant.

Craig Mackinlay: I declare an interest: I am a practising chartered accountant, when I have the time. My right hon. Friend said that lower rates can produce more revenue.
Is that not exactly what has happened since 2010 with our reduction in corporation tax rates, which is paying the dividend of a greater return for the Treasury?

Mr Harper: My hon. Friend makes a very good point, and he is exactly right. This was one area in which the debate about corporation tax rates during the general election campaign became rather confused. The Opposition kept saying that we were cutting corporation tax, and making it sound as though we were therefore going to collect less revenue. What we were doing, of course, was to reduce corporation tax rates. The purpose of doing so was to collect more corporation tax revenue, both to attract more businesses to locate in the United Kingdom and to enable the businesses that are already here to be more successful. That is an admirable aspiration but it is, as my hon. Friend said, what has happened in practice.

One of my concerns about the Labour party’s plans is that an increase in corporation tax rates would lead to the collection of less corporation tax revenue; and we would have less money, rather than more, to spend on public services and our hard-working public sector workers. [Interruption.] I see Opposition Members, including those on the Front Bench, shaking their heads, but since we cut corporation tax rates, we have collected more corporation tax—

Anneliese Dodds (Oxford East) (Lab/Co-op) indicated dissent.

Mr Harper: It is no good the shadow Minister shaking her head. The fact is that that is exactly what has happened. We are in the business of collecting revenue to spend, not putting up rates to punish people in order to make ourselves feel good.

Sammy Wilson: Does the right hon. Gentleman accept that that has been shown to be true not only in the case of corporation tax but, in the Irish Republic, in the case of VAT? When VAT was reduced on aspects of the hospitality industry, tax revenues actually went up because that reduction generated more business. Indeed, there may be lessons to learn on VAT rates for the hospitality industry in the United Kingdom.

Mr Harper: I am always grateful to have excellent suggestions from colleagues in Northern Ireland. It is worth remembering that they bring a particular perspective to Brexit, given that they have a land border with the Irish Republic. We need to be very conscious of tax effects across the border as we leave the European Union.

I set out in my Westminster Hall debate, which I will not reprise now, our good record on economic growth since 2010, our reduction of the deficit and the significant number of jobs that businesses in the United Kingdom have generated. That is all very positive. But I am perfectly happy, as are the Government, to accept that there is one area in which the country’s economic record since 2007–08—under both the Conservative party and the Labour party, when it was in government—has been less impressive, and that is productivity. Since the economic crash, productivity growth has stagnated, and the level of productivity is significantly below that of the G7.

As I have said, it is essential to raise productivity if we are going to increase pay in both the public and private sectors. I want—I think all Conservative Members want—to give public sector workers a pay rise, just as much as Opposition Members do. But we understand that that has to be paid for. There is also an element of fairness. Private sector wages fell, in cash terms, after the crash, but that did not happen in the public sector. The work done by the Institute for Fiscal Studies shows that after a number of years of pay restraint, pay in the public and private sectors is now roughly in balance. It is, perhaps, a little ahead in the public sector if we take account of the more generous pension schemes. I want workers in both the private sector and the public sector to be properly rewarded; I do not want to favour workers in one sector at the expense of those in the other. That idea is missing in the comments we have heard today from the trade unions about public sector workers. We have to have a balanced settlement for workers across the economy, not just those in one area of it.

It is not clear what has caused the lack of growth in productivity. It will probably not surprise anyone in the House to learn that according to economists—I apologise if there are any economists in the Chamber; I stopped my economic training when I left university—a number of things seem to be at the root of this, one of which is that there could well be a lack of wage growth. What does that mean? It means that companies are not investing in capital equipment to make work more effective. As a former Minister for Immigration, I think that having unlimited unskilled migration—it is definitely at the lower end of the labour market, keeping wage growth low—has certainly not encouraged companies to invest in machinery and equipment to drive up productivity. Leaving the European Union gives us the opportunity to reduce importing unskilled workers from the current level. That does not mean reducing it to zero, but reducing it a little will help to improve such an incentive.

John Redwood: To help my right hon. Friend, let me say that there is a good reason and a bad reason why productivity has been disappointing. The good reason is that we have generated lots of lower-value jobs—it is better to have a job than no job—and we now need to help those people to work smarter so that they can be paid better. [Interruption.] Labour Members do not want jobs for their constituents, but I do, and I then want to go on and get them, when they have been trained and skilled up, into better-paid work. The bad news is that we have lost a lot of top-end jobs in the North sea oil industry because of the maturity of the fields and the decline of output, as well as the hit on the price, and we have also lost quite a lot of top-end jobs in the City—some people did not like those top-end jobs very much, but the crash destroyed quite a lot of them in the City—and that has obviously depressed the overall productivity figures.

Mr Harper: My right hon. Friend makes a very good point. I agree with him that the response to what he said about the growth in jobs was very disappointing. One thing I touched on in my Westminster Hall debate was the comparison between this country and some of our European neighbours. I must say that in Britain, where the level of unemployment for young people has fallen from 20% to 13%—I accept that that is still too high—the record, particularly for younger people, is phenomenally better even than in countries such as France, where the rate remains at 20%, while in some European countries that have completely lost control of their public finances, the rate is—
Mr Harper: My right hon. Friend is absolutely right. Half of young people in Greece are unemployed, and that is after a significant number of other young people have come to countries such as the United Kingdom and Germany to work. I must say that that is not a sustainable economic model. I suspect there is going to have to be a shake-up in the eurozone at some point—more fiscal transfers, or looking at the currency—because it is not sustainable for half of a country’s young people to remain unemployed for a considerable period.

Thankfully, we have not had to confront such a problem in our country—we have a different set of challenges—but my right hon. Friend is right about productivity. Let us look at the Bank of England analysis. He has already referred to falling productivity in the oil and gas sector and the financial sector. As I have said, there has been the impact of the financial crisis on allocating capital. I think there is now enough capital in the economy, but the issue is about getting it to the right businesses. There has also been a slowing rate of growth in innovation and discovery, as well as some inaccuracies in the data.

There is no single thing that we can do, which is why I am very pleased that the Government have set out a range of options in the productivity plan published by the previous Chancellor, George Osborne, in his Budget immediately after the general election in 2015, and in the measures set out by my right hon. Friend the present Chancellor, who was in the Chamber earlier. In relation to the national productivity investment fund, the Chancellor has set out some very important areas of spending, which I will briefly mention.

The first area is accelerating the housing supply, which is absolutely critical. I share the concerns expressed by Opposition Members. It is absolutely critical that we look at growing the housing supply urgently so that younger people, and not only younger people, can find affordable houses for them either to rent or to aspire to buy. A very significant sum in the national productivity investment fund will go towards that incredibly important area. The second area is investment in transport. I welcome today’s announcement about the very significant investment in the A303 and the significant amount of money to ensure that we properly protect the ancient monument of Stonehenge. That is very important for me and colleagues from south-west England. We are also seeing improvements to rail, and to the missing link on the A417—the bit of the road that is not dualled—in which the Government are committed to investing. Therefore, there is investment in some important areas of transport.

I also welcome the conversations that my right hon. Friend the Secretary of State for Transport is having with colleagues in the north of England about significant investment that we could make on top of HS2 to connect cities in the north properly. My understanding is that if we see an agreed plan from Transport for the North, the Government will be very keen to fund that to drive productivity growth in the north of England, in the same way that significant investments in road infrastructure have driven productivity growth in London and the south of England.

It is important that we invest in other transport infrastructure such as airport connectivity. Particularly in the light of our leaving the European Union, Britain needs to be able to join up with global markets all around the world. I am particularly keen, as a south-west MP, for the Government to move forward on the Heathrow option and install that extra capacity so that businesses in my constituency, the south-west of England and elsewhere can be joined up properly with the rest of the world.

Sammy Wilson: Does the right hon. Gentleman accept that an important issue in respect of connectivity and airports is the detrimental impact that high levels of air passenger duty have on the opening of new routes and on encouraging people to use existing routes from the United Kingdom to other parts of the world? The Government need to look at that seriously. What should we do about air passenger duty, and how can we stop it being detrimental to the kind of connectivity he is talking about?

Mr Harper: The hon. Gentleman makes a very good point. It would be helpful if we reduced the level of air passenger duty, but the Government have to be mindful, since I have heard lots of bids in the debate for money to be spent, that we also have to raise it. If we want to reduce air passenger duty and we think that that will reduce the amount of revenue we collect, we will have to look at areas where we can reduce spending, at other taxes or at growth in productivity in the public sector, as my right hon. Friend the Member for Wokingham said, in order to do that. It is not a simple question. The Chancellor will no doubt look at it in the round as he makes his Budget judgments later this year.

Kit Malthouse (North West Hampshire) (Con): I understand my right hon. Friend’s explanation, but perhaps the point the hon. Member for East Antrim (Sammy Wilson) was making—one with which I have some sympathy—was that, in the same way that we make the argument about corporation tax that if we lower the rate we will collect more money, perhaps if we lowered air passenger duty more people would fly and we would gather more revenue. There may also be more economic activity generally around the airports that would see an increase in passengers.

Mr Harper: My hon. Friend makes a very good point. I accept that this is an area that is difficult to model, but when the Treasury does its Red Book and its economic forecasting—I think I understand this correctly—it uses a largely static model for tax forecasting. It assumes that if we reduce the rate of tax, we will collect not more money, but less. I understand that there is difficulty in doing the opposite, which is a dynamic model that tries to take into account the fact that there might be more economic activity and that looks at whether more or less revenue would be raised. I accept that that is a difficult process and I suspect that, on balance, the Treasury is trying to be relatively conservative with a small “c”. However, there is merit in looking at that. The Financial Secretary might want to consider the extent to which the Treasury, in making judgments about taxes, can look at how much we would drive up economic activity if we were to reduce tax rates, and therefore whether we would produce more tax.

Kit Malthouse: There is a particularly strong case where aviation is concerned—a number of airlines, such as easyJet and Ryanair, rely on dynamic pricing and the
elasticity of demand to fill their planes. They recognise that the lower their prices, the more likely they are to fill their planes, and that the greater frequency with which they fly their planes, the more people are likely to come. In my view, lower APD would therefore result in more economic activity and more people flying.

Mr Harper: My hon. Friend has made that point powerfully and I see that it has landed with the Financial Secretary. We will see whether it fructifies into a policy shift.

Sammy Wilson rose—

Mr Harper: Let me make a little more progress, then of course I will give way.

I would like to make two more points before I finish, Madam Deputy Speaker. The other area I wanted to mention in relation to the national productivity investment fund, which is incredibly important for my constituency, is the acceleration of the roll-out of broadband, in particular the full fibre roll-out. We have made considerable progress in rolling out broadband. By the end of this year, I think 80% of my constituents will have superfast broadband. In Gloucestershire we have a plan, with a new supplier, to roll out to the remaining households to meet the Government’s commitments under the universal service obligation. That is welcome. The more we can do to extend that across the country to increase those speeds with full fibre to the home and to business will be very welcome.

Finally, given the competition we face in the world and the challenges, rightly raised, of ensuring that, as we leave the European Union, we have a global outlook and we remain competitive, it is very important for Ministers to have a sense of urgency in driving forward developments in housing, productivity and investment in road infrastructure. As a constituency MP, I know that the length of time it takes to build new houses and roads and to roll out broadband is very frustrating. I am sure that frustration is shared by Members across the House. One thing Treasury Ministers could do, when thinking about the settlements they make with Departments, is to reward those that accelerate progress. Perhaps Departments that deliver against the Government’s objectives more quickly could be rewarded with more money to go ever faster, and Departments that are a little slower at delivery perhaps might have some of their funding removed and moved to higher-rewarding parts of government where things are delivered more quickly. That might boost public sector productivity, as my right hon. Friend the Member for Wokingham mentioned.

The Finance Bill is a good start. It raises some much needed revenue to help to continue balancing the books. I, for one, will have no trouble supporting it in the Division Lobby today.

4.11 pm

Dan Carden (Liverpool, Walton) (Lab): I am grateful for the opportunity to make my maiden speech in what has already been a lively and important debate on the Finance Bill.

Members will remember receiving lots of advice when they were waiting to make their maiden speeches. I found that most people were coming to me saying, “You must be light-hearted and you must be funny.” I am not quite sure why they were saying that to me in particular. [Laughter.] I am not sure I am going to succeed in doing that, but the wonderful staff of the Speaker’s Office told me that today’s debate is one of the few that can go all night, with Members able to make contributions that last as long as they want. I will not promise to be as funny as Ken Dodd, but I can promise that my performance will not be as long as his. The great Eric Heffer, who was one of my predecessors, talked of having butterflies in his tummy when he made his maiden speech. Right now, I feel like I have two Liver Birds scrapping in my stomach.

I want to pay tribute to my immediate predecessor, Steve Rotheram: popular in Liverpool and popular across this House. I commend in particular his personal contribution to the fight for justice for the 96 and the release of all papers relating to the Hillsborough disaster. In October 2011, standing at this Bench, he delivered one of the most powerful and emotive speeches this House has ever heard. In it, fighting back tears, he forever commemorated the names and ages of the 96, who were, we can now say, unlawfully killed in April 1989. I wish him well as Metro Mayor of Liverpool city region.

The biographer Tony Barnes said of Liverpool: “where the River Mersey meets the salt of the Irish sea... Waves of immigrants have sparked its unique flavour. Independence, verbal wit and physical toughness are prized, authority resented; at times it seems to struggle with a special charge.” It is one of the great port cities of the world.

My grandad and dad worked on Liverpool’s docks in the days when they were the engine room of our city’s economic and social life. Casual dock labour gave rise to trade unions, collectivism and working class struggle. We are a city of survivors, and we have had to be. It is one reason we still hold dear our sense of solidarity and why today individuals are strong and communities proud. History, politics, theatre, music matter. Liverpool’s influence stretches right the way through this nation’s cultural life. It has produced many of our famous and talented musicians, poets, writers, painters, comedians, actors, footballers—the list is endless.

We are home to the oldest and longest-established black community in the UK, the first Chinese community in the whole of Europe and England’s first mosque. Walton has its own proud heritage. L4 is still home to our two great football clubs, Liverpool and Everton, and the Sandon pub, where they both originated, still serves today. Robert Noonan, better known as Robert Tressell, the author of that great socialist manuscript, “The Ragged Trousered Philanthropists”, is buried in a pauper’s grave on the site of Rice Lane city farm, and the terraced houses in the shadow of Goodison Park count as one of our country’s most historic residential areas.

Throughout history, Liverpool has proven it can speak with one voice. There is still one right-wing rag that masquerades as a newspaper that no one would be seen dead reading in my city. In this election, the people of Walton acted as one, giving Labour 85.7% of the vote—a psycological phenomenon but, most importantly, a rejection of austerity and a clarion call for a radical alternative. The issues affecting the lives of people across north Liverpool are stark. When I visit primary schools to speak to 10 and 11-year-olds in year 6, the statistics tell me that 18 out of a class of 30 will not go...
on to get five good GCSEs. The few children's centres that have survived the cuts of the last seven years and which should be places of play, supporting the development of babies and toddlers, now have to intervene against the ever more severe consequences of poverty. Hunger, ill health and squalor are returning. Drug, alcohol abuse and domestic violence are on the rise. Merseyside police are facing an impossible task as they are “stretched to the limit”—not my words but those of the police chief constable.

I do not have time to do justice to the agony the Government have inflicted through welfare and disability benefit cuts. It is no wonder that people who visit my surgeries as often as not break down in tears before they can utter a single word. In July, I asked the Prime Minister what her Government were doing to stop children going hungry this summer because schools had become part of the last resort, standing between children and hunger. She said: “the best way we can deal with poverty...is for people to get into the workplace”.—[Official Report, 19 July 2017; Vol. 627, c. 835.]

In other words: get a job. The average wages in parts of Liverpool are £10,000 less than the national average, almost 40% of children in Walton are growing up in poverty, and we know that 60% of people in poverty are in work. No wonder her answer was met with outrage across Merseyside.

I am a proud Scouser. My mum has served our national health service for over 40 years on the frontline in Liverpool. Politics began to shape my life when in 1995 my dad was sacked, alongside 500 Liverpool dockers, for refusing to cross a picket line. That dispute—of striking workers fighting casualisation—lasted 27 months and for refusing to cross a picket line. That dispute—of striking workers fighting casualisation—lasted 27 months and I am as proud to leave my dad unemployed for seven years. From the age of eight I stood on picket lines, and I am as proud to have been part of the last resort, standing between children and hunger. She said: “the best way we can deal with poverty...is for people to get into the workplace”.—[Official Report, 19 July 2017; Vol. 627, c. 835.]

In other words: get a job. The average wages in parts of Liverpool are £10,000 less than the national average, almost 40% of children in Walton are growing up in poverty, and we know that 60% of people in poverty are in work. No wonder her answer was met with outrage across Merseyside.

...
Walton (Dan Carden). I was born and brought up in south-east London, with a lot of family in Essex in the constituency I now represent, but my mother came originally from Sierra Leone, and the first part of the country that she set foot on when she arrived here in the early 1960s to set up a new life, and ultimately meet my father and have me, was the port of Liverpool. So the hon. Gentleman speaks of the Liver Birds alive in his stomach during his maiden speech, and my mother before she passed away recounted seeing those iconic buildings of the Royal Liver building, the Port of Liverpool building and the other one—

Dan Carden: The Cunard building.

James Cleverly: Yes; the three graces. Let me give the hon. Gentleman a piece of advice: never put lists in speeches, because everyone who does always forgets one of the elements of them.

The hon. Gentleman maintains that great Liverpudlian tradition of being a firebrand in the making, and I have no doubt that his contribution to this House will be significant even if I and my Conservative colleagues do not agree in every respect with the points he raises. I look forward, I hope for many years to come, to our crossing swords, linguistically at least, across this Chamber. I congratulate him on his maiden speech.

Turning to our Second Reading debate, Finance Bills are always important, and I will, with your indulgence, Madam Deputy Speaker, start by speaking in more general, almost philosophical, terms, before coming on to address a number of specific clauses. Having read through the briefing notes for the Bill—because, as my right hon. Friend for Forest of Dean (Mr Harper) highlighted, it is in its entirety a bit of a weighty tome, and although I am pretty good at reading well into the small hours of the night, even I would be pushed to cover every single dot and comma of this gargantuan document—I am pleased to speak in support of the general tone of the things contained within it. Its main measures include the shift to reduce the tax burden on the majority of people, particularly those at the lower end of the income spectrum, and to reduce the tax burden for businesses to enable them to grow, recruit and employ, and to build the economy from a broad tax base. That goes back to one of my right hon. Friend’s points about reducing tax rates to stimulate economic activity both in the commercial sector and in people’s private lives, generating the financial fluidity that can then be harvested by Governments in order to invest in the public services that we value the most.

As Conservatives we should not be afraid of the concept of taxing and spending. There, I have said it out loud, and it was not even that painful. We have committed and are continuing to commit to increasing expenditure on the key public services on which we all rely. I spoke about my mother earlier, and she spent her entire professional life in the national health service as a nurse and then a midwife. We agree across the House entirely professional life in the national health service as a nurse and then a midwife. We agree across the House to address a number of specific clauses. Having read through the briefing notes for the Bill—because, as my right hon. Friend for Forest of Dean (Mr Harper) highlighted, it is in its entirety a bit of a weighty tome, and although I am pretty good at reading well into the small hours of the night, even I would be pushed to cover every single dot and comma of this gargantuan document—I am pleased to speak in support of the general tone of the things contained within it. Its main measures include the shift to reduce the tax burden on the majority of people, particularly those at the lower end of the income spectrum, and to reduce the tax burden for businesses to enable them to grow, recruit and employ, and to build the economy from a broad tax base. That goes back to one of my right hon. Friend’s points about reducing tax rates to stimulate economic activity both in the commercial sector and in people’s private lives, generating the financial fluidity that can then be harvested by Governments in order to invest in the public services that we value the most.

As Conservatives we should not be afraid of the concept of taxing and spending. There, I have said it out loud, and it was not even that painful. We have committed and are continuing to commit to increasing expenditure on the key public services on which we all rely. I spoke about my mother earlier, and she spent her entire professional life in the national health service as a nurse and then a midwife. We agree across the House that the NHS both deserves and demands increased Government investment, but the question is not just about how we spend, but about how we raise the money to invest. The rebalancing, over time, of the route taken by this Government on taxing economic activity is philosophically the right direction of travel. As we have done in Budgets and Finance Bills over the years that we have been in government, we should look at every opportunity to reduce the tax burden on individual taxpayers and businesses.

The topic of small businesses has come up several times already this afternoon, and my view has always been that if we have in our minds the economic impact of our political and financial decisions on the small business sector, we will rarely go wrong when it comes to the economy in general. If we look to relieve the financial burden on small businesses, they will without a shadow of a doubt be able to grow, expand and recruit, and big businesses will continue to do well in a more buoyant economic environment. The Bill contains several measures to relieve pressure on small businesses, but if I were to have a criticism, it is just that I would like to see that go further and faster. Particularly after we end our membership of the European Union, we should consider every opportunity to unleash the potential of the British business sector. Let us use that as the starting gun in a race for good ideas to unlock our small and medium-sized business sector, particularly digitally enabled micro-businesses.

Clauses 48 to 59 specifically address a phenomenon that has been brought to my attention in constituency advice surgeries. Smart, innovative British-based businesses are being unfairly undercut by the fulfilment houses of overseas businesses, which make it impossible for British businesses to maintain a sensible living, driving a number of them out of business. Those international players are not paying their fair share of tax. They are putting the squeeze on the sparky, hard-working, innovative, entrepreneurial, often back-bedroom businesses, many of which have been started by people who, demographically, are not as well represented in the British workforce as they should be; they are often ethnic-owned businesses. Women starting entrepreneurial digital businesses are being put under incredible pressure by big overseas players that are undercutting them unfairly. I am pleased that the Government have taken notice of that concern. This is a big step in the right direction, and I will keep a close eye on how it rolls out.

We continue our drive to ensure that non-doms who—"take advantage" is the wrong term—make use of our services and the positive environment we create also pay their fair share, and in the Bill I am pleased to see the Government continuing on that route to ensure that the people who use our public services and who live under the umbrella of protection we provide also pay their fair share.

I will now bring my comments to a conclusion. [HON. MEMBERS: “Hear, hear!”] That is the best thing I have said thus far. I will be supporting the Government on this Bill, and I would encourage everyone to do so because its philosophical underpinning is exactly right. We need to continue making tax simpler, fairer and more effective.

4.36 pm

Stewart Hosie (Dundee East) (SNP): It is a pleasure to follow the hon. Member for Braintree (James Cleverly), with whom I agree entirely on the support that small, digitally enabled microbusinesses need to compete with the large, global, mention-no-names fulfilment operations. I hope he is right that the Bill delivers the support that smaller businesses need.

It is also a pleasure to follow the hon. Member for Liverpool, Walton (Dan Carden). It is appropriate that he made his maiden speech in such an important debate.
[Stewart Hosie]

Having known him for some years before he was elected, I very much hope and expect that he will use his undoubted talents to change Labour policy so that it no longer supports 70% of the Tories’ cuts and instead backs a genuine alternative to austerity. I am sure that in future debates he will be happy to intervene on me, as I will on him.

I agree with my hon. Friend the Member for Aberdeen North (Kirsty Blackman) that we cannot support the Finance Bill tonight as it is derived from the last Tory Budget. She made it clear that, as many will remember, the Budget confirmed austerity and, in our opinion, woefully failed to mitigate the likely impact of the hard Tory Brexit that now lies before us—a hard Tory Brexit that at its heart, as we have heard confirmed this week, also represents a power grab on Scottish powers and the powers of other devolved nations.

My hon. Friend is also right to raise the issues of prices rising faster than wages, the impact of the continuing public sector pay cap and, most shockingly, the 10-year real-terms fall in the incomes of people who actually work, which speaks volumes for the lack of priority the UK government are giving to those who put in a shift, 9 to 5, five days a week or more. Those people are substantially less well off now than they were prior to the downturn.

Like all Finance Bills, this one contains particular measures that would be very welcome if they stood alone—I will say a little about some of those measures today—and some that are less welcome. I will mainly concentrate on inconsistencies in the commencement of certain measures, the absence of guidance from HMRC in certain circumstances and an apparent increase in the amount of retrospective legislation. Let me give some examples to demonstrate all those things.

The provision of tax relief for pensions advice in clause 3 is welcome, as is the mirroring provision in clause 4 of tax relief for other necessary legal advice. I, like the rest of the SNP, certainly welcome the extension of the existing reliefs in those areas, but I see from the explanatory notes that the commencement of both clauses is retrospective, being from 6 April 2017. I have no issue with that on those provisions, except that I am not sure retrospective legislation is a good thing in principle.

It is equally sensible, as part of the process of tax simplification, to make changes, in clause 6, to the process of PAYE settlement agreements. They will not have effect until next year, and I have no problem with that. The explanatory notes state that the new regime will be “a largely automated process” and, again, that is probably sensible, but the commencement date for that largely automated process does not fit well with the recent changes announced for the implementation of a fully digital tax system, which has been put back until 2019. Indeed, the explanatory notes for clause 62 state:

“Regulations providing for digital record keeping cannot come into force before 1 April 2019.”

I hope that the people who undertake to go digital quickly do not suddenly find that they fall foul of regulation and guidance issued the following year. Given that this measure is expected to be in place in six months’ time, will the Government tell us whether the promised strengthened HMRC guidelines will be available to businesses? When will that happen?

As has been mentioned in earlier speeches, a deal of attention has been paid to clause 15, which deals with business investment relief, and, in particular, the ability of partnerships, previously excluded from BIR, to now be eligible if they carry out commercial trades in their own right. I just wonder what the scale of those commercial trades will have to be for an application to be able to be made for BIR. Will it be one, two or 10 trades? Will it be half of the turnover? A little clarity on that would be very helpful. The Minister might want to explain further why those changes have been proposed, given that I was not aware of any particular demand from partnerships to have BIR associated with them in the first place. The clause is also retrospective, having effect for investments made after April this year.

Clause 26, dealing with the elections in relation to assets appropriated to trading stock, applies for appropriations made since 8 March this year. Clause 38, dealing with the first-year allowance for expenditure on electric vehicle plug-in points, has been in effect since 23 November 2016. Clause 19, relating to losses and the counteraction of avoidance arrangements, applies to all losses on or after 1 April this year, whereas changes to reference property losses, in certain circumstances, came into effect on 13 July this year.

I have given a handful of examples, some to be welcomed and others the subject of debate, where we have in one Bill retrospective commencement dates of 23 November 2016, 8 March 2017, 6 April 2017 and 13 July 2017. That demonstrates the serious issue of the level of retrospective tax law in the UK. The Bill also contains future implementation dates for 2018-19, which is inconsistent with other measures the legislation is supposed to complement and support. That quick glance allows us to understand perfectly well the criticism that the tax code is not only too long but far, far too complex.

I alluded earlier to the fact that one measure is not being implemented retrospectively: clause 65 and schedule 16, dealing with penalties for enablers of defeated tax avoidance. Of all the measures that any reasonable person might have assumed could—indeed, should—have been made retrospective, surely it should be the penalties for those the legislation says design, market or facilitate abusive tax avoidance. But no: lo and behold, the new penalties will not come into effect until after the Bill receives Royal Assent. The Minister prayed in aid HMRC’s efforts to clamp down and raise more money by tackling tax avoidance and abusive tax evasion. I very much welcome that, so I find it odd that given the measures in the Bill that are subject to retrospection, the penalties for the enablers of defeated tax avoidance are not.

I wish to raise three other small matters. First, the explanatory notes for clause 62, on digital reporting and record keeping for VAT, say that for those who are unable to use digital tools because of, for example, their geographical location—I assume that that means the absence of sufficiently fast broadband—alternatives will be provided. Will the Government guarantee that that means we will keep the current manual system and that there will be no unnecessary change and complexity?

The second matter relates to the Government’s failure to explain what Brexit really means—other than Brexit, as the soundbite goes. Clause 21 and schedule 6 cover relief for the production of museum and gallery exhibitions, as mentioned by my hon. Friend the Member for Glasgow...
Central (Alison Thewliss). The explanatory notes tell us that at least 25% of the qualifying expenditure must come from the European economic area. I know that the EEA is different from the EU, but as the UK withdraws from the EU will the Minister clarify whether, if all the qualifying expenditure is spent in the UK, that will apply as it would had it been spent elsewhere in the EEA?

Finally, I make no apologies for returning to clause 8 and the change to the income charged at the dividend nil rate, from £5,000 to £2,000 in 2018. To some extent this relates to the point made by the hon. Member for Braintree about small and microbusinesses, which start up and begin to just about make a profit, but from which the owner-proprietor earns barely the minimum wage, let alone the living wage, while their company grows. Many such people use that £5,000 tax-free dividend to make ends meet. I understood what the Minister said earlier about those who actually work for a third party but are nominally self-employed, and indeed about those with substantial share portfolios, for whom some extra tax-free money is simply a bonus, but surely to goodness the legislation can be drafted in such a way that it does not penalise or appear to act as a disincentive for those who wish to start a business, by taxing what might be the first modest dividend that that business might ever have had. I hope that, even at this late stage, the Government will look again and table some sensible amendments to ensure that the change captures the tax revenue from those from whom the Minister wants to see it captured but does not act as a disincentive to those who wish to start a business.

That was a gentle canter through some technical matters; I am happy to leave the broad-brush stuff to my hon. Friend the Member for Aberdeen North.

4.48 pm

Douglas Ross (Moray) (Con): It is a pleasure to follow the hon. Member for Dundee East (Stewart Hosie). Thank you, Madam Deputy Speaker, for the opportunity to deliver my maiden speech in this important debate. I particularly welcome the further action to be taken against tax evasion and avoidance that is outlined in the Bill.

Being elected as Member of Parliament for Moray comes second only to marrying my wonderful wife Krystle as the proudest moment of my life. For the son of a farm worker and a school cook to be elected to serve his home area as Member of Parliament is a huge honour and privilege, and one that I will never take for granted. I was born in Moray and educated in Moray, and I have also been a farm worker there. I served for 10 years on Moray Council as councillor for Fochabers Lhanbryde, before representing Moray as part of the wider region as a Member of the Scottish Parliament following the 2016 Scottish election.

Everything I have done, and everything I do, is focused on this wonderful part of the country that I am proud to call home. Of course, others before me have also had that privilege. Alex Pollock was the last Conservative on this wonderful part of the country that I am proud to call home. He was a conscientious constituency MP, supported by a fantastic local office, but as leader of the third biggest party in this Chamber between 2015 and 2017, he played an integral role in national politics as well. Even though he is no longer in this House, I know that his service to Moray, to Scotland and to UK politics will not be forgotten.

It will not surprise hon. and right hon. Members in this Chamber to hear me describe Moray as the most beautiful part of the country—[Interruption.] No ifs, no buts; it is! It rises from Tomintoul on the southern edge of the Cairngorms national park to the shores of the Moray Firth in the north, where dolphins and seals are regular visitors. From Brodie as the entrance from the west to Keith as we leave in the east, we pass through some of the most stunningly beautiful and productive landscapes imaginable.

Forres has been a royal burgh since 1140, making it one of Scotland’s oldest towns. Grant Park—gifted by Sir Alexander Grant, the founder of the digestive biscuit—is a focal point of many visits. The gardens in the park are carefully tended by the fantastic volunteers of Forres in Bloom, and they have rightly received many UK and Scottish accolades for their outstanding displays every year. The natural amphitheatre of Grant Park makes it a fantastic venue for major events such as the European pipe band championships. Where else could we witness not only the very best bagpiping, but the local MP failing miserably in the world tattie scone baking championships?

Along the coast, many traditional communities remain vibrant and thriving. Lossiemouth is a bustling coastal town with outstanding beaches, making it a popular destination for holidaymakers and residents alike.

Returning inland to the largest settlement in Moray, the cathedral city of Elgin continues to grow. New homes and business start-ups are common, confirming the desire of many people to live and work in this part of Scotland. Crossing the border into Banffshire, Buckie is proud of its seafaring past and optimistic about its future. Yesterday’s announcement of the contract for difference award for Moray’s largest proposed offshore windfarm means that Buckie harbour has a real opportunity to support this major investment. Events such as the Buckie Christmas Kracker and the Portgordon fireworks display are just two gatherings held on this coastline that bring local people together every year. They are only possible thanks to the effort and dedication of so many volunteers.

Keith is the last of the main settlements. Mid Street hosts a whole range of shops for even the most discerning customer, as well as its own kilt school. If Members travel around the area just now, they will see the imaginative ways in which members of Keith Young Farmers Club
have displayed and designed their silage bales to celebrate the 70th anniversary of the club’s formation. They have transformed the mundane winter animal feed wrapped in plastic into works of art.

Speyside completes this tour of the constituency. Although the area may be more sparsely populated than the rest of Moray, it more than makes up for it with community engagement and co-operation. For example, there is the annual tea in the park event. Throughout August, Glenlivet Hall is a hive of activity as volunteers cook, bake, serve and wash up for customers who come from far and wide.

During the month of August, and the months of planning before then, volunteers work together to ensure that tea in the park goes from strength to strength. Next year, they will celebrate their 15th anniversary. If anyone is unlucky enough to visit on the day when I don my pinny to help out, I can only apologise for my very limited waiting skills.

Although many people visit Moray for its beauty, they leave with its bounty. Moray is home to world-renowned companies such as Walkers Shortbread, Baxters Food Group and Johnston’s of Elgin woollen mill, to name just a few. And, of course, we have a little whisky. We produce more of this iconic Scottish drink than any other part of the country. There are 47 Scotch whisky distilleries in Moray out of a total of 199 across the country. That means that nearly 40% of Scotch whisky distilleries are in the Moray constituency.

Everyone will have their favourite tipple from a Moray distillery, but the one that I am particularly interested in currently sits in warehouse No. 1 at Glenfarclas distillery. The cask that sits in that warehouse was filled in 1994 by my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), who was Chancellor of the Exchequer at the time. As he sealed the barrel, he stated that it could only be opened and the whisky bottled when Moray once again elected a Conservative Member of Parliament. I know that good things come to those who wait, but I was relieved that the people of Moray decided that, by 2017, the whisky had matured long enough. I certainly hope that the Father of the House will join me in sharing a dram of this 23-year-old from the cask when it is opened in the very near future.

As well as places and produce, Moray is proud of its people, including inspirational individuals such as Lucy Lintott. When doctors diagnosed Lucy with motor neurone disease at the age of just 19, she took the decision not to dwell on her diagnosis, but to embrace life. Anyone who watched her recent documentary could not fail to be impressed by her courage, infectious laughter and zest for life.

Others who have contributed heavily to the area are the men and women of our armed forces. Moray’s proud tradition of supporting military personnel continues today with the 39 Engineer Regiment at Kinloss and the RAF base at Lossiemouth. The future looks bright as we prepare for the arrival of the new Poseidon P-8 aircraft, which could be delivered only due to investment by the UK Government to support the United Kingdom’s armed forces.

In the time that remains, I want to focus on some of the key issues that I will tackle as Moray’s MP. The first is a theme that has been addressed in several maiden speeches and, indeed, by many Members across the House: broadband. Although some parts of Moray are well served with connections and speeds, too many are not. It is of no comfort to those who tell me that their broadband speeds are little better than the old dial-up connections to hear that 94% of Moray premises have access to fibre broadband. If the costs are prohibitive or people are part of the 6% who cannot even access it if they wish to, people are right to demand better.

Secondly, I will use my time in this House and my position on these Government Benches to promote the Moray growth deal at every opportunity. The ambitious projects that are being formulated are designed to transform our economy, to address concerns around encouraging young people to live, work and remain in the area, and to tackle gender inequality in employment. To ensure that the Moray growth deal truly delivers what local people want and expect, the council is encouraging individuals and communities to respond to its survey to shape the growth deal. The project is titled “My Moray”—a vision that delivers for everyone and every part of this great constituency.

The issue of delivery charges has been raised with me since day one in this post and I promised to highlight it in my maiden speech. I live in Moray, and I know that it is part of mainland United Kingdom. It is just unfortunate that many businesses and delivery firms are not quite as observant. They believe that we live on some far-flung island because we have an AB or an IV postcode. They duly add extortionate delivery charges or, in some cases, refuse to deliver at all. That is not only dumb; it is disrespectful. It is not just an inconvenience; it is inexcusable. It is not right; it is just plain wrong. There is a solution, but it needs companies and delivery firms to work together. In that way, Moray customers can feel as valued as any others in the UK. It is a simple request, but one that would make a big difference in our area.

My hobby is football refereeing, and I imagine that the full-time whistle is about to be blown on my maiden speech. When I came to this House, some suggested that my involvement in our great game, trying to manage two opposing sides performing on a green surface, might qualify me to consider a role in the Speaker’s Chair. I confirm that I have no such desire. Twenty-two unruly individuals are more than enough for me to try and control—I cannot imagine what 650 must be like. However, I have found that when I am struggling with 22, flashing a red card and reducing the numbers can help somewhat, so if the Procedure Committee were interested in evolving a red and yellow card system for the Chamber, I would be more than happy to provide the necessary tools.

This Chamber and those of us who make up the United Kingdom Parliament are often held in low regard by the public who send us here. They see politics as distant from them because of the partisan point scoring that emanates across these Benches or between the various Parliaments around this country. As a proud Scot, I welcome the fact that I have two Parliaments—one in Edinburgh and one in London. We will find a lot more favour with our constituents if we spend our time working together where there are common goals, rather than seeking division where there may be none.
To paraphrase John F. Kennedy, let us not seek the Conservative answer or the Labour answer, but the right answer. Let us not seek to fix the blame for the past; let us accept our own responsibility for the future. If we do that, we may begin to restore the reputation of this Parliament and those of us who serve our constituents from here. This is the philosophy I will adopt during my time in this House.

5 pm

Stella Creasy (Walthamstow) (Lab/Co-op): I congratulate the hon. Member for Moray (Douglas Ross) on a wonderful maiden speech. He paints a fantastic picture of a part of the country that I have yet to visit and that clearly has many delights to try, although, on his advice, I will pass on the home-made scones, if I may.

May I offer the hon. Gentleman some advice, as somebody who has been here all of seven years? He will find watching “Monty Python” a very useful guide to what goes on in Parliament. Sometimes this Chamber can feel like the argument clinic, where some people have been paid to argue. The Brexit Secretary also appears to be taking his lead from the Spanish inquisition in his approach to the negotiations, and he is equally effective. Ultimately, Brexit is really like the big Monty Python foot, slamming down on everything we do in the Chamber in this Parliament.

That is why this Finance Bill is so important and why I look forward to the many hours we will spend debating it in Committee. It is vital that we do not let Brexit deter us from dealing with some of the many problems we have in our country. The test we must therefore set for all proposed legislation in this House is, does it progress the needs of our communities and our country? I have to say that I find this Bill wanting in many different ways. The Government seem to have an economic plan based on personal debt, not UK productivity.

This week, I heard the Chancellor desperate for ideas. I want to be a helpful contributor to this House and to our debates, so in my speech today I shall set out for Ministers—I hope they will listen to some of our ideas—some suggestions on how we could get this country on to a sound economic footing. One of the Ministers is a former sparring partner of mine on the Public Accounts Committee, so he will know my personal commitment to value for money for the British public.

However, we first need to understand the context in which the Finance Bill is proposed—how we got to this position, why the legislation represents so many missed opportunities and why my colleague from the Scottish National party, the hon. Member for Aberdeen North (Kirsty Blackman), was right to talk about people feeling the squeeze. We know that for many of our constituents there is too much month at the end of the money. Therefore, when we are looking at tax measures, we are looking at how we might help our constituents, and we have to ask first about those who will bear the brunt of a Government who do not do things to tackle the impact on their lives of rising inflation, stagnant wages, low productivity and, indeed, that Brexit Monty Python foot.

Our country has an eye-watering £200 billion of personal debt. In every single legislative measure we make we must ask what we are doing to reduce that debt, because the consequences for so many are so great. My concern is that that debt is so high because the Government are balancing the books out of the pockets of our constituents.

In 2010, I sat on the Opposition Benches—a new MP, like the hon. Member for Moray—and listened to a Chancellor promise that the deficit would be eliminated. In 2016, I read the note from the Office for Budget Responsibility that recognised that the Government had broken their own deficit rule. The hon. Member for Moray talked about being a referee. We are not even on yellow cards with this Government as regards economic competency—it is a straight red card, as far as I am concerned.

Previous Chancellors have claimed time and again that they would get a grip on the public finances. Time and again, they have moved the goalposts. They changed the targets in 2014 to 2017 for eliminating the debt. In 2015, they changed the target to running a surplus in normal times by 2020-21. Then, in 2016, they changed the target again to reduce net borrowing to below 2%. Now, in the Tory manifesto, it has changed to 2026, and we are hearing that in the autumn Budget it could be changed to 2027. Last year we borrowed £52 billion, and it is expected that this year we will borrow another £60 billion. So forgive me, but I will not take any lectures from Government Members about fiscal responsibility. If, in these seven years, you had been on a business board and the finance director had come to you every single year, as Conservative Chancellors have, asking for more money because yet again they have not got to grips with how they were spending it, you would sack them. That is certainly what I hope the British public will do.

At the same time as we are borrowing more and failing to tackle the debt, our productivity is worse. I agree with the right hon. Member for Forest of Dean (Mr Harper), who is sadly no longer in his seat, that this is a challenge we cannot ignore, whatever is going on in Europe. A typical French person need only work Monday to Thursday compared with a typical Brit, and it is the same for Germany, which has a 29% higher GDP per hour than the UK. We have seen a lost decade of productivity in this country, and our communities and businesses are paying, so that we are now in an extraordinary position where it is more expensive than ever before to employ somebody, despite the squeeze on wages. Stagflation is upon us. Inflation is up by 12% since 2010, but wages are down by 6%. It is little wonder that so many in our communities are borrowing.

When we come to legislate on income tax or on the increasing numbers of people who are self-employed—the small business owners whom we all cherish in our communities—let us ask what we can do to help them. Let us not be blind to these challenges, or to the inequality that is stubborn in our country. During this time, the people who benefit from many of the measures in such legislation have done rather well. In 2000, FTSE 100 chief executives were paid, on average, £1.4 million a year. Now, it is £4.5 million—a 220% increase. That is not market forces, but it shows a failure by us as a country to invest in people. Our productivity reveals that challenge, and the personal debt of our communities is paying for it.

Ministers may ask what I would do to raise money—we have heard that question before—so let me give them some examples of things that we could put into this Bill.
[Stella Creasy]

We could, for example, look at clause 16 on capital gains tax. Earlier I asked Government Members whether they might join me on this. After all, there has been much talk about tackling the issues of non-doms. Indeed, the previous Chancellor changed the legislation to put capital gains tax on to residential property sales, but now there is a loophole around commercial property sales. Let me reassure Government Members that if they choose to follow our advice on this matter, it has been tackled in the United States, in Canada and in Australia. It is not crazy economics but sensible planning.

We could apply the same rate of tax on carried interest to hedge fund managers. Why are they not paying the same rates of income tax as the cleaners who clean their offices—still, on this Government’s watch, seven years on? We could change business property relief, too often used to avoid inheritance tax, restricting it to small businesses and perhaps bringing in a cap of, say, £5 million, so that people do not use that to avoid taxation. We could deal with commercial real estate in cases where people are avoiding the 5% stamp duty by putting it into companies. Those are all things that could be put into clause 16 to raise money and to be fair about who is paying all the taxes that are avoided.

Clause 69 talks about gathering information. We should be dealing with the information about the debts that our communities are based around. Forty-one per cent. of consumer debt is on credit cards. Hon. Members should talk to the people in their communities who are now called zombie debtors, paying the interest but not the capital on the money that they owe. They are borrowing to stay afloat because their wages have not risen, and they are borrowing for basics—to put food on their table, to keep a roof above their head, and to put petrol in their car to get to their jobs where they are not getting the pay rise that they deserve. Nothing in this Bill will tackle the squeeze on them from that debt or help the third of people who are now in debt because they are behind on credit card repayments. Clause 69 could introduce an FCA consultation, as despite the fact it is looking at credit card debt it is not considering the lessons that Ministers could learn from the cap on high-cost credit companies. When some people are paying £2.50 for every £1 they are borrowing in this way to stay afloat, it is time to extend the cap on high-cost credit and payday loans to credit card companies. We could do that in this Bill; we could certainly gather the information on the impact it would have.

We could also look at the creditors we as a country owe. Members on both sides of the House should be asking whether their communities are put petrol in their car to get to their jobs where they are not paying the same rates of income tax as the cleaners who clean their offices—still, on this Government’s watch, seven years on? We could change business property relief, too often used to avoid inheritance tax, restricting it to small businesses and perhaps bringing in a cap of, say, £5 million, so that people do not use that to avoid taxation. We could deal with commercial real estate in cases where people are avoiding the 5% stamp duty by putting it into companies. Those are all things that could be put into clause 16 to raise money and to be fair about who is paying all the taxes that are avoided.

We could also look at the creditors we as a country owe. Members on both sides of the House will know of my interest in private finance initiatives and my recognition that Governments of all colours have used them and continue to use them. I note that Ministers have talked about the £23 billion they wish to invest in infrastructure and I am sad that the right hon. Member for Wokingham (John Redwood) is not in the Chamber given the concern we share about whether private finance is the best way to do that. Of the additional money put into the NHS in the spending review, 22% will leach out to PFI companies as profit, and every constituency in this country has one of these deals.

Let me give an example of the kind of money we are talking about. The company that owns University College Hospital in London has made pre-tax profits of £190 million out of the £735 million that we as taxpayers have paid it. That is enough money to build another hospital outright. This country now owes £300 billion in PFI debts on projects that should have cost £55 billion. Nobody in this House can be smug about PFI. When PF2 is as expensive and the preferred model for how the Government intend to invest in infrastructure, Members on both sides should be asking whether their communities can avoid such contracts.

With eight companies owning 92% of the equity stakes in the hospital sector, there is certainly more work to be done to look into them. Indeed, the Bill gives an exemption to the very companies for the interest that they pay on shares. These companies signed deals with the public sector to pay a certain rate of corporation tax and to commit to paying UK taxes. Indeed, the value for money assessments of the deals was predicated on that, and I note that the Government have not updated the value for money deal to take account of this information from 2013, despite promising more than four years ago that they would.

Schedule 10 to the Bill allows those companies to claim back the interest without the cap. How can we, as a society, give these companies more money through that investment relief as we see our public sector struggling and that money being leached out of it? Surely we should change that, and I hope that Members from all parties will listen and support changes to proposed new section 439.

While Brexit is a Monty Python foot, for many of our small businesses VAT is their biggest compliance issue. Many of them trade in Europe and therefore have to reclaim VAT from other countries. The clock is ticking for us to leave the European Union and the lack of information in this legislation about how companies will manage VAT post-Brexit is alarming. In particular, articles 170 and 171 of the Council of Ministers’ 2006 directive—I hope that the Minister is writing this down—are matched by section 39 of the Value Added Tax Act 1994. That allows companies in Britain to seamlessly reclaim VAT through intra-EU legislation. Those options will be gone for our companies when we leave the European Union unless we have alternative arrangements, so when the Government are making legislation through part 4 of the Bill on VAT, the lack of any correlation between the 14th directive and the importance of aligning those measures so that businesses have a seamless transition and can be confident that they can manage their VAT if they trade with other countries is very frightening.

Mel Stride: The hon. Lady’s point about VAT and the arrangements that may or may not pertain when we leave the European Union will be dealt with in the upcoming customs and excise Bill.

Stella Creasy: I thank the Minister for that point, but obviously the Bill is about Making Tax Digital and the intra-EU process is digitised. That is what makes it so seamless for so many companies. When we are making legislation about making VAT a digital entity and working online, surely we should be joining these things up to make it as easy as possible for our constituents who have to deal with these issues, rather than separating it out. My point is simply that this Bill is now coming towards the House at the same time as those negotiations are happening. Our constituents deserve clarity on how these things are going to work together.
That applies particularly to our self-employed constituents. Clause 64 could help many of them who have to deal with the errors relating to their welfare entitlement and their tax entitlement. We know that 18% of self-employed people get tax credits, compared with 10% of people who are employed, yet there is nothing in the Bill to help them. I am sure that my colleague—another gentleman from the SNP, whose constituency is I am sure as beautiful as Moray but unfortunately I have forgotten what it is—would agree that we could help those people through this legislation by joining up the way in which the state works with self-employed people. Issues such as how they deal with VAT, with universal credit and with insurance will all be covered in the Bill, but there is an absence of ideas from the Government on how to help those people.

The Government also seem to be overlooking some of the poorest people in our society. I know this because, 18 months ago, I took part in the consultation on tips, gratuities and service charges—the disguised remuneration that the Government are so concerned about—yet, 18 months on, we are no further forward on finding out what the Government are going to do to prevent some of the poorest workers in our retail industries from being ripped off by employers who dip into their tips and use them to prop up their businesses. I have given examples of this to the Treasury and to HMRC, and these issues could have been dealt with in this Bill, but there is nothing there. There is nothing in the Bill to protect workers who get their tips through an electronic system or to ensure that their employers are not taking a surcharge from them. There is nothing in the legislation that even gives a legal right to a payslip—a very basic piece of information that would help to stop those people being exploited.

Those 10 ideas reflect the things we could have done, through this Bill, to help the poorest hard-working people in our communities who will be stamped on by that Brexit “Monty Python” foot. I look at the gaps in the Bill and at the ease with which non-doms will slip through the loopholes, and I see a Government who are not only running out of ideas but running out of road on Brexit. God willing, with the work that we will do, we will have to deal with the errors relating to their welfare entitlement and their tax entitlement. We know that the Government are so concerned about—yet, 18 months on, we are no further forward on finding out what the Government are going to do to prevent some of the poorest workers in our retail industries from being ripped off by employers who dip into their tips and use them to prop up their businesses. I have given examples of this to the Treasury and to HMRC, and these issues could have been dealt with in this Bill, but there is nothing there. There is nothing in the Bill to protect workers who get their tips through an electronic system or to ensure that their employers are not taking a surcharge from them. There is nothing in the legislation that even gives a legal right to a payslip—a very basic piece of information that would help to stop those people being exploited.

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5.17 pm

John Lamont (Berwickshire, Roxburgh and Selkirk) (Con): This second Finance Bill of the year brings forward measures that the House did not have time for before the general election. Without that election, I would not be standing here today to represent the people of Berwickshire, Roxburgh and Selkirk and I therefore very much welcome the opportunity to contribute to this debate. I am also delighted to speak so soon after my colleague, my hon. Friend the Member for Moray (Douglas Ross). I know Douglas from our time together in the Scottish Parliament, where he was an excellent Member, and I am confident that he will be a first-class representative in this place for the people of Moray. I congratulate him on his excellent maiden speech.

As a whole, this is a Bill that prioritises fairer taxation and economic stability—two policies that have served my constituency in the Scottish borders well. Indeed, the number claiming out-of-work benefits in Berwickshire, Roxburgh and Selkirk has fallen by more than 50% in the past five years and remains below the Scottish and UK average. Around 200 new businesses have been created in my constituency since 2013. That means more people in work and paying tax, and 200 more businesses making contributions to the public purse and providing local jobs. This has been achieved by encouraging growth, not through more and more public spending. Our deficit is now a third of what it was, and we remain on course to have a budget surplus within the next few years. This approach can be contrasted with that of Opposition Members, who stand for more spending, more borrowing and more debt. Labour Members stood on a manifesto that was completely uncosted and fiscally irresponsible. Their spending plans have a £58 billion black hole and their planned tax rises will drive away businesses and reduce investment.

The Conservative approach in successive Finance Acts also stands in stark contrast to that of Scottish National party Members, who want to drag Scotland out of the United Kingdom. This would leave Scotland with a £13 billion black hole in its public finances. While the UK’s deficit is now down to 3% of GDP, an independent Scotland would have a deficit worse than those of Spain or Greece, and one that would saddle our children, our grandchildren and probably our great-grandchildren with significant debt. Despite trying for 10 years to get one, I have yet to hear a straight answer from an SNP Member about how they will plug that gap. That will need to be done with spending cuts, tax rises, higher borrowing or a lot of all three. To put that figure in context, £13 billion is more than Scotland spends each year on our health service. I ask: where is this money going to come from? Luckily, the vast majority of Scots seem to agree that that is not a price worth paying, which is why support for separation continues to fall.

My consideration of the Bill has given me the opportunity to reflect on my general views about fiscal matters. It will come as little surprise to Members that as a Conservative, my instinct is for taxation to be kept as low as possible. Doing so encourages growth and innovation, and it encourages the best and the brightest to move to the United Kingdom to work and do business. That view is all the more important for me because I represent the Scottish borders, so my constituents bear the brunt of different approaches to taxation in our country. If Scotland ceases to be an attractive place to do business, I fear that that is increasingly becoming the case.

Taxation powers in Scotland are shared between the United Kingdom and the Scottish Parliament, after a considerable transfer of power to Holyrood, but the approach of the two Governments could not be more different. The Conservative Government here are backing Scottish business with lower corporation tax rates, investment in broadband and, shortly, via the borderlands growth deal, significant investment in the south of Scotland. Personal taxation has been reduced by increasing the personal threshold, benefiting more than 2.5 million Scots. In contrast, the SNP has made Scotland the highest-tax part of this United Kingdom. Middle earners pay more income tax and more council tax per higher-banded property, and the large business supplement is twice the rate applicable in England. It is little wonder that Scotland has only narrowly avoided falling back into recession at a time when the UK economy is growing at a healthy rate.
I turn to the legislation that we are considering, in which there is much to welcome. My constituents will be happy with the provisions designed to crack down on aggressive tax measures, particularly the changes in part 4 that will prevent individuals from using artificial schemes to avoid paying the tax they owe. Those measures include new penalties for those who design or enable tax avoidance schemes that are later defeated by HMRC, building on the £160 billion in additional tax revenues that it has secured since 2010.

I think the time is right to abolish permanent non-dom status. It is only fair that those who have lived here for a considerable time pay tax in the same way as UK residents do. The idea that a person can move and live here for 40 years, or even be born here, and avoid certain taxes is a ridiculous way of exploiting our tax regime, and I welcome the steps to change that. I am also pleased with the introduction of a simplified corporation tax deduction for companies that make contributions to grassroots sports. For recognised sport governing bodies, the deduction will be unlimited. I know of a number of small and medium-sized businesses in the Scottish borders that will be encouraged by the measure to contribute to local sports teams.

As a Member representing a population with an above-average number of pensioners, I am encouraged by the introduction in clause 3 of a new income tax exemption to cover the first £500 of pensions advice provided to an employee. That reflects the fact that pensioners have been given greater freedom by the Conservative Government to spend their pension fund, but that with that extra freedom some might benefit from greater advice. The provision will make seeking that advice more affordable and encourage employers to offer it to their staff.

There is also a range of measures designed to make our tax system fairer for all taxpayers. Clauses 5, 7 and 8 tighten the rules over termination payments, the recycling of pension savings and incomes paid through dividends. Governments need to be responsible to all taxpayers, so it is correct to make changes that might be unpopular with the few for the benefit of the many. The measures to progress the Making Tax Digital initiative in clauses 60 to 62 are common-sense in this day and age. I am generally supportive of the Making Tax Digital programme, as well as the decision by the UK Government to slow down the pace of implementing these changes.

I am pleased that the Bill will put in place exemptions for businesses that cannot meet the requirements due to their geographical location, and I hope that the regulations will be drafted widely on this point. In my own area of the Scottish Borders, too many businesses suffer from unreliable internet connections, and I would not want them to be penalised because of local infrastructure issues. By closing the tax gap further and making taxation fairer, we will boost the nation’s tax revenues—not by hiking up taxes like the Opposition parties want us to, but simply by ensuring that people pay what they ought and are due to pay.

I conclude by welcoming the Bill, and I look forward to supporting further measures to make the economy of Scotland, and of all the United Kingdom, stronger and more prosperous.
I was pleased to receive the assurances from the Financial Secretary earlier, with the guarantee that the £30,000 of tax-free money on termination of employment would continue and that there would be no tax on discrimination compensation payments following a tribunal. However, Ministers need to recognise the ill feeling and hurt feelings that are often caused when an employee is made redundant. Those payments can be genuine and Ministers need to look again at that matter.

We should contrast the treatment of people on low incomes and public sector workers with the treatment of non-domiciles. The Government claim to be acting on non-doms, but the limit is only 15 out of the last 20 years for someone to be deemed a domicile. Even then, as I mentioned earlier, the Government have given them a loophole of two years to transfer their money to an offshore trust. That shows the attitude the Government take towards non-domiciles and tax avoidance by people who can afford to pay it. The Government claim that they will raise £1.6 billion from that measure, but they have no idea how much will be raised because they have created a loophole that I am sure non-doms and their advisers will be all too keen to take advantage of.

The Bill increases the scope of business investment relief

"to make it easier and more attractive to potential investors to bring their money in from overseas."

That includes investments in commercial property. Although there has been a dip in commercial property prices in the City, that reflects market forces. That dip is important to encourage new firms to come into the City. We do not want those properties to be snapped up for tax relief purposes by non-doms who are simply seeking to make a quick buck. That will push up prices, making it harder and more expensive for companies seeking to trade in the UK to create real jobs and wealth in our country. Again, there is an extension of the time limit for those non-doms to avoid any drawback of their business investment relief when a company comes to the end of its profitability or to the end of an investment.

That is not a plan for investment in viable UK businesses; it is yet another loophole for the super-wealthy. It contrasts with the Government’s response to public investment relief when a company comes to the end of non-doms to avoid any clawback of their business investment relief when a company comes to the end of its profitability or to the end of an investment.

Before I start, I draw the House's attention to my entry in the Register of Members' Financial Interests. I am a small business founder and owner, and my business will be affected by some of the measures in the Bill. I am happy to say that it will no longer be affected by Making Tax Digital. I offer my thanks again to the Financial Secretary for his reasonable and sane approach to the revision of that policy.

My right hon. Friend will know that I ran a low-level campaign to advise the Government of the error of some of the measures they had put into Making Tax Digital early on. Frankly, I am pleased to see that the parliamentary system worked: the Government proposed something; Members scrutinised it and opined upon it; the Treasury Committee, on which I sat and still sit, issued a report on the policy; and the Government listened to lots of industry groups and amended the policy to one that was roundly and warmly welcomed by industry generally. That is the way things should work and I am very pleased that they have in this particular instance.

I am pleased to hear the Minister announce from the Dispatch Box that the scheme, although delayed, will now be open for voluntary participation. I assume that we will also be the case for corporation tax purposes, and not just for VAT. The new measure applies only to VAT, but the Government, I think, are going to consider including corporation tax from 2020. It might be sensible to allow companies to participate on corporation tax earlier than 2020, so that the system could operate like the old self-assessment system did when it came in. That was entirely voluntary for the first few years until 60% compliance was achieved, when it then became compulsory for everybody. Notwithstanding that people always grumble about paying their taxes, the transition was pretty smooth and seamless. It is now an accepted part of the tax landscape, as I hope Making Tax Digital will be in the future.

One area the Government might think more about in the next two or three years as they move towards greater implementation of the scheme, is the notion of quarterly reporting, in particular for corporation tax. As I have said in the past, VAT quarterly reporting is a relatively simple exercise for the vast majority of businesses. They do not need advice on a quarterly basis to compile their VAT returns—it is a simple calculation. Corporation tax, however, is an entirely different exercise of deep complexity and, frankly, fear for a lot of companies. No one communicates with the Inland Revenue on corporation tax unadvised. This is where the problem exists, because the compliance cost of corporation tax, particularly for small businesses, is extremely high. The Federation of Small Businesses estimated that the compliance cost for Making Tax Digital would be about £2,500 to £3,000, even for the very smallest companies. For medium-sized companies, it can run into the tens of thousands of pounds just to make sure they get their corporation tax calculation right, because our system is incredibly complicated—about which, more in a moment. So, Making Tax Digital—fantastic. I will be an enthusiast for it on the basis that it is voluntary at the moment.

I am very pleased with the anti-avoidance measures in the Bill. Anti-avoidance is not just good for the Exchequer; it is good for all the other taxpayers. Recovering more tax from those who avoid and evade it means that the taxes for those who pay their tax on time and to regulation do not have to rise quite as high as they
otherwise would—indeed, they could be cut. We ought to bear in mind the Government’s proud record of recovering. I think, £140 billion under anti-eviction measures and anti-evasion measures. That says something about how the tax system was run before they came into office. That this amount of excess was squeezed out of the lemon says something about the way previous Chancellors ran the system, and perhaps about how they would in the future.

I join my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (John Lamont) in welcoming the end of the permanent non-dom status. It seems insane to me that people who have lived in this country for decades could have a more beneficial tax arrangement than those who were born here and have lived here for exactly the same amount of time. The Government are doing the right thing in plucking the goose of non-doms enough to recover the money that they should be paying, but not so much that they migrate elsewhere.

I want to raise with the Government two areas on which I recognise that something needs to be done, but where there are wider implications for the economy. The first is the change to the nil rate band for dividend taxation. I declare an interest as a business owner who is, from time to time, in receipt of dividends. Like many small business owner-managers, I will be affected by the change. I recognise that I have to shoulder my share of the burden of dealing with our national finances. We are still running a deficit. We have massive and increasing national debts that need to be addressed at some stage and it falls to my generation of business people to help to do that. However, we have to take care in this party about what signals our taxation policy sends to people about how they should behave, what we value in society and the nature of capital.

We are incredibly good in this country at inventing things. We have the largest agglomeration of scientific research on the planet and more Nobel prizes in one Cambridge college than in Germany and France combined. In fact, Trinity College, Cambridge has more Nobel prizes than Japan, the third-biggest economy in the world. We are incredibly inventive but not very good at turning those inventions into companies. We used to put capital and idea together, under the great Queen Victoria, when we built our wealth on ingenuity and buccaneering capital, but since then we have not done it quite so well or with such frequency.

Of the top 500 companies in the world, only two were created in Europe in the last 40 years, while dozens have been created in other parts of the world in that time. Those two are both British—Vodafone and Virgin—but there should be a lot more. There are lots of 18th, 19th and early 20th-century companies in the top 500 from this part of the world but no recent ones, and that says something about the dynamism of capital in this country.

As we look towards the future economy, we know that our success is not guaranteed. It is likely that we could be squeezed between the United States, with its incredible appetite for ideas and its romping capital constantly looking to invest in those ideas, and China, with its incredible ability to spend enormous amounts of public money and its disrespect for intellectual property derived elsewhere in the world. If we cannot close this gap between idea and capital, we could find ourselves squeezed.
I would like to see a system in which people who invested in a business would receive 100% tax relief up front, and then, if they ended up owning capital gains tax would be paid on the tax. That would be a nice problem to have. When I have started my businesses, the last thing on my mind has been whether there is any capital gains tax to pay. What has been mostly on my mind has been raising the money, getting going, paying the staff, finding an office, and all the rest of it. I think that such a system would be simple, easy and understandable, and would encourage a great deal more investment in the drugs, therapies and technologies that we need for the future.

The Government have a patient capital review on the cards. It kicked off about a year ago under the chairmanship of Damon Buffini, who, as Members will know, is one of those much benighted private equity guys, and I shall be pressing the Government, hopefully, for its conclusion quite soon.

The second thing that we must bear in mind about the signal that we send with the change in dividend taxation concerns young people. We have talked a good deal about home ownership for young people, but their ability to access assets in general is something that should trouble us all. Those assets include shares. It might be a good idea to give young people an incentive by suggesting that it would be beneficial for them to build up small share portfolios. The Government will say, quite rightly, that they can start individual savings accounts, and of course they can. Dividends are tax-free in an ISA, and given that the ISA allowance rose to £20,000 a year in April, it is possible to accumulate huge amounts of money. The problem with ISAs, however, is that most people hold significant amounts of cash in them. There is no limit to what can be held in a cash ISA, and far too much money in ISAs is held in cash rather than being invested in the productive economy. People should be sent signals that they should be investing in companies.

Kirsty Blackman: Is not the problem that young people do not have enough money to save, rather than not enough different methods of saving? There is a lack of money in the system. Wages are not rising and inflation is increasing, and young people cannot afford to save because they are spending too much on rent and they are in precarious jobs.

Kit Malthouse: As I have said, part of the problem is related to housing. However, the Government have made huge strides in trying to increase the take-home pay of the lowest paid. There is the rise in the personal allowance, which will increase even further. There is the national living wage, which has raised wage rates altogether. There is the apprenticeship scheme, which is giving young people a route to higher-paid jobs by giving them more and more skills. There are plenty of things that can be done.

There will be no overnight solution, but once the Government manage to move young people up the income scale, and as they get older and more money accretes to them, we should encourage them to think about saving—not just about home ownership but about saving for their futures. We are doing that in the case of pensions: through auto-enrolment, we are making employers responsible for instilling in young people the idea that they should be joining pension schemes. I am trying to think in decadal terms about the signals that we send about the operation and dynamism of capital in this country. Unless we start planting some acorns now, we will not have oak to sell in 20 or 30 years’ time, as we have been able to do in the case of all the companies that have been founded in the last couple of hundred years.

The second issue that the Bill raises in my mind is the nature of the tax system in general. This Finance Bill is incredibly thick for what is actually a relatively short Bill, because the complexity of it is incredible. In some of its measures, the Government are rightly closing loopholes, such as through the disguised remuneration rules, and when we look at them we suddenly realise that our tax system has become a game of 3D chess, whereby the Government are engaged with business and individuals in a constant cat and mouse game around what has become a Byzantine system that is choking economic growth and development and distracting entrepreneurs and others far too much from their day-to-day work of creating wealth and jobs. Most small businesses I know spend far too much time on compliance costs, with taxation regulations, and this Bill illustrates that in no uncertain terms.

The Bill also illustrates that it is going to become ever harder for the Government to tax the new economy. We have heard talk today of the fourth industrial revolution, and even in my working lifetime of 20-odd years the nature of work has changed almost completely, as has the way we work. My business is almost entirely cashless. There are vast corporations that operate without cash, and that trade in one jurisdiction, fulfil in another jurisdiction, bank the money in a third, and pay tax in a fourth. Chasing this money around, combined with this incredibly complicated system, is going to become harder and harder. Part of the reason for this Bill, as the Minister said, is to maintain the sustainability of the tax base. The Government are worried that it is getting away from them; it is like a wild horse straining at the leash or reins, and galloping off across the field given half a chance. [Interruption.] Leash or reins; I do not know what we hold a horse with.

All of this means that we are going to have to do some pretty heavy fundamental thinking over the next couple of decades about the way we tax. We often talk about how much we tax, but rarely talk about how we tax. How are we going to tax these enormous corporations that are bigger than nations? How are we going to make it fair between them and small businesses? How are we going to tax a changing economy of individuals, who might have four, five or six different jobs, with somebody in this country perhaps performing a job in another country, but doing it digitally? All of these matters raise questions, and it is perhaps becoming harder to tax in a direct way and easier to tax in an indirect way.

I have talked in this House before about the notion of getting rid of business rates— which are biased against small businesses, and certainly small retail business on the high street, and which favour the massive internet companies—of getting rid of corporation tax, which is hard to collect and for which compliance is not great, and of thinking about moving to an easy, collectible turnover tax. A huge company like Amazon, which is completely electronic and totally cashless, could pay its turnover tax every day: at the end of the day it knows how much money it has made, and the computer can tell how much tax there is and transfer the money across to the Government. That would be an enormous win.
Colin Clark (Gordon) (Con): I rise to welcome the Finance Bill and to recognise the success of this Government’s financial policy, and I am delighted to follow the eloquent speech of my hon. Friend the Member for North West Hampshire (Kit Malthouse). Opposition Members often endeavour to play down the United Kingdom’s economic success—three million jobs have been created nationally since 2010—but my constituency has blazed a trail in the north-east of Scotland. In Gordon, which is to the north-west of Aberdeen, unemployment is at 1.6%, which is up from 0.8%, but the past few years have been painful for the big north-east employers: the oil and gas industry and the service companies that support it. Many jobs have been lost in the sector, and particularly hard hit have been the people who live elsewhere in the UK, but the green shoots of recovery are beginning to show. I am sure the Minister will join me in welcoming Oil & Gas UK’s economic report, which shows that confidence and investment are returning.

I have visited the European offshore oil and gas exhibition, which is on the boundary of the Gordon constituency. The hon. Member for Aberdeen North (Kirsty Blackman) had to point out to me that it was being held just inside her constituency, but she is welcome to visit the new £400 million Aberdeen exhibition centre, which has been built in my constituency. The exhibition displays a showcase of many Aberdeenshire and Aberdeen-based companies and the technology is breathtaking.

The sector has made it a priority to be outward-looking, exporting equipment and skills to wherever there is oil and gas and, increasingly, renewables. It is imperative that oil and gas are at the heart of the Government’s industrial strategy and at the top of their fiscal priorities.

A key part of our recovery is attracting investment to the UK continental shelf, and Oil & Gas UK recognises that the UK’s fiscal policy puts it in the top quartile of places to do business. Coupled with competitive corporation tax and attractive levels of personal income tax, companies and skilled professionals are choosing to operate in the UK. I thank my right hon. Friends for Forest of Dean (Mr Harper) and for Wokingham (John Redwood) for highlighting the oil and gas industry in their speeches. The Government’s fiscal policy is key to the continued prosperity of many areas in the UK that depend on oil and gas. Without a raft of attractive tax policies, we would risk a brain drain, and the oil industry moves rapidly, so the availability of facilities and skilled employees is essential. It is therefore disappointing that the Scottish Government’s empty property rates policy has led to the tearing down of properties in my constituency.

Kirsty Blackman: I do not know whether the hon. Gentleman has seen the Finance Secretary’s announcement today about the Barclay review, but it would be a good idea for him to have a look at it, particularly the part about property rates for new empty properties.

Colin Clark: I welcome that intervention. Considering how long I have been sitting here, I will have to read it after I have left the Chamber.

The UK oil and gas industry employs 300,000 people—largely well-paid workers who contribute to the Exchequer. It underpins a highly skilled workforce and invests vast amounts in training and R and D, such as at the centres that the hon. Lady and I have visited. I ask the Minister to look closely at the tax history of oil assets, their transferability, how that will affect decommissioning and how best to promote the UK to be decommissioning experts for offshore oil and gas.

SMEs are the bedrock of the UK economy, and, like my hon. Friend the Member for North West Hampshire (Kit Malthouse), I am a businessman and must declare an interest here. At £200,000 a year, the value of the annual investment allowance is significant for small to medium companies. Instead of the spending that the Opposition would have us do, the allowance encourages investment, leading to more jobs, and it is important that the Treasury concentrates on investment in our economy. I ask the Minister to consider widening the AIA to include facilities, potentially creating local construction jobs.

Finally, whisky is a mainstay of the Scottish economy and probably the most popular export—very popular in the bars of this House. My constituency is home to several distilleries and, along with the rest of the north-east of Scotland, produces malting barley, but the constituency of Scotland, produces malting barley, but the constituency of my hon. Friend the Member for Moray (Douglas Ross) clearly takes the title of having the most distilleries. Perhaps the Minister will look fondly on the whisky and spirits industry when sampling Scotland’s greatest export, so I have a suggestion: if I invite the Treasury team to partake of the distilleries in my constituency and in those of my hon. Friends the Members for Moray and for Banff and Buchan (David Duguid), perhaps the Finance Bill will not be so painfully long.

Charlie Elphicke (Dover) (Con): I was fascinated by the discussion of student loans in the opening speeches, and it is pertinent that I return to that discussion in my opening remarks. Notwithstanding the Labour party’s
desire to cover and obfuscate this matter in a haze of chaos and confusion, not to mention the odd car-crash interview by the shadow Secretary of State for Education, the hon. Member for Ashton-under-Lyne (Angela Rayner), from time to time—she is no longer in the Chamber, but she enjoys giving car-crash interviews, as does the shadow Secretary of State for Justice, the hon. Member for Leeds East (Richard Burgon)—the Labour party made a very clear pledge to write off £100 billion, and that sum is entirely unfunded.

Ruth George: On the question of car-crash interviews, the Prime Minister has no room for comment following the general election performance. The hon. Gentleman talks about trying to create confusion and obfuscation in manifestos, but why did the Conservative manifesto have no costings, unlike Labour’s manifesto, which was clearly costed and had no promise of a £100 billion debt write-off?

Charlie Elphicke: The hon. Lady makes a valiant attempt to gloss over a £100 billion black hole in her party’s costings, which would obviously have a massive impact on the public finances. That is a key concern, and it is central to what the Finance Bill is about.

Anna Soubry: Does my hon. Friend agree it is undoubtedly the case that millions of young people were left in no doubt that if they voted Labour and then, unfortunately, a Labour Government were returned, that Government would have written off student debt? Labour Members did nothing during the general election to disabuse young people of what was undoubtedly a con.

Charlie Elphicke: My right hon. Friend makes a powerful point—she is completely correct. It is exactly my recollection that the people of Britain were sold a false prospectus by the Labour party.

Ruth George rose—

Charlie Elphicke: I will let the hon. Lady have another go.

Ruth George: I will make it as clear as our manifesto made it during the election campaign. We said that there would be no university tuition fees from September 2017. We made no mention in the manifesto of students who have already gone to university or of writing off their debt. In fact my own children, who are in such a position, asked me about it, because it was not in the manifesto. Our manifesto was very clear, but there were absolutely no costings in the Conservative manifesto to give any clarity.

Charlie Elphicke: I hope the hon. Lady’s valiance and valour will be justly rewarded by the Leader of the Opposition in the coming days and weeks, because she makes great efforts on his behalf. Conservative Members recall the Leader of the Opposition’s words in the election campaign. It was very clear that he would write off that amount and that that would cost £100 billion, which would have caused massive problems. A Finance Bill would have been needed to raise massive amounts of tax had, heaven forbid, the Labour party prospered better in the election campaign than thankfully it did. Nevertheless, despite its claims to the contrary, Labour still lost the general election.

Robert Jenrick: Being young at heart, my hon. Friend subscribes to NME, so will he re-emphasise the exact words of the Leader of the Opposition: “I will sort it”? What could be clearer than “I will sort it”?

Charlie Elphicke: My hon. Friend is absolutely right. The Leader of the Opposition’s words were, “I will sort it.” I will give way to the hon. Member for High Peak (Ruth George) for a third time, if she wants to make yet another valiant intervention, to explain what “I will sort it” means. I am sure she is able to explain that away, too. I think it is very clear.

Ruth George rose—

Mr Speaker: Order. Before we proceed, I suggest that a little focus on the contents of the Finance Bill might be in order.

Ruth George: If the hon. Gentleman wants to decide that election pledges were made from any sort of wording that came from any politician or any party leader, I hope he will also be looking over pledges made by those on his side, which came with absolutely no costings whatsoever.

Charlie Elphicke: At least the third go was the best of the three, but we have covered that matter and, as you rightly and gently chide me, Mr Speaker, we need to move on to the contents of the Bill.

I will therefore move on to discuss non-doms and the background to the relevant clause. Some years ago, a pledge was made by a former Prime Minister, Tony Blair, to take action on the issue of non-doms, but it was one of these things that ended up in constant reviews. Every year there was going to be review and action was going to be taken, but every year no action whatsoever was taken against this ancient, 200-year-old tax loophole. That was because of the prawn cocktail circuit and the Labour Government wanting to snuggle up to their friends in the City and big business, rather than securing the tax system for ordinary folk. We ended up with a situation in which the person cleaning an office could be paying more in tax than their boss. That was how it was under the last Labour Government.

As colleagues will recall, in 2007 we had a change of Prime Minister—Gordon Brown took over—and proposals were made by our former Chancellor, George Osborne, to end the non-domiciled tax loophole. The Labour party wants to tell us, and wants the House to believe, that this was all Labour’s idea, but it was not. We all remember that it was George Osborne who proposed ending the non-domiciled tax loophole. I remember that, because I was advising him when he was our shadow Chancellor, and I recall the Labour Government saying that this could not be done because of the US-UK tax treaty. They came up with all sorts of reasons why it could not be done. They said it could not be done because it would mean that nurses would not come to the UK, as they depended on their non-dom tax status. Labour came up with every “dog ate my homework” excuse as to why non-domiciled tax status should stay as it was. Colleagues will recall that after our party conference the opinion polls changed sharply because people loved the idea of the inheritance tax break that was to be funded by the excellent Conservative policy of ending this shameful loophole.
After that, partial action was taken on non-domicile tax. It is welcome that further action is being taken today, but we must bear in mind that Labour has never made the running on this issue. It has always been the Conservative party—the workers’ party that we are—on the side of hard-working people and the hard-working classes that has made the running, and forced action and reform, on this 200-year-old abuse of our tax system. Labour Members, now trying to make up ground, should hang their heads in shame at the fact that for so many years they took so little action on this matter.

Some other abuses of the tax system are touched on by this Bill, although not sufficiently and they ought to be touched on more. One of those relates to image rights. For too long, footballers have been able to say that money that they earn is not taxable income but is due to their image rights, and they are able to keep that money offshore. We should look at that, and I hope that the Government will consider introducing changes in Committee or on Report to make sure that image rights are properly captured as the disguised remuneration that they are to be commended for taking a lot of action on disguised remuneration, but further action is needed on image rights to make sure that footballers and other sports stars have proper payments and that proper dues are paid to our tax system.

Finally, let me talk about the clauses in part 3 dealing with fulfilment houses. This sounds innocuous, but it is about overseas sellers who are failing to charge VAT on online sales. Let me explain briefly what happens. Say, for example, a small businessperson in a regular county such as Northamptonshire sells sunglasses and is doing really well. They are sourcing them from the far east and importing them to the UK, doing really great trade selling them on the internet through Amazon and eBay. They are registered as a trader and paying VAT—they are paying their dues. Suddenly, they find that those sunglasses are being sold on online platforms such as Amazon, eBay and Alibaba—these platforms are all the same—for 20% less. They think, “How can that be?”

Goodness knows, we always hear Treasury Ministers, Government officials and the Treasury as a whole complaining that they find it so hard to come up with ideas as to how to raise more tax; well, here is one right before us. I urge Ministers to give full consideration to the possibility of going that bit further, tightening up the legislation and making sure that the tax is paid. It is important not only from the point of view of revenue, but from the point of view of ensuring there is a level, competitive playing field, so that small businesses in this country can compete fairly with overseas enterprises and the tax system is not tilted against the person who is working hard to make a living in this country.

Very few of the measures in the Bill are what we would call sexy—indeed, we might say they are a bit spreadsheety, if that is now a word—but they enable important investments in our future. They enable us to have fairer funding for schools in Harborough, Oadby and Wigston. They enable us to make massive investment in technical education and to have the biggest increase in science and technology investment since 1979, so that we can have a strong economy in the future. This is serious work, and we can see what a contrast there is with the Opposition. Their basic proposition is that we can have a strong economy in the future. They enable us to make incredible amount of complex and technical work that goes into making that a reality that you now have in front of you, Mr Speaker, a Bill that is pretty much big enough for you to put your feet up on.

Several of the measures in the Bill manage the difficult double whammy of protecting the revenues on which our public services rely while improving fairness. For example, by cracking down on VAT fraud by overseas sellers, we can help our own high streets. By stopping the use of artificially high interest rates and complex arrangements to avoid corporation tax, we can level the playing field between big multinationals and our small businesses. By clamping down on disguised remuneration, we can insist that people who are doing the same work pay the same tax.

I am struck by how carefully balanced the measures in the Bill are. Ending permanent non-dom status and limiting non-dom status in other ways will maximise the amount of revenue we can extract from non-doms. Of course, the populist, easy thing to do would be to pretend that we could just sweep away non-dom status altogether, but as no less an authority than Ed Balls has pointed out, that would not be the best way to secure the most tax revenue for schools and hospitals. The Chancellor has wisely chosen the right policy rather than a cheap soundbite.

Neil O’Brien (Harborough) (Con): The Bill is an excellent bit of work by Treasury Ministers and officials. It is easy for politicians to say airily that we must clamp down on tax avoidance, but it is testament to the incredible amount of complex and technical work that goes into making that a reality that you now have in front of you, Mr Speaker, a Bill that is pretty much big enough for you to put your feet up on.

6.12 pm
small businesses and for a rise in income tax would not raise what they claim. Therefore, the Opposition’s plans are not serious.

Back in the real world, we have some serious challenges to face. In the early years of the next decade, demographics will start to put increasing pressure on the public finances and whoever is Chancellor will increasingly feel like they are trying to walk up a down escalator. Globalisation will continue to put pressure on our tax base, and we must not plan again on the basis that we can abolish boom and bust; rather we should try to fix the roof while the sun is shining. This Finance Bill is another step in doing just that.

We have already raised £160 billion since 2010 by cracking down on evasion and avoidance. Compared with most other countries, we do a better job at ensuring that people pay the taxes that they are due to pay, and we have reduced the tax gap compared with when Labour was in power. Currently we have unemployment at a 42-year low and inequality at a 30-year low, but the deficit down by two thirds, record increases in the minimum wage and a cut in basic rate tax by £1,000 a year. Our plan is working and this Finance Bill is another step in that plan.

6.16 pm

Robert Jenrick (Newark) (Con): It is a pleasure to speak in the finance debate today on an important set of measures that will take the economy and the public finances forward in the right direction. Like other Members who have spoken today, I wish that the Finance Bill were shorter, given the relatively small number of measures, and that the effort that has begun under the last Chancellor, George Osborne, with the Office of Tax Simplification could continue and bear fruit. Budgets are becoming too complicated and too long, and the tax code ever longer, leaving small and medium-sized businesses struggling to cope with compliance. Even our largest companies spend far too much time in their board meetings discussing compliance and far too little time on innovation and how to move forward.

I am inspired by Paul Ryan in the United States, who suggested creating a tax return on a postcard for 95% of American citizens, and I would like us to move in that direction. In truth, no Chancellor since Nigel Lawson has taken tax simplification seriously. He was the last Chancellor to say that one in, one out should be our policy for creating new taxes. Perhaps that is something we could take forward as we gain complete control over our own laws as we leave the European Union.

There are three points that I wish to make. First, following on from my hon. Friend the Member for Harborough (Neil O’Brien), I would like to say a few words about our record on tax evasion and avoidance. There is a lot of misinformation about, and much needs to be said about how successful the Government’s record really has been in this area. There has been a breakdown of trust. This is a question of trust, and the antidote to mistrust is not moralising or phoney outrage, but credible action, and that is what the Government have set out to do since 2010.

When we came to power in 2010, the tax gap was rising in almost every area, particularly in corporate taxes. Today, in almost every area, it has fallen dramatically. Corporate taxes for large companies have fallen by 50%, and for small companies by 40%. In house ownership, stamp duty has fallen by 40%. These are significant achievements. They have been hard won by measures such as the ones in this Budget—I am talking about complex measures produced by Treasury officials who have gone to a great deal of trouble to work out how these falls can be achieved in a way that would simply never have happened under the last Labour Government. We have elevated the issue internationally—from David Cameron raising it and making it the centrepiece of the G8 summit to other opportunities—so that the UK is perceived internationally as a world leader in the area.

When the all-party parliamentary corporate governance group brought Leo Strine, the chief secretary of the Supreme Court of Delaware—the jurisdiction in which 90% of US companies are registered—to speak in the House of Commons, he said that there is no way that the state of Delaware would implement any of the major measures that we have. He particularly mentioned the most significant achievement: the creation of the world’s first public beneficial register of ownership. That was a significant step forward. There were legitimate arguments against it, including the invasion of privacy, but the Government took it forward none the less. It is a real achievement, which, like the state of Delaware, no other country—certainly not our major international competitors—is looking to implement. We have the general anti-avoidance legislation. We were also the leaders in the base erosion and profit shifting project under the previous Chancellor, as we are under the current one.

The results are stark, with major decreases in the tax gap of up to 50%. Had the tax gap continued on the trajectory left by the last Labour Government, it would be £47 billion and the public purse would be £11 billion the poorer. Instead, it is at its lowest ever level and is one of the lowest in the world. The way in which we report the tax gap is certainly one of the most transparent and best documented of any major country. That is a tribute to HMRC, the Treasury and successive Chancellors. We should be proud of that record and not spread misinformation that things are getting worse. As we now see internationally, the UK truly is leading the world as a result of these changes.

My second brief point is a more direct one about the Labour party and its approach not just to the Finance Bill, but more generally. The Labour party is asking the public to worship a false god. Labour says that taxing our businesses and entrepreneurs much more will result in a higher tax yield. That is not true. The richest 1% of this country pay 27% of all the income tax collected. The richest 5% pay 45%. Until the eve of Gordon Brown’s defeat in 2010, even he resisted raising the top rate of tax. He knew about getting our richest and most successful businesses and entrepreneurs to shoulder the greatest share of the burden, which they did—their share of tax rose under Labour as it has under the Conservatives—but it was precisely his hunger for more tax to spend and more money for the Treasury that led him to refuse to raise the top rate of income tax and to increase corporation taxes further.

We only have to look back within my lifetime to see the wealth creation unleashed when Nigel Lawson reduced the top rate to 40%. The Government then profited by taking a smaller slice of a much greater pie. The system that the Conservatives left to Labour in 1997 was more progressive and redistributive than the system that we
inherited back in 1979 from Callaghan and Healey. In 1978-79, the top 1% of the population paid 11% of taxes, and the top 5% paid 25%. When we left office in 1997, the top 1% paid 21% of income tax—almost twice as much—and the top 5% paid 40%. The lowest 50% of the population saw the amount of tax they paid in that era fall from 20% to 11%. Lower tax rates mean higher tax yields. Higher taxes on the better off or on business for purely political reasons will not lead to a fairer tax system, even by the left’s own definition.

This is the paradox: to get people and businesses to pay a higher share of tax, we usually have to lower their tax rate, and so it has been with corporation tax in our experience in the last seven years. UK corporation tax receipts have surged to a record high during the last financial year, as the main rate has fallen from 30% in 2008 to 19% today. By reducing the rate and by having a Government with a credible economic policy, we have shown that the UK is open for business, and we have attracted international businesses from around the world that wish to open their headquarters and move a greater share of their operations here. Now, with heightened uncertainty over Brexit and a possible net outflow of businesses and investment, we need this policy more than ever.

Higher taxes on companies and individuals and their homes, as proposed under a Labour Government, will mean lower tax receipts and less redistribution.

Sir Hugo Swire (East Devon) (Con): Does my hon. Friend agree that, at a time where there is uncertainty in the business community, not least because of Brexit, talking about raising corporation tax and taxation generally, as the Opposition are doing, is a mammoth disincentive for companies thinking of relocating and growing their business here at this dangerous time?

Robert Jenrick: My right hon. Friend makes exactly the point I have been advancing: not only is the approach the Opposition are taking counterintuitive, because the evidence suggests that higher corporation tax will yield less money for our public services and fewer opportunities to redistribute taxes to the most vulnerable in society, but it will send a signal that Britain is no longer open to redistribute taxes to the most vulnerable in society, which we can be certain will increase under a Labour Government led by the right hon. Member for Islington North (Jeremy Corbyn) will be the air passenger duties levied on the businessmen and women—the entrepreneurs and innovators—stampeding to leave the country after the next general election.

Sir Oliver Heald (North East Hertfordshire) (Con): Does my hon. Friend agree that every time Labour has tried tax, borrow, spend, they have left government with the country poorer and with people earning less—the wealthy and those on lower incomes? They just do not know how to run the economy.

Robert Jenrick: I could not agree more with my right hon. and learned Friend.

The evidence I have tried to bring forward shows that under Conservative Governments—both from 1979 to 1997, and from 2010 to the present day—the money spent on public services increased dramatically while those Governments have been able to take more tax receipts from the wealthiest in society by applying a sensible, credible economic policy and not, purely ideologically, seeking to increase taxes on the rich and our business community, which is counterproductive for everybody concerned.

In closing, I want to make a simple point about Brexit and the state of the economy. The only way Brexit can be a success is if Britain charts a course towards economic liberalism. Our survival and our success outside the European Union entail Britain becoming more competitive. We must open up markets. We must find ways of building competitive advantages, of reducing and deregulating wherever possible, of getting inward investment into the country and of embracing free trade. That means encouraging enterprise above all else.

Sir Hugo Swire: My hon. Friend is making some extremely good points, but the one thing he has not mentioned, which we have to address as a matter of urgency, is productivity.

Robert Jenrick: I quite agree. Productivity is the great challenge for us. Part of making sure we are a productive society is making ourselves the most competitive society we can be. That means being willing to embrace free enterprise, to reward success, and to lower corporation taxes—perhaps even our personal taxes as well. Doing that will require the most careful management of the public finances. It will mean real, continued effort to live within our means so that our children and grandchildren can continue to deregulate, to drive competitive advantages and to have lower taxes for their companies and businesses, unshackled from the incredible burden of paying off our national debt.

We will be somewhat more exposed to the world and to globalisation when we leave the European Union—less shielded from those economic forces—so we will need to lean into the free market to secure our future. That will mean a close regard to our competitiveness and the way that we are perceived by the rest of the world. It will mean a managed but liberal immigration policy that seeks to attract the most highly skilled people that we need—a focus on who they are and the skills they bring, not necessarily on how many—and a tone that welcomes people into this country rather than repelling them.
That requires something of everybody in this House. It requires from the Conservative party a tone on immigration that shows to the world that we are open and welcoming to the best and the brightest and an approach that embraces economic liberalism, not the interventionism that we have strayed into in recent months and years. For the Labour party, it means recognising that heirloom hard-left policies will not cut it in that environment. Labour’s refusal to accept that Britain’s future lies in economic liberalism will not work. It will set Britain up to fail, and to fail badly.

6.31 pm

Craig Mackinlay (South Thanet) (Con): I know you have just taken the Chair, Mr Deputy Speaker, and I am afraid that we have not have heard too much good news this afternoon, so I want to bring that good news to Members.

We have closed the tax gap. We are raising more tax than ever before by closing down some of the more ambitious and egregious tax systems that Labour did nothing about over the 13 years that it was in power. We have got unemployment down to the lowest level since 1975. We are doing more to close the tax gap—it is very difficult to assess what a tax gap is; by its very nature, it is very difficult to put one’s finger on—than ever before. Thirty million people are saving £1,000 in tax due to the massive increase in personal allowances from £6,500 a year in 2010 to £11,500 a year today. That is a real benefit to the lowest paid across this country. We can add to that increases in the living wage, with another £1,400 going to everybody in this country. For pensioners, we have raised the level of state pension, again adding more for those who need it.

My hon. Friend the Member for Newark (Robert Jenrick) made a very clear point about how the wealthiest in this country are now paying a higher amount of tax than ever before because we are doing what we can to close down the inefficiencies in our tax system. It is strange that Labour Members have always talked big about the wealthy not paying their share, but the Conservatives are actually making them do so. We have reduced the inequality in pay grades between the sexes. Apparently, for people in their 20s that pay inequality is reduced the inequality in pay grades between the sexes.

Lady Hermon (North Down) (Ind): If everything is going so swimmingly for this Government and they have achieved so much, why on earth should they not lift the 1% pay cap for all public sector workers?

Craig Mackinlay: We will be having a debate about that tomorrow, I believe. The fact is that we had a £150 billion per year deficit when we came into power with our then Lib Dem partners in 2010, and we have got that down to just a little over £50 billion a year. A GDP borrowing requirement of 10% in 2010 is now down to 3%. I certainly hope that as we grow this economy we will be able to look at public sector pay in a more reasonable and appropriate way in future, but that is a debate for tomorrow and for years ahead.

I was very taken by the maiden speech made by my hon. Friend the Member for Moray (Douglas Ross) and especially by his story about the previous Chancellor, my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), putting a seal on that barrel of cask whisky. Let us hope that he put a seal on it meaning that it may be opened tax free, for the benefit of all, in due course.

The statistics on what we have achieved speak for themselves. The one that bears the most fruit is that on the lowering of corporation tax. We generally tax things that are bad. We put high rates of tax on things such as cigarettes or alcohol because we want to stop their use to some extent because of their perilous health effects, particularly those of cigarettes. Why would we want to follow Labour’s proposal to raise the tax on corporates? It seems to me that unless we want to suppress profit and jobs and to do entirely the opposite of what we actually want to achieve, raising tax on corporates is the worst thing we can do—and it has been shown to be the worst thing. Members should not take my word for it. The Institute for Fiscal Studies took the Labour party’s spending plan to pieces before the election.

That is the good news. I am not always in favour of Finance Bills, and I am particularly not always in favour of one of this size. As I have said before, I am a chartered accountant and chartered tax adviser, and I still work as that from time to time. I am afraid that it does no good for UK competitiveness that we now have one of the most complex tax systems in the world. It now runs to 22,000 pages and 10 million words. Compare that with the entire tax system of Hong Kong, which runs to 350 pages in its entirety. In the early days of my training, in the late ’80s, the tax law rewrite was being discussed. We then had the Office of Tax Simplification, run for a time by John Whiting CBE, a man I know well and a fellow member of the Chartered Institute of Taxation. It is time to do what we can to slim down legislation and make it fit for purpose.

Much of what we have been doing of late is going in the right direction. Let me cantor through various parts of the tax system and give my comments thereon. On inheritance tax, the proposals to give an increasing exemption for the family home must be the right way forward. For many people, the reason their property has become of such high value is often not to do with their circumstances. It might have been caused by quantitative easing resulting from the 2008 failure and the inflation of prices. Of course, the north-south divide and the sheer desirability of London and the south-east, as well as restrictions on planning, have caused a huge asset bubble.

One area that has much to say for itself and has been discussed a lot this afternoon is the extension of inheritance tax to non-domiciles. The situation has been daft for a long time as non-doms have benefited from tax exemptions across vast parts of our tax code, but we should strike a note of caution this afternoon. Clause 33, expanded in schedule 10, deals with non-doms who use a company or trust to hold UK residential property. There is perhaps a flaw in the Bill as drafted that needs clearing up, and that could be done in Committee.

The situation as it is designed deals with non-doms who own a residential property through a foreign company. Let us say that that non-dom is a New Zealander, who owns a property portfolio through a New Zealand company. If that were the case, he could now be subject to inheritance tax on that UK property.

That in itself is not an issue, but my worry is that if an alternative non-dom had provided the financing to the non-resident company for that UK property purchase—this
could involve a vehicle that had never had anything to
do with the UK—there is potential under the Bill as
drafted for that loan to be caught under UK inheritance
tax rules. I am not entirely sure that that was the
intention. For example, a Swiss investment company
owner—or even a foreign discretionary trust—providing
finance for a non-dom company to buy UK residential
property could find itself within the inheritance tax net
even though it had never set foot in the UK. A foreign
discretionary trust could even find itself facing 10-year
principal charges. Again, I am not sure that that was
the intention. We have done much—starting some years back
with the annual tax on enveloped dwellings and the
extension to stamp duty for properties purchased that
way—to try to unwind corporate structures that own
property in the UK. No other party has tried to make
the playing field level for UK citizens in this country
who are doing the right thing, but we are now rightly
extending those measures to include non-doms.

I know that we have had the election, and circumstances
have brought us to where we are today. There are no
surprises in the Bill, and it is not retrospective, but I
believe that we should avoid the practice of proposals
coming into force, many of them on 1 April this year,
before the legislation has been agreed in this House. For
instance, if the proposals on non-doms owning a residential
property through a foreign company become law, a
situation could arise in which a person who had died
sometime after 1 April was subject to a law that had not
yet been enacted because it had not received Royal
Assent. We should avoid situations such as that.

My concern about some parts of the inheritance tax
extension to non-doms—I am not saying that it is not
right at all—is that we need to get the balance right. My
right hon. Friend the Member for Wokingham (John
Redwood) highlighted the fact that there is a balance to
be struck between making Britain an appealing place
for business and deterring non-doms from coming here
at all. Many of those who come will be spending out on
improvements and jobs as well as contributing to the
VAT take. There is a balance to be struck and, unlike
Labour, we know where that balance is. My hon. Friend
Sir Greg Knight (East Yorkshire) (Con): I am reflecting
on what my hon. Friend said about allowances. Is he
arguing for allowances to be automatically uprated to
take account of inflation?

Craig Mackinlay: There is an uprating coming into
place to allow the floor to increase from £1 million in
due course. There used not to be a lifetime allowance,
but it started at £1.8 million some years ago and has
down to £1 million.

The flexibility of SIPPs and the success of auto-enrolment
are essential if we are to rebalance our savings rates,
which have been fairly poor by comparison with those
of other G20 countries. I am looking forward to seeing
how lifetime ISAs will plug any holes in the pension
market. We have had a lot of change, and even though
much of it has been to the good, we are in danger of
losing stability. People become rather unsure about
what will happen in the pension market and whether the
changes will affect them. The last thing we want to do is
to deter people from saving for their pensions.

On IR35, much has changed in the last year, particularly
in terms of personal service companies that provide
services to public sector bodies. It has long been known
that personal service companies and the IR35 rules
have been abused—that was recognised in the House of
Lords’ report—and so I welcomed the change that
came in from April this year. It is not right that personal
service companies, which are, by any other measure, a
disguised form of employment, are not being taxed in
the right way. I fully support what is happening, but I
do think that we need greater clarity over employment
status.

The rather complex process of recognition of whether
a person is properly self-employed or properly employed
is quite confusing for a small employer. That is still
somewhat vague, and there is some gold-plating in the
public sector because of worry about people’s status. I
regularly see people who work through a proper personal
service company and who are clearly self-employed, not
in an employment situation. Out of fear, the public
sector is tending to move everybody who works in such
a way to an IR35 status, which adds to costs in the sector.
It is a very difficult balance.

Termination payments have been discussed this
afternoon. My worry about them is that the £30,000
level has been in place since the early 1990s. If it were
more realistically upgraded in accordance with inflation
to today’s values, it would be in the region of £70,000.
Other changes are likely to bring more termination
payments—most likely correctly—into tax.

I turn to the dividend tax changes. Dividend tax has
been subject to huge change over the last few years. Just
two years ago, it was announced that the first £5,000
own self-invested personal pension or defined contribution
scheme has a good fund manager and has done well
during their working life, is it fair for them to be
penalised by comparison with somebody who has not
had such a good fund manager and whose returns have
not been quite so good? I am not in favour of the
lifetime allowance, but I am certainly in favour of the
annual allowance.

Auto-enrolment has been one of the great successes,
because I do not think that anybody is saving enough
towards their pension.

Sir Greg Knight (East Yorkshire) (Con): I am reflecting
on what my hon. Friend said about allowances. Is he
arguing for allowances to be automatically uprated to
take account of inflation?
would be completely free of tax, after which an individual enters the regime of 7.5% while they are within the basic rate band. I am concerned that we have moved so quickly to cut the allowance from £5,000 to £2,000. In doing so, we have not provided a stable playing field for people to get used to. I can certainly understand, from the Treasury’s point of view, that this has been an area of tax loss. It has long been known that owner-managers probably give themselves the lowest level of salary, but then pay themselves through a dividend route. People recognise that the situation has perhaps been too good for too long and that things now have to change, but I am concerned that it did not take very long for the allowance to be reduced from £5,000 to £2,000.

I realise that much of the Finance Bill—the provisions amount to some 300 pages—concerns the corporation tax loss regime and the restriction of interest. I will canter through this as fast as I possibly can. Brought-forward losses may now be used very flexibly, which is very good for the smaller company. The one complexity that the Bill will bring in is that there will be two lots of losses: old losses, which have to be used in the old way; and new losses, arising after 1 April 2017, which will be used in the new way. For the smaller company, that will add a level of complexity that we perhaps do not need. I therefore seek from the Treasury Bench some change, if possible, to allow smaller companies some degree of exemption.

All in all, we are in a very good place with our tax system. There could be more simplification, and I have previously raised with Treasury Ministers my concerns about various aspects of the system. I hope that we can look again at one concern that turns up regularly in my inbox, which is the restriction on landlord’s interest. That has been ill thought out and could be looked at again.

My hon. Friend the Member for North West Hampshire (Kit Malthouse) and I often discuss enterprise investment schemes and seed EISs. The sad fact is that the number of seed EISs, which should be a very flexible way of getting small amounts of capital into small start-ups, have not really been used as widely as they should have been. From my perspective of having tried to put them in place professionally, it is very unlikely that a smaller business can afford even the modest professional fees necessary for raising such a small amount of capital. Some flexibility is needed if we are to encourage seed EISs.

We need to continue to debate tax policy. Much was said by my hon. Friend about how we have a tax system that was designed with the 19th and 20th centuries in mind—trying to tax things or recognisable services—but the new digital economy means that the playing field is rather different. We need to think rather carefully, perhaps on a cross-party basis, about how we can tax the digital economy properly. We also need to discuss what our tax policy is trying to achieve. For too long, whenever we have tried to make a small change, it has either been bowled down or the media have got involved, and I am afraid that we have become somewhat fearful of change. It is now time for cross-party working on what we are trying to achieve in raising the appropriate amounts of tax in the modern age.

Much has been said about productivity, but it is very difficult to measure—I am sorry to be so technical—especially in services, which are rather more prevalent in our economy than in those of other OECD countries. I know, however, that I would rather have lower levels of productivity and higher levels of employment than the massively high youth unemployment seen in other countries in the EU, which—by whatever measure—have managed to have higher productivity among those actually in work. I put that down to the more laissez-faire system under which we operate in the UK, where the employment rules are slightly more liberal. In France and Germany, employers dare not get it wrong, because they have very little flexibility in getting it right when they need to shed staff.

I will leave my thoughts on the tax system there, and I look forward to supporting the Second Reading this evening.

6.54 pm

Jack Brereton (Stoke-on-Trent South) (Con): There have been a number of excellent and informed speeches today by Conservative Members and I am very pleased to follow my hon. Friend the Member for South Thanet (Craig Mackinlay).

Owing to the economic policies of the Conservatives, we have seen our national economy and the economy in Stoke-on-Trent South prosper. Nationally, the International Monetary Fund has upgraded the growth forecast to 2% from 1.5% and we have got Labour’s crippling deficit under control, having cut it by two thirds. However, we must complete the job to get our finances fully back on track. Labour’s plans would only lead to the deficit doubling. Labour would spend more than our constituents can afford and re-inflict the misery of its financial crisis on our constituents.

We must continue to build on the recovery of our economy by creating jobs and opportunities for the people of my constituency and by helping businesses to create better quality jobs. We have already seen 3 million more jobs nationally, many of them in areas like Stoke-on-Trent. An all-time record 32 million people are now in work nationally. That was never seen in Stoke-on-Trent under Labour. We had years of Labour Members and Labour Governments being elected to this place, and what did we see for it? Nothing—only more debt, more people unemployed and more people subjected to years of misery.

The Conservatives believe in aspiration and the ability of individuals to achieve and prosper. We help those who are just about getting on and we provide the support they need to achieve. What we are seeing in Stoke-on-Trent South is that the Conservatives are starting to address the legacy of decline left by Labour. We Conservatives have been helping businesses and making work pay. That has been key to our economic recovery in Stoke-on-Trent, as it has been nationally. Rather than leaving people dependent on benefits, as Labour did for so many years, we are ensuring that an increasing number of people are in jobs. There is growing employment and prosperity.

Instead of a life on benefits, there is now a living wage, which is improving people’s quality of life. The national minimum wage has been increased from £5.93 in 2010 to £7.50 today. That is a 26% increase. That change to the minimum wage has added £5,200 per year to the gross wages of someone in full-time work on the minimum wage since 2010. At the same time, the top 1% pay 28% of all income tax—more than was ever seen under Labour—and income inequality is at a 30-year low.
That has incentivised more people to get into work and stay in work. No longer are people better off out of work and on benefits than in work. That, in turn, is reducing the pressures on our national welfare bill and helping to get our deficit under control.

The median tax bill in Stoke-on-Trent South fell from £2,000 to £1,520 between 2011 and 2015. That means that, on average, workers have more than £500 more in their pockets than when Labour was in power.

Kirsty Blackman: As I said earlier, median household disposable income has not increased; in fact, it is lower than before the financial crash. We have had 10 years of no increases in real household disposable income. The hon. Gentleman cannot say that just because people’s tax has been reduced, their disposable income has increased. That is not how it works.

Jack Brereton: This is about keeping more of the money that people earn in their pockets, rather than it going into taxes.

It is a huge success that there are now more families in which parents are working, ensuring that our children and future generations have examples to look up to. It is a shocking indictment of Labour’s failures in government that so many children were living in households where no one went to work. We are doing more to support working families. We are increasing the amount of free childcare to 30 hours per week for three and four-year-olds, as well as introducing 15 hours per week for disadvantaged two-year-olds. The success we have seen is due to Conservative Governments’ financial policies. That is no more evident than from the enormous reductions in unemployment in my constituency.

Ruth George: As the hon. Gentleman is so concerned about working poverty and children in working households in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty, what does he think of the Government’s proposals for universal credit, which will cut over £1,500 in poverty.

7 pm

Debate interrupted.

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith (Standing Order No. 15).

That, at this day’s sitting, proceedings on the Motion in the name of Andrea Leadsom relating to Business of the House (Today) may be proceeded with, though opposed, until any hour, and Standing Order No. 41A (Deferred divisions) shall not apply.—(Andrew Stephenson.)

Question agreed to.

Finance Bill

Debate resumed.

Question again proposed, That the Bill be now read a Second time.

Mr Kevan Jones (North Durham) (Lab): On a point of order, Mr Deputy Speaker. We are seeing an historic event tonight: a Government actually filibustering their own Finance Bill! I think that should have a plaque somewhere in this Chamber. I am told through the usual channels that the Conservative Whips told their Members to book hotel accommodation tonight because the Labour party was apparently going to talk the Bill long, even though Labour Members were assured by our own Whips that we would not. They have got to keep it going until 10 o’clock, so their Members can be reimbursed by the Independent Parliamentary Standards Authority. With 25 more speakers to go, and the Whips doing their best to cut down contributions, I wonder, Mr Deputy Speaker, whether you could institute a time limit to save Government Members from the incompetence of their own Whips Office.

Mr Deputy Speaker (Mr Lindsay Hoyle): Hang on a minute. I thank the Government Whips, who have turned out in force, for their advice. I do not know what fear you have put among them, Mr Jones. However, if they were really interested in filibustering, they would have asked you speak. The fact that they did not has probably saved the House. As you well know, that is not a point of order but you have put your point on the record.

Jack Brereton: On the points made by the hon. Member for High Peak (Ruth George) in her intervention, we are simplifying the tax system to ensure that work pays for people who are in work. Under Labour, people were better off on benefits and that is not right. People should be better off when they are in work. Some of Labour’s claims are not true. We on the Conservative Benches believe that the only way for people to get out of poverty and deprivation is through work.

We must monitor closely the increases in consumer debt and insolvency in constituencies such as mine. It is much lower than the 150% it was under Labour during the financial crisis, but with low interest rates making borrowing cheaper we have seen rises from 130% to 135% of income in recent years. As Conservatives in government, we must continue to ensure that lenders are not allowed to take the high levels of risk seen under Labour. Lenders need to continue to be more careful, and to ensure that mortgages and other consumer borrowing remains affordable.

It is vital that we do all we can to ensure a decent level of security for our constituents and their families in later life. Measures introduced under the Conservative leadership, such as pension auto-enrolment, have made sure that millions more are now saving enough to support themselves in retirement. It is now even more important that savers of working age access the advice they need to manage their pension investments to maximise their income once they draw their pension. Clause 3 will therefore be welcomed by my constituents. In 2017-18, the state pension is more than £1,200 higher than in 2010. For those reaching state pension age after April 2016, the new state pension introduces a single flat rate of
£159.55 per week. That means many people will receive much more than under the old system, and it is much fairer.

We have some incredible employers in my constituency. I was very privileged to visit Goodwin International and Wedgewood over the summer. Such businesses are at the cutting edge in their field. Whether it be in high-tech manufacturing, precision engineering or the creative ceramics industry, businesses are enjoying blossoming success with the fruits of better skilled jobs.

I am particularly pleased with the provisions on business investment relief, which will help businesses to continue to bring more investment to the UK and encourage more foreign investment in British companies, with investors no longer being dissuaded by excessive taxes. It is especially important that more of this investment enters areas such as Stoke-on-Trent, where we have an appetite for development, huge potential to grow and prosper and an ability to improve jobs. The provisions will expand the types of investment that can be made in UK businesses under the business investment relief scheme and so encourage greater foreign investment. It builds on the more than £1.5 billion invested under the scheme since its introduction in April 2012 and makes it easier and more attractive to bring in foreign investment that would otherwise go elsewhere.

Although I can identify examples in my constituency of the progress made nationally, we still need to go further in Stoke-on-Trent, which has suffered from years of lacklustre representation by Labour MPs who failed to deliver for the area even when their own party was in government. I have made it clear that the battle now is over skills and creating higher skilled and better paid jobs for my constituents, and critical to this is helping local businesses to grow these opportunities. We have colossal potential in Stoke-on-Trent to do this and to expand further the successes of Conservatives in government and Conservative MPs locally. Stoke-on-Trent has been named the second-best place in the country to start a business and one of the best places nationally for business survival. Nationally, there are 1 million more businesses now than in 2010. The Government have helped business create jobs through cuts to corporation tax, which has fallen from 28% to 19% since 2010 and is set to fall further to 17%, and through the re-evaluation of business rates, which has taken 600,000 small firms out tax altogether. This is in direct contrast to Labour’s often stated policy of taxing businesses and jobs to pay for its £58 billion spending black hole. These uncosted promises could be paid for only through higher taxes and debt for our constituents, and that is why I will be supporting the Bill tonight.

7.7 pm

Ms Nusrat Ghani (Wealden) (Con): It is an honour to follow the passionate and detailed speech made by my hon. Friend the Member for Stoke-on-Trent South (Jack Brereton).

I am not sure, Mr Deputy Speaker, if, like me, you were reminded on reading the Bill of the reason you sought elected office: the desire to provide security and opportunity for our constituents. The Government have a proud record of 3 million extra jobs, Labour’s deficit cut by two thirds, and some of the strongest growth figures in the G7. The economy is in good shape thanks to the sound and responsible policies implemented over the past seven years, and we are delivering a strong economy with strong public services.

The Bill delivers an alternative to Labour’s black hole. It is about a fair taxation system that delivers for ordinary working families, that does not place a stranglehold on individual entrepreneurialism or burden people with tax bills they cannot afford, that is fair and robust, and that tackles tax avoidance and evasion. We have a good record on taxes, too. We have reduced corporation tax from 28% to 19%, meaning that SMEs, which are so important to our economy, including Wealden’s economy, can keep more of their own money. This has generated more income for the Treasury: corporation tax receipts have increased from £37 billion to £50 billion.

One nation Conservatism is perfectly explained by the raising of the personal allowance, which has given 30 million people a tax cut of £1,000 and lifted 1.3 million out of income tax entirely. In combination with the national living wage and the freezing of fuel duty for the seventh consecutive year, this means that ordinary families are better off thanks to a Conservative Government.

By contrast, over 13 years in government, Labour failed to deliver on tax avoidance. The tax gap—the difference between the taxes owed and the taxes received—stood at 10%, and it allowed the Mayfair loophole to go unchallenged, which let hedge fund billionaires off the hook to the tune of millions of pounds. Labour was weak on tax avoidance in the Finance Bill that the House debated before the general election, demanding that the measures we are discussing today be stripped from the wash-up Bill. Labour cannot be trusted on tax avoidance. Its Members occasionally talk the talk, but they will never walk the walk.

Where Labour failed, we are delivering. The Bill contains important measures to crack down on individuals and corporations when they do not pay what they owe. Tax avoidance by larger companies and wealthy individuals not only short-changes the Treasury, but short-changes the SMEs that drive the economy, and that is a message we are sending very clearly today.

Like every other Member in the Chamber, I have many small businesses in my constituency. It is our job to stand up for those businesses in this place. They are not able to use complex tax schemes and clever accounting to shuffle their money around the world, reducing their tax bills to near zero; instead, they pay their fair share. By 2020, the contribution that SMEs make to the economy will be more than £200 billion, and importantly, they will be employing more than 15 million people.

The Bill will deliver on our promises and commitments, helping to level the playing field. It will ensure that our public finances are in order, allowing us to invest more in our public services and better preparing our economy. Above all, supporting it is the responsible thing to do, and that is why I shall support the Bill tonight.

7.11 pm

James Cartlidge (South Suffolk) (Con): I thought I would take a leaf out of the shadow Chancellor’s book by bringing a red book into the Chamber to wave around in his style. It is a copy of “The Middle Way”, by Harold Macmillan, written in 1938. I brought it here because I think that what is significant about the Bill is not any of the individual measures, which we all accept
are very technical—they are not particularly headline-grabbing or, dare I say, sexy—but the context. This is a serious point. I think many people feel that they are still living in a time when capitalism itself—in which I believe very strongly—is being questioned. It worries them that it is not seen to be fair, and they fear that our economic system is not rewarding everyone evenly. Here we are, eight years after the credit crunch and its major impact. Macmillan wrote his book in 1938, nine years after the Wall Street crash, but, then as now, the impact of the crash was still being felt by society, and there was a drive towards populism. I believe that such a move to populism can be resisted only through sensible measures from centre parties that address the injustices of capitalism while still ultimately supporting its success and its growth. We are very fortunate, in that when Macmillan wrote that book there was high unemployment and a deep depression. The situation was very different, but it was comparable in the sense that people on both the left and the right were turning to much more extreme alternatives. Interestingly, Macmillan’s answer was a national living wage. His answer was nationalisation. His answer was making all kinds of what we might typify as socialist interventions in the economy. Since 2008, we have nationalised the banks. A Conservative Government have introduced a range of measures that could be seen as potentially hitting—dare I say—our voters. I think that the most classic example, for which I had argued myself, is the introduction of measures relating to buy-to-let landlords. We have seen a huge surge in that area of home ownership, with people owning multiple portfolios. I know that those measures have not been popular with the few. If we were the party of the few and not the many, we would never have introduced them, but we had the guts to do so because we felt that that was right at a time when first-time buyers were struggling ever harder to get on to the property ladder. I think that this is the key point. The sense of injustice that is out there now, and which leads people to question our economy, is about asset wealth. Yes, wages have been under pressure since the crash, but when we came out of the crash, what did we do? In order to escape the worst effects of the depression, we pumped huge amounts into the economy. Inflating assets again, the help-to-buy scheme and quantitative easing—all those measures were right at the time, and in many ways continue to be.

Kirsty Blackman: The hon. Gentleman has been talking for three minutes, but I do not think that he has mentioned the Finance Bill yet. Are we going to have a discussion about it at some point?

James Cartlidge: That was a charming intervention by the hon. Lady—is that the best she can do? I am talking about our current economic context, which is why we have introduced this Finance Bill, and I was coming on to say that its measures could be seen by some as an attack on large corporations. The measure on dividends—I have to say that I still receive dividends—will be unpopular with some of our voters, who are some of the richest people in society, but we feel at this time that we have to strike a balance, and I support the balance we are striking. We are bringing in permanent non-dom status, but at the same time we will be encouraging non-doms to invest in this country, incentivising them to use money held legally abroad so that it comes here.

To me, that is the most important aspect of this Finance Bill: it acknowledges that there is still for the wider public what Ted Heath called the unacceptable face of capitalism—those people who are seen to be abusing the system with avoidance, evasion and all the other tactics. It is right that we are tough on those, and we have been incredibly successful in that, but the difference between us and the Labour party is that we act from a standpoint of fundamentally believing in capitalism. We believe in free enterprise, and in the idea of people standing on their own two feet, being brave, taking risks and creating businesses. We understand that in order to protect that system, just like Macmillan said, sometimes we have to take measures that can be seen to be even potentially anti-business, but the alternative is throwing the baby out with the bathwater wholesale by a party which now is fundamentally against our economic system.

There may be people who are unhappy with some of these measures, such as on dividends or the buy-to-let taxes I mentioned, but the alternative is a case of out of the frying pan and into the fire—into the arms of a Labour party whose leadership, at least, is fundamentally against the capitalist system. When those people attack with vigour the measures such as those we have taken on tax avoidance, saying we could go so much further, they do so because fundamentally they do not believe in the entire system. I do, and I think these measures are sensible. They help us to strike a difficult balance at this difficult economic time, and that is why we should support the Bill.

7.16 pm

Alex Burghart (Brentwood and Ongar) (Con): A number of measures in the Bill will be very broadly supported by my constituents as they uphold some of the values that Members have raised, such as the importance of fairness in our economy. My constituents believe in hard work and fair play, and many measures in the Bill support those values. In particular, we intend to get more money out of non-doms and will raise money for the Exchequer so that we can put it into our prized public services.

That issue matters very much to me. For many years I worked at the Centre for Social Justice, an independent think-tank that was established to alleviate poverty and to look at its root causes. One thing we saw time and again was that where there are workless households, there is despair. That despair rubs off on children, diminishes parents’ mental health, and gradually eliminates people’s ability to get back into work—it gets them trapped in a vicious cycle.

That is why it is so important that this Government over the past seven years have built a recovery around work. We now have record employment in this country. That has become a phrase that we just knock off, but we fail to realise the human value of the fact that we now have more people in work than ever before. I know we are political opponents, but I would appreciate it if just once I could hear an Opposition Member welcome the fact that we have the lowest unemployment in our history. I will happily take an intervention if someone wants to welcome it now.
Jonathan Reynolds: We say that all the time. We always welcome it, but we just wish it was possible for the debate to include a consideration of the situation in a huge number of households where people are in work, as child poverty rates are rising and households are in poverty. Why does the Conservative party say nothing about that phenomenon, which is a huge part of life in Britain today?

Alex Burghart: I listened to the opening remarks in today’s debate and I did not hear anyone from the Opposition welcoming record employment, so I am glad to hear the hon. Gentleman do so now. If I gave him the opportunity, I am sure that he would also want to welcome the fact that inequality is decreasing and that a whole generation will benefit from growing up in households with work. It is a gift that keeps on giving. The number of children in workless households has decreased by a third since 2010, and the number of households in which no one has ever worked has fallen by 40% since the previous Labour Government were in office. In fact, we are nearly back at the all-time low that was reached under the Major Government. The gift of work enables families to get on with their lives and enables children to grow up in a home where they have the example of people in work. Those opportunities cannot be taken lightly.

I am pleased that the Government on whose Benches I sit continue to feed the economy, but we are not doing that by spending money that we do not have or by borrowing money from future generations. Instead, we are spending and living within our means. I am extremely pleased to see that essential value embodied in the Bill, which is why I shall be supporting it tonight.

7.21 pm

Rachel Maclean (Redditch) (Con): It is a pleasure to be called to speak in this critical debate. I, too, support this Finance Bill, because it is important and relates to taxation, which underpins the foundations of democracy and good government. Due to the time constraints, I will discuss only two key points that the electorate expect the Government to deliver on for the people of this country, and the first is fairness.

Opposition Members make much of our record and talk about tax avoidance, but they rarely did anything in their 13 years in government. I am proud to be a member of a party that considers such values paramount. We are tackling the abuses that the public rightly find disgusting. Small businesses cannot afford to wriggle through the loopholes that Opposition Members built into the legislation when they were in government. It has been left to a Conservative Government to end permanent non-dom status for the first time. We have seen the extraordinary spectacle of Opposition Members being on the side of the richest non-doms, and let it not be forgotten that Labour allowed the Mayfair loophole to persist, with hedge-fund billionaires paying just 10% tax on their earnings. They were happy to sit back and let tax avoiders shirk their responsibilities to pay for our NHS and other public services. Instead, a Conservative Government have tackled the issue of raising the revenue that we need, and which Opposition Members regularly call for, to fund our schools, hospitals and other public services.

I welcome the Bill because it also deals with the redistributive nature of taxation. We are building, and will continue to build, a redistributive tax system that is fairest to those on low incomes, and I am proud to say that the richest 1% are set to pay 27% of all income tax and that the richest 5% will pay 38%. It is right that we ask the richest to pay more tax. All Members ought to be familiar with the Laffer curve. It is not a dry economic theory; it is a fact that results in more money going into the Exchequer’s coffers to pay for schools and hospitals. It is ironic that we hear so much from Opposition Members about inequality when this Government have delivered the lowest levels of income inequality for 30 years.

Competence is the other element that people look for in a Government, and I want to draw Members’ attention to a city that is close to Redditch. Birmingham is our nation’s great second city and close to the hearts of Redditch residents, many of whom work there, play there or used to live there, and we can see there the record of the Labour party in government. It is a city in which a bin strike has been ongoing for months, with no sign of resolution. Huge, stinking piles of rotting rubbish are an eyesore on the streets, rats roam unhindered through the stench, and cockroaches and other pests scuttle all over the pavement. What a fate to inflict on the poor residents of Birmingham, who are trying to go about their daily lives and run their businesses. I never see a Labour Member for Birmingham, our great second city, speaking about this issue. If the Labour party cannot run a bin service, the public rightly question how it can possibly run a country.

The electorate deserve an approach to running the economy that delivers opportunity by growing businesses and backing jobs. We understand that by lowering taxation on small businesses we can encourage more entrepreneurs to take the giant risks to their livelihood that starting a business involves—I know all about those risks having lived through that cycle myself. We are supporting the small businesses that make up 99.3% of all private sector businesses, many of which are in Redditch and doing extremely well. My constituents in Redditch will welcome these measures, which are fair to businesses and fair to the lowest paid, and will raise more taxation to fund public services in Redditch and the rest of the country. I look forward to voting in favour of the Bill tonight.

7.26 pm

Bim Afolami (Hitchin and Harpenden) (Con): It is a pleasure to follow so many important, thoughtful and eloquent speeches from both sides of the House. I will refer to some of them, but start by considering where the British economy is today and by recognising, as my hon. Friend the Member for Brentwood and Ongar (Alex Burghart) has just made clear, that a lot of our discussions in this debate on productivity, on trying to increase median earnings, on trying to raise wages and on getting more money into people’s pockets are predicated on the lowest unemployment rate since 1975. They are predicated on the Conservative Government since 2010 finally taking action to address the deficit and the debt. We should not forget that fact, and we should realise that we stand on the shoulders of successful Conservative economic policy as we enter this debate.

This Finance Bill, as many of my hon. Friends and other hon. Members have already made clear, addresses many important issues and should be welcomed on both sides of the House. In particular, it addresses fairness.
In what ways does it address fairness? It clamps down on aggressive tax avoidance and tax evasion. In particular, it makes sure that large multinationals pay their fair share of tax, which enables us to keep taxes on SMEs and ordinary individuals lower.

What is the Conservative Government’s record in this area? The tax gap is now only about 6.5%. For those Members who are unaware, the tax gap, to which many Conservative Members have already referred, contrasts the amount that a fiscal measure should yield to the Exchequer with what it actually yields. Our tax gap is one of the lowest in the OECD and is this country’s lowest for many, many years.

This Finance Bill ends permanent non-dom status for the first time—that definitely never happened under a Labour Government. There are a couple of other more technical measures on interest deductibility for certain companies and on offsetting losses for large multinationals. The Bill makes it harder for certain large businesses—by all means, not all—not to pay their fair share.

It is important that we consider what the Conservative approach to the economy has been. My right hon. Friend the Member for Wokingham (John Redwood) made a powerful speech at the beginning of the debate in which he eloquently set out how, as Conservatives, we believe in a higher tax take, not higher tax rates for individuals. The higher tax take is what is significant. Following up on what my hon. Friend the Member for North West Hampshire (Kit Malthouse) said, high tax rates on certain people or companies just to make ourselves feel better can often yield lower tax revenues for the Exchequer, which presumably is not a wise economic policy, although it seems to be the one pursued by Labour.

As we have heard many times, including just now from my hon. Friend the Member for Redditch (Rachel Maclean), the top 1% pay between 27% and 28% of all income tax, which is one of the highest levels this country has ever seen. The corporation tax rate has been reduced significantly since the Conservatives came into government in 2010. In the financial year 2009-10, this tax yielded £37 billion, whereas in the financial year 2016-17, it raised £50 billion. That is the impact of Conservative economic policy, and we should not forget that our approach is about raising the tax take, rather than raising tax rates.

We should also consider where fiscal policy is now and how we should think about it in the future. It is important that the Government seek to be a little more flexible in some of their actions on fiscal policy. It is important for business confidence that they present the positive, forward-thinking growth agenda for the 21st century that we all want to see. We need to expand opportunities and incentives for people to invest in this country and for people who run businesses, or who want to set them up in Britain, to expand them and grow. My hon. Friend the Member for North West Hampshire spoke eloquently and at length about the importance of this country’s difficulty in growing medium-sized companies into large ones. Let us be more ambitious in fiscal policy so that we can encourage more of that activity.

We all want to see Britain lead the world in every sector, be it tech, manufacturing or finance. I welcome the announcement at the March Budget about the Treasury looking at how to tax tech multinationals, which are currently not taxed as much as they might be, and working internationally to do so. By doing that, we can reduce some of the taxes that hurt SMEs, such as business rates and comparatively high payroll taxes. If we can think and work internationally with our global partners on how we tax big multinational internet businesses, we might be able to bring down the level of tax for individuals and SMEs in this country.

Conservative Members have made it clear that we want to make Britain an even more exciting, attractive place in which to invest, and my hon. Friend the Member for Newark (Robert Jenrick) made an incredibly powerful speech about the importance of simplifying the tax code. I urge the Minister and the Government to look again and more seriously at that. Many Members have referred to the fact that the Finance Bill is heavy and thick. I am sure the Minister has drafted it with absolute care and dedication, but is it not a shame that it is so thick and that we cannot have a simpler tax code? I urge the Government to look again at more proactive ways in which we can simplify our tax system to make it easier for everybody, both individuals and businesses, from across the world and within this country.

Let me finish by making a few remarks on a subject that has been raised many times in this debate, productivity, which is the missing piece in our economic miracle over the past few years in this country. So many incredibly intelligent people, economists from across the country and across government, have examined the issue, yet our productivity has stubbornly been stuck below that of some of our leading European partners. We all know some of the ingredients—they include skills, infrastructure and, in certain respects, the tax system—but one thing that is not considered enough is business confidence in our fiscal policy and economic future. I urge the Government to present a more positive vision: show us how we are going to become a 21st-century economy in a more productive way. Let us show the world that we are the place to be for leaders in tech, finance, manufacturing and all the other areas of our economy. If we can do that more effectively, we will improve the capital investment from all over the world that inevitably aids productivity.

I fear that I may be wearing away Members’ patience, so I shall finish. The Government have made significant strides in sorting out the country’s economy; the Finance Bill builds on that work, I am proud to support it, and I commend it to the House.

7.35 pm

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): The British economic model is “broken” and in need of “fundamental reform”. Those are not my words, but the findings of the interim report of the Institute for Public Policy Research’s economic justice commission, which comprises, among others, the Archbishop of Canterbury, the global managing partner of McKinsey and the policy chairman of the City of London corporation. The report spells out in painful detail the situation that most Members see in our constituencies every week: the link between economic growth and higher living standards is broken; young people with no prospect of attaining the quality of life enjoyed by their parents; a UK with a fundamental imbalance between the south-east and everywhere else; a labour market characterised by insecurity and low pay; and inequality growing, with a third of children living in poverty, and that proportion going up.
Michael Tomlinson: Will the hon. Gentleman give way?

Jonathan Reynolds: I feel I have heard quite a lot from the Conservative party, so if the hon. Gentleman will forgive me, I shall proceed.

Today’s proceedings, along with the ways and means discussion last week, have been characterised by deeply held concerns about the state of our economy. There have been many fine and noteworthy contributions in what has been a wide-ranging debate, taking us from Venezuela to the application of the Laffer curve to corporation tax. I feel that Conservative Members will find it quite difficult to cope when I point out that the average rate of corporation tax in OECD countries is 25%, or that in Germany, the strongest economy in Europe, it is between 30% and 33%—and it is even higher in America. The hon. Member for South Thanet (Craig Mackinlay), who is no longer present, even questioned the very basis of taxing companies at all, but it is a reasonably held position that companies benefit from good infrastructure, a skilled workforce and a proven legal system, and it is reasonable to balance the impact of taxation between individuals and corporate entities. I feel duty-bound to point out that the tax gap fell every year between 2005 and 2010—from 8.5% to 7%.

I wish to pay tribute to two particular contributions—

John Redwood: Will the hon. Gentleman give way?

Jonathan Reynolds: I will not give way; I have listened to the Conservative party for more than eight hours.

The first contribution to which I pay tribute is the maiden speech of my hon. Friend the Member for Liverpool, Walton (Dan Carden). It was at times funny and moving, and it captured the character of his constituency extremely well, but it also had a serious and thoughtful message about the changing nature of work, automation, and the fundamental lack of opportunity faced by young people today. He described Liverpool as one of the great cities of the world, which it undoubtedly is—perhaps not quite as much as Manchester, but we can take that outside—and he proved he will be a fine representative for it. With 85.7% of the vote at the election, I imagine we will have the chance to hear from him for some time to come.

It was also a pleasure to hear the maiden speech of the hon. Member for Moray (Douglas Ross). He was extremely articulate and gracious about his predecessors, and that came across very well. I have visited his constituency; I have been to Elgin and to Cullen, and I have tried Cullen skink, a dish every bit as tasty as his maiden speech. I congratulate him on such an assured debut.

Despite the party political nature of much of the debate, we have heard serious concerns about ailing productivity. We have heard worries about the lack of certainty in the Brexit negotiations and what that means for the public finances. We have heard Members reference the challenging demographic and technological changes that face our nation, and yet we have a Bill before us that has nothing to say about any of that.

When I was talking to residents in my constituency during the EU referendum, leave voters raised specific concerns about immigration and sovereignty, but more than anything else it was a sense of recurrent anger and of post-industrial decline that they had witnessed and lived through that animated so many of them. My constituents told me that they were voting leave because of zero-hours contracts, because they could not get on the housing ladder, or because they had lost their job due to austerity and now had to work for less pay and poorer conditions. For me, those people were voting not to leave the EU, but to try to leave the UK. All of us, whichever side of that referendum or this House we are on, must be concerned about that. We should want to tackle that disconnection and alienation—not just paint a rosy picture of statistics and how we want to see them for our own political benefit.

I will let the House into a secret: I am jealous—I really am—of the Ministers on the Front Bench. I am jealous of the power that they have to put this right. I am jealous of the opportunity that they have to do good. However, instead of using that opportunity and that power, this Government do not even appear to see the problems. The Finance Bill before us today seems to be legislating for a completely different set of economic circumstances. It is not difficult to see why there may be frustration among those who look at the Government’s performance and feel that they are being left behind and among those who look at this Government and ask: why is there always one rule for the people at the top, and another for everyone else?

We have had an absurd set of interventions about student debt, pretending that the Leader of the Opposition had said something, which evidently he had not. It says to me that the Conservative party is still in denial about what happened in the general election—how it lost a majority despite being so far ahead in the polls. If Members think that it was down to something that they are wilfully misinterpreting, I am afraid that they will face further difficulties ahead.

The backdrop to last week’s ways and means debate was a rally of nurses outside Parliament, rightly asking for redress for the 14% real terms pay cut they have endured since 2010. Yet while that was happening, this Government were proposing a resolution, which expanded business investment relief for non-doms. It was a stark reminder of what this Government are for: look after the people at the top, and the rest of us will supposedly benefit from the trickle down. It is just that on the Labour Benches, we see it the other way round.

Only this Government could pretend to flirt with the public and say that they were ending the public sector pay gap, and then, on the day that the consumer prices index comes out at 2.9%, announce rises well below that. If we end up, as is looking likely, with people like those nurses taking industrial action in protest at their treatment, public sympathy will not be on the Government’s side.

As a country, we are on the cusp of huge change driven by deeper globalisation, environmental change, technology, and, most pressingly, our exit from the European Union. Brexit is now the defining issue of our generation and it brings with it significant challenges and uncertainty. Our worry is that we are approaching Brexit not from a position of economic strength, but as a rudderless ship, already taking on water and listing badly off course. The Government are failing to plan ahead for our future outside of the EU and this Bill is another demonstration of that.
I want to refer specifically to the Government’s provisions around HMRC. The Conservative party certainly talks a good game on tax avoidance, but the Government have yet to explain how HMRC will better battle tax avoidance while accommodating another £83 million of cuts. Surely this is the time that we should be investing in HMRC, not taking resources away.

One of the most pressing areas is the future of our customs system. This Bill sees the introduction of a fulfilment house registration scheme to deter VAT abuse by overseas businesses. However, experts are already suggesting that abuse may escalate faster than HMRC can keep up, particularly given the ever-growing popularity of online business. More urgently, the legislation makes no reference to how this will change once we have left the EU. The scope of these measures will be altered hugely should our customs arrangements with the EU change, which they almost certainly will. There are huge implications for policing our own customs border, and for getting an IT system ready to manage customs and excise once we leave the EU, but this Government cannot even tell us what the likely transition arrangements will be, let alone start preparing for them. Surely the worst possible place to start is from a situation in which we have already lost 5,000 staff from HMRC. Time and again, we find ourselves in a situation where it is hard not to conclude that this is a Government without any substantive agenda, other than hanging on to office at all costs.

This Finance Bill, now finally coming to the end of its Second Reading after months of delay, was sadly not worth the wait. It is a damning reflection of the Tories’ priorities—fiddling on the deck of the rudderless ship as it cruises straight towards the rocks. We need answers on investment, productivity, fairness and prosperity, but we have a Government who are not even willing to ask the right questions. Listening to some of the contributions today—we heard some presidential quotes in the maiden speeches—I was reminded of a line from President Obama’s first campaign, when he said “it’s not the magnitude of our problems that concerns me the most. It’s the smallness of our politics.”

Our message to the Government is that we will vote against this Bill tonight because it is not worthy of the challenges this country faces. The British people have had enough of an austerity policy that has comprehensively failed, and they are desperate for something better. If this Government cannot bring themselves to face up to the challenge of building a post-Brexit country that is fairer, more competitive and more prosperous, they should get out of the way for the people who can.

7.45 pm

The Economic Secretary to the Treasury (Stephen Barclay): The debate has been wide-ranging, covering virtually every aspect of the Bill. That is right and proper for a Bill of such importance. We have heard a number of impressive contributions, including two maiden speeches.

The hon. Member for Liverpool, Walton (Dan Carden) made a powerful and assured maiden speech in which he rightly talked about the cultural richness of Liverpool. His reference to his 85.7% share of the vote at the election is a good example of the improved performance and productivity to which all MPs can aspire. There are not too many Members who can say to the hon. Member for Bootle (Peter Dowd) that his election result was on the low side at 84%.

My hon. Friend the Member for Moray (Douglas Ross) gave an excellent maiden speech. He spoke of the successful business growth in his constituency and his ambition for the area, particularly for its local growth deal. I am sure that colleagues in Government will work closely with him on that. I am even surer that the Father of the House will very much look forward to sharing a dram of the whisky to which my hon. Friend referred.

I will respond to the detailed points raised by Members shortly, but I first want to be clear about the purpose of the Bill, which is underpinned by principles that I hope we all share: that tax should be competitive and fair, and that it should be paid where it is due. In the weeks ahead, we will have the opportunity to scrutinise the detailed provisions in Committee. The majority of the Bill has already been subject to significant scrutiny following announcements made last year or even earlier. Consultation has been widespread. Together with the pre-election Finance Bill, the measures have had almost nine hours of debate before today.

The Opposition suggest that our strategy to keep tax competitive in some way undermines our absolute commitment to world-class public services and that lower taxes somehow mean less investment in hospitals, schools and our emergency services. But the Government know that it is only through a strong, growing and dynamic economy that we can afford the vital public services our country needs. When we help business to do well, to invest and to create jobs, we are building our tax base to secure that funding for the long term. Competitive taxes protect revenues. Look at what happened when we reduced our level of corporation tax. The private sector created 3.4 million new jobs with an additional £18 billion in corporation tax. In contrast, raising taxes—as the Opposition threaten—to what the Institute for Fiscal Studies describes as their “highest ever peacetime level” would put the brakes on our economy, drive investment elsewhere, reduce employment and, ultimately, diminish our ability to raise the funds our public services need.

Let me deal with some of the specific points raised during the debate. The hon. Member for Aberdeen North (Kirsty Blackman) once again raised the issue of termination payments. These reforms are about providing clarity in the legislation and ensuring that there are no loopholes that people can use to avoid tax. They will not affect statutory termination payments or payments arising as a result of employment tribunals. They will not reduce the £30,000 tax-free allowance that exists to protect the less well-off when they are made redundant. We have no plans to change the £30,000 allowance. In any case, that would require an affirmative statutory instrument under this Bill.

The hon. Lady raised with the Financial Secretary the issue of whether a statutory instrument on tax relief for museums and galleries had been tabled, and I am happy to reassure her that it has, as he thought, been tabled today, so it is before the House.

The hon. Member for High Peak (Ruth George) raised the issue of non-doms. Let me be clear: this Bill abolishes permanent non-domiciled status. When people live in the UK permanently, it is right that they should pay UK tax. Non-doms already contribute over £9 billion a year to the Exchequer, and we expect the Bill to raise a
further £1.6 billion over the next five years. So this Finance Bill will deliver fairness and protect revenue. This is a balanced approach, and one that has been subject to extensive consultation.

During the debate, Opposition Members criticised the provisions for offshore trusts. Let. be clear again: if funds are taken out of trusts, they will become liable for tax. As the Financial Secretary set out in the debate last week, our international agreements on the exchange of information will provide a critical boost to enforcement.

A number of Members, including my hon. Friends the Members for Newark (Robert Jenrick) and for Harborough (Neil O’Brien), raised the issue of avoidance and evasion. The Bill implements a large number of measures to tackle tax avoidance and evasion. It prevents businesses from claiming excessive tax deductions, by updating the rules around how companies claim deductions for interest expenses. It continues our crackdown on tax avoidance and evasion. The Bill prevents businesses from claiming excessive tax deductions, by updating the rules around how companies claim deductions for interest expenses. It continues our crackdown on tax avoidance and evasion.

This is a balanced approach, and one that has been subject to extensive consultation.

In 2016-17, HMRC brought in £574.9 billion in tax revenue—the seventh record year in a row. We have seen the tax gap drop to a level unprecedented under the Labour Government—a level that is among the lowest in the world. There is only one party in this House that can point to a record like that on tax avoidance and evasion, and it is not the Labour party.

Members raised a wide range of points in the debate. In a powerful speech, my right hon. Friend the Member for Wokingham (John Redwood) highlighted the importance of the mobility of high net worth individuals. He also recognised the £9 billion tax contribution of the largest and most complex UK businesses in 2016 alone. In 2015-16, we secured £900 million in tax from the wealthiest, which would otherwise have gone unpaid—more than doubling the amount secured in 2011-12.

We now have over 100 countries around the world that are exchanging financial account information so that we can track down offshore money. We have published one of the first public registers of beneficial ownership in the world.

In 2016-17, HMRC brought in £574.9 billion in tax revenue—the seventh record year in a row. We have seen the tax gap drop to a level unprecedented under the Labour Government—a level that is among the lowest in the world. There is only one party in this House that can point to a record like that on tax avoidance and evasion, and it is not the Labour party.

Members raised a wide range of points in the debate. In a powerful speech, my right hon. Friend the Member for Wokingham (John Redwood) highlighted the importance of the mobility of high net worth individuals. He also recognised the £9 billion tax contribution of non-doms and the fact that our tax take has gone up under the corporation tax changes—a hugely important point to note.

My right hon. Friend the Member for Forest of Dean (Mr Harper) brought the attention of the House to the importance of productivity if we are to deliver the sustainability we want to see in higher wages. My hon. Friend the Member for Braintree (James Cleverly), who is a doughty champion of small and medium-sized businesses, correctly highlighted the importance of the sector, including microbusiness.

The hon. Member for Dundee East (Stewart Hosie) welcomed the provisions in clauses 3 and 4, as well as the extension of a number of reliefs. He raised concerns about retrospection, but the Bill will simply ensure that measures come into effect from their originally intended commencement date.

The hon. Member for Walthamstow (Stella Creasy) spoke about her concerns at the level of debt, which is really why she should support the Bill.

My hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (John Lamont) highlighted the significant fall in unemployment in his constituency and the importance of growth in driving those jobs. My hon. Friend the Member for Gordon (Colin Clark) spoke about the importance of investment and about the distinction between investment and spending.

My hon. Friend the Member for South Thanet (Craig Mackinlay) welcomed the Bill and brought his professional insight to the debate as an accountant. He flagged a number of issues that colleagues in the Treasury will be keen to discuss with him.

My hon. Friend the Member for Wealden (Ms Ghani) spoke of the progress that the Government have made in tackling areas of abuse. My hon. Friend the Member for South Suffolk (James Cartlidge), who is always a strong defender of capitalism, spoke about its importance.

The Opposition profess to be tough on tax avoidance and evasion, and to want to clamp down on the tax gap. The Bill before the House does exactly that. So let the question tonight be not simply whether this Bill should proceed but whether Labour Members really do wish to deliver on these principles rather than succumb to the easy place of opposition for opposition’s sake—whether they wish to stand up to the avoiders and the evaders, or themselves to avoid and evade their responsibility. I commend this Bill to the House.

Question put, that the Bill be now read a Second time.

Division No. 16] [7.57 pm

The House divided: Ayes 320, Noes 299.

Division No. 16] [7.57 pm

AYES

Adams, Nigel
Afolami, Bim
Afrinie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Badenoch, Mrs Kemi

Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard

AVOS

Allen, Heidi
Afolami, Bim
Afrinie, Adam
Aldous, Peter
Allan, Lucy
Adams, Nigel

Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard

<table>
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<tr>
<th>Baker, Mr Steve</th>
<th>Ellwood, Mr Tobias</th>
<th>Jayawardena, Mr Ranil</th>
<th>Parish, Neil</th>
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Tellers for the Ayes:
Mrs Heather Wheeler and Andrew Griffiths

Crudaas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Davey, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Dent Coad, Emma
Dhesi, Mr Tamanjeet Singh
Dockerty-Hughes, Martin
Dodds, Anneliese
Dougherty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Elford, Clive
Elliot, Julie
Ellman, Mrs Louise
Elmore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fellows, Marion
Field, rh Frank
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Foxvargue, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Dan
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Gosdf, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lillian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hendry, Drew
Hepburn, Mr Stephen
Hill, Mike
Hillier, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollem, Kate
Hopkins, Kelvin
Hosie, Stewart
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Ms Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
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Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarthy, Kerry

McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Allison
McIntyre, Liz
McKinnell, Catherine
McMahon, Jim
McMorris, Anna
Meears, Ian
Miliband, rh Edward
Monaghan, Carol
Morgan, Layla
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O’Hara, Brendan
O’Mara, Jared
Onasanya, Fiona
O’Neill, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Philipson, Bridget
Piddock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smethurst, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Laura
Proceedings in Committee of the whole House—

(1) The following shall be committed to a Committee of the whole House—

(a) Clause 5 (termination payments etc: amounts chargeable on employment income) and any new Clauses or new Schedules relating to the tax treatment of payments or benefits received in connection with the termination of an employment or a change in the duties in, or earnings from, an employment;

(b) Clause 15 (business investment relief) and any new Clauses or new Schedules relating to the conditions under which business investment relief in Chapter A1 of Part 14 of the Income Tax Act 2007 is available;

(c) Clause 25 (trading profits taxable at the Northern Ireland rate) and any new Clauses or new Schedules relating to the extent to which trading profits are chargeable to corporation tax at the Northern Ireland rate.

(2) The remainder of the Bill shall be committed to a Public Bill Committee.

Proceedings in Committee of the whole House

(3) Proceedings in Committee of the whole House shall be completed in one day.

(4) Those proceedings shall be taken in the order shown in the first column of the following Table.

(5) Each part of the proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

(6) Standing Order No. 83B (programming committees) shall not apply to proceedings in Committee of the whole House.

Table

<table>
<thead>
<tr>
<th>Proceedings</th>
<th>Time for conclusion of proceedings</th>
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<tr>
<td>Proceedings committed under paragraph (1)(a) (termination payments etc)</td>
<td>2 hours from commencement of proceedings on the Bill</td>
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<tr>
<td>Proceedings committed under paragraph (1)(b) (business investment relief)</td>
<td>4 hours from commencement of proceedings on the Bill</td>
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<tr>
<td>Proceedings committed under paragraph (1)(c) (trading profits taxable at the Northern Ireland rate)</td>
<td>6 hours from commencement of proceedings on the Bill</td>
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Proceedings in Public Bill Committee etc

(7) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on 26 October 2017.

(8) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

(9) When the provisions of the Bill considered, respectively, by the Committee of the whole House and by the Public Bill Committee have been reported to the House, the Bill shall be proceeded with as if it had been reported as a whole to the House from the Public Bill Committee.

Proceedings on Consideration and up to and including Third Reading

(10) Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.

(11) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(12) Standing Order No. 83B (programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.—(Mark Spencer.)

Question agreed to.

BUSINESS OF THE HOUSE (TODAY)

Ordered,

That, at this day’s sitting, the Speaker shall put the Questions necessary to dispose of proceedings on the Motions in the name of Andrea Leadsom relating to (a) Nomination of Members to Committees and (b) Standing Orders etc. (Departmental Nomenclature) (Digital, Culture, Media and Sport) not later than two hours after the commencement of proceedings on the Motion for this Order; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; proceedings may continue, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(Mark Spencer.)
Nomination of Members to Committees

Madam Deputy Speaker (Mrs Eleanor Laing): We now come to motion 5 on the nomination of Members to Committees, which will be debated together with motion 6. Before I call the Leader of the House to move the motion, I should inform the House that Mr Speaker has selected the amendment to motion 5 in the name of Mr Alistair Carmichael. The amendment will be debated together with the main motions, and questions necessary to dispose of the motions will be put at the end of the debate.

8.12 pm

The Leader of the House of Commons (Andrea Leadsom): I beg to move motion 5, on the nomination of Members to Committees,

That notwithstanding the practice of the House in the nomination of Members to committees, the following orders shall have effect for the duration of the present Parliament:

A: SELECTION COMMITTEE

(1) There shall be a select committee, to be known as the Selection Committee, to discharge the functions of nomination to committees provided for in the Standing Orders of the House relating to public business and to carry out the functions set out in or by virtue of the provisions of this order.

(2) The Committee shall consist of nine Members, of whom three shall be a quorum.

(3) Mr Alan Campbell, David Evennett, Patrick Grady, Andrew Griffiths, Jessica Morden, Christopher Pincher, Julian Smith, Mark Tami and Bill Wiggin shall be members of the Committee.

(4) The Committee appointed under this order shall be regarded as the Committee of Selection for the purposes of motions for nomination of select committees under 15 paragraph(2)(b)(ii) of Standing Order No. 121 (Nomination of select committees).

(5) The Committee shall have the power of nomination and to discharge from general committees provided for in Standing Order No. 86 (Nomination of general committees).

(6) The Committee shall observe the conditions on nominations of public bill committees on a private Member’s bill set out in Standing Order No. 84A (Public bill committees).

(7) The Committee shall have the power to nominate members to European Committees in Standing Order No. 119 (European Committees).

(8) The Committee shall have the power of nomination and discharge of members as provided for in Standing Order No. 92 (Consideration on report of certain bills by a general committee), Standing Order No. 102 (Welsh Grand Committee (composition and 25 business)), Standing Order No. 109 (Northern Ireland Grand Committee (composition and business)) and Standing Order No. 117 (Regional Affairs Committee).

(9) The Committee shall have the power of appointment provided for in, or by virtue of, paragraph (8)(a) of Standing Order No. 83J (Certification of bills etc. as relating exclusively to England or Wales and being within devolved legislative 30 competence), paragraph (4) of Standing Order No. 83P (Certification of instruments) and paragraph (6) of Standing Order No. 83U (Certification of motions upon which a Finance Bill is to be brought in, etc.) of two members of the Panel of Chairs to assist the Speaker in certifications.

(10) The Committee shall have powers to send for persons, papers and records in the 35 execution of its duties.

(11) The provisions of Private Business Standing Orders shall apply to the Committee established under this order as if the Committee were the Committee of Selection established under Standing Order 109 of those Standing Orders; and each reference to the Committee of Selection in those Standing Orders shall be taken as a reference to the Committee established under this order.

B: SELECTION COMMITTEE (NOMINATION TO GENERAL COMMITTEES)

The Selection Committee shall interpret paragraph (2) of Standing Order No. 86 (Nomination of general committees) in such a way that where a committee has an odd number of members the Government shall have a majority, and where a committee has an even number of members the number of Government and Opposition members shall be equal; but this instruction shall not apply to the nomination of any public bill committee to which the proviso in sub-paragraph (iv) of that paragraph applies.

C: POSITIONS FOR WHICH ADDITIONAL SALARIES ARE PAYABLE FOR THE PURPOSES OF SECTION 4A(2) OF THE PARLIAMENTARY STANDARDS ACT 2009

The Chair of the committee established under part A of this order shall, for the period that part A of this order has effect, be a position specified for the purposes of section 4A(2) of the Parliamentary Standards Act 2009, subject to paragraphs (2) to (4) of the resolution of the House of 19 March 2013 (Positions for which additional salaries are payable for the purposes of Section 4A(2) of the Parliamentary Standards Act 2009) which apply as if that position were referred to in paragraph (1)(a) of that resolution; and, for that period, the chair of the Committee of Selection shall not be a position so specified.

D: NOMINATION OF PROGRAMMING COMMITTEES

The Speaker shall interpret paragraph (2)(b) of Standing Order No. 83B (Programming committees) in such a way that the number of Government and Opposition members nominated to each such committee shall be equal.

E: NOMINATION OF PROGRAMMING SUB-COMMITTEES

The Speaker shall interpret paragraph (3)(b) of Standing Order No. 83C (Programming sub-committees) in such a way that the Government shall have a majority of the 65 members nominated to each such committee.

F: NOMINATION OF REASONS COMMITTEES

That, unless the House otherwise orders, the Government shall have a majority of the members nominated to each committee to draw up reasons.

Madam Deputy Speaker: With this it will be convenient to consider:

Amendment (a) to motion 5, leave out part B.

Motion 6—Standing Orders etc. (Departmental Nomenclature) (Digital, Culture, Media and Sport)—

That the following changes to Standing Orders be made:

A: Select Committees Related to Government Departments

(1) That Standing Order No. 152 (Select committees related to government departments) be amended in the Table in paragraph (2), in item 3, by inserting “Digital,” before “Culture, Media and Sport” in each place it occurs.

B: European Committees

(5) That the Table in paragraph (3) of Standing Order No. 119 (European Committees) be amended in respect of European Committee C, by inserting “Digital,” before “Culture, Media and Sport”.

Andrea Leadsom: The Government are determined to fulfil their constitutional rights and obligations towards the people of the United Kingdom. We are getting on with the task set for us by voters, honouring the result of both the EU referendum and the general election.

[Interruption.]

Madam Deputy Speaker: Order. It is my understanding that Members are anxious to take part in this debate and to listen to the arguments. I cannot understand, therefore, why there is so much other conversation going on in here. If Members wish to speak, will they leave the Chamber?
Andrea Leadsom: Our working majority will allow us to carry out the legislative agenda as set out in Her Majesty’s Gracious Speech. As all Members will be aware, a working majority can be achieved in three ways: first, through an overall numerical majority; secondly, through a coalition, like in 2010; and, thirdly, through a confidence and supply agreement, which is the current arrangement between the Conservatives and the Democratic Unionist party. This gives the Government a working majority of 13, and it is what allowed the Gracious Speech to be passed by 323 to 309 votes. If the Government have a working majority to pass legislation on the Floor of the House, the Government should also be able to make progress with legislation in Committees.

On the amendment tabled by the right hon. Member for Orkney and Shetland (Mr Carmichael) and the hon. Member for Brighton, Pavilion (Caroline Lucas), I again say that the motion is simply to ensure that the Government’s working majority on the Floor of the House is reflected in Committees, which will allow legislation to be dealt with in an orderly fashion.

Ms Angela Eagle (Wallasey) (Lab): The Leader of the House is saying “working majority” an awful lot in her speech so far, but her working majority—done through the deal with the DUP—does not entitle this Government, to make life easier for them, to gerrymander the Select and Standing Committees. This was the woman who said that Parliament had to be given back control, but the only control she seems to be interested in is the Government’s control of this House, which is a constitutional outrage.

Andrea Leadsom: Scrutiny by the House is of vital importance—the hon. Lady makes a very good point—and it has long been established that the Opposition must have time to scrutinise Government business, but it is also well understood that the Government of the day must have a realistic opportunity of making progress with getting their business through the House. The motion that the House is being asked to agree guarantees with getting their business through the House. The motion that the Government is saying “working majority” an awful lot in her speech so far, but her working majority—done through the deal with the DUP—does not entitle this Government, to make life easier for them, to gerrymander the Select and Standing Committees. This was the woman who said that Parliament had to be given back control, but the only control she seems to be interested in is the Government’s control of this House, which is a constitutional outrage.

Andrea Leadsom: My hon. Friend gets right to the heart of the issue. He is absolutely right.

The Opposition tabled reasoned amendments to the European Union (Withdrawal) Bill. Had they passed last night, they would have been fatal to the Bill, and would have achieved nothing other than to frustrate the will of the people of the United Kingdom. In Committee, we cannot expect this Opposition to behave any differently. Hundreds of minor, technical changes are voted on in every Parliament through Committees, but unless this motion is passed, even these changes could be prevented. Amendments made by a handful of Opposition MPs in Committee would then have to be reversed on Report, involving multiple Divisions and many unnecessary hours spent passing through the Lobbies. This would cause lengthy delays at a time when the public rightly have the expectation that the Government will deliver their business through the House in a timely fashion.

Governments have been in similar situations before. This Chamber has seen Governments with small majorities or no majorities, and those that have lost their majorities during the course of a Parliament. Last week, the shadow Leader of the House said that this motion was unprecedented, but in fact, if Opposition Members recall their modern political history, they will find that a precedent for today’s motion was actually set by the Labour party. In 1976, the late Walter Harrison, Labour deputy Chief Whip, proposed a motion on a sitting Friday, with no notice and no debate, to grant the Government a majority on Standing Committees, and this majority was retained when they soon after became a minority Government. To quote from “This House”, the west end play inspired by Walter Harrison:

“We have History as our guide.”

Governments in the past as well as in the present—and, I am sure, in the future, too—will need to make sure, through similar proposals, that they can deliver on their promises to the people of the United Kingdom, and that is what these measures seek to do.

8.19 pm

Valerie Vaz (Walsall South) (Lab): I thank the Leader of the House for the explanation, albeit fairly brief, of why the motion is before the House. I want to ask three questions: why, why and why? Why are the Government doing this, why is this necessary, and what does the motion say? Basically, for the benefit of hon. Members, it gives the Government an extra place on the newly named Selection Committee.

When the motion was tabled last Thursday, the Government included only eight names. They hastily added the hon. Member for Skipton and Ripon (Julian Smith) to the list. Members will note from part C of the motion that the Chair will be remunerated. The name has been changed to the Selection Committee and it feels rather like a Select Committee. If that is so, should not the whole House vote on the Chair?

Mr Mark Harper (Forest of Dean) (Con): In case the hon. Lady is unaware, under the existing arrangements the Chair of the Committee of Selection is a remunerated position, so that is not a change, but just carries forward existing practice.

Valerie Vaz: I do not know whether the right hon. Gentleman was listening, but the name of the Committee has changed from the Committee of Selection to the Selection Committee.
The Selection Committee appoints Members to the Standing Committees. The Government want the extra place on Public Bill Committees to give them the majority that they do not have. This is not about the smooth running of business; it is a power grab. It is not about allowing proper scrutiny; it is a power grab. It is not about wanting to abide by the democratic result of the election; it is a power grab. What are the Government relying on? I heard nothing from the Leader of the House on why the Government want to do this.

Mr Rees-Mogg: I wonder whether the hon. Lady could answer one question. If the situation were reversed, does she think she would be bringing forward a similar motion to the one that has been brought forward by my right hon. Friend the Leader of the House?

Valerie Vaz: There is no end to the hon. Gentleman’s talents, because he has asked the question that I was just about to answer.

What are the Government relying on? Is it precedent? In 1974, the minority Labour Administration had a Government majority on the Committee of Selection, but it appointed Standing Committees with no overall majority. That is, there were Committees with equal numbers. In October 1974, there was a Government majority and that was reflected in the Committees. In April 1976, when the Government lost their overall majority, a motion was passed that stated that the Committee of Selection would appoint Committees with a Government majority only when the Government had an overall majority. That was the Harrison motion. From that point, the Committee of Selection nominated Standing Committees of equal numbers. That was a Labour Government being honourable.

In 1995, there was a Conservative Government and the Whip was withdrawn from the Maastricht rebels. Some hon. Members might be too young to remember the Major Government, but the former Prime Minister had a name for some of those people and it began with B.

Ms Angela Eagle: And it ended in s!

Valerie Vaz: Yes, there was more than one of them.

Mr Peter Bone (Wellingborough) (Con): Will the hon. Lady give way?

Valerie Vaz: No.

The motion that was agreed by the House in 1995 stated that “unless and until” the party that had a majority at the election loses it through by-elections or defections—not when the Whip is taken away—Standing Order No. 86(2) shall be interpreted “in such a way as to give that party a majority on any standing committee.”

Let us look at the Standing Orders, which could be another reason why the Government are doing this. But, oh no, Standing Order No. 86(2) states clearly: “In nominating such Members the Committee of Selection shall have regard to the qualifications of those Members...and to the composition of the House.”

The words “composition of the House” are found in other Standing Orders, too. I do not know if Members are aware, but Standing Orders are how the House does business. The Deputy Leader of the House knows that because he is a lawyer. He will know that the civil procedure rules are there for a specific purpose, and so it is with Standing Orders. They are there so that the House can do its business in a proper and orderly way. The Government, however, have no regard for the rules of the House. Why is the Leader of the House ignoring Standing Orders? What is her interpretation of the words “composition of the House”?

Perhaps the Government are relying on democracy. That is disingenuous, because the Government did not win the election. This is a minority Government. They did not get a mandate. The British people gave us their verdict, and what they wanted was to rein back the Government, and for the Opposition to scrutinise the Government and make them accountable. Public Bill Committees are where the British people expect us to reflect the views of our constituents, business, science, the financial system, the legal system and our fundamental rights—all the things that make up this thriving democratic country, with its devolved Governments that make up the United Kingdom of Great Britain and Northern Ireland.

Many hon. Members said yesterday, “Don’t worry about the powers reserved to Ministers; we can make amendments in Committee.” They cannot. With this motion, Back Benchers cede the power to the Government to select Members and ensure the Government have the majority on Standing Committees. It will be impossible to amend the Bill. The Government are packing the Committees—the Whips are one step ahead of them all.

In his widely acclaimed speech on Thursday, the Shadow Secretary of State for Exiting the EU said: “That we are leaving is settled. How we leave is not.”—[Official Report, 7 September 2017; Vol. 628, c. 368.]

New evidence comes forward every day from the negotiations—or perhaps the lack of negotiations. Look at what happened to the party that went into coalition with the last Government: reduced in numbers, because they propped up a Government they could not control. Hon. Members will know in their heart what is right and the democratic thing to do.

Perhaps the Government are relying on the constitutional position. This minority Government are governing through a confidence and supply agreement. Who knows what will happen when the £1 billion runs out? May I ask the Leader of the House why the Government should have a majority on Committees when they do not command a majority from the country?

Lucy Frazer (South East Cambridgeshire) (Con): Will the hon. Lady give way?

Valerie Vaz: No, I will not give way.

The Government did not even try to make it work. The Opposition's names are very reasonable. My right hon. Friend the Member for Tynemouth (Mr Campbell), my hon. Friends the Members for Alyn and Deeside (Mark Tami) and for Newport East (Jessica Morden) and even the hon. Member for Glasgow North (Patrick Grady) are all very reasonable Members. I know that they would be pleased to sit down with the Government and work out a reasonable solution that would be in line with the constitutional position and the democratic will of the country—[Interruption.] This shows everybody that Government Members do not want to listen to the argument. They just want to interrupt—[Interruption.]
Madam Deputy Speaker (Mrs Eleanor Laing): Order. If the hon. Lady does not wish to give way, she does not have to give way.

Valerie Vaz: Thank you, Madam Deputy Speaker. I do not appreciate being shouted at across the Chamber by the hon. Member for Wellingborough (Mr Bone).

Mr Bone: I ask the hon. Lady, very gently, to give way.

Valerie Vaz: I will not give way.

No party enjoys an overall majority. You will know, Madam Deputy Speaker, that the Opposition have struggled to get an Opposition day debate since January. The shadow Chief Whip and his office are incredibly upset by the suggestion that they were not ready to put forward names for the Committee when they had them ready—we were ready to go in July—and that is why the House should not give these powers away to the Government. I feel sorry for the Leader of the House. She has been sent out in a bright outfit like Ri Chun-hee, the North Korean television presenter, to tell us that everything is well when actually something really bad and dramatic is happening to our democracy.

This is an over-reaching and overbearing Executive. The Government are taking away from Parliament powers to which they are not entitled.

Maria Caulfield (Lewes) (Con): On a point of order, Madam Deputy Speaker. Tomorrow we have a debate in Westminster Hall about involving women in politics. The shadow Leader of the House’s remark about a female Member of the House was unacceptable.

Madam Deputy Speaker (Mrs Eleanor Laing): The hon. Lady and the House will fully understand—[Interruption.]—Order. The House must at least be quiet while I am speaking. The content of the speech of the hon. Member for Walsall South (Valerie Vaz) is entirely up to her. I sometimes wish that I could comment on what people wear in the Chamber—many will be glad that I am not allowed so to do. The hon. Lady decides the content of her own speech, and I will not intervene in any way.

Valerie Vaz: Thank you, Madam Deputy Speaker. I will not dignify that point of order with further comment.

The motion is based on neither precedent, nor Standing Orders, nor the constitution nor democracy, so I ask again: why is it necessary? This is a Government by convention, not majority, and I urge hon. Members, for the sake of parliamentary democracy, to vote against the motion and to take back our sovereignty.

8.32 pm

Mr Charles Walker (Broxbourne) (Con): You will know, Madam Deputy Speaker, that as Chairman of the Procedure Committee, I am not afraid to cross swords with my Government. I have been the Chairman of that Committee for five years, and we have had several run-ins. For the record, I will go through them. We had a run-in over amendments to the Queen’s Speech and the bungling of Parliament over the election of the Speaker—a particularly raw moment in my political career. We had the impenetrable and unnecessary complexity of English votes for English laws—although the Committee made excellent suggestions, they fell on deaf ears, as the Government chose to ignore them. We have had the Government’s belligerence regarding the reform of private Members’ Bills, but I shall continue in my efforts to reform that bit of nonsense. Most recently, Opposition Members will remember that I stood up and berated the Government for not giving Opposition days in a timely fashion to Her Majesty’s Opposition. I said that the Government were being ungenerous and that they should be generous.

I am, therefore, no friend of the Government Front Bench. I trash them and I lash them—thwack, thwack, thwack—on a regular basis. Have I broken with parliamentary convention, Madam Deputy Speaker? If I have, let us put it before the Procedure Committee.

Madam Deputy Speaker: The hon. Gentleman is being wonderfully dramatic; that is perfectly within parliamentary convention.

Mr Walker: Politics is show business for ugly people, and I am a frustrated actor.

Try as I might, however, I cannot work myself up into a lather about this. I would love to be furious with the Government—I really would—but I cannot be. I get angry very quickly and blow up, and I make some spectacular apologies, but I cannot get too wound up about this.

If the House will indulge me, may I go back in time and revisit the 1970s? From March 1974 until April 1979, the Wilson Government, despite being a minority Administration at times, had a majority on the Committee of Selection for all but three months of their five years in office.

Tim Loughton (East Worthing and Shoreham) (Con): The Wilson and Callaghan Governments.

Mr Walker: Of course; forgive me. I was only a small child at the time—I was in shorts.

The only time the Wilson Government did not have a majority on the Committee of Selection was when the Labour Chairman, Hugh Delargy, died. From 4 May 1976 Labour’s majority on the Committee was restricted for three months, until 6 August. The majority was then restored after the House wrung out the concession that, when appointing Members to Standing Committees, the Committee of Selection would appoint even numbers.

Hon. Members: Aha!

Jonathan Edwards (Carmarthen East and Dinefwr) (PC) rose—

Mr Walker: I give way, but there is an “Aha” here.

Jonathan Edwards: The House of Commons Library has provided an excellent briefing for the debate. According to my reading of it, during that period in 1976, the then Leader of the Opposition, Margaret Thatcher, vehemently denounced the trickery of the Labour Government. Was she wrong?

Mr Walker: Lots of things are said, but we are looking at what happened, and the fact of what happened is that for the entirety of the Wilson/Callaghan Governments—well, for all but three months, so not quite the entirety—the Government of the day had a
majority on the Committee of Selection: when they were a majority Government and when they were a minority Government, at times.

It is worth hon. Members reading the motion because there is nothing to prevent the Selection Committee from choosing to have an even number of members of Standing Committees. What the motion says is that when Selection Committee decides to have odd numbers—if indeed it ever decides to have odd numbers—the balance will be in favour of the Government. However, it could well be—

Steve McCabe (Birmingham, Selly Oak) (Lab): Will the hon. Gentleman give way?

Mr Walker: I will in a moment, because I have a lot of time for my friend opposite.

It could well be that the Selection Committee, under the chairmanship, I suspect, of my hon. Friend the Member for North Herefordshire (Bill Wiggin), that noted free spirit, will decide on many occasions that the balance should be equal, so I still do not understand why we are getting so exercised about this. I now give way to the hon. Member for Birmingham, Selly Oak (Steve McCabe).

Steve McCabe: I am grateful to the hon. Gentleman. He talks about wringing out concessions. Is he suggesting that the concession we should demand is that the Selection Committee agrees to even numbers, and we can then accept that?

Mr Walker: That should absolutely be for the Committee to decide. It is not impossible that its Chairman, who will want to work with all Members, may decide that there should be an even number of Members on Bill Committees. That cannot be ruled out, and it is entirely possible.

Let me say, in conclusion, that there is a lot of sound and fury around this issue. I know the Opposition Chief Whip, and I think he is a genius, but he is a—with a small “c”—conservative Whip. I suspect that some of my exotic plans to reform private Members’ Bills have been thwarted by not just my own side but the Opposition Chief Whip. I merely say that, I suspect through a half smile, the Opposition Chief Whip entirely understands why the Government are doing this, and can accept it.

Lady Hermon (North Down) (Ind): Unfortunately, a serious point was not picked up by either the Leader of the House or her shadow: the published deal between the Conservative party and the DUP is confined exclusively to confidence and supply. The serious issue for people in Northern Ireland, and for the House, is that the insistence of the Leader of the House that the Government have a majority on the Floor of the House gives rise to speculation that secret side deals have been done with the DUP. Surely the hon. Gentleman should be insisting that those deals are revealed to the House.

Mr Walker: The hon. Lady knows that that is far above my pay grade. I do not think that secret deals have been done, but I do know this: the Government have commanded a majority in the House on the basis of the 17 votes connected with Government business. I have been good-natured this evening, because I want the debate to be good-natured. I take being Chairman of the Procedure Committee incredibly seriously, and if at any time I felt that the Government were doing something untoward, I would hold them to account, as I have done time and again in the House. I say genuinely to Opposition Members that I really do not understand what the upset is.

Mr Carmichael: May I presume from what the Chairman of the Procedure Committee says that he will join us in the Lobby to support my amendment? If it were passed, the Government would of course still have a majority on the Selection Committee, but would just have to use it in accordance with the procedures of the House as they have always been accepted. Why is that objectionable?

Mr Walker: Nothing that the right hon. Gentleman has said is objectionable. I will not be joining him in the Lobby, but not because I find what he is proposing objectionable—I just happen to disagree with it.

Sammy Wilson (East Antrim) (DUP): Let me make it clear to the House what the deal between our party and the Government is. First, there are no side deals; it is a confidence and supply agreement. The important point for this debate is that the purpose of the confidence and supply agreement is to ensure stable government over the period of this Parliament, and that requires the Government to be able to get their Bills through and to have the requisite numbers on Committees as well.

Mr Walker: I am glad this debate is providing us with an opportunity to revisit the agreement. I suspect that I would not be in order if I were to respond to that intervention, so I think the best thing for me to do is to thank you, Madam Deputy Speaker, and the House for being so generous, and to sit down.

8.41 pm

Pete Wishart (Perth and North Perthshire) (SNP): So there we have it: “Great power grab 2”, the sequel, the return—“Then they came for our Committees.” This is an incredible, totally undemocratic power grab from a Government who do not command a majority in this House.

Mr Nigel Evans (Ribble Valley) (Con): rose—

Pete Wishart: I will make a little progress, and then give way to the hon. Gentleman.

Not content with giving themselves unprecedented powers under the repeal Bill, the Government are now trying to manipulate the Committees of this House in their favour. The nation should be very worried about what is going on, because this Government are showing nothing other than contempt for democracy in their desire to ignore and circumvent the democratic verdict of this country.

Mr Evans: I say to the shadow Leader of the House, the hon. Member for Walsall South (Valerie Vaz), that this is how it is done: a Member seeks to intervene and that is granted, and they rise to speak and then sit down. That is what a debate is all about.
It has just been said that this is undemocratic and a power grab, but we are in the Chamber of the House of Commons with a motion before us. We are going to have a vote; if the Government do not have a majority in the House, they will lose that vote. If the Government win the vote, they have a majority in this House of Commons. So let us not beat around the bush; let us get to the vote.

Pete Wishart: I am almost grateful to the hon. Gentleman. Yes, the Government with their grubby £1 billion deal with the Democratic Unionist party have a confidence and supply arrangement on the Floor of the House; what they most definitely do not have is a majority on the Committees of this House, which are determined by the country and how the people voted.

This minority Conservative Government have 317 Members out of the 650 Members available in this House; that amounts to 48.7% of the membership of this House. What they are therefore entitled to is 48.7% of the membership of the Committees of this House. But that is not the case for this Government; for them, democracy is a mere impediment as they grimly hold on to power and ensure they get their way in everything they try to undertake. This is a Parliament of minorities, and the structures and arrangements of this House must reflect that reality and that fact.

Mr Rees-Mogg rose—

Pete Wishart: I give way to the hon. Gentleman; how could I not?

Mr Rees-Mogg: I am grateful to the hon. Gentleman, whose speeches are normally compelling, but on this occasion there is one flaw. If this motion is passed, it is the democratic will of the House of Commons that Standing Orders be amended, and therefore that has democratic backing. For him to say it is not democratic is simply wrong.

Pete Wishart: The Government will pass this tonight; they will get their way because they have the DUP in their £1 billion pocket, but that does not make it right or democratic. They have 48.7% of the membership of the House; they should not have any more than that proportion in terms of Committees.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): The hon. Member for North East Somerset (Mr Rees-Mogg) talks about democracy, but it would seem that democracy in this place cost £1.5 billion, and we face probably the greatest constitutional crisis that these islands have seen since 1922. We might also reflect on 1974, but if we really want to get a grip on the notion of how Committees are selected, we need to live with the present experience, not that of 1974, and face the constitutional crisis that we have today.

Pete Wishart: I am grateful to my hon. Friend. I want to move on to what happened in the 1970s, because it is very instructive and there are real lessons that the House could learn from that experience.

We now know why this Government have been so lax in putting together the normal functioning arrangements of the House. I raised this matter on the day we came back to Parliament, and I always feared that we would reach the stage when a motion such as this would be presented to the House. All this nonsense about Select Committees and why they were delayed was mere collateral damage resulting from the Government’s intention to control the legislative Committees. Now, at last, the rest of the House and the media are alert to the dangerous path that this Government are taking us down.

This House is determined by parliamentary arithmetic, and the day that we play fast and loose with that arithmetic and the verdict of the British people is the day that we start to walk down a murky, anti-democratic path. Our membership of the Select Committees is based on the number of Members that we secure. That allows us our membership on Select Committees, and it allows for our speaking rights and for all the other arrangements. These orders do not reflect the numbers of the House. We know that because the Clerks were charged with coming up with the formulae that allowed us to determine the Committees of the House. When it came to the Select Committees, the Clerks went away and crunch the numbers and then came back and presented the results to the parties. It was expected that there would be five Conservative members, five Labour members and one from the other parties, and everybody accepted that because it reflected the arithmetic of the House.

The Clerks also said that the Government should not have a majority on Standing Committees because they do not have a majority in this House. When it came to even-numbered Committees, they agreed with the Government that there should be no majority. That was fine, and everybody agrees with that. The Clerks did the numbers and the Government accept that. For Committees with an odd number of members, however, the Clerks said that there should be an Opposition majority. Remarkably, according to the Clerks, the Government only have a majority on Committees of 13 members. If we disregard the information supplied by the Clerks of this House—the people responsible for arranging the arithmetic, crunching the numbers and coming up with the formulae—we are again entering some seriously dangerous territory.

Mr Harper: I hesitate to start talking about spreadsheets on the Floor of the House, but the hon. Gentleman has tempted me. It is true that the Conservative party does not have a majority by itself—[Interruption.] That is not a revelation. But the Government command a majority because they have the support of a smaller party. If we take those two together, which is all that we are talking about, we do have a majority. The official Opposition party does not command a majority in the House either, but the hon. Gentleman is suggesting that that should be the case.

Pete Wishart: The House is going to get sick and tired of that argument because it is a feeble fig leaf that does not for a minute cover the fact that this minority Conservative Government do not command a majority in the House. They have their murky arrangement with the DUP—they have them in their pocket—and they command that majority on the Floor of the House, but we have to do what is right and what reflects the reality. We must respect the verdict of the people of this country, but we are not doing that.
Mr Mark Francois (Rayleigh and Wickford) (Con): Although the Conservative party has the support of one minor party, if we do not have a majority in the House of Commons, how did we pass the Queen’s Speech?

Pete Wishart: That is the Government’s problem. If we are democrats, we tend to accept the verdict of the people—they are charged with putting us in this place, and they did not give this Government a majority. For some reason, the Conservative party just cannot respect that reality, which is bewildering.

Nigel Huddleston (Mid Worcestershire) (Con): Is not this synthetic indignation a bit rich coming from a party that does not respect referendum results and another party whose leader does not even command the respect and confidence of 80% of his own Back Benchers?

Pete Wishart: Let me tell the hon. Gentleman about my party, and maybe he will listen. Between 2010 and 2015, the Scottish National party had a majority in the Scottish Parliament, and with that majority we had a majority on the Committees of the Scottish Parliament. Unfortunately, we lost that majority last year by one seat. We had a much bigger percentage share of the vote than this Conservative Government have. What was the first thing we did when we accepted that result? We gave up the chair and the majority on each of the Scottish parliamentary Committees without a sigh of protest. That is how to respect parliamentary democracy and the outcome of the people, so I will take no lessons about the example set by my party.

Lucy Frazer: Does the hon. Gentleman accept that, if legislation that would otherwise go to Committee went instead to the Floor of the House, it would be passed because the Government have a majority to pass it? If that is true, is it not to be accepted that the Government have a majority?

Pete Wishart: Parliamentary democracy, and I say this candidly, is sometimes messy. There are sometimes issues and difficulties, but the way to do our business is enshrined in centuries of tradition and convention. We have a Second Reading, we send a Bill to Committee and then it comes back on Report. We then have a Third Reading before sending it to the unelected cronies down the corridor. That is how we do business in the House. Sometime it does not work out quite perfectly, and we have to accept that.

David Linden (Glasgow East) (SNP): I caution my hon. Friend not to take lectures from the Government on democracy. I remind him that he won his election and that his opponent has been stuffed into the House of Lords, so he should take no lectures from the Conservative party.

Pete Wishart: Some of my Scottish colleagues were not deemed sufficiently proficient to fill the post of Parliamentary Under-Secretary of State for Scotland, so the Government had to ennoble someone to fill it—someone I defeated in the election.

Several hon. Members rose—

Pete Wishart: I want to make some progress. I have given way on countless occasions, and I will try to give way as I progress through the next 45 minutes of my speech.

The history is quite compelling, and I am fascinated by the previous examples:

“he said that in future Committees must reflect the numbers in the House of Commons? Is the Prime Minister repudiating that?”—[Official Report, 29 April 1976, Vol. 910, c. 551.]

Those are not my words but those of Margaret Thatcher when she railed against the injustices of the then minority Labour Government’s attempted power grab. If this parliamentary jiggery-pokery was an injustice for Margaret Thatcher in the 1970s, it should be an injustice for the sons and daughters of Margaret Thatcher in the 2010s.

Tim Loughton: I am intrigued by the hon. Gentleman’s new-found enthusiasm for the blessed Margaret Thatcher, but are there not two solutions to the problem he is trying to set out? One is to have an Opposition majority on Standing Committees, which would inevitably lead to Government legislation being completely chopped up and returned to the Floor of the House in different form, and the second is to decide every piece of legislation in Committee of the whole House. Both those solutions would cause chaos. Is that what he actually wants?

Pete Wishart: All these great concerns about chaos and arrangements that will lead to this and that are an indictment of the Members of this House. They say, “If we were to respect parliamentary arithmetic when it comes to this, all it would lead to is chaos.” That says something about the membership of this House. More critically and crucially, it goes against the advice of the Clerks on the membership of Committees. I say to the hon. Gentleman: have a look at what the Clerks determine as to how these Standing Committees should be established. The fact that this House is prepared, in this vote, to overlook the good advice of the Clerks on a matter they are obliged to determine is a shame on this House.

I want to come back to Margaret Thatcher. I never thought I would be quoting her in the House. It is a novelty, and I do not think I will ever get used to it or be comfortable with it. Let me get back to what I was saying about the 1970s and to what Conservative Members are asking us to do here. They are saying that just because the Labour party did something rotten in the 1970s, we must do something rotten too, in order to address this. That is totally unacceptable to Scottish National party Members who say, “A curse on all your houses. Deal with the parliamentary arithmetic. Accept the realities and get on with it.”

I will make two points about the 1970s, and again I was intrigued when I looked into this. The Harrison amendment was introduced in the most despicable way to this House, by subterfuge and sleight of hand, but the amendment created this set of conditions for a couple of months. At that point, the Labour Chair of the then Committee of Selection died and it stopped; we went back to the normal arrangements and for the rest of that Labour minority Administration, the parliamentary arithmetic of the House was respected. The second thing about that minority Labour Administration was that it became a minority Labour Administration—that Labour Government actually won
[Pete Wishart]

an election. The current Conservative Government never experienced that a few months ago, so we will take no lessons on this.

Let me deal with this “chaos” thing. Sometimes democracy is not all that convenient and it throws up strange results. Sometimes we just have to get on and deal with it. What you do not do is try to circumvent democracy; what you do not do is table motions like this one, which is so disrespectful to the people who voted in the election.

Mr Nigel Evans rose—

Pete Wishart: I have given way to the hon. Gentleman before and I want to make some progress.

What you do is respect the way that the people would do this. The most ridiculous and audacious thing in all the anti-democracy that these guys are up to right now is this new Committee of Selection. As a Select Committee of this House, it should be subject to the formula determined by the Clerks, but the Government want to give themselves an inbuilt majority. They will determine the numbers on Committees with this, so on anything contentious—anything that we are likely to object to—they will determine that an odd number will be used and so they will get their way. This is absolutely disgraceful.

I want to say something to my friends in the Democratic Unionist party, because it is important. I have heard quite a lot about this working majority issue, and I want to explore it a little. I say to them that we used to fight long, hard fights together, and it is shameful to properly represented in these types of Committees. We used to ensure that the smaller parties in this House were well represented, they remember the campaigns that the hon. Member for East Antrim (Sammy Wilson) and I fought together to ensure that the smaller parties in this House were properly represented in these types of Committees. We fought long, hard fights together, and it is shameful to think about completely giving this over to the Conservatives.

There is another aspect to this: if DUP Members vote with the Government tonight, it will leave questions about their Opposition status and raise further questions about their entitlement to Short money. It would have to raise those questions because it would look like the Government are paying a rival political party. It is also worth noting that a High Court ruling is coming up soon about the whole grubby DUP deal.

Joanna Cherry (Edinburgh South West) (SNP): My hon. Friend is making a powerful speech. As a result of the threat of the legal action he has mentioned, we found out earlier this week that the Government say that they need parliamentary approval for this £1 billion bung that they want to pay to the DUP. Does he therefore agree that until such time as that vote takes place, even on their own terms of a “working majority” the Government do not have one until the deal is in place?

Pete Wishart: Absolutely. If DUP Members are going to vote with the Government, they should go to that side of the House and end this pretence of being an Opposition party. If DUP Members are going to vote for this and betray all the things we worked for in the past 15 to 20 years, they should just go and sit with the Tories. This Government have failed to respect their new humbled position as a minority Administration; instead, we are beginning to see some unsavoury elements in almost acquiring the status of some sort of parliamentary dictatorship. This House should not accept this proposal tonight for a minute, and I urge the House to reject it and ensure that we continue to honour parliamentary arithmetic.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Before I call the next person to speak, it will be obvious to the House that a great many people wish to speak this evening—I have indications from more than 20—and we have one hour of debate left. I hope Members will act in a courteous fashion and keep their speeches short.

9 pm

Sir Oliver Letwin (West Dorset) (Con): I certainly do not want to detain the House for long, but I do wish to take seriously the interesting speech by the shadow Leader of the House, the hon. Member for Walsall South (Valerie Vaz). I shall comment on its logic and the motive that it betrays, and thereby try to set the debate in its proper context.

Let us observe the logic of the hon. Lady’s remarks. She argued that it was improper for the Government to seek to establish a majority on the Committee of Selection with a view to having either equal or superior numbers in Committee, because, she implied, that would enable the Government to pass legislation that they might not be able to pass on the Floor of the House because, she argued, they do not actually have a majority on the Floor of the House. Let us take that proposition seriously and suppose she is right; let us suppose that my right hon. Friend the Leader of the House is wrong and we do not have, for the purpose of many Bills, a working majority. Incidentally, there is no evidence so far of that proposition being true: as far as I am aware, the Government have managed to pass all their business so far in this Parliament in good order—indeed, with rather larger majorities than the supply and confidence agreement would imply.

Nevertheless, let us suppose that in general the shadow Leader is going to be proved right. If she is right, when it comes to the Report stages of all the Bills in question, she and her colleagues will have the delight of being able, one by one, to reverse all the amendments against which they voted in Committee. Therefore, if her own argument is correct and she actually holds the majority, she cannot have any reason of substance for caring whether there is a majority for the Government upstairs in Committee. According to her own argument, she has in her hands the power to take such steps as to ensure that the Bills come out as she wants them.

Manifestly, that is not her view. Her view, which was displayed passionately by her desire to prevent the Government from taking a majority on Committees, is that she is at least not sure—in fact, I suspect that she strongly suspects she does not have a majority on the Floor of the House. That leads me to the question of motive. If, actually, she does not believe that there will be any substantive difference one way or the other—indeed,
she cannot believe that there is, because it is a clear matter of plain fact that whoever holds the majority on the Floor of the House will prevail in the end—we have to ask why she put the argument she did. What is her motive? We know what it is, because it is the same as the motive of the former Prime Minister, Margaret Thatcher, who was quoted earlier. It is the traditional motive of Oppositions and it is a perfectly respectable position for Oppositions to take.

What are Oppositions in business to do? Incidentally, I do not know whether it makes sense to have a parliamentary system as opposed to a Congress and so forth, but it is the system we have so, in that system, what is the purpose of an Opposition? First, it is to hold the Government to account by causing trouble in the House of Commons; secondly, it is to seek to destabilise the Government; and thirdly, it is to put themselves in a position of having appealed to the people sufficiently so that when the Government are destabilised, the Opposition can win a general election and take power. That is the legitimate role of an Opposition under our constitution. It therefore always falls to the Government of the day—as it did to the Labour Government under the conditions about which Mrs Thatcher was complaining and as it does now to our Government—to seek to assert the principle that Her Majesty’s Government should be able to take the steps necessary to pass their legislation, and not merely in substance but in good order and at a reasonable pace. It is the Opposition’s duty to seek to disrupt that, which is, of course, what is going on here.

The Labour party wishes to achieve not a substantive change in the outcomes of legislation but the delicious prospect of their being able to make it well-nigh impossible for the Government to get any sizeable amount of business through the House, which is, despite all the ritual shakes of the head that are going on at the moment, exactly what any respectable Opposition would seek to do. I congratulate them on it, but there is not the slightest reason why people on the Government Benches should be beguiled by this, any more than the slightest reason why people on the Government seek to do. I congratulate them on it, but there is not the moment, exactly what any respectable Opposition would seek to do. I congratulate them on it, but there is not the moment, exactly what any respectable Opposition would seek to do. I congratulate them on it, but there is not the moment, exactly what any respectable Opposition would seek to do. I congratulate them on it, but there is not the moment, exactly what any respectable Opposition would seek to do. I congratulate them on it, but there is not

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9.5 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): I rise to speak to the amendment standing in my name and in the name of the hon. Member for Brighton, Pavilion (Caroline Lucas).

It is a pleasure to follow the right hon. Member for West Dorset (Sir Oliver Letwin), as he is a man whom I hold in very high regard. I served with him in the coalition Government for five years as a Minister. Indeed, for part of that time, I sat beside him at the Cabinet table. Therefore, with substantial regret, I say that what he has just given us was not his finest contribution. What he described was some—sort of parliamentary game-playing or sport. When he spoke about the functions of Opposition, he missed out the most important one. The most important job that we as Opposition Members of this Parliament have to do is scrutiny, which is why the composition of the Committees to which we commit Bills upstairs matters. That is why it is, in fact, a matter of quite fundamental principle.

I think that we might all acknowledge that, from time to time in this House, we indulge in a little bit of hyperbole, occasionally even straying into polemic. I think of some of the matters that the right hon. Gentleman and I opposed during the years of the Blair-Brown Government. One example is when they tried to extend detention without charge to 90 days. I remember also the passage of the Legislative and Regulatory Reform Bill. He and I and others described them then as constitutional outrages—it was a “power grab” and an “affront to democracy”. I may even on occasion have indulged in a small measure of hyperbole and rhetoric myself. [HON. MEMBERS: “No!”] We all do it. I am reminded that when Paddy Ashdown was leader of my party, it was a joke popular among other parties—obviously not to me or the media at the time—that the message on his answering machine was, “Thank you for calling Paddy Ashdown. I am not able to take your call. Please leave your message after the high moral tone.” We have all done it, but the difficulty that is caused by relying on rhetoric and hyperbole is that it is difficult then to know what to say when we come across a proposal such as that which the Government bring to the House today. I can describe it as others have done as a “constitutional outrage”. I can say, as others have done, that it is an affront to democracy. However, to say that suggests that that is somehow just the same as those measures that we have previously described in those terms, but it is not. It is much worse. It is an obnoxious measure for which I know of no precedent in my time in the House.

In this country, we do not have a written constitution. We proceed much of the time according to the process of convention and principle, and so it is also for the ordering of our proceedings in this House. Here, too, we often rely on the process of convention and precedence. It is a delicate system of checks and balances. I am certainly not saying that it is one that is incapable of improvement. I have supported many improvements to it over the years, but we have to approach these matters in a rather more holistic manner than is being taken by the Government tonight. Once we start removing these checks and balances, we risk at least one of two things.

First, we can bring the machinery of Parliament to a grinding halt, and tonight the Government risk breaking our machinery beyond repair. The alternative prospect is that we raise the possibility of other parts of the system reacting in a way that is designed to compensate for our breaking of the checks and balances. It is known in this House, surely, that their lordships in the other place proceed on the basis of the Salisbury convention. They respect our right to be the superior Chamber because we have the democratic mandate from the voters. Now, if we are not going to demonstrate respect for the democratically reached decision of the voters, how can we expect their lordships at the other end of the building to do so?

Mr Rees-Mogg: Quite a number of peers, including Liberal Democrat peers, have questioned whether the Salisbury-Addison convention applies. Lib Dem peers have said that they do not feel bound by it as they had nothing to do with it when it was agreed in the first place.
Mr Carmichael: That is indeed the case. My party was not party to the discussions that resulted in the
convention and have not felt themselves to be bound by it. But it remains the fact that it is something on which
the majority within their lordships’ House have proceeded until this time, and which continues to be the case to
this day.

It is a fundamental principle of this House that the composition of Committees should reflect the composition
of the House. That means that if the Government have a majority in the House, they will have a majority in
Committees. It goes beyond that. On matters where we decide things by way of a free vote and the matter then
goes upstairs to a Public Bill Committee, the composition of that Committee reflects the vote of the House here.
That is the most fundamental principle that we have, and I use these terms advisedly. It is not a convenience,
or something that is just here to be discarded when it becomes difficult or messy. It is absolutely fundamental
to the way in which we do and have always done our business.

The Prime Minister went to the country. She asked for a bigger majority. She was denied it. She was returned
as the largest party and that offered her a number of different options: she could have sought to govern as a
minority; she could have entered into a coalition and got a majority that way; or she could have entered into a
confidence and supply arrangement. She chose to take the latter approach. As a consequence, she has a majority
on the Floor of the House for matters of confidence and supply. Matters of confidence and supply do not go
upstairs to Public Bill Committees. They are dealt with on the Floor of this House. So it is simply wrong for the
Leader of the House to assert—as she has done tonight along with others on the Treasury Bench and Government
Bench— that the Government have a working majority. Beyond confidence and supply matters, they do not.

Mr Harper: I do not like disagreeing with the right hon. Gentleman, but he is just wrong. I have looked at
the agreement. It does not just cover confidence and supply. This is rather pertinent given how much legislation
there will be. It also covers matters pertaining to the country’s exit from the European Union and legislation
pertaining to national security. So the agreement is rather pertinent given how much legislation there will be. It also covers matters pertaining to the country’s exit from the European Union and legislation
pertaining to national security. So the agreement is rather pertinent given how much legislation there will be.

Mr Carmichael: Of course it is reasonable for a Government to seek to govern the country smoothly, but the right hon. Gentleman seems to think that what happens in Committee is just some administrative
inconvenience. It is not; it is much more fundamental than that. It is the job of this House—not just the
Opposition—to hold the Government to account. That is why I say to right hon. and hon. Members on the
Government side, many of whom I hold in high regard, and many of whom I regard as personal friends, that
they know that what they are doing tonight is wrong. They also know that if it was being done to them, they
would oppose it root and branch.

We know why the Treasury Bench—the payroll—will support this measure, but those on the Back Benches
have a duty that is higher than their duty to their party: it is their duty to their constituents and to this House
—their duty to democracy. I ask them to consider that duty before they go into the Lobby this evening.

Mr Carmichael: That is indeed the case. My party opposed it then, as we oppose this measure tonight, but let us not pretend that it is somehow the same thing.

That takes me back to my quarrel with the right hon. Member for West Dorset. Surely, in advancing a
change as profound as this, there has to be something more substantial by way of argument to support it
than, “They did it when they were in government.”

Sir Oliver Letwin: As the right hon. Gentleman says, we have had a long period of co-operation, and he was a
fine Minister. However, did he not notice that my argument was actually that this proposal is necessary for
the smooth conduct of business, subject to a clear check on the Floor of the House on Report? Does he not agree that, under those circumstances, it is perfectly reasonable for a Government to seek to govern the
country smoothly?

Mr Carmichael: Of course it is reasonable for a Government to seek to govern the country smoothly, but the right hon. Gentleman seems to think that what happens in Committee is just some administrative
inconvenience. It is not; it is much more fundamental than that. It is the job of this House—not just the
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have a duty that is higher than their duty to their party: it is their duty to their constituents and to this House
—their duty to democracy. I ask them to consider that duty before they go into the Lobby this evening.

Mr Mark Harper (Forest of Dean) (Con): Rather than repeating arguments, let me go through the arguments
that have been raised so far and comment on them as I think fit, which I hope will be of assistance to the
House.

The Leader of the House made an admirably short speech—I do not know what the shadow Leader of the
House was moaning about. Normally everyone moans in this House that people go on for too long, but the
Leader of the House crisply enunciated the purpose of the motion and set it out very clearly. That was an
admirable thing for her to do.

I listened to the shadow Leader of the House very carefully. She moaned about references to the Selection
Committee rather than the Committee of Selection. I am afraid that reminded me—we have already mentioned
Monty Python once in the debate today—of the argument about the People’s Front of Judea and the Judean
People’s Front. I do not think that what the Committee is called is significant. [Interruption.] It is just not important—arguing about what the Committee is called is not important. In addition, the Chair of the existing
Committee of Selection is already paid, so the current proposal is not a change, and there is no sinister aspersion that the shadow Leader of the House can cast on that. So I did not think that those arguments really had any great weight.

The substance of the hon. Lady’s argument was driven through precisely by my right hon. Friend the Member for West Dorset (Sir Oliver Letwin), who put his finger on the issue: if we pass this motion this evening, it will demonstrate again—as have all the votes we have had since this Government were formed—that we actually command a majority in this House. The hon. Lady’s only possible motivation for not wanting to agree to the motion is that she wants to gum up the works.

The hon. Lady invited us to look at the Opposition Members being put forward for the Committee and to assess their reasonableness, and I do not necessarily quarrel with that—they are very reasonable people. I would argue that the Government Members who have been put forward to serve on the Committee, including the Chair, are very reasonable people. However, if we want to look at the Opposition’s approach to reasonableness and the progress of business, we do not have to go back very far; we only have to go back as far as yesterday, when the Opposition were faced with the decision of the British people to leave the European Union. They knew it was necessary to have the European Union (Withdrawal) Bill and to pass that legislation, but they chose to oppose it. If they had got their way, they would have frustrated the will of the British people. Rather than abstain and try to improve the Bill in Committee, as a number of my right hon. and hon. Friends spotted the inconsistency between that approach and the referendum result and called them out on it. That betrays the hon. Lady’s real motive.

Mr Nigel Evans: Does my right hon. Friend find it somewhat bizarre that representatives of the Scottish National party and the Liberal Democrats are saying that Conservative Members are trying to circumvent democracy, and yet although on 23 June 2016 the British people decided to vote, by a margin of more than 1.3 million, to leave the European Union, on every piece of legislation we have brought before this House, those Members have voted against the democratic wishes of the British people?

Mr Harper: My hon. Friend makes a strong point very well, but I think my right hon. Friend the Member for West Dorset put his finger on it.

I listened very carefully to the arguments made by the hon. Member for Perth and North Perthshire (Pete Wishart). I should just counsel him that he wants to be a bit careful quoting Margaret Thatcher. While she is held in high regard by Conservative Members, I note that the leader of his party, the First Minister of Scotland, says that her entire political mission to get independence for Scotland was driven by Margaret Thatcher, so if he starts quoting her in this House with approbation, he may be putting his own future in his own party at great risk—and Conservative Members would not want to see that.

The hon. Gentleman’s arguments did not hold much water. Again echoing my right hon. Friend the Member for West Dorset, if we win the vote on this motion, we will have demonstrated that we command a majority. As I said in an intervention, he is entirely right to point out that the Conservative party on its own does not have a majority in this House, but the Government do. The Opposition cannot command a majority either.

Neil Gray (Airdrie and Shotts) (SNP): Does it not boil down to this? Up until now, the Government have managed to garner the support of the DUP on the issues that have been brought before the House, but they do not garner its support on all issues, hence they foresee problems and want to bring forward this measure. The measure is quite convenient for the DUP because it means that it keeps hold of its Short money, so it suits everybody. Is not that the nub of the issue?

Mr Harper: Not at all. As I said to the right hon. Member for Orkney and Shetland (Mr Carmichael), the confidence and supply arrangement is quite wide. [Interruption.] No, it does not cover everything, but it covers legislation pertaining to Britain’s exit from the European Union, and that is going to be a significant proportion of what the House considers during this Parliament.

Neil Gray rose—

Mr Harper: Let me finish responding to the hon. Gentleman before he intervenes again. If it is the case—this is where my right hon. Friend the Member for West Dorset put his finger on it—that the DUP does not support the Government on a particular matter, then whatever happens in a Public Bill Committee or a Delegated Legislation Committee, when that matter returns to the Floor of the House, Opposition Members will get their way. There is therefore nothing for the hon. Gentleman to worry about. It will not be possible for Conservative Members to force through our wishes if we do not command a majority in the House. That is the democratic check that my right hon. Friend explained very well.

Alex Chalk (Cheltenham) (Con): Is not the other point that if the Government can command a majority in this place on the ground floor, it would be utterly bizarre if they lost it on the first floor, where the Committees take place? People outside Parliament would perceive that as perverse and illogical.

Mr Harper: My hon. Friend makes a good point. The shadow Leader of the House talked about the British public being outraged about what was going on in Public Bill Committees. I have to say—I do not know whether my constituency is particularly typical—that if I went out into the street and spoke to 100 people, I doubt that more than two or three of them would even know what a Public Bill Committee was. I do not think she is accurately characterising what the British people think. What they think was described by my right hon. Friend the Member for West Dorset: they had an election, they had a referendum, they had another election,
and we have a Government who got a considerably larger number of seats than the main Opposition party. The people want us to get on with governing the country, making decisions and delivering a smooth exit from the European Union as well as to deliver on important domestic matters. That is what they want us to do and we are well aware of that responsibility.

In conclusion, this is a reasonable measure. It is about ensuring that the Government can conduct their business in a reasonable way but there is always a check and a balance. Ultimately, if a measure is brought forward in a Committee that does not command majority support on the Floor of this House, this House will have its way, not the Committee. There is a democratic check and balance in place, so Members should have no trouble supporting the motion when it is put to a vote in a short while.

9.25 pm

Helen Goodman (Bishop Auckland) (Lab): I had not intended to speak in the debate, but I was so appalled by the remarks of the Leader of the House that I felt that I had to. I feel that the Leader of the House has not understood her role. Her job is not to represent the Government to the House but to represent the House in the Government. She spoke about her constitutional responsibilities, but I should have thought that her constitutional responsibilities would include defending parliamentary democracy, which this motion patently does not do.

Government Members are not being logical. They say that the Opposition are not, but the loss of logic is on their side. If the Leader of the House was right to say that she has a majority, she would not need to change the rules of the game. It is because she does not have a majority that she needs to do so. Government Members are talking as though we are in a world of two-party politics, but we are not any longer. Nobody is saying that the Members of the other parties—the SNP, the Liberal Democrats, the DUP or Plaid—should not have seats on Committees. Under the formula interpreted by the Clerks, they will get their fair share of the seats. They will be represented properly. This is not just a Labour-Tory game, and the Leader of the House does not seem to have taken that into account.

Furthermore, the point made by the right hon. Member for West Dorset (Sir Oliver Letwin) on this issue, but he is incomplete in the extreme. He was in the House yesterday and was present during all the debates about the Delegated Legislation Committees. He knows as well as we do that when statutory instruments are produced and go to Committees upstairs, or when we use the negative procedure, they do not come back to the House. He knows that perfectly well. He also knows that schedule 7 of the European Union (Withdrawal) Bill, which we were debating yesterday, proposes to put whole stacks of delegated legislation through those Committees.

Every single Member who has spoken and mentioned Brexit has revealed that that is the Government’s game plan. They have become so obsessed with getting a hard Brexit—not the Brexit that the British people voted for, but a hard Brexit—that they are proposing to suspend the normal rules of this House. I am very disappointed that a number of hon. Gentlemen—

Sir Oliver Letwin rose—

Helen Goodman: The right hon. Gentleman promised to let me intervene and then refused, so I do not feel I need to give way to him.

Just to make another point about the remarks made by the right hon. Member for West Dorset, he has been saying that it does not matter if we do not agree with all the clauses in the Bill—if we agree with the principle of the Bill, we should vote for it. That would be like a person going into a restaurant and saying, “I didn’t like the soup, and I didn’t like the beef, and I didn’t like the apple pie, but I thought it was a great meal.” The right hon. Gentleman seems to be making completely absurd speeches these days. Anyway, the central point is that the Government’s game has been revealed by what has been said. It is all about getting a hard Brexit through. It is not about the consensus building that the Secretary of State for Brexit has been promising us for the past 15 months. The tail is wagging the dog in the Conservative party. I am sorry to tell Conservative Members that they are not taking the country with them on this. The general public are quite clear that this motion is about packing Committees. We have all had endless letters from our constituents, and I am not going to vote for the motion tonight.

9.30 pm

Mr Peter Bone (Wellingborough) (Con): It is a great pleasure to follow the hon. Member for Bishop Auckland (Helen Goodman), although I do not agree with her interpretation of the motion before us tonight. I would be the first one in the No Lobby tonight if the arguments made by the Opposition held water. It was weird that the shadow Leader of the House would not take any interventions. I think that that was because the Labour Opposition do not actually know what they are talking about on this matter: it is a lot of hot air—

Nic Dakin (Scunthorpe) (Lab): You’d know all about that!

Mr Bone: Certainly. Of course.

As I understand it, the Opposition are saying that when a Bill goes into Committee, the Members on the Committee always vote in the way the party Whips tell them to. That is just not the case. I have seen Government Members in Bill Committees who are absolutely opposed to something the Government are proposing because it is not right. That is what the Committee system is about. It is about improving Bills. I am reluctant to say that I agree with my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) on this issue, but he is quite correct. The check and balance is the Report stage. If, as the Opposition claim, they have the majority in this House, they will be able to reverse anything that is passed in Committee.

Helen Goodman: Will the hon. Gentleman give way?

Mr Bone: No. I am taking a leaf out of the shadow Leader of the House’s book.

Mr Carmichael: Will the hon. Gentleman give way?

Mr Bone: Of course.
Mr Carmichael: The hon. Gentleman misrepresents the case that is being made on this side of the House. We are not saying that this side of the House has a majority; we are saying that his side of the House does not.

Mr Bone: I am grateful to the right hon. Gentleman for making that point. I was surprised that the official Opposition had not tabled an amendment to the motion, which I could have supported and I think he could have supported. I do not agree with his amendment because it simply removes part of the motion. A sensible amendment would have instructed the Selection Committee to ensure parity on all Public Bill Committees. What the Bill actually says is that if a Committee has an even number of Members, there will be parity. The simple answer would therefore be to ensure that all Committees had an even number of Members, but Labour did not table such an amendment.

Mr Carmichael: The effect of my amendment would be perfectly simple. It would allow the Government to have their majority on the Selection Committee but thereafter to use the rules that we have always used. Why does the hon. Gentleman think he should be allowed to change the rules simply because they do not suit him?

Mr Bone: That is somewhat unfair, Mr Speaker, because you know that that is not what I would do if I thought the House was being done down by the Executive. In fact, I would be the first one to complain about it. It seems to me that the result of the election means that we should have parity on Public Bill Committees, and that could have been achieved by a simple amendment, which I would have supported. That did not happen, however.

Steve McCabe: As a great democrat who obviously has massive influence over his right hon. Friend the Leader of the House, why does the hon. Gentleman not urge her to accept such a sensible course of action?

Mr Bone: The hon. Gentleman is making my speech for me. I spent a lot of time talking to the Clerk of the House, and I am grateful to the Leader of the House for the time she allowed me to go through this to ensure that I was absolutely right. The motion states that if a Public Bill Committee has an even number of Members, there is parity, and that is great. I urge the Selection Committee, when it comes into being, to make sure that Public Bill Committees have an even number of Members so that there is parity. That seems a very fair way forward, so I was a little surprised that the Labour party and the shadow Leader of the House, for whom I have a great deal of respect, did not seem to want to engage in the debate today. I think that the motion is perfectly fair and reasonable, and I hope that the Selection Committee will listen to this debate and interpret the rules in such a way as to make the situation fairer.

9.35 pm

Patrick Grady: As we like to say in Glasgow sometimes, “Where’s your parliamentary sovereignty now?” Over the past two days, I have listened to Conservative Members talk about how they were taking back control as a result of the European referendum, but all that will happen is that control will be taken straight from the hands of the hated Brussels bureaucrats and handed straight to the minority Executive and the mandarins in Whitehall.

Mr Rees-Mogg: If the future Prime Minister from North East Somerset wants to intervene already, I am happy to let him.

Mr Rees-Mogg: I would be delighted to be the Prime Minister of North East Somerset when it makes a unilateral declaration of independence. The hon. Gentleman does not realise what parliamentary sovereignty means. What it means is that this House can make its internal rules of operation, and that they cannot be challenged by any court in this country or abroad. This is parliamentary sovereignty in action.

Patrick Grady: This is verbal gymnastics in action, and I have thoroughly enjoyed watching the Brexiteers contort themselves over the past couple of days. How anyone who believes in the parliamentary sovereignty that they claim to believe in—anyone who believes in the democratic mandate that we have as Members of this House—can vote for tonight’s motion is absolutely beyond me.

The Government do not have a working majority in this House. It says so on the House of Commons website, which states “Government Majority 0”, with a small star to indicate that there is a confidence and supply agreement. If the Government had a working majority, the DUP Members who are sitting behind me would be sitting opposite me on the Government Benches. DUP Members are not part of the Government. If they were, this motion would not be a necessity because the Government would have the majority that they claim to have.

The reality is that we are a Parliament of minorities, and the Government should live up to the rhetoric that we keep hearing from them about wanting to work with everyone, work across the aisle and work for different parties.

Lucy Frazer: Will the hon. Gentleman give way?

Patrick Grady: I am conscious of the fact that there is not very much time. The Government should instead use the Committees for precisely what the hon. Member for Cheltenham (Alex Chalk) suggested. We saw plenty of Government Back Benchers yesterday voting reluctantly for the second reading of the Brexit Bill, because they wanted that Bill to be improved up the stair in Committee. If the Government reflect the balance of power in the House in Committees, parties will genuinely be able to work together to improve legislation that is dealt with in Committee.
Patrick Grady: I accept that point. The Government do not have a majority here on the Floor of the House either, and Bills are improved in Committee. The whole point of Committees is that parties are supposed to work together.

As my hon. Friend the Member for Perth and North Perthshire (Pete Wishart) has pointed out, the situation is not difficult or unprecedented; it is exactly what happens in the Scottish Parliament, and it has happened on a number of occasions over many years. The Scottish Government at the moment are a minority Government, and they are in a minority on most, if not all, the Committees. Therefore, there has to be genuine cross-party compromise, and the Scottish Government have to respect the will of the electorate. Perhaps that is the fundamental difference, because in Scotland our tradition is one of popular sovereignty. The people have always had the right to choose and, if necessary, to dispose of their Governments. Of course, that is what happened to the UK Government in June this year. They were stripped of their majority, and so they should be listening to our views.

The Leader of the House cited as a precedent what happened in the 1970s, but, as we have heard from my hon. Friend the Member for Perth and North Perthshire, the hero of the Brexiters, Margaret Thatcher herself, stood at the Dispatch Box and opposed the very kind of motion that the Government are now trying to drive through. The shadow Leader of the House spoke about the Maastricht rebels who voted to protect parliamentary sovereignty from the power-grabbing of Brussels. They morphed into the Brexiters, but they are not rebelling any more. At least the DUP get their £1.5 billion and get to keep their Short money. I am not sure what the parliamentary sovereigntists are getting out of this. The hon. Member for Wellingborough (Mr Bone) stood on the Floor of the House earlier this afternoon and quoted, with some approval, what David Cameron said about the progress of a Bill in the House:

“The Bill limps through. Then it goes to the Standing Committee. Their duty is to look at the details clause by clause. But it’s packed full of people that the whips put there. So, surprise, surprise, the Government rarely loses the vote on any of the individual points of detailed scrutiny.”

This same Member who stood here to propose handing power back to this House will now meekly follow his Whips through the Lobby.

Mr Bone: That is a complete misrepresentation. I said that the Committees should have parity. Will the hon. Gentleman acknowledge that that is what I said? [Interruption.]

Patrick Grady: I heard the hon. Gentleman. Gentleman say that, but—as my hon. Friend the Member for Perth and North Perthshire says from a sedentary position—that is not what this motion will do, and that is why we will support the amendment in the name of the right hon. Member for Orkney and Shetland (Mr Carmichael).

Members on this side of the House will get to go home with our heads held high, because we know that we are standing up for our constituents and respecting the result of the election. I sometimes think Members on the other side of the House think we are kidding when we say people from Scotland are paying close attention to what goes on here and what their MPs are doing, but we are not kidding. They are paying attention, and they see this place for the archaic institution that it is. They see the power grabs of a desperate minority Government, and they may begin to think, wonder whether and sense it is perhaps time to invest all their sovereignty in a different Parliament—one 400 miles up the road—and to complete the journey that started with the devolution referendum 20 years ago.

9.41 pm

Mr Marcus Fysh (Yeovil) (Con): This has been a very entertaining debate in many ways. It is quite germane because, although a lot of people around the country may not understand the niceties of statutory instruments, secondary legislation and the myriad different things we do in this place, they want us to govern efficiently in their name.

Mr Carmichael: Will the hon. Gentleman give way?

Mr Fysh: I will not give way at the moment because we are short of time.

The reality is that if the Opposition were to succeed in gumming up the system completely using legislation that they do not agree with, we would not have time in this place for all the other ambitions that the people of this country have. That is why it is absolutely in their interests and the public interest for this motion to be passed this evening.

I want to say on behalf of the people of Yeovil—the right hon. Member for Orkney and Shetland (Mr Carmichael) mentioned the high moral tone of a previous MP for the area—that they have ambitions other than Brexit, but they also want the Brexit vote to be respected, rather than for the system to be gummed up. That, in short, is why I will vote for the motion.

9.42 pm

Christian Matheson (City of Chester) (Lab): If the Leader of the House and Conservative Members are so confident about having a majority on the Floor of the House, as they have told us tonight, they should use that majority to overturn on Report any amendments that they do not like. They certainly do not need to start fiddling the system.

Sir Oliver Letwin rose—

Christian Matheson: I have only just started. The right hon. Gentleman must give me a moment.

That is actually part of the problem, because this is not a one-off situation. This is the latest in a series of measures that this Government have taken since 2015 to move the goalposts, change the rules and fiddle the system in one way or another in aid of their own party advantage when they find they cannot get around this in any other way. There was the example—

Sir Oliver Letwin: Will the hon. Gentleman give way?

Christian Matheson: Oh, go on, just the once.

Sir Oliver Letwin: The hon. Gentleman is very generous in giving way. Has he calculated how much extra time would be spent on each Bill if the Government had to
reverse on the Floor of the House all the amendments made in Committee? How smooth a process of government would we then have?

Christian Matheson: I have not calculated that, but my advice to the right hon. Gentleman would be to win a general election with a proper majority next time and then he would not have that problem.

Last night, we saw a power grab. We know there was a power grab with the so-called Henry VIII powers and with the Government giving themselves the authority to pass any order on any matter. However, that was only the most recent aspect of the twisting of the rules.

We saw the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, which required charities not to get involved in politics and potentially prevented them from scrutinising the activities of this Government. It did not apply to corporations or to newspapers, which are so keen to tell us how to vote, but only to charities and trade unions.

We saw the Trade Union Act 2016, which fundamentally altered the structure of the relationship between trade unions and the Labour party, thereby cutting funding for opposition to the Conservatives, even though there was no call for that from within trade union membership, and even though funding was not denied to any other political party. We saw the length of the Session doubled by the Leader of the House, but she has not doubled the number of Opposition days—and nor the number of private Member’s Bill days—to provide for scrutiny of the Government, including by Back Benchers. We have seen proposals to alter the number of constituencies, with very tight limits being given to the Electoral Commission. Apparently, that would give 30 extra seats to the Conservatives. Once again, they were changing the rules in the same way they are seeking to do tonight.

There is a clear authoritarian streak in what the Government propose—an anti-democratic streak. They seem to be running scared.

Mr Francois: Will the hon. Gentleman give way?

Christian Matheson: I will not give way to the right hon. Gentleman, because I thought he was a little too aggressive in his interventions on my hon. Friend the shadow Leader of the House. Oh, go on then!

Mr Francois: I would just say, as the hon. Gentleman has just referred to this, that the fact that the shadow Leader of the House consistently would not give way suggested to the House that she did not have confidence in the case she was making.

If the hon. Gentleman thinks that the proposals are so outrageous, why did the Labour party not table an amendment with an alternative?

Christian Matheson: Because the proposals are so outrageous that they deserve to be knocked down completely, so we will vote against them. I say to the right hon. Gentleman and others that there is a real sense that having not won the election and having lost their majority, the Government are clinging to power by any means necessary.

Lucy Frazer: Will the hon. Gentleman give way?

Christian Matheson: I will not, because other Members wish to speak.

There is a sense—that I say it—of two fingers being put up to the electorate in a contemptuous manner. The Government seem to be putting party before politics. These are the wrong proposals tonight. As the right hon. Member for Orkney and Shetland (Mr Carmichael) said, there are good Members on the other side of the House whom I like and respect. When they go through the Lobby tonight, they will know that what they are doing is wrong and anti-democratic, and I hope they think long and hard on it.

9.47 pm

Lucy Frazer (South East Cambridgeshire) (Con): In June, there was a vote to leave the EU. Both the Labour and Conservative parties committed in their manifestos to deliver that, so we have a duty to deliver it. The question that arises is how we do it. How do we fulfil our promise to deliver it? There are a number of practical issues that we need to overcome. There are thousands of pieces of legislation that need to pass into our law. Many are technical changes, but we need to ensure that our laws are certain so that businesses are able to be clear about their future.

I listened carefully during the two-day debate to speeches made by Opposition and Conservative Members, by leavers and remainers. Well-respected Members on both sides of the House recognised the importance of ensuring that there are practical solutions to avoid our country’s legislative process becoming gridlocked. My right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) said that we cannot get rid of EU legislation overnight “without leaving enormous gaps.” The right hon. Member for Leeds Central (Hilary Benn) said that the task was “Byzantine in its complexity” and recognised the need to ensure that Ministers have “latitude and flexibility to do what needs to be done”.—[Official Report, 7 September 2017; Vol. 628, c. 381.]

The method that this Government have put forward is not unprecedented for two reasons. First, as we have heard, the Labour Government in 1976 were in the minority and passed similar motions to ensure that they had a majority on Committees.

Pete Wishart: Will the hon. and learned Lady tell us what the sainted Margaret Thatcher thought about that arrangement in the 1970s?

Lucy Frazer: We can talk about what was said in the debate, but the outcome was that Labour secured a majority in Committee when it did not have one on the Floor of the House.

Yesterday, the hon. Member for Vauxhall (Kate Hoey) said that the previous Labour Government actually doubled the number of statutory instruments that introduced new laws, so if legislating through Committee is accepted, as it has been for many years, as a means of government, and if ensuring that the governing party has a majority was accepted by the Labour party when it was in power, it is inappropriate for Labour to object to that when it is proposed by Conservative Members.

Mr Paul J. Sweeney (Glasgow North East) (Lab/Co-op): Does the hon. and learned Lady not agree that a vital component of any legislature is check and balance
through a committee system that will deliver quality legislation? Will extrapolating an artificial majority not simply dilute that ability to deliver quality scrutiny of legislation? This is, in effect, a power grab.

Lucy Frazer: The hon. Gentleman makes a valid point. In every sitting, whether in the Chamber, the other place or in Committee, it is vital that there is scrutiny. The hon. Gentleman, however, is suggesting that Members in Committee do not scrutinise when they are on one side or the other. He will know, as I do, that that is simply incorrect. There is scrutiny at every stage of the parliamentary process.

I now come to the key point. It is right that this motion is passed, because the Conservative party is the single largest party. It was elected with 13 million votes. It has 56 more seats than the next largest party. As Labour argued in 1976, it is simply inappropriate to lump together all the Opposition parties and treat them as one party when they have different interests and perspectives. We cannot say, when we lump them all together, that they hold the balance of power—they simply do not.

Helen Goodman: The logic of the hon. and learned Lady’s position is that were the Conservative party to have 251 seats and the Labour party 250, with the other seats held by a variety of parties, it would still be right for the Conservative party to have a majority on every Committee. That is the logic of her argument. Is that what she is saying?

Lucy Frazer: What I am saying is that we need to assess the situation. At the moment the Conservatives have a significant majority. In fact, we have more seats than the Labour Government had in 1976 when they proposed such a measure.

As I said, the country voted in a referendum. The Labour party and this Government committed in their manifestos to deliver Brexit. We now need to do so. We need to deliver the democratic decision of the British people, and we need to do so in a way that is practical and expedient, while preserving the ability to scrutinise and debate. The motion will achieve that. As the hon. Member for Blackley and Broughton (Graham Stringer) has said, at the general election three months ago, the Labour party said it would implement its manifesto. That is the logic of her argument. Is that what she is saying?

What are those of us on the Government Benches arguing for this evening? We are arguing against a Labour proposal that would turn every Committee decision back to this Chamber, gum up this Parliament and throw a functioning Government into a state of paralysis on the Floor of the House. Yet the Labour party argues that we are seeking to do something undemocratic. It argues that a paralysed Government who can do no business on Brexit or anything else is somehow more democratic than the working majority that this Government have demonstrated every week in Parliament.

We have to ask ourselves what is the aim of opposing tonight’s motion. Is it some pretence of outrage about protecting democracy, or is it in fact an attempt to make sure the Government grind to a halt? There can be no question that Labour is seeking to grind the Government and the whole country to a halt, and that cannot be a democratic or sensible way for us to respect the wishes of the people who voted in the general election in June. The hon. Member for Perth and North Perthshire (Pete Wishart) said there was something about democracy that was not always convenient. We could not have a better case of the pot calling the kettle black, because if we voted against the motion, democracy and the Government would be frustrated at every level. The idea that this is anything other than a naked power grab by an Opposition seeking to frustrate Brexit and this Government is absurd. Who is it who is seeking to frustrate democracy? Is it a Government who have a working majority here simply seeking one upstairs, or is it an Opposition party seeking to grind us to a halt?

Mr Charles Walker: This entire debate is a dead letter because the best the Opposition could hope for is an equal number on a Bill Committee, and in the event of a tie, which most votes would be, the Bill would remain unamended anyway, so none of their proposals would be carried.

Matt Warman: I want to agree with my hon. Friend that we should not get too wound up and should just carry on, but I cannot when we are being accused by Opposition parties of seeking to fundamentally subvert democracy. What subverts democracy fundamentally are Opposition parties of whatever flavour that want to use this as a pretext to grind the process of leaving the EU to a halt and to grind the Government’s entire business to a halt. I dare to say to my hon. Friend that Government Members should not be so relaxed as to not make a fuss about this. We should be passionate about getting the will of the British people through, both in Committee and on the Floor of the House. We should be passionate about the Government getting their business done, with the will of the people as expressed in the referendum reflected, and that is what the motion seeks to do.

Mr Jacob Rees-Mogg (North East Somerset) (Con): This is not some great constitutional crisis; it is within the thread of our constitution. The great Duke of Wellington’s guiding constitutional principle was that the King’s Government must be carried on. In older
age, he changed it to the Queen's Government. That is the situation today. Since 1881, when, Mr Speaker, your illustrious predecessor, Speaker Brand, brought debate to a close, it has been recognised that the rules of the House must ensure that business can be proceeded with efficiently. That has been put into Standing Orders, and Standing Orders have been consistently amended and altered, suspended or changed, to ensure that the Government of the day can get their business through. It is very straightforward: if the Government of the day do not command a majority, a vote of no confidence is tabled and the Government fall. That is the fundamental principle of our constitution.

After that, what we are dealing with is purely administrative, not highfalutin constitutionalism. We know, because the Queen's Speech was carried, that in the House there is a majority for the Government's programme. It is therefore legitimate for the motion for an amendment to Standing Orders to be passed tonight, to ensure that that which has already been established on the Floor of the House applies in Committee.

The absurdity of the Opposition's position is that the Committee of Selection, when there is an odd number on a Committee, should always give that odd number so that the Government can be defeated. How does that represent either the result of the general election or the combination of seats in the House? It is clear that with an odd number, the majority must belong to the governing side, with the support of our friends in the Democratic Unionist party who voted for the Queen's Speech.

When the numbers are even, the result in the Bill Committee will of course be determined by the vote of the Chairman, who, by convention, will vote for no change. That will mean no change in the Bill passed on the Floor of the House, which will mean that both Government and Opposition amendments will fail in Committee if it is even-numbered, and will be tabled again on Report. Any Bill must have been presented by a Government who have a majority, and who have not been overturned by a vote of no confidence. It must be the case that the Bill has been given a Second Reading, and therefore, in principle, commands a majority in the House. On Report, any changes made in Committee can be overturned, so if we lose the support of our friends in the Democratic Unionist party, any proposal that is disliked can be stopped. Then there is the final stage, Third Reading. At every stage, the will of the House will be respected.

The speech, of great elegance, that was made by the hon. Member for Walsall South (Valerie Vaz), and the speech—of equal elegance—that was made by the hon. Member for Perth and North Perthshire (Pete Wishart), had the great virtue of enormous and gloriously synthetic anger. Their fundamental good nature shone through. We saw that they knew that if they were in the Government's position, exactly the same motion would be before the House. We know that in 1976, such a motion was snuck before the House on a quiet Friday when no one would notice. There is tradition for this; there is precedent for this; and it is the right thing for the party, the House, the Government and the nation.

Mr Speaker: I call Mr Kevin Foster.

Mr Foster was on the list, but he has obviously taken himself off the list. In that case, we will have the joys of Mr Eddie Hughes.

10.3 pm

Eddie Hughes (Walsall North) (Con): Thank you very much, Mr Speaker. My contribution will be very short, but hopefully mildly insightful, because I think I know why the hon. Member for Walsall South (Valerie Vaz) did not take any interventions during her speech.

I am familiar with the hon. Lady's constituency. We are constituency neighbours, and I frequently make incursions across the border, either for a curry or a pint, or to deliver leaflets. [Laughter] I often take the opportunity to speak to her constituents—I do not think I need to declare that to her before I nip over there for a pint—and I know that they will be utterly bewildered by what is going on this evening. They know, when they look at the TV, that we have a Conservative Prime Minister. They know that when they voted in the referendum, they voted for Brexit. They are looking at this Chamber and thinking, "Come on, chaps, just get on with it!" The hon. Lady knows full well that if she were to go back to Darlaston and explain this evening's proceedings, they would say, "You are bonkers. Just get on with the job: that is why we elected you."

10.5 pm

Wendy Morton (Aldridge-Brownhills) (Con): How on earth do I follow the contribution of my constituency neighbour? I will do it my way.

We just need to remind ourselves of one or two things. In the 2016 referendum, the majority of the British public voted to exit the EU. In June this year, we had a general election, and we have a Conservative Prime Minister; the Conservative party won the general election with 318 seats, 56 more than on the Labour Benches. The Queen's Speech has already been passed, setting out the legitimacy and programme of this Government. My constituents are probably equally bewildered by what is going on this evening, but I am fairly certain of one thing: they want us to get on with the job of being in government and delivering Brexit, but also delivering for our country.

Stewart Malcolm McDonald (Glasgow South) (SNP) rose—

Wendy Morton: I am going to continue because the hour is late, and I hope another Member or so will have a chance to make a small contribution.

We have a working majority in this House, and for me and those on our side of the House, a working majority on a Committee is a logical extension of that, so I will be backing the Leader of the House this evening. I will be backing the Government because I want to deliver for my constituency.

10.6 pm

Tom Pursglove (Corby) (Con): Mr Speaker, I just want to make a number of very pithy points.

First, I am infuriated by the argument that the Government do not have a working majority. We should look at the numbers. On Wednesday 6 September, 317 votes played 276, 320 played 287, and 320 played 249; yesterday, 318 played 296, 326 played 290, and 318 played 301; and tonight we won the last vote by 21 votes.
I sat on a number of Committees of different sorts in the last Parliament, and I can reveal that a number of Members opposite very regularly did not turn up, and not many of them spoke. So the baulking that we hear tonight rings very hollow with me. I tried to intervene on the shadow Leader of the House and would be delighted if she were to tell me that Members opposite were turning over a new leaf and were going to turn up and participate, because that would be good for our democracy and for the quality of scrutiny in this House.

We will do a disservice if we do not carry through on this tonight. I heard a Labour Whip last week complain about the fact that we have not made sufficient progress on Brexit. The bottom line is we cannot have it both ways. The fact here is that this is not unprecedented, so this is sound fury that ultimately signifies nothing.

Finally, there is a democratic longstop on Report, when they would perceive that as perverse and illogical.

They also expect constructive and sensible Opposition from the Labour party, but that is not what they are seeing tonight. It is a party that has decided above all—

10.11 pm

Two hours having elapsed since the commencement of proceedings on the Business of the House (Today) motion, the Speaker put the Questions necessary for the disposal of the business to be concluded at that time (Order, this day).

Amendment proposed: (a), Leave out part B.—(Mr Alistair Carmichael.)

Question put. That the amendment be made.

The House divided: Ayes 300, Noes 320.

Division No. 17] [10.11 pm

AYES

Abbott, rh Ms Diane
Abrahams, Debbie
Alexander, Heidi
Ali, Rushanara
Allin-Khan, Dr Rosena
Amar, Labor
Antoniacci, Tonia
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Sir Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Bets, Mr Clive
Blackford, Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blomfield, Paul
Brabin, Tracy
Bradshaw, rh Mr Ben
Brennan, Kevin
Broek, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cable, rh Sir Vince
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Carden, Dan
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Charalamous, Bambo
Cherry, Joanna
Coaker, Veronica
Coffey, Ann
Cooper, Julie
Cooper, Rosie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyne, Neil

Crass, Sir David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Crudzdas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Davies, rh Sir Edward
David, Wayne
Davies, Geraint
Day, Martyn
De Cordova, Marsha
De Piero, Gloria
Debonnaire, Thangam
Dent Coad, Emma
Dhesi, Mr Tanmanjeet Singh
Dockerty-Hughes, Martin
Dodds, Anneliese
Doughty, Stephen
Dowd, Peter
Drew, Dr David
Dromey, Jack
Duffield, Rosie
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Eliott, Julie
Ellman, Mrs Louise
Emore, Chris
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fellows, Marion
Field, rh Frank
Fitzpatrick, Jim
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Foxglove, Yvonne
Foxcroft, Vicky
Frith, James
Furniss, Gill
Gaffney, Hugh
Gapes, Mike
Gardiner, Barry
George, Ruth
Gethins, Stephen
Gibson, Patricia

[Division No. 17]
Nomination of Members to Committees
12 SEPTEMBER 2017
Nomination of Members to Committees

Gill, Preet Kaur
Glindon, Mary
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Grogan, John
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh David
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hendry, Drew
Hepburn, Mr Stephen
Heron, Lady
Hill, Mike
Hiller, Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hopkins, Kelvin
Hosie, Stewart
Hug, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, Diana
Jones, Darren
Jones, Gerald
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Sarah
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Laird, Lesley
Lake, Ben
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lee, Ms Karen
Leslie, Mr Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Lloyd, Stephen
Lloyd, Tony
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Angus Brendan
Maddock, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marsden, Gordon
Martin, Sandy
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCarty, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Milliband, rh Edward
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Stephen
Morris, Graham
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Norris, Alex
O'Hara, Brendan
O'Mara, Jared
Onasanya, Fiona
Onn, Melanie
Onurah, Chi
Osamor, Kate
Owen, Albert
Peacock, Stephanie
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Phillipson, Bridget
Picock, Laura
Platt, Jo
Pollard, Luke
Pound, Stephen
Powell, Lucy
Qureshi, Yasmin
Rashid, Faisal
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Reeves, Ellie
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Ms Marie
Robinson, Mr Geoffrey
Rodda, Matt
Rowley, Danielle
Ruane, Chris
Russell-Moyle, Lloyd
Ryan, rh Joan
Saville Roberts, Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, Angela
Smith, Cat
Smith, Eleanor
Smith, Jeff
Smith, Laura
Smith, Nick
Smith, Owen
Smyth, Karin
Snell, Gareth
Sobel, Alex
Spellar, rh John
Storrer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Streeting, Wes
Stringer, Graham
Sweeney, Mr Paul J.
Swinson, Jo
Tami, Mark
Thekiss, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Adams, Nigel
Afolami, Bim
Afrifje, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Bebb, Guto
Bellingham, Sir Henry
Benyon, rh Richard
Beresford, Sir Paul
Berry, Jake
Blackman, Bob
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Mr Graham
Breerton, Jack
Bridge, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burghart, Alex
Burns, Conor
Burt, rh Alastair
Cairns, rh Alun
Campbell, Mr Gregory
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine
Western, Matt
Whitehead, Dr Alan
Whitfield, Martin
Whitford, Dr Philippa
Williams, Hywel
Williams, Dr Paul
Williamson, Chris
Wilson, Phil
Wishtart, Pete
Woodcock, John
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:

Tom Brake and
David Linden

NOES

Cartledge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Mr Christopher
Churchill, Jo
Clark, Colin
Clark, rh Greg
Clarke, rh Mr Kenneth
Clarke, Mr Simon
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Docherty, Leo
Dockerill, Julia
Dodds, rh Nigel
Donaldson, rh Sir Jeffrey M.
Donelan, Michelle
Dorries, Ms Nadine
Double, Steve
Downing, Oliver
Dowell, Jackie
Drax, Richard
Duddridge, James
Duguid, David
Duncan, rh Sir Alan
Nomination of Members to Committees

Duncan Smith, Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Mr Nigel
Evemnott, Mr David
Fabricant, Michael
Fallon, Mr Sir Michael
Fernandes, Suella
Field, Mr Mark
Ford, Vicky
Foster, Kevin
Fox, Mr Dr Liam
Francois, Mr Mark
Frayne, George
Freer, Mike
Fysh, Mr Marcus
Gale, Mr Simon
Garnier, Mark
Gauke, Mr Michael
Ghani, Mrs Cheryl
Gillan, Mr Sir Cheryl
Girvan, Paul
Glen, John
Goldsmit, Zac
Goodwill, Mr Robert
Gove, Mr Michael
Graham, Luke
Graham, Richard
Grant, Bill
Grant, Mrs Helen
Gray, Jason
Grayling, Mr Chris
Green, Chris
Green, Mr Damian
Greening, Mr Justin
Grieve, Mr Dominic
Gyimah, Mr Sam
Hair, Kirstene
Haffon, Mr Robert
Hall, Luke
Hammond, Mr Philip
Hammond, Stephen
Hancock, Mr Matt
Hands, Mr Greg
Harper, Mr Mark
Harrington, Richard
Harris, Rebecca
Harrison, Trudy
Hart, Simon
Hayes, Mr Sir John
Heald, Mr Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, Mr Nick
Hinds, Mr Damian
Hoare, Simon
Hollingsbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Mr Adam
Howell, John
Hudson, Mr Nigel
Hughes, Edie
Hunt, Mr Jeremy
Hurd, Mr Nick
Opperman, Guy
Paisley, Ian
Parish, Neil
Patel, Mr Prith
Paterson, Mr R Owen
Pawsey, Mark
Penning, Mr Mike
Penrose, Mr John
Percy, Mr Andrew
Perry, Claire
Phil, Chris
Pincher, Christopher
Poultter, Dr Dan
Pow, Rebecca
Pren, Mr Victoria
Prist, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Mr Jeremy
Quince, Will
Raab, Mr Dominic
Redwood, Mr John
Rees-Mogg, Sir Jacob
Robertson, Mr Laurence
Robinson, Mr Gavin
Robinson, Mary
Rosindell, Andrew
Ross, Mr Douglas
Rowley, Lee
Rudd, Mr Amber
Rutley, Mr David
Sandbach, Mr Antoinette
Scully, Mr Paul
Sealy, Mr Bob
Selous, Andrew
Shannon, Mr Jim
Shapps, Mr Grant
Sharma, Mr Alok
Shelbrooke, Alec
Simpson, Mr David
Simpson, Mr Meirion
Skidmore, Mr Chris
Smith, Mr Chloe
Smith, Mr Julian
Smith, Mr Royston
Soames, Mr Richard
Souby, Mr Anna
Speelman, Mr Dame Caroline
Spencer, Mr Mark
Stephenson, Mr Andrew
Stevenson, Mr John
Stewart, Mr Bob
Stewart, Mr Iain
Stewart, Mr Rory
Strere, Mr Gary
Stirle, Mr Mel
Stuart, Mr Graham
Sturdy, Dr Julian
Sukal, Rishi
Swan, Mr Sir Desmond
Swire, Mr Sir Hugo
Syms, Mr Robert
Thomas, Mr Derek
Thomson, Mr Ross
Throup, Mr Maggie
Tolhurst, Mr Kelly
Tomlinson, Mr Justin
Tomlinson, Michael
Tracey, Mr Craig
Tredinnick, Mr David
Trevelyan, Mrs Anne-Marie
Truss, Mr Elizabeth
Tugendhat, Mr Tom
Vaizey, Mr Edward
Vara, Mr Shaleesh
Vickers, Mr Martin
Villiers, Mr Therasa
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Warburton, Mr David
Warman, Mr Matt
Watling, Mr Giles
Whatley, Mr Helen
Whittaker, Mr Craig
Whittingdale, Mr John
Wiggin, Mr Bill
Williamson, Mr Gavin
Wilson, Mr Sammy
Wollaston, Mr Dr Sarah
Wood, Mr Mike
Wragg, Mr William
Wright, Mr Jeremy
Zahawi, Mr Nadhim

Tellers for the Noes:
Andrew Griffiths and
Mrs Heather Wheeler

Question accordingly negatived.
Main question put.

The House divided: Ayes 320, Noes 301.

Division No. 18

[10.27 pm]

AYES

Adams, Mr Nigel
Afolami, Mr Bim
Afriyie, Mr Adam
Aldous, Mr Peter
Allan, Mr Lucy
Allen, Mr Heidi
Amsel, Mr Sir David
Andrew, Mr Stuart
Argar, Mr Edward
Atkins, Mr Victoria
Bacon, Mr Richard
Badenoch, Mrs Kemi
Baker, Mr Steve
Baldwin, Mr Harriet
Barclay, Stephen
Baron, Mr John
Bebb, Mr Guto
Bellingham, Sir Henry
Benyon, Mr Richard
Beresford, Mr Paul
Berry, Mr Jake
Blackman, Mr Bob
Blunt, Mr Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Mr Peter
Bowie, Mr Andrew
Bradley, Mr Ben
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<th>12 SEPTEMBER 2017</th>
<th>Nomination of Members to Committees</th>
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<td>Costa, Alberto</td>
<td>McLoughlin, rh Sir Patrick</td>
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<td>Courts, Robert</td>
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<td>Cox, Mr Geoffrey</td>
<td>McVey, rh Ms Esther</td>
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<td>Crabb, rh Stephen</td>
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<td>Crouch, Tracey</td>
<td>Merriman, Huw</td>
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<td>Davey, Chris</td>
<td>Metcalfe, Stephen</td>
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<td>Davies, David T. C.</td>
<td>Miller, rh Mrs Maria</td>
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<td>Davis, rh Mr David</td>
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<td>Dinenage, Caroline</td>
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<td>Mordaunt, Penny</td>
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<td>Docherty, Sir C.</td>
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<td>Murray, Mrs Sheryll</td>
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<td>Duncan, rh Sir Alan</td>
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NOES

Abbott, rh Ms Diane Abrahams, Debbie Alexander, Heidi Ali, Rushanara Allin-Khan, Dr Rosena Amesbury, Mike Antoniazzi, Tonia Ashworth, Jonathan Austin, Ian Bailey, Mr Adrian Bardell, Hannah Barron, rh Sir Kevin Beckett, rh Margaret Benn, rh Hilary Berger, Luciana Betts, Mr Clive Blackford, Ian Blackman, Kirsty Blackman-Woods, Dr Roberta Blomfield, Paul Brabin, Tracy Brashaw, rh Mr Ben Brake, rh Tom Brennan, Kevin Brock, Deidre Brown, Alan Brown, Lyn Brown, rh Mr Nicholas Bryant, Chris Buck, Ms Karen Burden, Richard Burgon, Richard Butler, Dawn Byrne, rh Liam Cable, rh Sir Vince Cadbury, Ruth Cameron, Dr Lisa Campbell, rh Mr Alan Carden, Dan Carmichael, rh Mr Alistair Champion, Sarah Chapman, Douglas Chapman, Jenny Charalamous, Bamboos Cherry, Joanna Coaker, Vernon Coffey, Ann Cooper, Julie Cooper, Rosie Cooper, rh Yvette Corbyn, rh Jeremy Cowan, Ronnie Coyle, Neil Crausby, Sir David Crawley, Angela Creagh, Mary Creasy, Stella Cruddas, Jon Cryer, John Cummins, Judith Cunningham, Alex Cunningham, Mr Jim Dakin, Nic Davey, rh Sir Edward David, Wayne Hillier, Meg Hobhouse, Wera Hodge, rh Dame Margaret Hodgson, Mrs Sharon Hoey, Kate Hollern, Kate Hopkins, Kelvin Hosie, Stewart Huq, Dr Rupa Hussain, Imran Jardine, Christine Jarvis, Dan Johnson, Diana Jones, Darren Jones, Gerald Jones, Helen Jones, Mr Kevan Jones, Sarah Jones, Susan Elan Kane, Mike Keeley, Barbara Kendall, Liz Khan, Afzal Kinnoch, Stephen Kyle, Peter Laird, Lesley Lake, Ben Lamb, rh Norman Lammy, rh Mr David Lavery, Ian Law, Chris Lee, Ms Karen Leslie, rh Mr Chris Lewell-Buck, Mrs Emma Lewis, Clive Lewis, Mr Ivan Linden, David Lloyd, Stephen Lloyd, Tony Long Bailey, Rebecca Lucas, Caroline Lucas, Ian C. Lynch, Holly MacNeil, Angus Brendan Madders, Justin Mahmood, Mr Khalid Mahwood, Shabana Malhotra, Seema Mann, John Marsden, Gordon Martin, Sandy Maskell, Rachael Matheson, Christian Mc Nally, John McCabe, Steve McCarthy, Kerry McDonagh, Siobhain McDonald, Andy McDonald, Stewart Malcolm McDonald, Stuart C. McDonnell, rh John McFadden, rh Mr Pat McGinn, Conor McGovern, Alison McInnes, Liz McKinnell, Catherine McMahon, Jim McMorrin, Anna Mearns, Ian Miliband, rh Edward Monaghan, Carol Moran, Layla Morden, Jessica Morgan, Stephen Morris, Graham Murray, Ian Nandy, Lisa Newlands, Gavin Norris, Alex O'Hara, Brendan O'Mara, Jared Onasanya, Fiona Onn, Melanie Onwurah, Chi Osamor, Kate Owen, Albert Peacock, Stephanie Pearce, Teresa Pennycook, Matthew Perkins, Toby Phillips, Jess Phillipson, Bridget Picock, Laura Platt, Jo Pollard, Luke Pound, Stephen Powell, Lucy Qureshi, Yasmin Rashid, Faisal Rayner, Angela Reed, Mr Steve Rees, Christina Reeves, Ellie Reynolds, Emma Reynolds, Jonathan Rimmer, Ms Marie Robinson, Mr Geoffreay Rodda, Matt Rowley, Danielle Ruane, Chris Russell-Moyle, Lloyd Ryan, rh Joan Saville Roberts, Liz Shah, Naz Sharma, Mr Virendra Sheerman, Mr Barry Sheppard, Tommy Sherriff, Paula Shuker, Mr Gavin Siddiq, Tulip Skinner, Mr Dennis Slaughter, Andy Smeech, Ruth Smith, Angela Smith, Cat Smith, Eleanor Smith, Laura Smith, Nick Smith, Owen Smyth, Karin Snell, Gareth Sobel, Alex Spellar, rh John Starmer, rh Keir Stephens, Chris Stevens, Jo Stone, Jamie Streeting, Wes Stringer, Graham Sweeney, Mr Paul J. Swinson, Jo Tami, Mark
Nomination of Members to Committees 12 SEPTEMBER 2017 Nomination of Members to Committees

Thewlis, Alison
Thomas, Gareth
Thomas-Symonds, Nick
Thornberry, rh Emily
Timms, rh Stephen
Trickett, Jon
Turner, Karl
Twigg, Stephen
Twist, Liz
Umunna, Chuka
Vaz, rh Keith
Vaz, Valerie
Walker, Thelma
Watson, Tom
West, Catherine

B: SELECTION COMMITTEE (NOMINATION TO GENERAL COMMITTEES)

The Selection Committee shall interpret paragraph (2) of Standing Order No. 86 (Nomination of general committees) in such a way that where a committee has an odd number of members the Government shall have a majority, and where a committee has an even number of members the number of Government and Opposition members shall be equal; but this instruction shall not apply to the nomination of any public bill committee to which the proviso in sub-paragraph (iv) of that paragraph applies.

C: POSITIONS FOR WHICH ADDITIONAL SALARIES ARE PAYABLE FOR THE PURPOSES OF SECTION 4A(2) OF THE PARLIAMENTARY STANDARDS ACT 2009

The Chair of the committee established under part A of this order shall, for the period that part A of this order has effect, be a position specified for the purposes of section 4A(2) of the Parliamentary Standards Act 2009, subject to paragraphs (2) to (4) of the resolution of the House of 19 March 2013 (Positions for which additional salaries are payable for the purposes of Section 4A(2) of the Parliamentary Standards Act 2009) which apply as if that position were referred to in paragraph (1)(a) of that resolution; and, for that period, the chair of the Committee of Selection shall not be a position so specified.

D: NOMINATION OF PROGRAMMING COMMITTEES

The Speaker shall interpret paragraph (2)(b) of Standing Order No. 83B (Programming committees) in such a way that the number of Government and Opposition members nominated to each such committee shall be equal.

E: NOMINATION OF PROGRAMMING SUB-COMMITTEES

The Speaker shall interpret paragraph (3)(b) of Standing Order No. 83C (Programming sub-committees) in such a way that the Government shall have a majority of the 65 members nominated to each such committee.

F: NOMINATION OF REASONS COMMITTEES

That, unless the House otherwise orders, the Government shall have a majority of the members nominated to each committee to draw up reasons.

STANDING ORDERS ETC. (DEPARTMENTAL NOMENCLATURE) (DIGITAL, CULTURE, MEDIA AND SPORT)

Ordered,

That the following changes to Standing Orders be made:

A: SELECT COMMITTEES RELATED TO GOVERNMENT DEPARTMENTS

(1) That Standing Order No. 152 (Select committees related to government departments) be amended in the Table in paragraph (1), in item 3, by inserting “Digital,” before “Culture, Media and Sport” in each place it occurs.

B: EUROPEAN COMMITTEES

(2) That the Table in paragraph (7) of Standing Order No. 119 (European Committees) be amended in the Table in paragraph (2), in item 3, by inserting “Digital,” before “Culture, Media and Sport” in each place it occurs.

Mr Speaker: I feel sure that hon. Members will wish to listen intently to the petition from Mr Tommy Sheppard, but in the extraordinary eventuality that colleagues do not wish to hear about Mr Sheppard’s petition, perhaps they can do us all the courtesy of leaving the Chamber quickly and quietly so that the hon. Gentleman can speak briefly to it.

PETITIONS

System of obtaining Permanent Residence Certification

10.42 pm

Tommy Sheppard (Edinburgh East) (SNP): I rise to present a petition relating to the system of obtaining permanent residence certification in the United Kingdom.
This petition signed by my constituents and a similar petition signed by another 200 of my constituents express concern at the difficulties many EU citizens living in the UK face in obtaining permanent residence. I wish to record, in particular, the efforts of Uta Rosenbrock in bringing this matter to my attention and that of the House.

The petitioners request that the House urges the Government to change the procedures for obtaining permanent residence, and they detail seven specific reforms that would improve the process, which I invite Members of the House to study in detail.

The petition states:

The petition of residents of the UK, declares that the current system of PR discriminates against many groups of EU/EEA residents and their non-EEA spouses/civil partners; further that this reform will facilitate EU/EEA nationals to obtain Permanent Resident Certification/Card (PR), currently mandatory to become UK citizens (for those who wish to do so).

The petitioners therefore request that the House of Commons urges the Government to ensure that British spouses/civil partners to be considered as sponsors or their EU/EEA spouses/civil partners in PR applications; further to scrap Comprehensive Sickness Insurance as PR requirement for EU/EEA students, homemakers, carers, retired and disabled people or applicants self-sufficient through other income, including their non-EEA spouses/civil partners; EU/EEA nationals, their spouses/civil partners, their children, who have exercised treaty rights for less than 5 years, to complete their journey to PR; further that parents/children of British citizens to obtain PR automatically; further that spouses/civil partners of UK service men/women to acquire PR without proof of residency; further that PR to be protected under UK law; further that type of residency evidence, currently accepted for PR/ILR, to be accepted for UK citizenship; further that leaders are urged to act now to reform the system of obtaining Permanent Residence Certification/Card (PR).

And the petitioners remain, etc.

Glenfield Children’s Heart Unit

10.44 pm

Neil O’Brien (Harborough) (Con): On 28 September, NHS England will decide on the future of the Glenfield children’s heart surgery unit in the east midlands, which is currently at Glenfield Hospital. It is a very high-performing unit, with some of the best outcomes in the entire country, and I have been privileged to see its amazing staff at work. Without it, the east midlands would be the only region in the country without such a unit, and parents would have to travel a very long way to see their children.

Some 130,000 people have already signed one petition against closure, and as we approach the final decision on the future of the unit, I present this parliamentary petition as a reminder of how strongly my constituents feel about keeping this brilliant unit.

The petition states:

The petition of residents of Harborough, Oadby and Wigston, declares that the petitioners want Glenfield Children’s Heart Unit to be retained; further that this is a high performing unit and it is vital to retain such a service in the East Midlands.

The petitioners therefore request that the House of Commons urges NHS England to keep Glenfield Children’s Heart Unit open.

And the petitioners remain, etc.

Access to NHS Dentists

Mr Speaker: Order. Before we start the Adjournment, it might be for the benefit of the House if I explained— because a lot of people do not seem to realise this, including sometimes Members who have been in the House for quite a long time—what the rules appertaining to participation in the end-of-day Adjournment debate are. Any Member can seek to intervene on the person whose Adjournment debate it is. Equally, the Member whose debate it is not obliged to accept the intervention, though he or she can. That process does not require any involvement by the Chair or the Minister. If, however, a Member wishes to make what he or she might call an intervention but what we would regard as a speech of two or three minutes or more, that is permitted only if the Member whose debate it is agrees, the Minister agrees, and the occupant of the Chair agrees.

I thought it might be useful to make that point at the outset of this Parliament, because I have often come across very experienced and sometimes distinguished Members who do not seem to be aware of the distinction between intervening and making a speech in such circumstances. I hope that is helpful to colleagues.

Motion made, and Question proposed, That this House do now adjourn.—(Andrew Stephenson.)

10.46 pm

Judith Cummins (Bradford South) (Lab): In today’s NHS, the word “crisis” is sadly all too commonplace. Week in, week out, crisis grips our NHS. We see it played out across our front pages: in our money-strapped and creaking social care system, in our overflowing A&Es, and in the ever longer delays in accessing even basic procedures such as knee and hip replacements.

What we see unfolding in NHS dental practices in communities right across this country is yet another crisis. The British Dental Association agrees. A BBC investigation last week revealed that of 2,500 dental practices listed on the NHS Choices website, half were not willing to accept new adult NHS patients—half of all practices.

Paula Sherriff (Dewsbury) (Lab): I have raised with the Minister and his predecessors for over two years now the terrible dental services in Dewsbury, and we have not yet reached any resolution. Does my hon. Friend agree that while looking at this issue we must try to achieve a resolution for the whole of West Yorkshire?

Judith Cummins: Absolutely.

More disturbingly, 40% of practices were unwilling to take children as NHS patients. Millions of people each and every year are being left without access to an NHS dentist. The human cost of this crisis is huge. Families, parents and young children are suffering horrific, lifelong and extreme damage to their teeth and to their oral health. Stories of people resorting to pulling out their own teeth are increasingly commonplace. Images of young children—toddlers—with mouths full of rotten teeth are less and less of a rarity.
Tracy Brabin (Batley and Spen) (Lab/Co-op): Does my hon. Friend agree that it is deeply worrying that 29% of five-year-olds in Kirklees have decayed, missing or filled teeth, and that in March 2017 NHS Digital told us that one in three children in Kirklees have not seen an NHS dentist for the past 12 months?

Judith Cummins: I certainly do. I thank my hon. Friend for that intervention.

The physical damage is visible—it is easily understood—but just focusing on this physical damage would be to underestimate what we are facing in this country. Much of the damage is much less visible, as it is emotional, psychological and hidden beneath the surface, with a generation hobbled by insecurity and embarrassment. At a time when mental health parity receives the personal endorsement of the Prime Minister, I despair that so many, mainly young people, are facing emotional disorders for an entirely preventable reason.

It is difficult enough for adults left with irreparable damage, but when our children and young people are left embarrassed, deeply under-confident and self-conscious, the true scale of what is happening reveals itself.

Dr Philippa Whitford (Central Ayrshire) (SNP): Is not the underlying problem that there is no preventive dental contract in England? That means that people are going when they are in crisis and dentists are unwilling to take them on. England needs something like the Scottish Childsmile scheme, which takes children right through childhood.

Judith Cummins: I thank the hon. Lady for that intervention.

As children and young people are starting off in life, with their careers, social lives, and everything else ahead of them, they are being left damaged for entirely avoidable reasons. Sadly, identifying a crisis in our health services is not a rarity, but what we see in this crisis is that it is unfairly hitting the least affluent the hardest—those who are struggling to make ends meet, and those living in working-class areas.

The BBC interviewed a Bradford resident, Nazreen Akhtar, a mother of two children. She said it had taken her five years to find a dentist who would accept both her children.

Imran Hussain (Bradford East) (Lab): My hon. Friend will be aware that in Bradford 40% of people do not have an NHS dentist. Many of them have applied unsuccessfully. Does she agree that it is unacceptable that only one in 20 practices has its doors open to new patients?

Judith Cummins: It is an absolute disgrace.

In the meantime, Ms Akhtar’s son had suffered chronic pain. His adult teeth had grown over the top of his milk teeth. I can only imagine the distress in having to watch your child facing chronic pain day in, day out, powerless and abandoned.

Low-income families face a double whammy: they are unable to find local NHS dentists with open lists, and more to the point, they are unable to afford the high cost of private treatment. That double whammy has left working-class areas hardest hit. Over the past seven years, the Government’s unspoken policy has been to force dental practices to rely increasingly on patient fees, and, more insidiously, to force dental practices to rely even more on patients who pay privately. Revenue from private charges has grown by 66% over the past decade and totalled £783 million in 2016-17. Meanwhile, direct state investment has been in steady decline.

The British Dental Association analysis also reveals that the Government have only commissioned enough dentistry to treat around half the adult population. That is an absolute disgrace.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Lady on securing this debate. Does she feel that the Minister and the Government should set aside the idea of patients per practice and set extra money aside so that more dentists can take on more patients?

Judith Cummins: I absolutely do.

Dental practices in working-class areas, facing spiralling overheads and a decline in their income, are struggling to stay afloat. In better-off areas, dental practices have been able to cushion themselves through extra revenue from privately paying patients. That extra income makes a difference. In working-class areas, the realities of life are hugely different. After many families have paid their rent or mortgage, covered day-to-day essentials and put food on the table, a visit to the dentist has now become one of life’s luxuries.

Research by the BDA supports that idea. Figures reveal that four in 10 patients have delayed a dental check-up because of fears about the high cost of treatment. That is understandable when we realise that the patient charge for treatment in the highest band—such as crowns or bridges—is £2,444.30. Working-class people, such as those in Bradford, are being hit the hardest. They have been abandoned by the Government, and they suffer failing oral health and chronic pain day in, day out. Worst of all, they are powerless to do anything about it because they find it difficult to access an NHS dentist. There is a clear human cost of poor dental health, which affects every part of a person’s day-to-day life.

The BBC spoke to a Mr Oldroyd during their investigations. Mr Oldroyd, a middle-aged man, has been trying to find an NHS dentist for four long years, during which he had suffered from chronic pain caused by his terrible tooth decay. He told reporters:

“The state of my teeth has made me depressed and I’ve literally begged to be taken on by an NHS dentist, but every time I’ve been turned away.”

Mr Oldroyd told reporters that his pain became so unbearable that, in the end, he resorted to self-extraction. He pulled out his own teeth. This is simply unthinkable. Mr Oldroyd believes that his poor dental health has contributed to him being out of work. As he puts it:

“The tops of my teeth are gone. I’m on benefits and trying to get a job, and when someone sees my teeth they just think I’m another waster.”

This crisis has been a long time in the coming. It has not crept up on the Government; it has been visible and in plain sight. The Government were put on notice when they came to power in 2010. There have been repeated warnings from dental professionals working in the sector, from within Parliament, and from the British Dental Association. All have warned that this is not an option, but sadly that is what we have seen.
It was not long ago that I, and many other Members, spent the afternoon right here in the Chamber in a Back-Bench business debate about health inequalities. During my remarks I set out a number of simple, uncontroversial steps that promised to improve access to NHS dentistry. First among those steps was to expedite reform of the NHS dental contract. Time and again when challenged about the reform of this contract, the Government have done little more than lay the blame at the door of the previous Labour Government. With respect, if that excuse was ever persuasive, it is now threadbare following seven years of a Conservative Government, two Conservative Prime Ministers and three general elections.

Reform of the contract is critical, as it promises to spend taxpayers’ money more effectively. The current dysfunctional contract sets quotas on patient numbers, fails to incentivise preventive work, including effective public information campaigns, and implicitly places an ever-growing reliance on dental practices to pursue private charging as a means of staying afloat. This Government are forcing dentists to make a terrible decision: either to stop providing NHS services altogether and go private, disregarding those who have less ability to pay, or to provide overstretched NHS dental treatment to their patients—or a combination of both. That is a toxic choice for the dental profession.

Since first being elected in 2015, I have campaigned for more funding for Bradford. The city has among the worst oral health outcomes in the country, despite the hard work of local public health officials. We have received additional funding, to the credit of the previous Minister, the right hon. Member for North East Bedfordshire (Alistair Burt), but frustratingly this was only temporary. Despite my efforts, the Government have not announced whether any permanent funding will be put in place. That is simply unacceptable. Official figures reveal that a five-year-old in Bradford is four and a half times more likely to suffer from tooth decay than a child in the Health Secretary’s constituency of South West Surrey. According to figures, a third of children in Bradford have not seen a dentist for more than two years. Children should be given a check-up every six months.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): Will the hon. Lady give way?

Judith Cummins: I am really sorry; I cannot give way.

One core theme that emerges time and again, as borne out by Bradford hospitals’ admission, is that the Government are paralysed by inaction when it comes to oral health and NHS dentistry. They are indifferent towards even the simple task of requiring a countrywide collection of the most basic statistics on how many children are being subjected to the dangers of general anaesthetic. Time and again, the only sensible conclusion that can be drawn is that this Government are paralysed by inaction. Oral health and dentistry services truly are the Cinderella service of our NHS.

Across our country, tooth decay remains the leading reason for hospital admissions among young children, despite being almost completely preventable. The Government should be ashamed of the fact that almost 40,000 children were admitted to hospital to have multiple teeth extracted under a general anaesthetic because of tooth decay in the last year alone. On the Department of Health’s own figures, the average cost of a tooth extraction is £834. Overall, the NHS is calculated to have wasted more than £50 million on tooth extractions. This crisis is wasting the NHS millions upon millions of pounds each and every year in tooth extractions for our children. As the saying goes, prevention is better than cure. That was never truer than in oral and dental health. The Government should be ashamed of the fact that, on their watch, tooth extractions are up by 25%. It is beyond doubt that that £50 million would be better spent on prevention activities. Spending the money in that way would free up scarce NHS time and limited beds, while saving tens of thousands of our children from the trauma of hospital admission and general anaesthesia.

I want to touch upon the real scandal at the heart of those 40,000 hospital admissions. NHS dental treatment is free for our children and young people. Every child and young person should be receiving good quality NHS dental treatment, but recent figures published by the Royal College of Surgeons faculty of dental surgery reveal that 42% of children did not visit an NHS dentist in the year prior to 30 June 2017, and a staggering 80% of children between the ages of one and two did not visit a dentist at all. That may perplex some Members. Why are so many of our children and young people not receiving the treatment that they are freely entitled to access under our NHS? A recent survey published by the BDA reveals the truth. The survey found that 25% of parents did not know that routine dental check-ups were free for their children. More to the point, seven in 10 parents were not aware that treatment for their children would also be free of charge.

In theory and in name, we operate an NHS dental system for our children and young people—one that is based on need, not on ability to pay. It is free at the point of need and free at the point of delivery. In reality, however, when seven in 10 parents are not aware that treatment for their children is free; and when, on the
ground, 40% of NHS dentists are unwilling to take on children as new NHS patients. I ask this question: can we really say with any certainty that we continue to operate a free NHS dental system for our children in this country? Is it not true that, following seven years of inaction, the Government have, de facto, displaced our NHS dental system with a burgeoning private system?

Although the working class are, beyond doubt, being hit the hardest, the crisis in dentistry transcends social class, ethnicity and age. Although the people in my home city of Bradford are being hit hard by the lack of access to an NHS dentist, evidence from the profession, patients and the British dental association makes it clear that the crisis is a national one, which is hitting all areas of this country. Therefore, I ask the Government to bring on with dental contract reform and, more broadly, to bring forward a coherent strategy to tackle the inadequacies and inequalities I have set out this evening. Indifference is not an option; Government need to act now to stop this crisis.

11.3 pm

The Parliamentary Under-Secretary of State for Health (Steve Brine): I congratulate the hon. Member for Bradford South (Judith Cummins) on securing the debate, which has come significantly earlier this evening than perhaps we had expected. I am sure that that is one of the reasons for the increased turnout, but the main reason is that this is a very serious and important subject, which affects lots and lots of our constituents. I thank Members for being here.

Of course, everyone should have access to a dentist, and those who want it should have access to an NHS dentist. It is a fact that the two main dental diseases—dental caries or decay, and periodontal or gum disease—can be almost eliminated by the combination of good diet and correct tooth brushing, backed up by regular examinations by a dentist. Let me acknowledge from the outset, therefore, the vital role that dentists play in maintaining and improving the oral health of all our constituents.

As hon. Members may be aware, NHS England has a statutory duty to commission services to improve the health of the population and to reduce inequalities. The hon. Lady spoke passionately about that, as she always does. In this instance, NHS England’s statutory duty is to commission primary NHS dental services to meet local need. I appreciate that, as she has highlighted, there are of course areas with access difficulties—to put it mildly—such as her constituency of Bradford South, as well as those represented by other Members in the Chamber, but overall access continues to increase.

The January to March 2017 GP patient survey results were published in July, and I looked at them today. They showed that 59% of adults questioned had tried to get an NHS dental appointment in the past two years. Of those trying to get an appointment, 95% were successful. Looking, as I did today, at the latest figures for patients seen by NHS dentists, I can tell the hon. Lady that 63% of children. Although these access numbers are encouraging, I know that the hon. Member for Bradford South will not be sitting there thinking, “That’s all okay, then.” I know that more needs to be done to reduce the remaining inequalities in access, including in areas such as Bradford South, which she represents, and NHS England is committed to improving the commissioning of primary care dentistry within the overall vision of the five-year forward view.

To conclude the point I was making, at a regional level in the period to 30 June, the north of England saw the highest percentage of patients seen—56.8% of adults and 63% of children. Although these access numbers are encouraging, I know that the hon. Member for Bradford South will not be sitting there thinking, “That’s all okay, then.” I know that more needs to be done to reduce the remaining inequalities in access, including in areas such as Bradford South, which she represents, and NHS England is committed to improving the commissioning of primary care dentistry within the overall vision of the five-year forward view.

There are a number of national and local initiatives in place or being developed that aim to increase access to NHS dentistry. Nationally, the Government remain committed to introducing the new NHS dental contract, which the hon. Lady rightly referred to often in her speech. It is absolutely crucial to improve the oral health of the population and increase access to NHS dentistry.

A new way of delivering care and paying dentists is being trialled in 75 high street dental practices. At the heart of the new approach is a prevention-focused clinical pathway. It includes offering patients oral health assessments and advice on diet and good oral hygiene, with follow-up appointments where necessary to provide preventive measures, such as fluoride varnish, that can help the prevention agenda. Importantly, and this is of most relevance in this debate, the new approach also aims to increase patient access by paying dentists for the number of patients cared for—let me restate that: cared for—not just for treatment delivered, as per the current NHS dental contract. Subject to the successful evaluation of the prototypes, decisions will be taken on wider adoption. The prototypes are being evaluated against a number of success criteria, but let me be clear that they ending 30 June 2017. This equates to just over 58% of the child population. Again, this was an increase of 75,000 compared with the period ending June 2016.

Dr Whitford: It is not just a matter of seeing children if they are simply being seen for caries and fillings or other remedial work. The payment structure means that a dentist is paid only for a check, not for advice, cleaning or fluoride sealant, and the problem is that that structure does not drive prevention.

Steve Brine: I absolutely agree with the hon. Lady, and if she will bear with me, I will come on to that point.

Dr Caroline Johnson: As a doctor, I have seen the distressing circumstances in which children as young as two come in for teeth extractions. Children sometimes have all the milk teeth in their mouth extracted. Does my hon. Friend agree that there is more to preventing caries and such extractions than just dental treatment and having more dentists? The answer, particularly for the very youngest children, lies in extra education about oral care, as well as good diet and not drinking fizzy drinks and the like.

Steve Brine: Yes, there should be a package, and I will come on to mention one or two of those points. This is as much about self-care as it is about interaction with the dental profession.

To conclude the point I was making, at a regional level in the period to 30 June, the north of England saw the highest percentage of patients seen—56.8% of adults and 63% of children. Although these access numbers are encouraging, I know that the hon. Member for Bradford South will not be sitting there thinking, “That’s all okay, then.” I know that more needs to be done to reduce the remaining inequalities in access, including in areas such as Bradford South, which she represents, and NHS England is committed to improving the commissioning of primary care dentistry within the overall vision of the five-year forward view.

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Steve Brine: I thank the hon. Lady. Lady for that. No, I have not looked at that, as I am still relatively new to the brief, but I will certainly do so. I will make some progress and then conclude because time is limited.

Steve Brine: I cannot give the hon. Gentleman an exact time. I know that is annoying and I am sorry, but I cannot. It will happen ASAP—as soon as possible—and I will let the House know when it does.

Let me wrap up my speech by covering the other points that I need to make in response to the debate. We are about to launch the much anticipated and much discussed Starting Well programme, which is aimed at children under five. I think that it borrows from some of the stuff that is going on north of the border.

Children’s oral health is better than it has ever been, with 72% of five-year-old children in England now decay free. However, vast inequalities remain, as we have heard today. To tackle those inequalities, NHS England has been leading the Starting Well programme, alongside Public Health England—I was in Warwick today, speaking to its annual conference—the British Dental Association and, of course, colleagues at the Department of Health. The overall aim is to improve the oral health of children under the age of five who do not currently visit a dentist in 13 identified high-priority areas. The areas that have

been selected will be confirmed shortly. My officials will have heard a passionate bid from Opposition Members today.

I am sure that the House will welcome the initiative. The intention is to reduce the unacceptable oral health inequalities that exist for children in this country. We know that visiting a dentist early in a child’s life can help lay the foundations for a lifetime of good oral health.

Locally to the hon. Member for Bradford South, I am aware that NHS England ran an initiative to tackle the dental access issues in West Yorkshire. The aim of the dental access pilot was to improve access to primary care NHS dentistry in the Bradford City, Bradford Districts and North Kirklees clinical commissioning group areas.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Will the Minister give way?

Steve Brine: I will not because we are almost out of time.

The initiative was for patients requiring routine or urgent treatment who approached 111 to access a dentist. Patients were triaged by Local Care Direct according to need. Twenty-five practices participated in the pilot: nine in Bradford City, eight in Bradford Districts and eight in North Kirklees. In March 2017, an additional practice in Dewsbury was recruited into the pilot; the hon. Member for Dewsbury (Paula Sherriff) is in the Chamber.

The pilot began in January 2017 and was due to end in March, but it was extended to the end of June 2017. Over the duration of the pilot, almost 7,800 appointments were made available for new patients. NHS England across Yorkshire and the Humber is currently reviewing the learning from the pilot and considering how it can improve access to NHS dentists in a number of areas across the region. I know that it would welcome representations from the Opposition Members who are present if they wish to feed into that process.

In closing, I would like to reiterate the commitment we made in our manifesto “to support NHS dentistry to improve coverage and reform contracts so that we pay for better outcomes, particularly for deprived children.”

I hope that by setting out, in the very limited time we have for this Adjournment debate, the work being undertaken by the Department of Health, NHS England and Public Health England, I have been able to assure the hon. Lady and the House of the commitment we have and that I have personally. I hope there is no question but that this is a huge priority for me. I want to improve access to NHS dentistry and I want to improve the oral health of our children, especially in England, and of the population for the future. That is in all of our interests.

I thank the hon. Lady for bringing this debate to the House. I am certain that this conversation will continue.

Question put and agreed to.

11.15 pm

House adjourned.
Northern Ireland.

assessment he has made of the political situation in time.

issues remain outstanding and we must focus on finding agreement has not been reached. A high number of the intensive engagement that they have shown, but and Sinn Féin. I have been encouraged by the nature of stress that we are seeing engagement between the DUP parties in the days ahead. The time for action is now. I taken. Clearly, we will do all that we can to support the intent that we must have and the approach to be clear and resolute focus is to re-establish devolved functioning, power-sharing devolved Government. Our efforts to find resolution and form an Executive. However, I agree with my hon. Friend on

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Minister has been engaged, and she spoke to the party

underlined the need to be constructive in discussions

with one of the issues on the horizon—jobs in the

benefit from having an Executive with local decision

making by locally elected politicians. He highlights the

importance of that Committee positive and fruitful endeavours in

place and to his position as Chair of the Select Committee

Northern Ireland Affairs. I wish him and members

of that Committee positive and fruitful endeavours in their

work and I look forward to giving evidence to his Committee soon. He makes an important point about the important role of the Policing Board. I am not going to speculate about other options. He highlights the significance—the importance—of the issues that are at stake, and why it is so very important to see an Executive restored.

House of Commons

Wednesday 13 September 2017

The House met at half-past Eleven o’clock

PRAYERS

[Mr Speaker in the Chair]

BUSINESS BEFORE QUESTIONS

NEW SOUTHGATE CEMETERY BILL [LORDS]

Motion made, That the Bill be now read the Third time.

Hon. Members: Object.

Bill to be read the Third time on Wednesday 11 October.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Political Situation

1. Edward Argar (Charnwood) (Con): What recent assessment he has made of the political situation in Northern Ireland.

The Secretary of State for Northern Ireland (James Brokenshire): Northern Ireland remains without a fully functioning, power-sharing devolved Government. Our clear and resolute focus is to re-establish devolved government at Stormont. Together with the Irish Government, we are continuing to support the parties’ efforts to find resolution and form an Executive. However, time is short and I urge the parties to continue to work to reach agreement.

Edward Argar: I thank the Secretary of State for that answer, as I thank him, as I hope would all Members, for his clear determination, commitment and hard work in the cause of seeking a return to the power-sharing devolved Administration we all wish to see. With that in mind, does he share my view that it is vital that all parties in Northern Ireland continue to approach these discussions in a spirit of compromise and co-operation, with our eyes firmly fixed on the need to secure agreement?

James Brokenshire: I agree with my hon. Friend. Friend on the intent that we must have and the approach to be taken. Clearly, we will do all that we can to support the parties in the days ahead. The time for action is now. I stress that we are seeing engagement between the DUP and Sinn Féin. I have been encouraged by the nature of the intensive engagement that they have shown, but agreement has not been reached. A high number of issues remain outstanding and we must focus on finding that resolution and seeing devolved government restored.

Karin Smyth (Bristol South) (Lab): The Prime Minister has been making phone calls, but does she have a date in her diary to make an extended visit to Northern Ireland?

James Brokenshire: The hon. Lady is right; the Prime Minister has been engaged, and she spoke to the party leaders of the DUP and Sinn Féin last night and underlined the need to be constructive in discussions and to find that resolution. She will remain closely engaged and will play whatever role is needed to support and find that positive outcome.

Dr Andrew Murrison (South Wiltshire) (Con): While it lacks its 10 political members, the Northern Ireland Policing Board remains severely constrained. Although I hope that my right hon. Friend’s efforts bear fruit, in the event that the Executive are not restored, what contingency plans does he have to enable the Policing Board to function effectively?

James Brokenshire: I welcome my hon. Friend to his place and to his position as Chair of the Select Committee on Northern Ireland Affairs. I wish him and members of that Committee positive and fruitful endeavours in their work and I look forward to giving evidence to his Committee soon. He makes an important point about the important role of the Policing Board. I am not going to speculate about other options. He highlights the significance—the importance—of the issues that are at stake, and why it is so very important to see an Executive restored.

Nigel Dodds (Belfast North) (DUP): The Prime Minister has been in touch with party leaders in Northern Ireland in recent hours and she will have heard from our party leader a total commitment to restoring devolution immediately, with no red lines or preconditions, to get on with the job of dealing with health, education, jobs and investment in Northern Ireland. Can the Secretary of State indicate whether Sinn Féin continues to adhere to the view that these matters are not as important as seeking the fulfilment of partisan political demands, or whether any progress has been made on that front?

James Brokenshire: I welcome the statement that the right hon. Gentleman has made on behalf of his party, and indeed the comments that Arlene Foster has made about seeing that desire to get back into an Executive. I would also point to the comments of Michelle O’Neill, who has said that she believes that, while there are difficulties, a deal is still doable. I would certainly encourage the right hon. Gentleman and his party to engage in the way that they have, and encourage all parties to have that focus on seeing devolution restored.

Nigel Dodds: I thank the Secretary of State. Certainly we will continue to engage intensively in those political talks. Northern Ireland needs a devolved Government and it needs its Executive, not least to deal, for instance, with one of the issues on the horizon—jobs in the Bombardier plant in Belfast. I thank the Secretary of State and the Government for the work that they are doing on that already, and I urge him to remain fully committed and involved with us to ensure that those jobs are safeguarded.

James Brokenshire: I say to the right hon. Gentleman that there are a number of issues that would clearly benefit from having an Executive with local decision making by locally elected politicians. He highlights the issue of Bombardier. While this is a commercial matter,
as he knows, the UK Government are working tirelessly to safeguard Bombardier’s operations and its highly skilled workforce in Belfast. I remain in close contact with the Business Secretary. He has had extensive engagement with Boeing, Bombardier and the Canadian and US Governments, and the right hon. Gentleman knows about the Prime Minister’s engagement, too.

Executive Accountability

2. Jim Shannon (Strangford) (DUP): If he will take steps to ensure that departments of the Northern Ireland Executive are accountable and accessible to the Northern Ireland electorate. [900725]

The Secretary of State for Northern Ireland (James Brokenshire): The people of Northern Ireland need a fully functioning Executive where strategic decisions can be made in the interests of the whole community. That is clearly in line with what they voted for in the Assembly election in March and that is the appropriate means to ensure local accountability and accessibility for all the people of Northern Ireland.

Jim Shannon: I thank the Secretary of State for his response. We have Departments that have been rudderless since March, which is six months ago. The accountability that comes with an elected Minister is sadly lacking. If Sinn Féin continues to hold this Government and the people of Northern Ireland to ransom, will the Secretary of State step in to ensure that proper political oversight is provided for each Department, to ensure that accountability and accessibility are back on the cards, and how does he see that taking place?

James Brokenshire: The hon. Gentleman knows that time is running short. There is the lack of a budget in Northern Ireland and that cannot continue for much longer. The more we head into October the bigger the challenges will be. He makes a point about accountability, obviously, as the UK Government we have a primary responsibility in respect of political stability in Northern Ireland, but I note the point he makes about responses from Departments within the Northern Ireland civil service and I will certainly raise that with David Sterling.

Simon Hoare (North Dorset) (Con): While backing British farming both on the mainland and in Northern Ireland, may I ask my right hon. Friend, in the absence of the devolved Executive, what steps he and his Department are taking to ensure that the views of local politicians are being conveyed to Bombardier, Boeing and the Government of the United States?

James Brokenshire: My hon. Friend makes an important point. Our priority is to encourage Boeing to drop its participation in the New IRA represents a very real and present threat to security. We wish to see that continue. If I may, I will take this opportunity to commend the security services and police on both sides of the border for all that they do to keep individuals safe.

Sir Jeffrey M. Donaldson (Lagan Valley) (DUP): The Minister for his response and I am sure she will join me in welcoming Adrian O’Neill, Ireland’s newly appointed ambassador, to London. Will she also speak to Dublin about how it, as a co-guarantor of the Good Friday agreement, can assist in moving the peace process forward? I very much welcome the spirit of her words.

Chloe Smith: There has been close co-operation with the Irish Government every step of the way in seeking to re-establish the devolved Government, which is a common and shared priority. As the hon. Gentleman

part of be asking the DUP Members here to vote to reduce the powers of the Assembly while it is not sitting? Do the other parties elected to Stormont agree with the power-grab?

James Brokenshire: The hon. Lady fundamentally mischaracterises what the EU (Withdrawal) Bill is about. It is about creating UK-wide frameworks to ensure that we have a smooth transition, and I would have thought that was in the best interests of all of the United Kingdom and that everybody should get behind it.

Cross-border Security

3. Chris Philp (Croydon South) (Con): What recent discussions he has had with the Irish Government on cross-border security. [900726]

The Parliamentary Under-Secretary of State for Northern Ireland (Chloe Smith): The UK Government have regular discussions with the Irish Government on a range of issues, including cross-border security. We work closely together to tackle security challenges and keep people on both sides of the border safe.

Chris Philp: Does my hon. Friend agree that, as we leave the European Union, close co-operation with the Government of Ireland on security will be extremely important? Can she assure the House that that will be a top priority in the coming negotiations?

Chloe Smith: Yes—in short, I certainly can. Co-operation with the Irish authorities is already strong. We wish to see that continue. If I may, I will take this opportunity to commend the security services and police on both sides of the border for all that they do to keep individuals safe.

Stephen Pound (Ealing North) (Lab): I am grateful to the Minister for her response and I am sure she will join my hon. Friend the Member for Pontypridd (Owen Smith) and me in welcoming Adrian O’Neill, Ireland’s newly appointed ambassador, to London. Will she also speak to Dublin about how it, as a co-guarantor of the Good Friday agreement, can assist in moving the peace process forward? I very much welcome the spirit of her words.

Chloe Smith: Obviously, it is not possible to comment on specific assessments and security matters at this moment, but as I said in my previous response co-operation is very strong across all security matters. We wish to see it continue that way in order to keep people on both sides of the border safe not only from the scourge of terrorism, but from cross-border crime where that is relevant, too.
has said, that spirit is shared not only by Members on both sides of the House, but by the Governments. I am clear, however, that the UK Government have the specific responsibility of delivering public services and good governance in Northern Ireland as part of the United Kingdom. We act consistently in accordance with our obligations under the Belfast agreement and we are not looking for any principle that might be inconsistent with that agreement.

Common Travel Area

4. Patrick Grady (Glasgow North) (SNP): What discussions he has had with the Taoiseach on maintaining the common travel area after the UK leaves the EU.

The Secretary of State for Northern Ireland (James Brokenshire): The Government’s position on Northern Ireland and Ireland affirmed our commitment to maintaining the common travel area. That is supported by the EU, as confirmed in its recent paper on Ireland. I have regular discussions with the Irish Government and know that they, too, are supportive of maintaining the common travel area.

Patrick Grady: Does the Secretary of State acknowledge the warning from Mary McAleese—the former President of Ireland, who was born in Belfast—that maintaining the common travel area in the long term would be impossible, because it is impossible to distinguish between a UK and Irish or any other citizen who holds a CTA entitlement? Does he acknowledge her view that that would inevitably mean border checks and passport control?

James Brokenshire: I point the hon. Gentleman to the paper that the EU itself issued, which said:

“...The continued operation of the Common Travel Area is fundamental to facilitating the interaction of people in Ireland and the United Kingdom...Continuation of the Common Travel Area arrangements, in conformity with European Union law, should be recognised.”

I encourage the hon. Gentleman to do so.

Mr Marcus Fysh (Yeovil) (Con): Given that neither Ireland nor the UK is a member of the Schengen agreement, and given that security information is already shared whenever members of the public cross the Irish sea, does that not provide a framework for co-operation between north and south?

James Brokenshire: My hon. Friend highlights the strong co-operation between the Irish and UK Governments in respect of the common travel area. We want that to continue in the future. It has served us well over many decades, which is why our paper highlights its importance. Indeed, I think that the EU itself recognises that too.

Sammy Wilson (East Antrim) (DUP): The Government have produced a thoughtful, imaginative and innovative position paper on the issues of movement of people and goods across the border on the event of exit. Is the Secretary of State therefore disappointed that Dublin Ministers have taken up Sinn Féin calls for a border along the Irish sea, for special status for Northern Ireland and for staying in the customs union, instead of engaging positively with the Government on the proposals?

James Brokenshire: The Irish Government recognise the particular challenges. We encourage all those involved to engage positively and proactively with the position paper we published to encourage further discussion. It has workable proposals and we need to get down to having a detailed discussion on them.

Kevin Foster (Torbay) (Con): In his discussions with the Taoiseach, has the Secretary of State reflected on the fact that the common travel area is based on neither country being in Schengen, and that the real threat to Ireland and the UK would come from a part of mainland UK joining Schengen, for which the Scottish National party keeps arguing?

James Brokenshire: My hon. Friend makes a very important point about Schengen. Our common framework on the common travel area has operated since the 1920s, and the UK, the Irish Government and the EU recognise its significance. We are determined to find a positive way through, and that can be achieved.

Northern Ireland powerhouse

5. Chi Onwurah (Newcastle upon Tyne Central) (Lab): Whether the Government have plans to establish a Northern Ireland powerhouse; and if he will make a statement.

The Parliamentary Under-Secretary of State for Northern Ireland (Chloe Smith): This Government fully support business groups and civic leaders collaborating across boundaries to grow local economies. We are committed to doing our part to build prosperity right across the United Kingdom. For example, in Northern Ireland our UK industrial strategy will support business growth, employment and innovation, and boost levels of trade and investment.

Chi Onwurah: The north-east has been part of the northern powerhouse brand for some years now without succeeding in obtaining any significant investment. The Democratic Unionist Party on the other hand seems to have managed the opposite trick of receiving £1 billion of investment without any scrutiny, oversight or branding—or at least not one that it would be orderly of me to cite. Does the Minister agree with me that it is far better to have the money without the branding than the branding without the money?

Chloe Smith: I would hope that those on both sides of the House would agree that in every part of the United Kingdom we need to see jobs growth, the growth of key industries and people living a secure and prosperous life. I am pleased to note that this morning it was announced that the Northern Ireland unemployment rate for the May to July quarter of this year has decreased again. I hope that the hon. Lady would welcome that kind of growth. I also hope that she would turn her attention to what she could do to support the economy in her own constituency.

Mr Speaker: Order. There are plenty of private conversations taking place in the Chamber, but I am very keen to hear the thoughts of Mr David Simpson.
David Simpson (Upper Bann) (DUP): Thank you, Mr Speaker. I am sure the Minister agrees with me that when Northern Ireland achieves the status of 12.5% corporation tax, along and combined with our industrial strategy, our skills base and productivity, we would be ripe for a powerhouse initiative.

Chloe Smith: There are two things to say. First, we would like to see additional economic co-operation within Northern Ireland—namely, the possibility of there being city deals. Secondly, the hon. Gentleman’s comments about corporation tax clearly remind us that we need to work towards the restoration of an Executive who can take such decisions for the good of the people of Northern Ireland.

Governance and Political Stability

6. Bob Blackman (Harrow East) (Con): What steps he is taking to ensure good governance and political stability in Northern Ireland.

The Secretary of State for Northern Ireland (James Brokenshire): I have pressed the parties on the urgent need to resolve the current impasse in the interests of the entire community and I believe a deal remains possible. Locally accountable government is essential for the delivery of public services, good governance and political stability in Northern Ireland.

Bob Blackman: I thank my right hon. Friend for that answer and his patience and perseverance in restoring the Executive. How concerned is he about the lack of accountability to locally elected politicians of civil servants who are delivering public services in Northern Ireland?

James Brokenshire: I am concerned, because it is not right that we do not have locally elected politicians making decisions and, yes, making sure that civil servants who act to deliver those services are held accountable. That is why we need to see the restoration of the Executive at the earliest possible opportunity, serving all communities, and delivering those public services that people need.

Lady Hermon (North Down) (Ind): Given that we have not had a functioning Northern Ireland Assembly for nine months, why on earth do the 90 Members of the Legislative Assembly continue to receive their full salaries and their full staffing allowance? It is an absolute scandal that that continues to be the case.

James Brokenshire: I certainly hear that message loud and clear. There is no direct way in which I can intervene; there is no legislation that would authorise me to do so. As I said in a speech in Cambridge on Friday, if we were to be in the situation where the UK Government have to make direct directions, that is certainly an issue that I would have to consider.

Mr Speaker: Having heard the hon. Gentleman regularly expositing from his seat, it would be good to hear him on his feet. Mr Martin Docherty-Hughes.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): Thank you, Mr Speaker. If the Secretary of State is so perturbed by a perceived lack of good governance in the province of Northern Ireland, perhaps he would like to tell his Back Benchers why he and his Government technically gave £1 billion to an unaccountable executive, led by the DUP.

James Brokenshire: We have recognised the case for the needs of Northern Ireland, where there has been under-investment in infrastructure and mental health issues. I am sorry if the hon. Gentleman does not acknowledge and recognise that. We firmly do, and act in the interests of all parts of the United Kingdom.

Brexit Discussions

7. Jo Churchill (Bury St Edmunds) (Con): What recent discussions he has had with political parties in Northern Ireland on the UK leaving the EU.

The Secretary of State for Northern Ireland (James Brokenshire): UK Government Ministers have held a number of meetings with Northern Ireland’s political parties about EU exit. However, our priority remains restoring the Northern Ireland Executive, which will enable direct ministerial engagement on matters relating to the UK’s departure from the EU.

Jo Churchill: I thank the Secretary of State for his answer, but people still need food and drink. Six million cases of Baileys and other cream liqueurs are made in Ireland every year. In Northern Ireland, production crosses the border several times, as is the case for most products. What is he doing to ensure frictionless borders for our farmers and for food production, and ensure that Baileys and Guinness get here?

James Brokenshire: I note my hon. Friend’s focus on drinks and her preferred tipple. The agri-foods sector is a key component of the Northern Irish and, indeed, Irish economy. That is why we highlighted it in our position paper on standards with regard to the need for a frictionless border. We have set out those proposals, and we want that engagement with the EU.

Owen Smith (Pontypridd) (Lab): The Brexit Secretary borrowed a phrase from the Northern Ireland peace process to describe his approach to Brexit negotiations. He called it generously constructive ambiguity, but on the issue of the Northern Irish border we do not need ambiguity. We need certainty, so will the Secretary of State provide some today. Essentially, he has three options: a hard border in Ireland; a hard border in the Irish sea; or maintaining the UK and Ireland in a customs union through political agreement. Which one does he support?

James Brokenshire: I encourage the hon. Gentleman to read our position paper, which sets out the proposals. We do not want a border emerging across the Irish sea. We do not want a hard border, which is why we have set out proposals on the movement of people and goods and, yes, proposals in relation to customs arrangements.

Owen Smith: It is precisely because I have read the Government’s paper that I ask for clarity. It has to be made plain exactly what the Government are proposing. The Secretary of State knows that a hard border, either in Northern Ireland or in the Irish sea, would be completely
damaging to the Good Friday agreement and the economy of Ireland. The only answer is to maintain a customs union, and I urge him to advocate that today.

James Brokenshire: We have been clear about the maintenance of the common travel area, and we have set out two alternatives for the operation of customs arrangements. On the question of clarity, I would encourage the hon. Gentleman to ask for clarity from the Leader of the Opposition, who has been anything but clear about whether his party supports membership of the single market or not. I encourage him to work on his own side to deliver that clarity.

Security Situation

8. Sir Henry Bellingham (North West Norfolk) (Con): What recent assessment he has made of the security situation in Northern Ireland. [900731]

9. Scott Mann (North Cornwall) (Con): What recent assessment he has made of the security situation in Northern Ireland. [900732]

14. Luke Hall (Thornbury and Yate) (Con): What recent assessment he has made of the security situation in Northern Ireland. [900737]

The Parliamentary Under-Secretary of State for Northern Ireland (Chloe Smith): The threat from Northern Ireland-related terrorism continues to be severe in Northern Ireland, meaning that an attack is highly likely. Our response to terrorism and paramilitary activity is co-ordinated, effective and fully resourced. This Government remain fully committed to keeping people safe and secure and ensuring that terrorism never succeeds.

Sir Henry Bellingham: As part of the security review, will the Minister look at the case of Dennis Hutchings and other veterans, who have been hounded and charged in respect of alleged shootings nearly 50 years ago? There is no new evidence, so surely the time has come to restore humanity and natural justice, and bring in some form of time limitation.

Chloe Smith: The Government will always give their fullest possible backing to those brave men and women who have done, and continue to do, an outstanding job serving the community. As part of our work to implement the Stormont House agreement, the legacy institutions will be under a duty to behave in a manner that is balanced, proportionate and fair. We also have the aim of taking cases in chronological order. [Interruption.]

Mr Speaker: I understand the sense of anticipation, but I remind the House that we are discussing the security situation in Northern Ireland. Out of respect for the people of Northern Ireland it would be good if there were some attention to the questions and answers.

Scott Mann: Will my hon. Friend join me in sending a message of support and thanks to the brave men and women of the Police Service of Northern Ireland who keep us safe in the light of the severe terrorist threat at present?

Chloe Smith: Yes, I certainly do. I send the Government’s thanks and support to every member of the security services and the police force who keeps people safe in Northern Ireland and here.

Luke Hall: Will my hon. Friend update the House on efforts made through the “Fresh Start” programme to tackle the scourge of paramilitaries, who continue to exert control through fear and criminal behaviour?

Chloe Smith: This Government have committed £25 million of funding to support the Northern Ireland Executive’s tackling paramilitarism programme. However, I return to the point that this reminds us why we need an Executive back up and running to keep people safe, on this most acute of issues.

Ian Paisley (North Antrim) (DUP): The Minister must be absolutely appalled by the report from the Northern Ireland Affairs Committee on the response by the Government to Libyan Semtex being used to murder people in Northern Ireland and here in GB. Will she commit to meet my colleagues and me to discuss this report and get a fresh start on dealing with this crucial issue?

Chloe Smith: More broadly, this is a matter being taken forward by the Foreign Office, but I would be happy to meet, or indeed to arrange a meeting, with members of the Government to discuss the issues in more detail.

Vernon Coaker (Gedling) (Lab): Can the Minister tell us what steps the Government are taking to try to reassure communities that it is safe for them to come forward and work with the police? Surely working with communities is one of the best ways to improve the security situation in the whole of Northern Ireland.

Chloe Smith: Yes, is the principal answer. It is crucial that people have the confidence to come forward to the Police Service of Northern Ireland, to ensure a safe and prosperous future for all parts of the community.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. Layla Moran (Oxford West and Abingdon) (LD): If she will list her official engagements for Wednesday 13 September.

The Prime Minister (Mrs Theresa May): I am sure that the thoughts of Members across the House remain with all those affected by Hurricane Irma, particularly in our overseas territories. I would like to update the House briefly. My right hon. Friend the Foreign Secretary has travelled to the overseas territories to see the recovery work at first hand and assess what more is needed. As I told the House last week, we had a Navy ship pre-positioned in the region and humanitarian experts on the ground to co-ordinate the UK response. Since Thursday Cobra has met regularly to co-ordinate the Government’s response,
bringing together military, aid and consular effort, and today I am announcing an additional £25 million to support the recovery effort, further to the £32 million of assistance that I announced last week. We have now deployed over 1,000 military personnel to the region, with an additional 200 to arrive in the next few days, along with over 60 police. More than 40 tonnes of aid has now arrived. I am sure that Members across the House would like to join me in paying tribute to the hard work of the many people, military and civilian, who are doing an incredible job in difficult circumstances.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall have further such meetings later today.

Layla Moran: I would like to echo the Prime Minister’s words of sympathy for the families, but especially the children, affected by Hurricane Irma.

Oxford West and Abingdon has a vibrant local economy, but, reliant on the university, science and car industries, it is set to shrink if we leave the single market and the customs union, risking thousands of local jobs. Is it not time that the Prime Minister was frank with people about the dangers of leaving and allowed them a say when we finally know the full facts?

The Prime Minister: The hon. Lady’s view of what is going to happen when we leave the European Union is not the right one. If she is telling her constituents that, then she needs to think again. She needs to work with the Government to ensure that as we leave the European Union we get the deal that gives us access to the single market and enables us not just to have that access, but to do trade deals around the world and bring prosperity and jobs here to the UK.

Q2. [900820] Philip Davies (Shipley) (Con): Many of my constituents feel that Yorkshire has not had its fair share of the transport infrastructure cake over recent years, especially compared with London and the south-east. Will the Prime Minister therefore promise to significantly increase the proportion of transport infrastructure that is spent in the north generally and Yorkshire in particular in this Parliament? Perhaps my right hon. Friend can start as she means to go on by ensuring that we get the much-needed and long-awaited Shipley eastern bypass.

The Prime Minister: My hon. Friend never ceases to raise his constituents’ concerns in the House, as he rightly should, and he makes an important point. We are committed to ensuring that the whole country gets the transport infrastructure it needs. I reassure him that that is not about making a choice between north and south. We are carrying out one of the biggest investments in transport in the region for a generation, spending £13 billion—the largest in Government history—on northern transport in this Parliament. On the Shipley eastern relief road, I believe there is a decision to be taken by the local authority. We do want to see such improvements being supported, which is why we have allocated up to £781 million for the West Yorkshire Plus transport fund to deliver local priorities.

Jeremy Corbyn (Islington North) (Lab): I share the Prime Minister’s sympathy for all those affected by Hurricane Irma in whichever part of the Caribbean they have suffered. I hope the Prime Minister will be prepared to look carefully at the speed of our response to Hurricane Irma, and that, if demands are made in the next few days or weeks from any country affected, Britain will respond as generously as we can in helping people at what must be the most catastrophic time of their lives.

The situation facing disabled people in Britain is described by the United Nations Committee on the Rights of Persons with Disabilities as “a human catastrophe”. Does the Prime Minister think it was right that while her Government funded tax giveaways to the richest, disabled people have been hit hardest by the cuts her Government have made?

The Prime Minister: On the UK response to Hurricane Irma, I assure the right hon. Gentleman that it was a speedy one. RFA Mounts Bay was already pre-positioned, as I have said, and it was able to go in immediately to Anguilla to make necessary repairs, such as ensuring that the hospital there could continue to operate. We recognise that the devastation that has taken place means there will be a significant need for reconstruction in those British overseas territories and in other Caribbean member countries and countries in the region that have been hit. There will be a point at which it is right to start the reconstruction work, and we will work with our overseas territories to ensure that those countries and their economies can be brought to life once again, enabling their people to have a good life.

On disabled people, we have seen during our time in government more disabled people get into the workplace, we have focused support to disabled people, crucially, on those who are most in need, and we have increased the overall support being given to disabled people. The picture that the right hon. Gentleman presents is, again, not a fair one.

Jeremy Corbyn: The United Nations committee says that the Government’s policies have caused “grave and systematic violations” of the rights of disabled people. We have seen punitive assessments and sanctions, cuts to disability benefits, and the bedroom tax that has hit disabled people, 4.2 million of whom now live in poverty. At the weekend, we were told that the public sector pay cap had been dropped. On Monday, the Prime Minister’s spokesperson said the pay cap would continue as planned, and yesterday we were told it was over, yet later we found out that police and prison officers still face a real-terms pay cut. Will the Prime Minister tell us what the position is at midday today?

The Prime Minister: I remind the right hon. Gentleman that we spend more than £50 billion on benefits to support disabled people and people with health conditions. As a share of GDP, our public spending on disability and incapacity is the second highest in the G7. I suggest, therefore, that he thinks again on this matter.

On public sector pay, I said to the right hon. Gentleman only last week, I think, when questions were raised on the matter, that two further public sector pay review bodies—for prison officers and for police officers—were to report and the Government had to respond to them. They reported and made their recommendations, and as we have accepted the recommendations of the independent pay review bodies across the public sector,
we accepted them for those two groups of workers. We also recognise, as I have said to him previously, that we need to balance out protecting jobs in the public sector, being fair to public sector workers, and being fair to taxpayers who pay for it, many of whom are public sector workers. There is a need for greater flexibility as we look at these issues of public sector pay in the future. We will be working on that in the lead-up to the Budget, and the remits for the pay review bodies for 2018-19 will be published in due course.

Jeremy Corbyn: Does the Prime Minister understand that inflation is now 2.9%, so anything less than that means that dedicated public servants are worse off again? They have been made worse off every year for the past seven years. Yesterday, the POA was not impressed either with the 1.7% offer, saying, “it is a pay cut. It is not acceptable.”

As we discovered that prison officers and the police have been offered a slightly smaller real-terms cut in their incomes, there came the news that this would be funded by more service cuts. Can the Prime Minister guarantee that no more police or prison officers will be lost as a result of decisions that she has made this week?

The Prime Minister: What the right hon. Gentleman fails to remind people is that these pay review bodies that have reported and recommended these sums of pay are independent bodies. They make a recommendation to the Government, and the Government have taken those recommendations. He has also failed to mention one or two other things: he has failed to mention the automatic pay increases over and above the 1% that many public sector workers get. Indeed, a calculation suggests that a new police officer in 2010, thanks to those recommendations, has been cut by £300 million, but the Chancellor is absolutely committed to protecting jobs in the public sector, and he has not yet mentioned the employment figures today, which show unemployment at its lowest levels since the mid-1970s, and that employment—people in work; people taking home a wage, a salary, to support their family—is at record levels, the highest levels since records began.

Jeremy Corbyn: The only problem is that more people in work are in poverty than ever before. More are in insecure work, and more rely on tax credits and housing benefit to make ends meet. Consumer debt is rising by 10% as wages are falling. Household savings are lower than at any time in the past 50 years. That is the Conservative legacy.

A young woman called Aisha wrote to me last week. She says: “I have recently graduated from university, with a hefty amount of debt on my head.”

She goes on—[Interruption. I really cannot understand what people know is that it is only the Conservatives who have always dreamed of being nurses no longer want to train to become one.”

The Prime Minister’s Government, with the support of the Lib Dems, trebled tuition fees. This afternoon, will the Prime Minister take the opportunity to vote against another Tory hike in student fees?

The Prime Minister: Once again, there are a few things about people’s circumstances that the right hon. Gentleman failed to mention—things that the Government have done, such as giving a tax cut to 30 million people. For a basic rate taxpayer, that means £1,000 more in their pocket. That is what sound management of the economy by a Conservative Government delivers for people.

The right hon. Gentleman talks about delivering for students. Let us talk about delivery and let us talk about promises that are made. He promised—

Hon. Members: Ah! [Interruption.]

Mr Speaker: Order. There is far too much noise in the Chamber. We will get through all the questions, however long it takes; it is just a bit tedious if it is disrupted by excessive noise.

Jeremy Corbyn: Thank you, Mr Speaker. There are 20,000 fewer police officers and 7,000 fewer prison officers than in 2010, 43% of police stations have closed in the past two years alone, and police budgets have been cut by £300 million, but the Chancellor is absolutely on the money on this one, literally. Last week, at the 1922 committee, he told Conservative MPs: “look at us, no mortgage, everybody with a pension and never had more money in the current account.”

A Conservative Prime Minister once told Britain it had “never had it so good.”

Now Tory MPs tell each other, “We’ve never had it so good.” Can the Prime Minister tell us what has happened in the last seven years to the average person’s bank account?

The Prime Minister: I am very interested; the right hon. Gentleman is talking about ordinary people and the situation that they face, but this is his fourth question and he has not yet mentioned the employment figures today, which show unemployment at its lowest levels since the mid-1970s, and that employment—people in work; people taking home a wage, a salary, to support their family—is at record levels, the highest levels since records began.

The right hon. Gentleman talks about ordinary people and the situation that they face, but this is his fourth question and he has not yet mentioned the employment figures today, which show unemployment at its lowest levels since the mid-1970s, and that employment—people in work; people taking home a wage, a salary, to support their family—is at record levels, the highest levels since records began.
We are in the middle of an economic slowdown. The Office for Budget Responsibility says that there is a growing risk of recession on the Prime Minister’s watch. Growth is slowing, productivity is worsening, wages are falling, jobs are becoming more insecure, personal debt is increasing, saving levels are falling, and homelessness is rising all over the country. It is forecast that by the end of this Parliament, 5 million children in this country—the fifth richest country in the world—will be living in poverty. Is it not true that not only is our economy at breaking point, but for many people it is already broken, as they face up to the poverty imposed by this Government?

The Prime Minister: I just say to the right hon. Gentleman that, yet again, he failed to mention something on student fees. Who was it who introduced tuition fees? It was not the Conservative party; it was the Labour party that introduced tuition fees.

Let us look at what has happened in our economy. What do we see? We see record levels of direct investment in the British economy—firms investing in this country because they believe in the future of this country. We also see from today’s employment figures that there are more people in work than ever before. We see more women in work and more 16 to 24-year-olds in work or full-time education than we have seen before. That is what we get with a strong economy.

What do we know and what do the people know? That the Labour party, with its high debt, high taxes and fewer jobs, would only destroy our economy, as it did last time. We had to sort it out. The only people who pay the price for the Labour party are ordinary working families.

Q4. [900822] Edward Argar (Charnwood) (Con): Britain’s countryside—and, I would argue, Charnwood’s countryside—is the most spectacular in the world, because it is cared for by our farmers. Given that today is the National Farmers Union’s Back British Farming Day, will my right hon. Friend join me in recognising the huge contribution that farming makes to our economy and our country? In her clear determination to deliver a Brexit that works for Britain, will she ensure that Brexit works for Britain’s farmers as well?

The Prime Minister: I am very happy to join my hon. Friend in marking Back British Farming Day and recognising the enormous and important contribution that is made to our economy by the food and farming industry. As he implies in his question, leaving the EU does give us a new opportunity for UK agriculture. We will be able to design policies for our agriculture industry, and our food and farming industry, that suit the United Kingdom, our countryside and our environment, and that can provide better value for the taxpayer. Yes, I am happy to back Back British Farming Day, and, yes, we will make a success of leaving the European Union for our food and farming industry.

Ian Blackford (Ross, Skye and Lochaber) (SNP): Since 2007, annual real wage growth in the OECD has been an average of 6.4%. Can the Prime Minister explain to the House how the UK has measured up over the same period?

The Prime Minister: It might be quite interesting if the hon. Gentleman were to tell the House about the economy in Scotland. I seem to recall that the economy in Scotland is not doing as well as—[Interruption.]
available to local authorities and the police, and we want to see them working together and with local landowners. We do keep these matters under review, and I am sure my right hon. Friend the Communities Secretary will be happy to meet my hon. Friend to discuss them.

Q3. [900821] Melanie Onn (Great Grimsby) (Lab): Four years ago, after the death of her mother, my constituent Elissa became the sole carer for her three siblings. Now her eldest sister has gone to university and Elissa has had a child of her own, but despite saving the state hundreds of thousands of pounds in care costs, she is ineligible for the Sure Start grant and for child tax credit. This is an anomaly for kinship carers. Will the Prime Minister today commit to reviewing this ahead of the autumn Budget?

The Prime Minister: Obviously there are certain rules in place for these situations, but the hon. Lady raises a situation with various aspects to it. May I suggest that she writes to me about it, and I will look at the detail that she has set out?

West Midlands Economy

Q8. [900826] Michael Fabricant (Lichfield) (Con): When she next plans to meet the Mayor of the West Midlands to discuss the economy of that region; and if she will make a statement.

The Prime Minister: I would be happy to meet the new Conservative Mayor of the West Midlands when my diary allows.

Michael Fabricant: I am very encouraged to hear it. Last week, in the face of stiff competition, Birmingham defeated Liverpool’s brilliant submission and won the Commonwealth games bid for the west midlands, which is excellent news for the economy not only in Birmingham but in the greater west midlands, including Lichfield. Will my right hon. Friend speak to the Chancellor—I have noticed that he is apparently tentatively named Heysham 3—built more quickly?

The Prime Minister: I am grateful to my hon. Friend. I have noticed that he is apparently shortly to appear on a Channel 4 programme called “Celebrity First Dates”. What I am not sure about is whether he is the celebrity or the first date—maybe he can tell us about that.

My hon. Friend raises the issue of the Commonwealth games. Obviously their being hosted in the UK in 2022, in Birmingham, would present a unique opportunity for the west midlands, and it would of course promote global Britain across the Commonwealth. The next step is for Birmingham to demonstrate value for money in its bid, but subject to that, I have no doubt that Birmingham will continue the UK’s rich history of hosting successful sporting events.

Engagements

Q6. [900824] Louise Haigh (Sheffield, Heeley) (Lab): Crime involving mopeds and bikes has soared across the country in recent years. Given that yesterday’s unfunded real-terms pay cut to the police will actually cost us more frontline officers, may I suggest to the Prime Minister that the very least she can do is to change the law to protect police officers if they are driving according to their training and experience when pursuing people and responding to blue-light situations, and send a message from this House that no force should be operating a blanket no-pursuit policy? The police protect us every day. Is it not high time that the Prime Minister protected them?

The Prime Minister: First, I agree that there should not be blanket no-pursuit policies in place, but obviously each chief constable will make operational decisions for their own force.

The first issue that the hon. Lady raises—crimes relating to mopeds in particular—has been recognised. She says that this is an issue of funding. It is not an issue of funding: it is an issue of how we respond to those crimes. I am pleased to say that my hon. Friend the Policing Minister held a roundtable on exactly this issue yesterday to look at how we can ensure that the police are responding fully to it.

Q15. [900833] David Morris (Morecambe and Lunesdale) (Con): I would like to thank the Prime Minister, because she put me in touch with her powerhouse Minister and we are now looking at getting an enterprise zone in Heysham in my constituency. Ever having a big wishlist, however, may I ask the Prime Minister whether she can help me in any way possible with my ongoing campaign to get the third nuclear power station in Heysham—the tentatively named Heysham 3—built more quickly?

The Prime Minister: Once again, my hon. Friend is campaigning tirelessly for his constituency. I welcome his efforts across a number of issues which he referred to. We do need affordable, clean energy to keep the lights on in the decades ahead, and he is absolutely right that nuclear energy is an important part of our energy mix. In regard to the particular site, I believe there is land next to the existing Heysham nuclear power station, which is one of the eight sites in the UK that has been designated for new nuclear build.

Q7. [900825] Hannah Bardell (Livingston) (SNP): The House and the Prime Minister will remember the case of my constituent, Lola Ilesamni, whose daughter is under threat of female genital mutilation from Lola’s abusive ex-partner. I want to thank “Channel 4 News” and Cathy Newman for breaking the story, and the Prime Minister for intervening and granting an 18-month reprieve. Lola now has a temporary right to work, but are the Prime Minister and Cathy Newman for breaking the story, and the Prime Minister for intervening and granting an 18-month reprieve. Lola now has a temporary right to work, but obviously there are certain rules relating to mopeds in particular—has been recognised. She says that this is an issue of funding. It is not an issue of funding: it is an issue of how we respond to those crimes. I am pleased to say that my hon. Friend the Policing Minister held a roundtable on exactly this issue yesterday to look at how we can ensure that the police are responding fully to it.

The Prime Minister: The hon. Lady is right. She has raised that case before, and I understand that the Immigration Minister was in touch with her. I can confirm that, following a comprehensive and rigorous review, Ms Ilesamni has now been granted leave to remain in the United Kingdom, as the hon. Lady set out.

The Prime Minister: The hon. Lady is right. She has raised that case before, and I understand that the Immigration Minister was in touch with her. I can confirm that, following a comprehensive and rigorous review, Ms Ilesamni has now been granted leave to remain in the United Kingdom, as the hon. Lady set out.
I want to say something about the issue of female genital mutilation, which the hon. Lady raised. She talked about her concern about the threat that Lola’s daughter might be facing. FGM is an absolutely abhorrent crime. The Government have done a lot to deal with it, but we cannot tolerate that practice. Our work to tackle FGM is an integral part of our strategy on violence against women and girls, which we published in March last year. We all accept that we need to do more to ensure that young girls are not subject to this horrific abuse.

Kelly Tolhurst (Rochester and Strood) (Con): Does my right hon. Friend agree that the Labour party’s cynical attempt to block the European Union (Withdrawal) Bill on Monday shows that it is still interested only in playing party politics, rather than delivering the best deal for our future, which is what my constituents and the majority of this country want to see?

The Prime Minister: My hon. Friend is absolutely right. Most people in this country want to see the Government doing what we are doing, which is getting on with the job of delivering the best deal for Britain from Brexit. There was a certain amount of noise from the Opposition when I said earlier that the Leader of the Opposition let workers down by failing to protect their rights on Monday, but that is exactly one of the issues in the Bill. It is about bringing workers’ rights that are contained in EU legislation into the UK, and he voted against it.

Q9. [900827] Mrs Emma Lewell-Buck (South Shields) (Lab): As the Prime Minister was visiting survivors of the Manchester terror attack, families who were heartbroken to have lost their children were also in the vicinity, but the Prime Minister did not visit them. Chloe Rutherford and Liam Curry from South Shields tragically lost their lives, and their parents feel ignored by the Prime Minister. I wrote to her seven weeks ago with their concerns, but she has failed to respond. When will she properly acknowledge their loss?

The Prime Minister: The hon. Lady raises an important issue. I am not unaware of her letter, so I will of course look today to see why she has not received a response. I can only apologise to her for the fact that she has not yet received a response.

I acknowledged at the time, and I continue to acknowledge, that the attack in Manchester damaged lives in many ways. There are those who were injured and are living with the consequences of their injuries, those who lost loved ones—relatives or friends—and are affected by that, and those whose lives were sadly cut short at all too young an age. We must all ensure that we are providing support for the victims and that our authorities—police authorities and agencies—have the power to prevent attacks in the future. I will look into the issue of the letter because, as I said, the hon. Lady should have had a response already. I am sorry that seven weeks have gone by without her receiving one.

Ross Thomson (Aberdeen South) (Con): Following our successful Offshore Europe exhibition last week in Aberdeen, can the Prime Minister assure me and my constituents that support for the oil and gas industry will be at the heart of the industrial strategy so that we can maximise economic recovery in the North sea?

The Prime Minister: My hon. Friend is absolutely right. We have already given significant support to the oil and gas industry. I was pleased, some months ago, to visit Aberdeen and to visit the technology centre for the oil and gas industry. It is doing really interesting work looking not just at existing fields but at decommissioning work and how it can export its knowledge and expertise across the world. He is absolutely right that what people and businesses want is the certainty of knowing that Scotland will remain in the United Kingdom and that there will not be a second independence referendum.

Q10. [900828] Daniel Zeichner (Cambridge) (Lab): Cambridge parents tell me that when young people returned to schools and colleges last week, in some cases they found that almost half the cooks and cleaners had gone. Cambridge News reports that pubs in the area will not be able to serve food, because they cannot find the skilled staff to do it. Is it not ironic that taking back control is a further blow to the great British pub? Will the Prime Minister tell us what plans she has put in place to help institutions deal with this chronic and acute sudden shortage of labour?

The Prime Minister: The hon. Gentleman talks as if there is no longer net migration into this country, whereas, of course, there is net migration into this country. People are coming here to take on work. The wider issue, which the Government are dealing with, as we have seen from some of the announcements made by my right hon. Friend the Secretary of State for Education, is making sure that young people in the United Kingdom get the training, skills and technical education they need to be able to take on the skilled jobs of the future.

Mike Wood (Dudley South) (Con): Today is World Sepsis Day. Sepsis claims at least 44,000 lives a year in the UK and earlier this year I almost became part of that tragic statistic. Will the Prime Minister look at what more the Government could be doing to support awareness-raising programmes, so that we can catch sepsis more quickly, treat it more effectively and save more lives?

The Prime Minister: I am sure I echo the feelings of everybody across the whole House in saying that we are pleased my hon. Friend managed to battle sepsis, come through and win that particular fight. I commend him for his recovery. I commend all those who supported him in that fight and in that battle, including the excellent medical staff who provided him with the care he needed. He is absolutely right. The estimate is that 10,000 deaths a year could be prevented by better and earlier diagnosis of sepsis. We need to get better at spotting it and at raising awareness. We will be publishing a new sepsis action plan for the NHS. A NICE quality standard is due to be published this week. NHS England will also publish guidance to further support frontline staff.

Q11. [900829] Kirsty Blackman (Aberdeen North) (SNP): At the last census, there were 3,000 Aberdonians who said that they were born in Nigeria. Recently, the UN human rights office reported concerns about threats to
the Igbo people in northern Nigeria. The Foreign Secretary recently visited the country. Will the Prime Minister tell me what her Government are doing to encourage the communities there to live in peace?

The Prime Minister: We make efforts across a number of fronts and we are providing support to Nigeria in a variety of ways. As the hon. Lady says, there is a significant diaspora with Nigerian connections and heritage in the United Kingdom. She is right that the Foreign Secretary visited Nigeria. We continue to work with Nigeria. It is important to work with Nigeria on the state of its economy to ensure that communities across Nigeria can feel stability and security for the future.

Victoria Atkins (Louth and Hornsea) (Con): Yesterday, the shadow Justice Secretary refused four times to condemn illegal strike action. Labour’s biggest union paymaster seems to agree. Such illegal action would cause misery for millions of people across the country. Will my right hon. Friend join me in condemning illegal action? Does she agree that it is the Conservatives who understand that this great country was built on the principles of democracy and the rule of law?

The Prime Minister: I thank my hon. Friend for her question. She is absolutely right. I was struck to see this week that Len McCluskey—or perhaps Mahatma, as his friends call him—had said that if they need to act outside the law, so be it. I have to say that I join my hon. Friend. On the Conservative Benches we are very clear: we condemn illegal strikes. We condemn action outside the law. The people who suffer from illegal strikes are the ordinary working families who cannot get their children to school, who cannot access the public services they need, and who cannot get to work. Once again, the price of Labour is pain for ordinary working families.

Q12. [900830] Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Owing to recent changes to maternity services in my constituency, a vastly increased number of pregnant mothers are having to make a more than 200-mile return trip to give birth. One can imagine how dangerous that is in the depths of a hIGHLAND wINTER. While I recognise that this is a devolved matter, may I nevertheless ask the Prime Minister for advice about how I can help to sort out this desperate situation?

The Prime Minister: The hon. Gentleman, who is obviously right to speak up on behalf of his constituents in the highlands, points out that health matters are devolved to Scotland, so of course it is for the Scottish Government to make full use of their powers to deliver the healthcare services that people in Scotland deserve. People in Scotland will be sorry that their SNP Government are failing to deliver for them in relation to health services. This week we marked the 20th anniversary of the vote to create the Scottish Parliament, so it is particularly notable. I welcome him to his place in the House, however, and wish him the best in his efforts. Standing up and mentioning in this House the failure of the Scottish Government is part of the answer to his question.

Dr Julian Lewis (New Forest East) (Con): The widow of our murdered colleague Ian Gow has expressed dismay and disgust that hundreds of former soldiers face reinvestigation—yet again—over incidents that occurred 40 years ago, while her husband’s suspected killers walk free. Will the Prime Minister now introduce legislation for a statute of limitations, coupled with a truth recovery process, finally to put an end to this grotesque situation, as she is perfectly able to do?

The Prime Minister: I say first to my hon. Friend that the overwhelming majority of our armed forces in Northern Ireland served with great distinction, and we owe them a huge debt of gratitude for what they did. As part of our work to implement the Stormont House agreement, we will obviously ensure that the new legacy bodies are under legal obligations to be fair, balanced and proportionate. This will make sure that our veterans are not unfairly treated and will recognise the fact that 90% of the deaths in the troubles were caused by terrorists, and we should never forget that. Our focus, however, is on ensuring that the investigative bodies responsible for looking at deaths during the troubles operate in a fair, balanced and proportionate manner.

Q13. [900831] Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Today is also Back Welsh Farming day, and National Farmers Union Cymru estimates that agriculture contributes 60,000 jobs in Wales and £500 million a year. How will farming be able to continue that contribution once the International Trade Secretary opens up domestic markets to lower-standard food while simultaneously losing unrestricted access to our main export market?

The Prime Minister: As I have said, I support Back British Farming day, and obviously I back farmers in Wales as well—I was pleased in recent months to sit down and talk to farmers in Wales. We are looking to leave the EU with a good trade deal that enables trade to continue on as friction-free and tariff-free basis as possible, and that will be good for Welsh farmers. There are opportunities, however, for Welsh farmers to export to the rest of the world, and we want to ensure those opportunities through our trade deals with the rest of the world.

Simon Hoare (North Dorset) (Con): Tomorrow, I will have the great honour and privilege of hosting in this place a celebratory event marking the 50th anniversary of the Multiple Sclerosis Society. We will welcome partners from across the world who have come together over that half century to tackle and defeat that pernicious condition. May I invite my right hon. Friend, as Prime Minister, to send her good wishes to the MS Society internationally as we celebrate this important milestone and to commit the Government, as they have done over the past few years, to work across Departments to ensure that those with MS have the maximum support and encouragement to get back into work, which so many of them wish to do?

The Prime Minister: I thank my hon. Friend. Friend for raising this issue, and I am happy to join him in sending our best wishes to the MS Society. I know from my own family the impact that multiple sclerosis can have. Society campaigns tirelessly for people with MS, and I am very pleased that my hon. Friend is hosting a reception to mark this important milestone.
We have seen progress over the past 15 years. The Department of Health has made funds available for neurological research, which, of course, includes research on MS. As my hon. Friend says, however, it is not an issue just for the Department of Health. It is important to try to help people with MS back into the workplace—which we are doing in the Department for Work and Pensions—because many of them want to continue to be in the workplace and to provide for themselves and their families.

Q14. [900832] Norman Lamb (North Norfolk) (LD): Four years after teenager Christina Edkins was tragically killed by Philip Simelane, a man who was acutely ill with psychosis and had only recently been released from prison, the chair of the independent panel has expressed extreme concern about the fact that vulnerable prisoners are still being released without adequate support. Will the Prime Minister make it an urgent priority to ensure that we guarantee that there is proper support, proper continuity of care, and the sharing of information between prisons and mental health services to reduce the risk of another tragedy taking place?

The Prime Minister: The right hon. Gentleman has raised a very important matter. He has campaigned long and hard on mental health issues, and has made a huge contribution in doing so.

The issue of the relationship between health services and prisons is long-standing. Efforts have been made, and there has been some progress in improving that relationship—in the context of the responsibilities of the Department of Health and the national health service in prisons—to ensure that cross-cutting action of exactly that sort can be taken; but we will, of course, continue to look at the issue.

Nigel Huddleston (Mid Worcestershire) (Con): It is an honour every day to work alongside some incredibly talented female Members of Parliament on both sides of the Chamber. This afternoon there will be a Westminster Hall debate on women in Parliament. What does the second female Prime Minister believe should be done to bring even more talented women into Parliament?

The Prime Minister: I am very pleased, because I think that my hon. Friend is playing his own role—[Interruption.]

Mr Speaker: Order. Let us hear the answer.

The Prime Minister: I think that my hon. Friend is playing his own role in supporting Women2Win, the organisation in the Conservative party that encourages women to see Parliament as a career and to gain the expertise and the skills that will ensure that they sit on these Benches. I am very pleased to see the increased number of Conservative MPs who are women. As a party, we will continue to support women coming into Parliament, and, through the excellent role models that we have of Conservative Members of Parliament, encourage more of them to come forward.

Sir Vince Cable (Twickenham) (LD): Can the Prime Minister explain the logic behind treating European fruit-pickers and cleaners as an economic threat, while at the same time being completely relaxed about European ownership and control of the railways, the water system and the electricity companies, and, indeed, about last week’s takeover of one of Britain’s few remaining technology companies, Aveva? Is this not a case of being biddable to big business, but paranoid about people?

The Prime Minister: We are very clear, in relation to immigration, that we want to welcome the brightest and best who wish to come to the United Kingdom. We have rules for people from outside the EU, and we will be able to have our own rules for people coming from inside the EU.

I congratulate the right hon. Gentleman on his election to the leadership of his party. He and I, of course, worked together during the years of the coalition, although we did not always agree on absolutely everything. However, in raising the issue of our relationship with Europe, he said something with which I did agree: that a second EU referendum would be “seriously disrespectful and politically utterly counterproductive”. I was therefore rather disappointed to hear that he has now reversed his position and backs a second referendum; but perhaps it is not unusual for a Liberal Democrat to say one thing before an election and another after it.
**Point of Order**

12.50 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab): On a point of order, Mr Speaker. Further to the earlier remarks of my right hon. Friend the Member for Islington North (Jeremy Corbyn), I seek your advice on how to elicit a response from the Government on the question of the UN Committee on the Rights of Persons with Disabilities and its report of 31 August. I wrote to the Secretary of State on 5 September, calling on him to come to this House to debate the UN report, but to date have not received any response from him. Obviously, the House rises tomorrow and I am again concerned that the Government have not been held to account on this very important issue. As you know from the earlier remarks, Mr Speaker, the UN describes this as “a human catastrophe”. Have the Government given you any indication as to when they might report to the House? May I also seek your guidance on how to ensure that this House is the first place to hear of how the Government intend to take forward the Committee’s detailed recommendations?

Mr Speaker: I am most grateful to the hon. Lady for her point of order. The short answer to her particular inquiry is that I have received no indication from any Minister of an intention to make a statement on this matter. However, I note what the hon. Lady has told me, and I am conscious of, and sensitive to, the fact that the House will cease to sit tomorrow for the period of the conference recess, and therefore I understand the rationale behind the hon. Lady raising the matter with the conference recess, and if she thinks she can justify doing so, to do so on the basis that it is by then demonstrably urgent.

**Carbon Monoxide (Detection and Safety)**

Motion for leave to bring in a Bill (Standing Order No. 23)

12.53 pm

Eddie Hughes (Walsall North) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about requirements for carbon monoxide detectors; to make provision about carbon monoxide safety; and for connected purposes.

Carbon monoxide is a killer. In recent years, more than 25 people have been killed each year in carbon monoxide-related incidents and hundreds of people have been hospitalised—264 last year—and the figures I have seen show that approximately 4,000 people go to A&E each year with symptoms of carbon monoxide poisoning. We have a problem, and it is a serious problem; in fact, it is a fatal problem. That should not be the case in the 21st century, because it is almost entirely preventable. We should make this “silent killer” history.

Nearly three months ago, on 14 June, at least 80 people tragically lost their lives in the Grenfell Tower fire. I believe the first hearing of the public inquiry into the fire will be held tomorrow, with an interim report expected by Easter 2018. I am sure there will be many opportunities in future for Members to contribute to the debate and the subsequent changes in legislation that will no doubt follow. But Grenfell serves as a reminder that we need to improve safety across the board for all residents across both the public and private housing sectors, and to design out any weaknesses. That is why I took this early opportunity to secure one of the ten-minute rule Bill slots at the start of this Parliament.

Carbon monoxide poisoning is predominately a matter of housing safety, and I have no doubt that the improvements to current legislation proposed by my motion will contribute to a reduction in the number of unnecessary deaths each year due to carbon monoxide poisoning. The stories associated with these deaths are heart-rending.

For example, I have been contacted by Avril Samuel of the Katie Haines Memorial Trust. On 12 December 2009 Avril’s daughter Katie had the happiest day of her life when she married Richard Haines at the church of St Mary the Virgin in Gloucestershire. Katie had planned the day down to the minute and everything went to plan. They honeymooned in Brazil and Argentina before returning to settle into a happy married life. But Katie’s life was tragically cut short just a few months later on the evening of 18 February 2010 when she died of carbon monoxide poisoning. Her husband Richard and father-in-law Gordon were also poisoned, but, thankfully, survived. The Katie Haines Memorial Trust was founded by Katie’s husband Richard and her family to promote awareness of the dangers of carbon monoxide, and in time to support other charities that would have been close to Katie’s heart.

I have also spoken to Project SHOUT, which was created following the death of Dominic Rogers, whose mother Stacey bravely tells Dominic’s story on the Project SHOUT website. On a night like any other, Stacey kissed her 10-year-old son goodnight, told him she loved him and went to bed. The next morning when she went into his bedroom, she found him cold and face down. Following an investigation, it was announced...
that he had died from carbon monoxide poisoning, that
144
the carbon monoxide had seeped through the brickwork
from the neighbouring property, and that Dominic
would have been overcome by the poisonous fumes
within five minutes.
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Even one of my staff has shared with me a story of a
friend of theirs who moved into a brand-new home just
a couple of years ago: brand-new boiler, up-to-date
building standards, and ticked all the building reg boxes,
but there was a problem, and no one spotted it, because
carbon monoxide is undetectable to human senses. A
young mother and her child started to get headaches
and to feel unwell, and ended up in their local A&E
department. It turns out there was a fault with the
boiler and they had carbon monoxide poisoning. That
would have been completely detectable and preventable
if a carbon monoxide detector costing less than 15 quid
had been installed.

I firmly believe that not only should carbon monoxide
detectors be mandatory in new-build properties, but
they should be installed in all rented properties, including
social housing and those in the private rented sector. We
should be designing this problem out.

However, we also need to ensure that people are fully
aware of the risks associated with a gas that people
cannot see, smell or taste, because any fuel-burning
appliance that is not properly maintained has the potential
to be a source of carbon monoxide. This is why I am
also proposing that fire authorities have an explicit duty
to promote carbon monoxide safety. That would not be
an additional strain on the public purse, but would
make current best practice by many forces enshrined
in law.

The timing of the presentation of this motion is
fortunate given that today sees the launch of gas safety
week. The promotional material for this event includes
an assertion that we should check gas appliances for
warning signs that they are not working properly. These
include a lazy yellow flame instead of a crisp blue one,
black marks or stains around the appliance, and too
much condensation in the room. The material also
reminds people of the six signs of carbon monoxide
poisoning: headaches, dizziness, breathlessness, nausea,
collapse and loss of consciousness. People can see a
short video of one survivor’s account of her symptoms
on the website of the Carbon Monoxide and Gas Safety
Society. I am very grateful to Stephanie Trotter OBE,
the president and director of that organisation, for the
help and support she has given me. In fact, I welcome
all of the work done in promoting this seventh annual
gas safety week, and I hope that many Members from
all parties will promote the event enthusiastically across
all media platforms.

But it would be remiss of me not to acknowledge the
work that has already been done recently to improve
legislation relating to gas safety. Prior to 2015 there was
no statutory requirement on private landlords to install
either smoke detector alarms or carbon monoxide detector
alarms in their properties. The Government have addressed
that, following consultation, via the Smoke and Carbon
Monoxide Alarm (England) Regulations 2015, which
came into force on 1 October 2015. These regulations
require that smoke alarms be installed on every storey
of a rented property and that carbon monoxide detectors
be installed in any room housing a solid fuel combustion
appliance. These changes are of course welcome, but
they do not go far enough in helping to prevent unnecessary
deaths from carbon monoxide poisoning.

To mark the start of carbon monoxide awareness
week in 2011, Professor Dame Sally Davies, the chief
medical officer for England, said:

“Carbon monoxide is a silent killer which leads to many deaths
every year...We can all prevent these avoidable tragedies by
making sure gas and fuel appliances are properly installed and
maintained and fitting an audible carbon monoxide alarm that
meets European Standard EN 50291.”

Six years later, this advice is still valid. Some developed
countries have already changed legislation to ensure that
residents are protected by the presence of carbon monoxide
detectors. In Northern Ireland, carbon monoxide alarms
are a mandatory requirement for all new homes built
since 31 October 2012, after a change to the building
regulations there. In Scotland, landlords have been required
to install a carbon monoxide detector in every space
containing a fixed combustion appliance since 2015. We
should embrace some of this best practice. Big international
cities such as New York also have similar carbon monoxide
laws. Now is the time to enshrine that protection in
English law.

I understand that many prefer to leave such matters
to individuals, so that people can make choices for
themselves rather than being compelled to action by an
overbearing state. In general, I would wholeheartedly
agree, but this will not involve loads of new red tape or
piles of regulation that will end up becoming an annoyance.
It involves three simple things we can do as a society to
prevent needless deaths and raise awareness. If we intend
to ensure that the lives lost in Grenfell Tower serve to
prevent others from losing their lives in the future, we
need to carefully consider all options for keeping people
safe in their homes—the place where they have a right
to feel most safe and secure. This should include protection
from carbon monoxide. In a hung Parliament, it is even
more important that MPs work cross-party to get things
done, and I hope we can all unite in trying to stop
deaths from this silent killer. Thousands visit A&E
every year with symptoms of carbon monoxide poisoning,
hundreds are hospitalised and many die. Let us take this
opportunity to do something about that.

Question put and agreed to.

Ordered.

That Eddie Hughes, Michael Tomlinson and Mr Barry
Sheerman present the Bill.

Eddie Hughes accordingly presented the Bill.

Bill read the First time; to be read a Second time on
Friday 19 January 2018, and to be printed (Bill 107).

Mr Speaker: That will be a fine day, because it will be
my 55th birthday.
Opposition Day

[1ST ALLOTED DAY]

NHS Pay

1.3 pm

Jonathan Ashworth (Leicester South) (Lab/Co-op): I beg to move,

That this House notes that in 2017-18 NHS pay rises have been capped at one per cent and that this represents another below-inflation pay settlement; further notes that applications for nursing degrees have fallen 23 per cent this year; notes that the number of nurses and midwives joining the Nursing and Midwifery Council register has been in decline since March 2016 and that in 2016-17 45 per cent more UK registrants left the register than joined it; and calls on the Government to end the public sector pay cap in the NHS and give NHS workers a fair pay rise.

This is the first Opposition Supply day for six months, and it is my pleasure to bring a motion to the House on lifting the public sector pay cap. In the past 24 hours, the Government have been briefing that the pay cap has ended. The Chief Secretary to the Treasury has said that Ministers now have “flexibility” when setting pay above 1%. If—and it is a big “if”—that flexibility means lifting the cap for the whole public sector and giving public sector workers a fair pay rise above inflation, which stood at 2.9% yesterday, that will be a victory for the Labour party, for the Leader of the Opposition, for the Royal Colleges, for the trade union movement, for the MPs of all parties who signed the early-day motion and, above all, for the millions of public sector workers who have campaigned for fair pay. That flexibility that the Chief Secretary to the Treasury has talked about must mean giving NHS staff fair pay as well.

What a climbdown this represents for the Prime Minister! The House will recall that, in the general election campaign, she showed the deftness of touch that has come to characterise her dismal, beleaguered premiership by dismissing the heartfelt concerns of a nurse, saying that there was no “magic money tree”. It is funny that the money was there when the Conservatives needed the votes, though.

Gloria De Piero (Ashfield) (Lab): May I tell my hon. Friend about Neil Thompson, a district nurse from Eastwood in my constituency? He has told me:

“I didn’t expect, after 40 years in the NHS, to be as poor now as when I first started out.”

How can that be just?

Jonathan Ashworth: My hon. Friend is right to raise that point. It is not just, which is why the Labour party has consistently campaigned to get rid of the cap. The Conservatives have voted against getting rid of it when we have brought motions on this issue to the House.

Given that the Government are now briefing that the cap is being abandoned, I trust that they will accept the motion in the name of the Leader of Opposition and myself and not divide the House later today. If they are indeed abandoning the cap, let us put them on notice that it must apply to the whole public sector, including the 55% of workers not covered by pay review bodies. We also put them on warning that we will not accept a divide-and-rule approach that plays one set of public workers off against another. Nor will we let Ministers get away with presenting below-inflation pay offers as amounting to a fair pay rise when that is still, in effect, a pay cut.

Catherine West (Hornsey and Wood Green) (Lab): My hon. Friend is making an excellent beginning to his speech. What is his view of the impact of this crucial question on recruitment and retention in our hospital trusts?

Jonathan Ashworth: My hon. Friend is right to raise that point. I shall go on to explain that the pay cap is at the heart of the recruitment and retention crisis that is now facing the national health service.

Rosie Cooper (West Lancashire) (Lab): Does my hon. Friend share the shock of GPs and NHS staff when they learned that, while frontline staff were limited to a 1% pay rise, the governing body of the Liverpool clinical commissioning group gave themselves rises of between 15% and 81%? None of the regulators noticed this, including NHS England and NHS Improvement, and it all took place under the nose of the Government. This shows that there is one rule for the bosses and another for the workers.

Jonathan Ashworth: My hon. Friend is absolutely right. She has been determined in her pursuit of this issue and I know that that will continue.

Chris Philp (Croydon South) (Con) rose—

James Heappey (Wells) (Con) rose—

Jonathan Ashworth: I will make a little progress now, if I may. I promise I will take more interventions later.

I say directly to the Chief Secretary to the Treasury, who will be responding to the debate later, that if Ministers are given flexibility to set pay rates, and if the pay cap has indeed been abandoned, she also needs to grant the NHS the funding that it needs. The NHS is underfunded and it is going through the biggest financial squeeze in its history. On the published figures, head-for-head NHS spending will fall in the next year. Hospitals are in deficit, waiting lists are at 4 million, the A&E target is never met and the 18-week target has been abandoned. Hospital bosses are warning that there will not be enough beds this winter. Last winter, hospitals were overcrowded, ambulances were backed up and social care was at a tipping point. Some even characterised it as a humanitarian crisis. It is not good enough for the Chief Secretary to the Treasury just to grant “flexibility” and expect hospitals to fund a staff pay increase from existing budgets.

Lucy Frazer (South East Cambridgeshire) (Con): If the hon. Gentleman does not get the increases he would like, will he support co-ordinated illegal action?

Jonathan Ashworth: The Labour party supports people taking legal industrial action, and if the hon. Lady supports public sector workers, she should be joining us in the Division Lobby later.

Helen Whately (Faversham and Mid Kent) (Con): Does the hon. Gentleman agree that the pay restraint over the past few years has been uncomfortable but necessary, in order to bring Government spending—[Interruption.]
Mr Speaker: Order.

Helen Whately: None of us would want anyone to be paid any less, but it has been difficult but necessary, in order to control the overspending by Government and put right the financial mess that the country was left in after the last time the hon. Gentleman’s party was in government.

Jonathan Ashworth: I agreed with the hon. Lady’s comments at the time of the debate on the Gracious Speech, when she said:

“I’m of the view we need to look at public sector pay in the light of increasing inflation.”

If those were her comments then, she should be joining us in the Division Lobby this afternoon.

Several hon. Members rose—

Jonathan Ashworth: I will let the hon. Member for Wells (James Heappey) in because he has been very persistent, but first let me make some progress.

It is not good enough for the Chief Secretary to grant the Secretary of State flexibility and not grant him the funding that the NHS needs. Overcrowded, overstretched hospital trusts cannot be expected to absorb pay rises from existing budgets. We need extra investment now to give the staff the fair pay they deserve.

Ellie Reeves (Lewisham West and Penge) (Lab): Will my hon. Friend give way?

Jonathan Ashworth: Let me make a little bit of progress, and then I will give way.

Over the past seven years, a public sector worker on the median public sector wage has seen the value of their wage drop by £3,875. That is more than the cost of feeding the average family for a year. Given what we know about inflation, on the figures published yesterday and on the Treasury’s own inflation forecast, if this cap was to remain in place until the end of the Parliament, a public sector worker on the median wage since 2016 will have seen their pay drop by at least another £2,200.

The Chief Secretary to the Treasury (Elizabeth Truss): It is not true.

Jonathan Ashworth: The Chief Secretary says it is not true. These amounts are based on her own Treasury figures.

James Heappey: The shadow Minister has been very generous in giving way. May I be helpful and invite him perhaps to revise his earlier statement that the pay rise should be universal across the public sector? Surely that would advantage those in more senior, management positions, who would disproportionately benefit from such a pay rise, and perhaps actually the Government’s position of offering Ministers flexibility to increase pay where there is a clear need is a much better proposal than the universal pay rise that would only benefit fat cat managers.

Jonathan Ashworth: There we have it—the Conservative party playing one part of the public sector off against the other. We believe the whole of the public sector deserves a pay rise.

Ellie Reeves: In my constituency, NHS staff are having to rely on food banks in order to be able to eat. A constituent, an ambulance technician who transports critically ill children across the country, told me that she does not have nearly enough money to live on. Does my hon. Friend agree that this is a disgrace?

Jonathan Ashworth: It is a shocking disgrace, which is why the Labour party has consistently campaigned to get rid of the pay cap; it is why, in our manifesto, which we took to the British people a few months ago, we said we would get rid of the pay cap, and why it is absolutely disgraceful that Conservative Members stood on a manifesto to keep the pay cap.

Jack Dromey (Birmingham, Erdington) (Lab): Mandy McKewon’s son Liam died seven times. He survived, thanks to the dedicated work of neonatal intensive care nurses. Tracey, who came to Parliament last week, spoke of having suffered a 14% cut in pay, two-thirds of her fellow nurses taking second jobs and a haemorrhage of nurses from the profession that they love. Does my hon. Friend agree that it is utterly shameful to treat those to whom we owe the difference between the life and death of sick babies in this way?

Jonathan Ashworth: My hon. Friend has spoken incredibly powerfully about that case and he is quite right to say it is shameful.

Chris Philp rose—

Maria Caulfield (Lewes) (Con) rose—

Jonathan Ashworth: The hon. Lady has often spoken out on this matter, so I feel I should take her intervention, but then I will make progress, if the House will indulge me.

Maria Caulfield: It is generous of the hon. Gentleman to give way. As he says, I support the lifting of the pay cap and I am pleased that the Government are moving on this. My concern about supporting this motion is that Labour do not seem to have learned the lessons from crashing the economy in the first place. Could he outline what level of pay rise the Labour party is proposing for public sector workers—1.5%, 2% or 3%—and how it will be paid for? That is crucial to influencing the voting intentions of Members like me.

Jonathan Ashworth: I have a huge amount of respect for the hon. Lady; we have had conversations outside the rough and tumble of this Chamber, and I know she takes these matters extremely seriously. I would ever so gently say to her that she has been telling newspapers that she supports getting rid of the cap; she has been hosting nurses in Parliament, saying that she would get rid of the cap; well, this evening she has an opportunity to take a stance, ignore the Tory Whips and vote for getting rid of the cap.

Maria Caulfield: In this debate, we must be honest with the British public about how we are going pay for the lifting of the pay cap. If Labour wants to lift the pay cap, can the hon. Gentleman explain how the Labour party will pay for it? Will it be through increased taxation or more public borrowing, or will Labour shift spending priorities? We need to know the detail in order to be able to support this policy.
Jonathan Ashworth: I hope the hon. Lady made those points at the rally last week, when she was talking to nurses. But I would say to her that the Government have found an extra £1 billion or so for Northern Ireland. We do not begrudge Northern Ireland that, but the Government have found more money for Northern Ireland. Also, the Government are giving away billions and billions in corporation tax cuts. They have given away £1 billion in inheritance tax cuts. Government is indeed about making choices. We would make a different set of choices, but if the hon. Lady is genuine, as I believe she is, and sincere, as I believe she is, in wanting to get rid of this cap, she needs to send a message to the Chancellor, not the Tory Whips, and vote for our motion.

Ian Paisley (North Antrim) (DUP): I thank the hon. Gentleman for giving way on this very important issue, and I must say that I and my colleagues are minded to support the motion that he has put before the House. But it would be inappropriate if true sincerity was shown by all Members of this House—if they stopped attacking the Government for giving Northern Ireland that £1 billion, so that we can alleviate the costs that would allow us to make that pay gap narrow.

Jonathan Ashworth: I did say I did not begrudge Northern Ireland the money; I was just making the point that the Government have found the money, when they keep telling us that there is no money for anything else. But we are grateful that the Democratic Unionist party has signed the early-day motion in the name of my hon. Friend the Member for St Helens North (Conor McGinn), and we are aware that the DUP has said consistently that it supports getting rid of the pay cap for public sector workers. We would be very happy for the party to join us in the Division Lobby this evening.

Lady Hermon (North Down) (Ind): I am really pleased to hear what the hon. Member for North Antrim (Ian Paisley) has said today, but I want to put it on the record that DUP Members did have an earlier opportunity to support the removal of the pay cap but actually voted against that—all 10 of them—in the debate on the Queen’s Speech. An amendment was tabled by the colleagues of the hon. Member for Leicester South (Jonathan Ashworth), and the DUP voted it down, but we always welcome repentance.

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Ms Karen Lee (Lincoln) (Lab) rose—

Jonathan Ashworth: I want to make progress; but I will try to let in as many hon. Members as possible.

We have all read reports of nurses on their way home from a shift stopping off at food banks. The Royal College of Nursing tells us that two-thirds of its members are forced to undertake bank and agency work to help make ends meet. Is that not an example of how self-deeating the pay cap is, because it is driving an agency bill of £3.7 billion in the NHS?

We have all read surveys showing that more and more NHS staff are turning to payday loan companies and pawning their possessions, and we will have heard from the RCN lobby recently of the huge hardship that our nurses are facing. Many nurses have been in touch with us.

Let me give the House the story of Rebecca, who got in touch with my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams). Her story brings into sharp focus the impact of the pay cap, particularly when it is combined with the severe social security cuts that the Government are pushing through. Rebecca is a single parent. She was originally on working tax credit, but she was transferred to universal credit last year, with her payments falling as a result. As a consequence of that reduction and of the ongoing cap on her wages, which have lost their value, she has accrued rent arrears of over £800. Her landlord has now issued her with an eviction notice. There we have it: nurses are turning to food banks, pawning their possessions, and even being issued with eviction notices. Is that not shameful in 21st-century Britain? What a depressing human consequence of Tory economics.

Ms Karen Lee: I am a nurse and I believe in fairness. This is not just about paying nurses properly; it is about the porters, the housekeepers, the cooks, the cleaners and the admin staff, because they all do a good job. This is about not just healthcare workers but the whole public sector, because if the Government can find £1 billion for the DUP, they can pay the public sector properly.

Jonathan Ashworth: What a pleasure it is to see a Labour MP in Lincoln, Mr Speaker. My hon. Friend is a former nurse—

Ms Lee: Still a nurse!

Jonathan Ashworth: She is still a nurse—I do beg her pardon—and she makes her case powerfully.

Chris Philp rose—

Jonathan Ashworth: I will give way to the hon. Member for Croydon South (Chris Philp) because he has been so persistent, but I will then try to get on with my speech.
**Chris Philp:** It is kind of the shadow Minister to give way. Of course our hearts go out to the people in the stories he is relaying to the House, but we need to consider the whole picture. In its March report, the NHS Pay Review Body said:  
“We do not see significant short-term nationwide recruitment and retention issues that are linked to pay.”

The pay review body itself says that pay is not causing retention issues, so should the House not take account of that?

**Jonathan Ashworth:** Perhaps we really should, but I think the hon. Gentleman, who is an enthusiastic supporter of his Front-Bench team, is quoting selectively from the report, which I will move on to in a few moments.

Today’s motion is not just about doing what is right for NHS staff; it is about doing what is right for patients, too. I remind the House that we are significantly short of GPs and that we are short of 3,500 midwives. According to the Royal College of Nursing, we are also short of 40,000 nurses, with one in 10 nursing posts remaining vacant. Nearly 40% of the full-time vacancies advertised on NHS Jobs earlier this year were in nursing, and the Opposition know that Brexit is having an impact through nurses leaving the UK. The Nursing and Midwifery Council shows an increase in the numbers of nurses and midwives leaving its register. The average midwife has seen the value of their pay drop by over £6,000 since 2010, and we are significantly short of midwives since 2010, and we are significantly short of midwives intending to leave the profession in the next two years as a result of the pay cap.

**Mr Jim Cunningham (Coventry South) (Lab):** Will my hon. Friend give way?

**Jonathan Ashworth:** May I make a little progress?

The hon. Member for Croydon South said that pay does not affect retention and recruitment, but the Opposition say that the pay cap is at the heart of the retention and recruitment crisis. Earlier this year, NHS Providers, which represents hospital trusts, warned that low pay is causing staff to leave the NHS to stack shelves in supermarkets. Chris Hopson said: “Years of pay restraint and stressful working conditions are taking their toll. Pay is becoming uncompetitive. Significant numbers of trusts say lower paid staff are leaving to stack shelves in supermarkets rather than carry on working in the NHS.”

**Anna Soubry (Broxtowe) (Con):** Does the hon. Gentleman appreciate that anybody listening to his speech would take away from it a story of gloom and doom about our NHS? While there are difficulties and challenges, every day millions of people overwhelmingly enjoy one of the finest health services anywhere in the world, and I and many others are sick and tired of Labour talking it down.

**Jonathan Ashworth:** The right hon. Lady says that we are talking the NHS down. We are not talking it down; this Tory Government are running it down. She seemed concerned about public sector pay in the NHS a few months ago when she tweeted: “The important retention & recruitment of public sector workers is about working conditions (esp in NHS) as well as pay.”

If she stands by that tweet, she should join us in the Lobby this evening.

**Alison McGovern (Wirral South) (Lab):** I thank my hon. Friend for giving way, but I thank him even more for coming to Eastham in my constituency, where our precious walk-in centre is closing owing to staff shortages at our A&E, which is in crisis. The Tories says that we are talking down the NHS and lowering morale, but does he agree that it is not words that matter but action, and that is why we need action on pay?

**Jonathan Ashworth:** My hon. Friend is right. A popular, successful walk-in centre in her constituency has had to close to shift the staff to fill vacancies at the local A&E at Arrowe Park hospital, because the pay cap and other Government decisions have led to a staffing crisis in the wider NHS.

**Mr Jim Cunningham rose—**

**Jonathan Ashworth:** I did promise my hon. Friend that I would give way, but I will take no more interventions afterwards.

**Mr Cunningham:** Has my hon. Friend noticed that the Government do not necessarily have to abide by the pay reviews? In other words, they could give an increase that goes further than what the pay review body recommends. The Tories are wrecking the national health service. They should put their money where their mouth is. If they really appreciate NHS and its staff, they should vote with us tonight.

**Jonathan Ashworth:** My hon. Friend is absolutely right. The Tories have been running the NHS for seven years now. It is going through the biggest financial squeeze in its history and we have some of the worst waiting times on record.

The hon. Member for Croydon South should note that the NHS Pay Review Body’s March report said that “public sector pay policy is coming under stress. There are significant supply shortages in a number of staff groups and geographical areas. There are widespread concerns about recruitment, retention and motivation that are shared by employers and staff side alike.” Again, NHS Providers said that “seven years of NHS pay restraint is now preventing them from recruiting and retaining the staff they need to provide safe, high-quality patient care. The NHS can’t carry on failing to reflect the contribution of our staff through fair and competitive pay for five more years.”

We agree. Addressing NHS pay and lifting the pay cap are crucial to addressing the retention and recruitment crisis now facing the NHS.

**Lucy Frazer:** Will the hon. Gentleman give way?

**Jonathan Ashworth:** I have given way to the hon. Lady once and I have been generous, so I hope she will forgive me if I do not give way again.

We have heard several examples of what vacancies in the NHS mean for services. We have heard about the walk-in centre in Wirral, but Macmillan Cancer Support warned last week that bigger workloads and vacancies in key roles are creating “unrelenting pressure” on the cancer care workforce and that some cancer patients are attending A&E because they cannot get help elsewhere. I have mentioned midwifery, and this summer we revealed that almost half of maternity units closed their doors to patients at some point in 2016, with understaffing often used as the justification. Earlier this year, I revealed
FOI requests that showed a rising number of cancelled children’s operations, with 38% of trusts citing workforce shortages as the reason for those cancelled operations. Visit any hospital and doctors will talk about rota gaps, and the latest NHS staff survey reveals that 47% of staff view current staffing levels as insufficient to allow them to do their job properly.

Not only is the pay cap unfair on hard-working staff who are struggling to make ends meet, but it is unfair on patients, who suffer the direct consequences of understaffed, overstretched services. We look forward to the Health Secretary telling us how he will use his newfound flexibility. We look forward to his telling us what remit he will set for the NHS Pay Review Body in the coming days. He has had all summer to think through his response to these demands. I know that he got into a big argument with Professor Stephen Hawking, but we will leave that there. The Health Secretary sets the remit—he tells the pay review body what it is able to provide—so we look to him to tell us what he is going to ask it to provide. We want him to tell us today when he will publish the remit letter.

Helen Whately: Will the hon. Gentleman give way?

Jonathan Ashworth: I have been very generous to Government Members, and the hon. Lady has already had a chance.

The pay cap must be scrapped, and it must be done by giving the NHS extra investment. The self-defeating nature of this policy means that we are already spending £3 billion on agency workers, and the Government have found billions for corporation tax and inheritance tax giveaways, so this new flexibility must mean more investment. We will not tolerate hospital bosses being forced to cut services to find these funds.

Louise Haigh (Sheffield, Heeley) (Lab): Will my hon. Friend give way?

Jonathan Ashworth: I have been very generous, and I want to wrap up because a huge number of Members want to speak in the debate.

As the Government are briefing that the pay cap has gone, we expect the Health Secretary or, if he cannot do it, the Chief Secretary to the Treasury to tell us what extra investment will be made available to the national health service in the coming year to get rid of this pay cap. If they are not prepared to put the extra investment in the health service to get rid of this pay cap, we can quite rightly conclude that the consequence will be further cuts to services at the frontline.

Rachel Maclean (Redditch) (Con): Will the hon. Gentleman give way?

Jonathan Ashworth: I have been extremely generous, and I will now wrap up.

If the Government are genuine and sincere about getting rid of the pay cap, I see no reason why they should seek to divide the House today. If they do seek to divide the House, I say directly to all those Conservative MPs who went to the Royal College of Nursing rally last week, to all those Conservative MPs who have tweeted that they support getting rid of the pay cap, but just not on this occasion, and to all those Conservative MPs who have responded to constituents by telling them that they have their sympathy and that they want to get rid of the pay cap: this is not a time to sit on your hands. I know Conservative MPs will be reconciling the pressures of wanting to be loyal to the Treasury Bench and to their Whip, but 1 million NHS staff, nurses and their constituents are looking to this House to show some leadership and take a stand by giving our NHS staff the fair pay they deserve.

I commend our motion to the House.

1.31 pm

The Secretary of State for Health (Mr Jeremy Hunt): I thank the shadow Health Secretary for introducing this debate. NHS staff are doing a superb job in tough circumstances, and it is right for this House to debate whether we are giving them an appropriate level of support.

I start by addressing the areas on which we agree with the Opposition. First, it is incredibly important to have motivated staff, simply because motivated staff give better care to patients. It is critical for patient safety that we have enough staff in our NHS and social care system, so recruitment and retention matter. It is also true that, right now, it is very tough on the frontline for NHS staff as they cope with the pressures of an ageing population, of financial constraints that have not been as tough in many years, and of changing consumer expectations of what the NHS should deliver. We agree on all that, but there are some fundamental disagreements that I also need to surface.

The shadow Health Secretary talks about the former 1% cap and the pay restraint that we have indeed had for the last seven years, which his party frequently characterises as austerity—some ideological mission by the Conservatives to reduce the size of the state. [Interruption.] I can see some nods, but it is absolute nonsense.

I remind Labour Members that in 2010 we inherited the worst financial crisis in our history and the worst recession since the great depression. The shadow Health Secretary was an adviser to Gordon Brown in 2010—he does not talk about that very much—and he knows just how serious the crisis was. He uses the phrase “Tory economics,” but the 2010 Labour manifesto, which he may well have had a hand in drafting, wanted to cut the NHS budget. The Health Secretary at the time, Andy Burnham, said that it would be “irresponsible” not to cut the NHS budget.

In 2015, five years on from that terrible crisis, the Labour party wanted to put £5.5 billion less into the NHS than the Conservative party did. In short, the austerity that the shadow Health Secretary criticises today is austerity that Labour wanted to go much further with when it comes to the NHS. Labour needs to recognise that if we had followed its advice we would not even have been able to honour a 1% pay rise, we would not have been able to recruit 12,000 more nurses for our wards, we would not have record numbers of doctors and we would not have record funding for the NHS.

Catherine West: Will the Health Secretary apologise for the current dreadful state? We have thousands and thousands of nurse places, and hospital trusts are having to go as far as the Philippines to recruit student nurses.
Student nurses are coming out of university with £56,000 fees. NHS recruitment and retention is in a deep crisis. Will he apologise?

Mr Hunt: What I will not apologise for is the dreadful short staffing on NHS hospital wards that we inherited in 2010, which led directly to the problems of Mid Staffs. Nor will I apologise for sorting that out and making sure that we have 12,000 more nurses on our hospital wards today than we had in 2010.

Alison McGovern: The Secretary of State is repeating words that the Tories have used to excuse their cuts for years but that have not dealt with the deficit, which is still with us. My constituents do not care about that; they care about Eastham walk-in centre, which is closed because of staff shortages. Will he answer this simple question? When will Eastham walk-in centre reopen?

Mr Hunt: What the hon. Lady’s constituents care about is that today we announced the lowest unemployment level since 1975, which is a massive benefit to her constituents. She says that we have been repeating our reasons for this terrible financial discipline, which has been so difficult. I am not someone who says that the entire responsibility for the recession in 2010 is the Labour party’s. I recognise that it was a global crash, but what Labour cannot deny is that the recession we faced here was far, far worse than in other countries. Why is that? What did the Governor of the Bank of England say at the time?

Several hon. Members rose—

Mr Hunt: Hang on. I think it is important to listen to what the Governor of the Bank of England said. Sir Mervyn King said:

“we came into this crisis with fiscal policy along a path that was not...sustainable and a correction was needed.”

What was he talking about in 2010? The Government borrowed £1 in every £4 that they spent. The deficit was 10.2%, the highest since records began. The reason that, say, Germany did not have to go through austerity is not because a German equivalent of the Leader of the Opposition was throwing prudence to the wind but because Germany did not allow its public finances to get recklessly out of control, which is what happened under the Labour Government.

Ms Karen Lee: This is a genuine question. I am a nurse, and I see the situation at first hand. I go to work once a month—I still do bank shifts—and the situation is truly awful. We are so understaffed that it is unbelievable. I looked after 10 patients on my last shift. That is not for the audience; it is the truth. The NHS is in that sort of state. Lincoln’s walk-in centre is threatened with closure. All that is going on. I take the Secretary of State’s point about paying for it, but the Conservative party talks about cutting corporation tax and it is paying the Democratic Unionist party more than £1 billion. While that is happening, he cannot talk to us about austerity and say that we cannot have decent NHS services. I am sorry, but he should listen to what I am saying. The NHS really is in crisis.

Mr Hunt: I thank the hon. Lady for her work in the NHS. I am honoured that we have nurses on both sides of the House who do a fantastic job. I agree that we need more nurses. We needed more nurses when I became Health Secretary—the NHS was planning to lose nurses, and I stopped that—and we still need more nurses. I will explain exactly how we will get those nurses.

Several hon. Members rose—

Mr Hunt: I will give way to some Conservative Members.

Helen Whately: Opposition Members are raising concerns about staff shortages and about recruiting staff from overseas. I am sure we all have hospitals serving our constituents that have had to go overseas to recruit. We do not want to see that; we want to see nurses trained in the UK and British nurses. I welcome the fact that the Secretary of State has taken action to remove the cap on nurses in training so that we can train more home-grown nurses.

Mr Hunt: My hon. Friend is right about that, because at the heart of this problem is getting the training of nurses right and making sure we train enough nurses.

Robert Halfon (Harlow) (Con): I thank my right hon. Friend for the huge and strong support he has given to Princess Alexandra hospital in Harlow and to our campaign for a new hospital. I welcome the moves the Government are making on the pay cap and I look forward to announcements in the coming weeks. May I urge him to do even more than the Government are doing on nursing apprenticeships, because they are one key way forward? These apprentices do not have any loans and they can do nursing. Finally, let me make the wider point that one of the best ways of helping lower-paid nurses, and everyone in the public and private sectors, is by continuing to do what the Government are doing by cutting taxes for lower earners and acting through the national living wage.

Mr Hunt: No one in this House has championed lower-paid workers as much as my right hon. Friend does, and he is absolutely right in what he says. I want to talk about the recruitment issues.

Several hon. Members rose—

Mr Hunt: I am going to make some progress and then I will give way further. I want to talk about the recruitment issues raised by the hon. Member for Hornsey and Wood Green (Catherine West) and others, but I wish to conclude on the point about financial discipline, of which Opposition Members are so critical. The consequences for a Government of losing financial discipline are not just pay freezes and 1% caps, but 1 million people unemployed—as a result of that recession post-2008. Every Labour Government in modern times has left office with unemployment higher than when they arrived. That is why this afternoon’s motion is so bogus, because the difference between the Government and the Opposition is not about a desire to invest in public services; it is about the ability to deliver a strong economy so that we can make that investment.

Alison McGovern rose—
Mr Hunt: I want to make some progress on the recruitment issues, which a number of hon. Members have raised. The argument we seem to be hearing from the shadow Health Secretary is that Labour’s policies would mean more nurses for the NHS and better care for patients, but nothing is further from the truth. Let us look at Labour’s policies at the last election. What did the independent Institute for Fiscal Studies say then about Labour’s spending plans? It said there was a black hole of up to £29 billion, which made even Gordon Brown look like the paragon of prudence that he never was. How can a black hole like that be filled? There are only two ways of doing it. The first is by raising taxes on ordinary people—this is what the IFS said would be one of the biggest tax increases in the past 30 years, equivalent to a 7% increase in income tax. For a nurse on average earnings, this would be a £1,400 tax hike every year. Alternatively, the hole could be filled by increasing borrowing, but that simply passes on debts to future generations in a con as explicit as the con of telling students before an election that their debt will be waived only to cancel the promise after the election.

Julian Knight (Solihull) (Con): My right hon. Friend does not even need to cite the IFS to see what things would be like with Labour in charge of the UK NHS—he just needs to look to Wales, where the NHS has been cut by 10% and one in seven people are on the NHS waiting list. That is Labour in action.

Mr Hunt: My hon. Friend is absolutely right about that. The whole problem with the tone of the argument made by the shadow Health Secretary is that he is saying that the difference between the Government and Labour is about support for public sector workers, but we all agree, in all parts of the House, that they do a fantastic job. I see that in the NHS every week. The difference between us and Labour is about knowing what harms public sector workers the most: it is between ignoring and repeating the mistakes of the 2008 crash, as Labour Members are, and what we think, which is that we need to learn from those mistakes and not repeat them.

James Heappey: Does my right hon. Friend agree that Labour was not the only party with an irresponsible policy at the general election on funding health and social care, and that although the Liberal Democrats can muster only one MP to debate this important subject today, their 1p on income tax gimmick would have gone nowhere far enough to funding the properly increased services they promised?

Mr Hunt: I will allow the Liberal Democrats to speak for themselves, but suffice it to say that even one MP is quite a large proportion of the Liberal Democrat parliamentary party and we are grateful that it does have some representation here this afternoon.

Lady Hermon: Will the Health Secretary take a few moments to address the serious issue of staff morale in the NHS? In Northern Ireland, we have no Assembly and, thus, no Health Minister, so there is no mechanism by which to give our nurses any pay increase. He needs to speak to the Secretary of State for Northern Ireland, as a start, and to address the crucial and concerning issue of staff morale, which is affected by low pay and the pay cap.

Mr Hunt: I will happily address those issues in some comments that I am coming on to, but I totally agree with the hon. Lady that this is crucial.

Several hon. Members rose—

Mr Hunt: I will make some progress now, because I know that lots of people want to speak in this debate. The other completely bogus claim we have heard this afternoon is that somehow the financial discipline of pay restraint that we have had to have has been deliberately targeted at ordinary people. Again, that is absolute nonsense, as we see when we look at what has happened. Despite the recession and the pressures on public finance, this Government have taken 4 million of the lowest-paid people out of income tax altogether. At the same time, the top 1% are paying more and the top 20% are paying more, and we have gone further, introducing the national living wage, which since its introduction in April has increased the pay of people at that level of pay by £1,400 per annum. The record overall—is this where we see the most obnoxious untruth spread by the story on austerity—shows that over the past seven years we have seen 600,000 fewer people in absolute poverty and 200,000 fewer children in absolute poverty. Income inequality has reduced to its lowest level for 30 years. Why is it that this apparently evil Tory Government have reduced inequality? It is because we have done what Labour never does, which is grow the economy, with 1 million new businesses, 3 million new jobs and unemployment at its lowest since 1975. Today, youth unemployment is below 5% for the first time and there has been a 40% drop since 2010.

Several hon. Members rose—

Mr Hunt: I am going to make some progress, because I want to deal with the issue of morale, and then I will give way for a final round of interventions. A lot of comments have been made about the NHS being at breaking point, at a tipping point and so on. There is huge pressure on the NHS, but, as has been said by my right hon. Friend the Member for Broxtowe (Anna Soubry), who is no longer present, that is not the whole picture. What the shadow Health Secretary did not say is that 7,000 people are alive today who would not have had been we stayed at the cancer survival rates of just four years ago. We are having probably the biggest expansion of mental health treatment in Europe, and an independent NHS England report says that for most major conditions outcomes have dramatically improved over the past three, five or 10 years.

Norman Lamb (North Norfolk) (LD): I feel that as the sole Liberal Democrat present it is my duty to intervene. Does the Secretary of State accept, as a principle, that ultimately we cannot sustain the NHS on the back of real-terms cuts to people’s pay within the NHS and that that would be unconscionable year after year? Does he also accept that as the difference between public and private sector pay narrows so much, people will just vote with their feet and leave? Therefore, not only is this morally wrong, but it will not work ultimately.
Mr Hunt: I agree with the right hon. Gentleman that when deciding policy on pay we absolutely have to look at the impact on recruitment and retention, and that if we are going to deal with the pressures of an ageing population in the way that he and I would both want, we are going to need to recruit many more doctors and nurses for the NHS over the years ahead.

The progress that we have made in the NHS in improving outcomes for patients, despite the huge pressure on the frontline, is possible because of the brilliant staff we have in the NHS. I want to recognise that pay restraint has been extremely challenging, which is why yesterday my right hon. Friend the Chief Secretary to the Treasury announced a new policy, allowing Departments flexibility where there are recruitment and retention issues, and where productivity savings can be found. We will also honour the commitment we made prior to yesterday’s announcement, which was that before we take any decisions we will listen to the independent advice of the pay-review bodies.

To value staff also means to look at non-pay issues as well. It means we should look at making sure that we are training enough staff, so that when hospitals have the budgets to employ staff, they are there for them to employ; it means we should look at flexible working—on which, frankly, the NHS can do a lot better—if we are to tackle the agency bill that the shadow Health Secretary spoke about; it means we should put in place measures to encourage nurses to return to practice, which is why Health Education England is increasing the number of return-to-practice training places to 1,250 from 2019-20; it means we should look at new support roles for nurses, such as the 2,000 nurse associates who are starting training this year; and it means we should look at new routes into nursing, such as the nurse apprentice route that we are opening this year.

Catherine West rose—

Rachel Maclean rose—

Mr Hunt: I am going to wind up my comments now, because lots of people wish to speak. [HON. MEMBERS: “Oh!”] Okay, the House has persuaded me. I shall give way first to the hon. Member for Hornsey and Wood Green (Catherine West) and then to my hon. Friend the Member for Redditch (Rachel Maclean).

Catherine West: I thank the Secretary of State for his generosity in giving way to me twice. Will he look again at the issue of student bursaries? It is such mistake.

Mr Hunt: I assure the hon. Lady that we are making reforms because we want to train more nurses and to fund more nurse training places. There has been a dip in the number of people taking up nurse training places this year, as there was when the higher education reforms were introduced in 2012, but it recovered soon after that and we now see in other parts of higher education record numbers of students from poorer backgrounds going to university.

Rachel Maclean: On my right hon. Friend’s earlier point about the recruitment and retention of staff, one problem, which I know from having spoken to the Worcestershire Acute Hospitals NHS Trust and the Alex Hospital in my constituency, is the constant negative messaging the public receive. Members from all parties deeply back NHS workers, appreciate and respect how hard they work, and recognise the challenges. If Opposition Members really care about easing the recruitment and retention crisis, I call on them to join us in talking about some of the good news and the good messages that are coming out of the NHS. Those are the things that get through to the public’s mind and that encourage nurses to join the profession, and that is why we have twice the number of applicants for nursing places this year.

Mr Hunt: My hon. Friend is absolutely right. From some of the debates we have in this House, a person would never know that in July, for the second time running, an independent American think-tank looked at health systems in all the world’s major countries, compared us with the United States, Germany, France, Australia and others, and said that the NHS was top—the best healthcare system of any major country. We have a huge amount to be proud of.

Several hon. Members rose—

Mr Hunt: I am going to conclude my comments by asking three questions. First, who is the real friend of public sector workers—the party that wrecked the economy, leading to massive cuts, or the party that turned the economy around with 3 million new jobs? Who is the real champion of public services—the party that did not only wreck the public finances but wants to do so all over again, or the party that is restoring discipline to the public finances so that we can start to invest more in our public services? Who is the real friend of the NHS—the party that has delivered more doctors, nurses and funding than ever before in its history, or the party that plays politics with the NHS in election after election, despite doing it so much harm?

1.54 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): We have had many debates on the NHS in the House, and as I have said previously, the workforce is one of our biggest challenges, which is why it is so important to get this right. The debate is focused on NHS staff, but we are discussing all public sector workers. We are talking about all workers within the NHS; we must not only consider those at different grades, but not allow a separation between frontline and back-of-house staff. As a surgeon, if I turn up at a clinic and there are no case sheets and the patient has not been informed of their appointment, it is a totally pointless exercise. We need to realise that the NHS is a team, and if we do not look after the team, it will not work.

Obviously this all started with the crash. I will defend Members further along the Opposition Benches, because I get really bored with the Labour party being given responsibility for the crash. Labour did not have that degree of world domination. It was a world crash. At the time of the crash, it was right to look at public sector pay, because it is a big outlay. The reason given at the time was to avoid redundancies and keep people in their jobs. However, although in Scotland we have had no compulsory redundancies, there have been 20,000 NHS redundancies over the past seven years and more than 40,000 compulsory redundancies among public sector
workers. That means that people in England had a pay freeze for three years and then a pay cap, but they still lost colleagues.

I still work in the NHS and, until the recent campaign, I would have heard comments from nursing colleagues about not money but staffing—people being on shifts and feeling thinly spread, unable to care, anxious about the danger to their patients. I would say that that is the No. 1 concern, but people in England have had a double whammy: they have had the pay freeze and the pay cap, yet they have still had redundancies. From what we read, there could be a lot more to come from the sustainability and transformation plans, and that is just plain wrong.

In Scotland, we focused what money we had in a different way. The people on less than £21,000 got 3% rises every year, with an absolute minimum in 2010 of £250, which has now risen to £400. If we focused only on percentages, a consultant like me would be sitting on a great pay rise, while the person who is cleaning the bedpans and making the beds would get a pitiful rise, so it is important that more of the money is pushed lower down. In Scotland, we pay the real living wage, not what we Scottish National party Members call the pretendy living wage—the national living wage. A living wage should be a wage on which someone can live. It is as simple as that. Our public sector workers demand no less than that.

Dr Whitford: If the hon. Gentleman had been following what has been happening in Scotland over the summer, he would know that, following the debate in May, the Cabinet Secretary in Scotland had open discussions with NHS staff side. In June, the Cabinet Secretary for Finance and the Constitution said that our Budget at the end of this year would be looking to get rid of the pay cap. It did not just happen the other week when the programme for Government was announced; it has actually been there all summer. The vacancy rate in Scotland may be 4.5%, but, as the shadow Secretary of State said, it is more than twice that in England. We should be focusing on the fact that nurses and other NHS staff in England are getting almost the rawest deal, which is not right, because they are working just as hard as others.

Dr Whitford: That was exactly the point I made at the start of my speech. Although the Royal College of Nursing led the campaign and the image has been of nurses, the issue affects everyone. I echo what the hon. Member for Lincoln (Ms Lee) said—[Interruption.] Well, it was the RCN out at the front.

Dr Whitford: Okay—

Ms Lee: Unison were a part of it.
of time debating changes to working tax credits, which can leave a lone parent nurse very much worse off. We also spent a lot of time debating the imposition of tuition fees and the removal of the nursing bursary. The nursing bursary still exists in Scotland. It is a non-means tested bursary of £6,500, potentially with a caring supplement of £3,500. We know that the average age to take up nursing study is at the end of the 20s, which means that people often have family commitments. Such people will receive approximately £10,000 a year so that, at the end, they will not face what future nurses in England will face, which is a debt of more than £50,000. The repayment on that kicks in immediately, because graduate nurses start at around £22,000, which is over the limit. At the lower end of band 5, it is another £400 a year off. By the time a nurse gets to the top of band 5, it is another £1,000 a year off. They will never manage to pay off that £50,000 to £60,000, which means that their salary will be reduced by that amount throughout their careers.

**Norman Lamb:** Does the hon. Lady agree that what appears to be happening is that many of the mature students who previously went into nursing often do not want to take on that debt? That means that we are losing people who seek to transfer from other professions, which is really damaging.

**Dr Whitford:** I totally thank the right hon. Gentleman for his intervention. That is absolutely the case. It has never been a negative—in fact it has always been a benefit—that we have attracted people who were a bit older to the role of student nurse. Perhaps they had another degree or a student loan to pay off, but they always had a bit more life experience under their belt.

As a very junior doctor in my first year, I remember what it was like when my hours alternated between 132 and 175, and I had no life that did not involve people who were dying or ill or who had been hit by a car. That is very difficult for a person who has just come out of uni, and who is used to going out for a pint and having parties. There is real advantage in training people who may have had a family and who have lived a bit of life. As the right hon. Member for North Norfolk (Norman Lamb) said, there are people who are attracted to nursing but who will not take it up because they will not put their family through it. We have seen that already with a 23% drop in applications.

**Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): As a fellow NHS consultant, I entirely agree with the hon. Lady when she said that this was about not just the nurses, but the NHS as a team and the value of the whole package of care. One cannot work effectively without the other. Yes, there is a debt accrued in doing a nursing career, but the Health Secretary has proposed a new technical route into nursing, which will mean that people can get an apprenticeship in nursing, allowing them to work and earn throughout their training. Therefore, nurses will be able to qualify while working and supporting their families without accruing any debt.

**Dr Whitford:** I welcome the hon. Lady’s intervention. I definitely welcome other routes into nursing. Of course when I was a wee doctor, we had two routes: the enrolled nurse and the degree nurse. That disappeared with Nursing 2000, but we are now coming back to that discussion. I have no problem with that, but we will need degree nurses. We have nurses in very advanced practitioner roles, which means that they require a more academic design—a more balanced and weighing-up-the-evidence kind of approach. It is important that we do not make it that the only route most people can afford to follow is the healthcare assistant route. I welcome it, but I certainly would not like to see people limited by it. The Secretary of State tells us that this is not an issue, because we still have more applicants than places—as yet, according to the universities, the number of places has not expanded by very much—but what we do not know is the talent that exists among that 23%. It may be fine numerically, but if we are excluding people who might have been absolute leaders in the nursing profession and in the NHS then we are the poorer for it.

We know that 40,000 vacancies need filling, and the pay cap is definitely making it harder to fill them. Brexit is not exactly helping either. Everyone here knows that my other half is a German GP in our NHS who, 15 months on, still has no idea what our rights and opportunities will be. The pay cap is definitely contributing to that problem and it is time for it to go, but it must be funded, or else it will mean a cut in services, which will hurt not just patients, but staff, who will feel that they are damaging the very service in which they work, and they will feel guilty about that. As that service is cut and contracts, their working day and working life will get worse.

The Government often talk as if spending on public service staff is money wasted. It is as if we cannot afford that money because we need to get the debt down, but in actual fact money that is put out by public sector workers is irrigating the economy—the money is spent. Some of it comes back in income tax—20% of everything all of us spend comes back. Money disappears when it is pushed at the top. It goes into banks and offshore, and is therefore outside our economy. Money that is in our economy encouraging commerce and business is helping us to recover.

After the tragedies of this summer—from the terrorist attacks to Grenfell—people right across this Chamber have quite rightly praised NHS staff and emergency workers. Now is the time for us to show not just what we think of them, but how we value them.

2.9 pm

**Dr Sarah Wollaston** (Totnes) (Con): It is a pleasure to follow the hon. Member for Central Ayrshire (Dr Whitford). I pay tribute to her for her work on the Select Committee on Health in the previous Parliament. That work was inevitably full of expertise and always constructive; I thank her for that. I agree with her that the NHS is a team, but that team should also include the wider social care staff because we cannot continue to look at the two systems in isolation. I echo her point, thanking all our NHS and care staff for the contribution they make not just to our wider economy, but—most importantly—to patients. Those are the people we should keep at the heart of this debate.

I welcome this debate. I also welcome the relaxation of the cap because we need to give the NHS Pay Review Body greater flexibility to make recommendations about
what we need to put in place for our NHS staff. I agree with the hon. Member for Central Ayrshire that we should look at the impact of pay on morale, recruitment and retention—this is an international workforce, as well as a national one—but we also need to look at pay across regions and within specialties because there is great variation. We should focus our efforts on ensuring that we are looking at the situation from the patients’ perspective by, for example, looking at the greatest areas of deprivation, which very often have the lowest ratios of NHS and care staff and who are under the greater pressure.

Seven years of sustained pressure on NHS pay is taking a toll. Nobody anticipated that it would go on for this long, so it is time to relax the cap. We should look not just at the issue of pay, but at the wider pressures within the NHS. I am delighted to announce that the Health Committee, which held its first meeting just before Prime Minister’s Question Time, has agreed that its first inquiry of the Parliament will be on the nursing workforce. We will look not just at pay, but at the wider workforce pressures, including the increased workload that comes from increasing demand across the system, morale and all the other non-pay issues that contribute to the pressures on nurses. We will also look at bursaries and the new routes into nursing, and at their impact on people entering the nursing workforce. We have heard about that already today. For example, we know that those who drop out of nursing courses are more likely to be in the younger age groups, whereas those who go into nursing as mature students are much more likely to stay. We need to look at all those wider impacts.

Maria Caulfield: I really welcome the news that the Select Committee is going to do a review of nursing. Will the Committee look into pay structure? The current Agenda for Change structure is being used by some trusts, in hospitals and communities, as a way of downgrading nursing roles. For example, a senior sister in one place may be paid a band 7 salary, whereas someone in the same role somewhere not too far down the road may be paid a band 5 salary. There is inequity in the current system.

Dr Wollaston: That is an important point. I very much hope that my hon. Friend will contribute to the Committee’s inquiry. As well as looking at the new routes into nursing, we will look at the skills mix, roles within health and social care more widely, the impact of Brexit and language testing, workload and morale. We will be seeking contributions from hon. Members across the House and from people outside.

As I said, we will miss something if we just look at the issue as one of pay. Pay restraint is estimated to contribute between £3.3 billion and £3.5 billion of the five-year forward view efficiency savings up to 2019-20. If that goes, what will fill the gap? We have to be careful that there is no loss of services or losses in the workforce, because workforce pressures—probably more than any other issue—contribute to nursing staff leaving the profession. We have to look at the bigger picture.

Eleanor Smith (Wolverhampton South West) (Lab): I have been a nurse for 40 years, but this is not just about nursing. There are other groups as well, including occupational therapists and physiotherapists, who are also registered professionals. Along with everybody else, they are just as important as nurses.

Dr Wollaston: The hon. Lady is absolutely right. Look, for example, at the applications for nursing courses. Even though the number of applicants has gone down, it may not ultimately result in a loss of numbers entering nursing. Some of the applicants from that overall drop in numbers might have gone on to other courses, so we need to look at the bigger picture. In opting to look at the nursing workforce, the Health Committee is not saying in any way that other parts of the workforce are not important. The NHS is a team, but it would be difficult for us to report within a certain timeframe if we looked at the entire workforce. I have no doubt that we will look at other aspects of the workforce over the course of this Parliament. I assure the hon. Lady that we will not lose sight of the bigger picture and I hope that she will contribute to the inquiry.

We need to look at the big picture regarding the total budget for health and social care. The right hon. Member for North Norfolk (Norman Lamb) has long made this point, and we have both made it clear that it is time for us to take a cross-party approach to sustainable funding for health and social care in the long term. I look forward to working with him on that over the course of this Parliament.

Norman Lamb: I totally agree with the hon. Lady and I am keen to continue working with her. Did she see the Independent Age survey that showed that well over 80% of Members of Parliament on both sides of the House agree that there needs to be a cross-party settlement for the future of the NHS and the care system?

Dr Wollaston: I welcome that and I look forward to working with the right hon. Gentleman over the coming months to try to encourage colleagues on both sides of the House, including the Front Benches, to agree to the idea. Next year is the 70th anniversary of the NHS, and I cannot think of anything more constructive we could do than to work across political parties in order to deliver sustainable long-term funding for health and social care.

I will bring my remarks to a close because I know that many hon. Members wish to speak. I look forward to hearing suggestions from colleagues in the House and outside this place about the points they would like the Health Committee’s inquiry into the nursing workforce to cover.

Madam Deputy Speaker (Mrs Eleanor Laing): It will be obvious to the House that a great many people wish to speak this afternoon. We have a limited time for this debate, which will probably finish at around 4.30 pm. Therefore, after the next speaker, I will impose an initial time limit of five minutes, which might be reduced further depending on how many people still wish to speak. There will, however, be no time limit on the next speaker as I call Mr Stephen Morgan to make his maiden speech.

2.18 pm

Stephen Morgan (Portsmouth South) (Lab): Thank you, Madam Deputy Speaker, for allowing me to give my maiden speech in today’s debate. It is a pleasure to follow the hon. Member for Totnes (Dr Wollaston).
The spirit of this innovation is driving success in Portsmouth’s modern economy. Through my conversations with business leaders, I know that there is the potential to build an economy that creates well-paid jobs for the many, not just the few.

Portsmouth continues to leave an imprint on our world. We welcome hundreds of thousands of visitors each year, who take with them an understanding of British naval history and an affection for a modern British city that has an unrivalled waterfront and world-class events.

Maybe it is our military reserve that means the people of Portsmouth do not shut about our military success; they just get on with the job. It is this spirit that has fortified the city in the most testing of times. During wars and emergencies, my city has gone and done the job. In the two world wars, it played a key role in delivering victory and winning the peace we all enjoy today. My own family, like millions of other families across our nation, played a role in the second world war, fighting against tyranny—with my grandfather leaving Southsea seafront on his 17th birthday to liberate mainland Europe on D-day. I am hugely proud of the strength and courage shown by all communities across Portsmouth during Europe’s darkest hour. The city has a spirit and a determination that is second to none, and that is why I love it.

The sadness for me, though, is that far too many people in Portsmouth are continuing to fight their own battles, whether it is the daily battle to earn enough money to make ends meet, the battle to find a good school for their child or the battle for a property they can call their home. These are the challenges, plus so many more, that people up and down this land face every day. I want Portsmouth and our nation to tackle these individual challenges head-on. I want our society and our economy to be vibrant and diverse, so that we can tackle these individual battles that ordinary people are facing, and make it our collective responsibility to resolve them together.

I want to help create a future that is better than the present, where hope replaces division, and where everyone—and I mean everyone—is better off. We know from our history that there is no challenge that we cannot face by working together, so this is my call to every Member of this House: unite to tackle the everyday challenges of the many. If we do this, I know that Portsmouth’s and Britain’s best is yet to come.

Most disturbing for me, though, is that the generation that literally fought for our country is now facing new battles. With adult social care and our NHS in crisis, the elderly are uncertain in their old age. This is not the world that we promised them. We promised them homes fit for heroes, and we are letting them down. We are not providing them with the level of public services they deserve, due to the current funding and staffing crisis, where years of pay freezes have created challenges for recruitment and retention.

I want the people who keep our communities safe, who educate our children, who defend our great nation and who save lives to be shown that people in this place understand, value and respect them. That is why I was proud to stand with Portsmouth nurses last week in the lobby of Parliament, and why I am particularly pleased to be making my maiden speech in today’s debate.
My own sister will be relying on the care of these nurses at my local hospital, the Queen Alexandra, in the next few days. She will be giving birth to her first child. Sadly, she cannot be here today, but I am personally delighted, because I fear she may give birth in this place—not another first I would want to see.

As I said at the start of my speech, it was public sector workers who gave me hope and who taught me never to accept it when someone said to a Pompey boy, “You can’t do that.” What motivates me now is one simple notion: to ensure that the opportunities of a good education, a good home or a job are not limited to the privileged few, but can be enjoyed by all our citizens, regardless of where they are born.

For as long as I continue to enjoy the privilege of representing the people of Portsmouth South, I will fight for a future in which power, wealth and opportunity are in the hands of the many, not just the privileged few. Every day, when I—a Fratton lad—arrive in this grand place, I will not forget who sent me here. I will be a local campaigner and a strong national voice committed to serving their interests.

So, to all those young people growing up in Portsmouth, as I once did, my message today is this: aim high and work hard, and you will achieve. Never, ever accept anyone telling you that you cannot achieve.

Madam Deputy Speaker, as my fellow Fratton Park attendees say, “Play up Pompey!”

2.28 pm

Andrew Selous (South West Bedfordshire) (Con): I warmly congratulate the hon. Member for Portsmouth South (Stephen Morgan) on a polished maiden speech, and we all wish him the very best in his time in this House.

Conservative Members agree with what the hon. Gentleman said about the wonderful work that public sector workers do, not least in our NHS. The NHS saved my life when I was 24. I have two children heading to work in the NHS, one of whom worked as a healthcare assistant over the summer. Members of my family are also frequent users of the NHS.

Over the last few months, I have had the pleasure of spending a day at the Bassett Road GP practice in Leighton Buzzard, and I am full of admiration for the doctors and practice nurses I saw working there. I also spent time at my local hospital, the Luton and Dunstable, which has the best accident and emergency service in the country, and we are learning lessons from it all around the country, which are being spread by the Department of Health. Really importantly, I have also spent time with the social care staff of Central Bedfordshire Council and elsewhere, and seen the independent living schemes that will be key to the sustainability and transformation plans in my area.

In these debates, we seem to focus entirely on the top line of departmental budgets. In 2016-17, the Department of Health had a departmental expenditure limit of £120.6 billion and annually managed expenditure of £16.2 billion—£136 billion in total. We need to reflect on the words of Jon Thompson, a permanent under-secretary at the Ministry of Defence, speaking to the Institute of Government recently about the attitude, often, of Select Committee members from across this House:

“They seem to live in a resource unconstrained world...in the end I've got a limited amount of money and I have to prioritise.” Those are words we need to hear.

There is another way to free up money within that £136 billion and improve outcomes for patients that could lead to our having more money for NHS staff—that is, to focus on improving quality, something that hardly ever gets a look-in in this House. If we look at the work that the Government are doing with the Getting It Right First Time programme, we see a 25-fold variation in infection rates for patients. Not only is going through that a deeply unpleasant experience for a patient, but the cost of surgical infections can vary from £75,000 to £100,000. If we get this right, not only do we treat patients better but there is more money to put into staff pay.

It goes on and on. Many hospitals are not using the right hip implants—they are using more expensive non-cemented hip implants. We get better outcomes with cemented implants that actually cost less.

Dr Whitford: It is really important that we are very careful about things that will be implanted permanently in a patient. We have had debates about mesh in this place, and we will be having debates about Essure, which is designed to obstruct the fallopian tubes and is also causing problems. Non-cemented implants are for younger people who may need another implant later on. I would be very careful—think of the PIP breast implants scandal—about cutting the quality of what is left in a patient.

Andrew Selous: I am talking about the data available in the national registry, now, for the first time ever, being properly compiled in every hospital. We should follow the evidence and look at the clinical outcomes, as the hon. Lady has done herself on the Health Committee.

Forty-five per cent. of surgeons are doing five or fewer complex hip and knee revisions, yet we know that clinical outcomes are better where surgeons do 35 or more a year. As a result of doing only a few operations with worse outcomes, which cost more, they also have to hire in expensive loan kits. Hospitals are spending, on average, some £200,000 a year on loan kits—some hospitals, £750,000 a year. Professor Tim Briggs, with whom I have had the honour of working over the past nine years on the Getting It Right First Time programme, said that

“there is no way right now I would ask for more money for the NHS. The waste and variation out there is unbelievable and we have got to get our act together across all the specialties to improve quality and unwarranted variation and complications. And it is not just orthopaedics.”

We are now, for the first time ever, looking at variations in litigation rates—huge amounts of money go out on litigation—in infection rates, and in revision rates. We are making progress, because litigation rates, which went up by 8% in orthopaedics in 2013-14, are down by 5% in 2014-15 and down by 8% in 2015-16.

This is a really powerful way to get better outcomes for patients and make sure that there is more money for NHS staff. That is exactly what the sustainability and transformation plans are there to do. As Simon Stevens has said, this is

“the biggest national move to integrating care of any major western country.”
If we can end our fragmented, silo-ed care through a massive expansion of out-of-hospital care, we will get better outcomes, save money, prioritise prevention, and keep patients out of hospital. If we do that, we will free up precious budget in order to pay NHS staff the decent rates we all want to pay them.

2.34 pm

Conor McGinn (St Helens North) (Lab): I congratulate my hon. Friend the Member for Portsmouth South (Stephen Morgan) on an excellent maiden speech. Modesty prevented him from telling the House that he more than doubled the Labour vote, going from third to first and winning the seat for Labour for the first time since the seat’s creation in 1918. He has a bright future in the House, I think, and I look forward to him being joined by many, many more Labour MPs from the south of England after the next election.

I should declare an interest in speaking in this debate, not registerable but important none the less, which is that generations of my family have worked in the national health service. My grandmother, great-aunts, aunts and cousins were and are nurses and midwives, and my mother has worked in the NHS for over 30 years.

Anna McMorrin (Cardiff North) (Lab): Is modesty perhaps preventing my hon. Friend from mentioning that he himself has, at times, acted as a midwife?

Conor McGinn: I am very rarely accused of modesty, so I shall certainly take that compliment. I did have one occasion to act as midwife when our daughter arrived slightly more quickly than expected. As I said to her godmother, my hon. Friend the Member for Lewisham, Deptford (Vicky Foxcroft), it is not something that I intend to repeat, and I certainly would not recommend it to the untrained.

It was in tribute to my own family’s NHS pedigree, but most importantly out of necessity to properly value the nurses and midwives of today, that I tabled an early-day motion to end the public sector pay cap in the NHS. I thank the 67 hon. Members from every Opposition party—and indeed from the Government party on the Opposition side of the House, represented by the hon. Member for Belfast South (Emma Little Pengelly)—who signed the motion to scrap the cap. I also pay tribute to my hon. Friend the Member for Leicester South (Jonathan Ashworth), who has relentlessly campaigned on the issue of fair pay for NHS staff, and who has brought this motion before the House today.

In my local NHS trust, St Helens and Knowsley Teaching Hospitals NHS Trust, there are over 1,000 nurses who do a magnificent job caring for patients in often incredibly difficult circumstances. I am very proud that the trust has been recognised as the best NHS acute trust in England in the latest patient-led assessments, achieving top marks in the country in every area of inspection.

The context in which NHS staff are showing such dedication and commitment to providing high-quality care makes it all the more remarkable. As we have heard, while working hard to meet increasing demands, nurses have seen seven years’ worth of frozen or capped pay. The rate of inflation has exceeded the pay cap of 1% in five of those seven years. That means less money at the end of the month for nurses—a 14% pay cut in real terms since 2010, according to the Royal College of Nursing, which has campaigned with great tenacity and passion on this issue, alongside many other organisations, including my colleagues in Unison.

For seven long years, Ministers have refused to introduce a fair pay package for nurses that reflects the skill set and dedication in the profession. They ignored the clarion call for the pay cap to be scrapped—until last night. In an act of cynicism, knowing they faced defeat in the House today, Ministers appear to have suddenly changed their minds—not because the Conservative party suddenly believed the pay cap was wrong, but because the Government might lose a vote in Parliament. What a morally and intellectually bankrupt Government this is, and what a disgraceful way to treat NHS staff—as a tool for seven years of ideologically driven austerity, and now as a tool of political expediency.

The announcement that the pay cap is to be scrapped is long overdue. Anyone in this House who believes that it should go needs to vote with us tonight, if indeed the Government decide to divide the House. But it is not enough: we need to see action. Thousands of nurses and NHS staff will be waiting eagerly to see what the Government offer above 1%, and millions more people across the country will be waiting to see when this Government are finally going to end their cuts to our public services and start properly funding our NHS.

2.39 pm

James Morris (Halesowen and Rowley Regis) (Con): I join other Members in congratulating the hon. Member for Portsmouth South (Stephen Morgan) on his maiden speech. I am sure that he will make many fine contributions to this House, and I look forward to debating with him in the months to come.

I think we agree across the House that doctors, nurses and all NHS staff are fundamental to the foundation of the NHS, which the Secretary of State referred to as a world-class health system. It is, on a number of measures, such a system. Since 2010, the Government have been determined, despite the pressures we have faced, to maintain and increase funding for the NHS. We made a commitment in 2010—we could have made a different choice, given all the difficult choices we had to make—to continue funding our NHS, and we pledged in the 2015 election campaign to increase NHS funding further.

I know the vital work that frontline staff do in the hospitals that serve my constituency, such as Russells Hall hospital, Sandwell general hospital and Rowley Regis hospital, where the staff work extraordinary hours and do exceptional work for my constituents. Of course, pay is an important part of incentivising a high-performance workforce, and I welcome the Treasury’s announcement on public sector pay, which indicates that we will look at giving Departments more flexibility. I think that that is important.

I want to highlight one aspect of the workforce challenge that the NHS faces. I have campaigned on mental health for the last decade or more. Over the summer, Government announced their ambition to increase the workforce for mental health by 20,000 by 2020. There are particular challenges around the recruitment
and retention of those who work in mental health in the NHS. If the Government are to have any chance of delivering on their aspirations and objectives as outlined in the five year forward view, which they have committed to implementing, they have to get the workforce challenge right. Not enough people want to go into psychiatry or mental health nursing, and we need to find ways of incentivising people to fill those positions. The stretch ambition to get 20,000 additional people working in mental health is a considerable challenge.

I welcome the announcement about flexibility, because I think it will open up opportunities to address the particular skill challenge that we face in mental health. We must try to find innovative ways to incentivise people to come into the NHS to work in mental health, whether it is in psychiatry or psychological therapies, to fill that skills gap. Unless we address those issues, there is no way that we will be able to build the kind of mental health services that we desperately need in our NHS. We have made a lot of progress, but this particular workforce challenge lends itself to innovative thinking about pay and incentives.

I hope that the flexibility that the Government have announced will allow the Department of Health to look at its workforce plan and think in even more detail about how it might develop the incentives necessary to create the mental health workforce that we desperately need. That might mean looking at pay and incentive structures as well as training and other ways of getting people into the profession. I very much welcome the Government's decision to allow Departments more flexibility on public sector pay. It has been a long road, and the decisions that we had to make at the beginning of 2010 about public spending have meant sacrifices for public sector workers. Everybody agrees that we have had to make sacrifices, but those who have sacrificed the most are the public sector workers. We have made a lot of progress, but this particular workforce challenge lends itself to innovative thinking about pay and incentives.

I must take the time to declare an interest: I am a junior doctor at St George’s hospital in Tooting. When the Conservative Government began their programme of ideological austerity, they imposed the pay cap to secure our nation’s finances. It quite simply has not worked. We were told that the Government could not increase public sector pay beyond 1% because to do so would harm our financial security, but capping public sector pay has harmed us. It has put stress fractures in the foundations of our society—our public services. After seven years of austerity, this Government have borrowed more than all other Labour Governments in history combined. The Government have not paid off the budget deficit, and they lack any credible economic direction. Instead, they are attempting to drive our economy off the Brexit cliff like a lemming.

A decade on from a global financial crisis and seven years after the Government’s austerity programme began, our nurses, refuse collectors and teaching assistants are still paying the price. The stability of our society—the foundation on which we live our lives—depends on these vital services, from healthcare to our security, our children’s education and our local government. Since 2010, our nurses have suffered a real-terms pay cut of 14%. A hospital porter is £7,000 worse off, and a midwife has been left £18,000 short. These real-terms pay cuts have hit so hard that some of those who choose to stay in the profession are forced to use food banks, take on a second job and rack up personal debt, all because public sector pay rises have consistently failed to keep up with the rising cost of living.

The bravery of our emergency service personnel has been highlighted in recent months, following some truly tragic events, but when the media spotlight goes away they perform the same duties, at the same risk and with the same courage. The Government absolutely do not value the people who put their lives on the line every single day to save ours.

Anna Soubry: I am grateful to the hon. Lady for giving way, but I think she should take back what she has just said. Whatever divides us when it comes to pay and financing, the one thing that cannot be said about any hon. or right hon. Member of this House, whichever party they may support, is that they do not care about the workers in the NHS. We certainly do, and we value and respect them.

Dr Allin-Khan: I thank the right hon. Lady for her intervention, but I have to say that a future Labour Government will not just talk the talk; we will walk the walk. A Labour Government will be on the side of ordinary people—those serving on Britain’s frontline. It is not right that in 2017 Britain, those at the top of our civil service can receive golden handshakes, taking home more than a quarter of a million pounds a year, while those on the frontline are stuck on the breadline.

Fiona Onasanya (Peterborough) (Lab): In response to the comments from the right hon. Member for Broxtowe (Anna Soubry), does my hon. Friend agree that instead of just saying that we respect our public sector workers, we want to show them that respect? The cap has affected morale and retention. To say otherwise, when we can see that what is being done is harming people, is to be much like the people in the story of the emperor’s new clothes who said to the emperor, “You are not naked.”

Dr Allin-Khan: I agree 100% with my hon. Friend’s argument, which was most eloquently put. While those on the frontline work so hard, they are on the breadline. Our firefighters, teaching assistants, council officers, nurses, policemen and women, prison guards and hospital porters—the list is endless—are the glue that binds our country together. The services in which they work are vital, because they allow people in every part of the country to live their lives, feel safe and have opportunity. Those workers—I have the pleasure of working alongside many of them at St George’s hospital in Tooting—do not seek recognition; they serve our country selflessly on a daily basis. They are simply seeking a decent day’s pay for a decent, hard day’s work. That is why the Labour party would scrap the NHS pay cap and give our hard-working NHS staff pay that recognises the skill and dedication that they bring to their working lives.

Simon Hoare (North Dorset) (Con): Will the hon. Lady give way?

Dr Allin-Khan: No, I am going to make some progress.

The quality of NHS services depends on the skill and talent of the people in them. Those in our NHS facing the everyday challenge of treating our most vulnerable
should not be worrying about how they will put food on the table for their children—the very children who are having to accompany them to food banks.

Let us be clear: lifting the pay cap is not about recognition. It is about removing a cap that actively degrades our public services, weakening the foundations under our feet. Let us stop this demonisation of a workforce who hold this country together. We need an independent pay body to negotiate public service pay. Our services have been gutted by seven years of ideological austerity.

Simon Hoare: Will the hon. Lady give way?

Dr Allin-Khan: I will give way—this will be interesting.

Simon Hoare: I will let you work out whether it is an interesting intervention, Madam Deputy Speaker.

I am listening carefully to what the hon. Lady says. She speaks with passion and from chalk-face experience. I was interested to hear her make an open-ended pledge that her party would raise public sector pay in the national health service, but she has not said by how much, at what rate, on what timetable or how it would be funded. Can we have some detail?

Dr Allin-Khan: The hon. Gentleman heard the eloquent contribution from the Opposition spokesman today, and I would ask him where the £350 million a week is that we expected to see as a result of leaving the European Union. If his party has its way, we will have even less money for the NHS, so we will not only lose our valuable workforce who have come here from Europe but we will be further underfunded.

Lifting the public service pay cap would enhance the capacity and skill of each of our public services. In such high-pressure, stressful places of work, we demand that our nurses, police officers and firefighters make life or death decisions with a clear mind. How will they do that, if, at the back of their mind they are worrying about how they will be able to feed their children or care for their parents? They will burn out—it is a recipe for disaster, and we are already seeing it happen. How long do we expect those public sector workers to carry on like that?

There are times when we in the House divide and times when we unite. This debate reaches far beyond a percentage increase on a payslip. It is about not just pay but the knock-on effect on lives. I implore the Government to look at the issue again and pay our public service heroes a decent wage.

2.52 pm

Trudy Harrison (Copeland) (Con): I am grateful for the opportunity to speak in this debate. West Cumberland Hospital in my constituency has faced significant challenges over many decades in recruiting and retaining enough doctors and nurses. It was because of those challenges that our midwifery unit was under threat of losing doctors and nurses. It was because of those challenges for himself, and that the Secretary of State came to the hospital in Carlisle, Cumberland Infirmary, to hear for himself the concerns of clinicians. Not one mentioned the 1% pay cap, but concerns were expressed about morale, recruitment and retention, and how to ensure that enough doctors and nurses join the health sector. In my role on the Education Committee, I look forward to considering how we can recruit doctors and nurses through technical and academic routes. I am really pleased by the huge investment that has been made in our hospital and our NHS trust.

Dr Whitford: The hon. Lady mentioned recruiting doctors and nurses through a technical route. Do she or the Government really propose that route into medicine, without a degree?

Trudy Harrison: I thank the hon. Lady; I should have been clearer in saying that I support technical and academic routes into all employment in the health sector, because I understand that it is a team effort.

Over the past seven years, more than £90 million has been spent on the brand-new hospital in Whitehaven—more investment than ever before. I am delighted that we have been awarded more than £40 million of extra capital investment to refurbish and rebuild parts of the hospital estate, to bring it up to date and improve the experience of patients and staff. The funding will help to deliver faster diagnosis of conditions including cancer, easier access to mental health services and an expansion of our A&E department, leading to shorter waiting times for operations and more services in GP surgeries. There has been huge progress in improving patient care, and the funding will help to secure the highest-quality, most compassionate patient care anywhere in the world. Some £30 million of new funding will be invested across south Cumbria to modernise mental health facilities and improve A&E facilities at our hospitals, and nearly £10 million of the new capital funding has been earmarked for modernising mental health in-patient services.

Ensuring that we have a full complement of doctors, nurses and other staff on wards is essential. We simply cannot run wards without the appropriate staff. Our public sector workers, including nurses and other healthcare staff, are some of the most talented and hard-working people in the UK. Like everyone else, they deserve to have fulfilling jobs that are fairly rewarded in their take-home pay. We now have 12,000 more nurses working in our hospital wards than we did under the Labour Government, and retaining hard-working nurses and doctors is vital to maintain the service that we all appreciate. I am pleased that yesterday the Treasury decided to remove the 1% pay cap across the board.

One point I would like to draw attention to is the need to assist our talented, highly qualified medical clinicians to be able to do what they are trained to do and experienced in practising. From speaking to midwives both at my local hospital and elsewhere in our trust, I know that they are regularly spending up to three hours...
of their eight-hour shifts ploughing through administration work, stuck at a computer screen, rather than being out on the wards doing the work that they are trained to do—assisting mothers in labour and delivering children safely. I ask Ministers to look at innovative ways in which our trained staff can use the skills that they have.

It is the 42-year record low unemployment rate and our seven-year track record on deficit reduction that have made the end to the pay freeze possible.

**Sir Oliver Heald** (North East Hertfordshire) (Con): Does my hon. Friend agree that with the Labour years having led to far less recruitment and training of nurses and doctors than the country needed, we are now in an international labour market for those important workers?

It is therefore important that pay rates are high enough to attract them to this country.

**Trudy Harrison**: Indeed; I thank my right hon. and learned Friend for that intervention.

I end by commending the Treasury for yesterday’s decision to remove the 1% pay cap.

2.59 pm

**Norman Lamb** (North Norfolk) (LD): I start by acknowledging just how long the constraints on pay in the NHS and across the public sector more generally have applied, and I say that fully recognising that I was a member of the coalition Government. I understood and accepted the reason why constraint was necessary at that time, because public sector pay had run quite a long way ahead of private sector pay, but the situation is very different now. Ultimately, we cannot justify year-on-year real-terms pay cuts for workers in the public sector as a way of sustaining our vital public services, but that is what they are facing and we have to face up to it.

Alongside the moral case is the fact that the cap simply will not work. The Royal College of Nursing says that the NHS in England needs 40,000 nurses short, and that has consequences. Among the doctor workforce, rota gaps are endemic—I suspect the hon. Member for Tooting (Dr Allin-Khan) recognises that. It is particularly bad in some parts of the country and in some specialties. The hon. Member for Halesowen and Rowley Regis (James Morris) spoke about psychiatry. According to the survey published by the Royal College of Psychiatrists earlier this week, the numbers of psychiatrists vary significantly around the country, with some areas disturbingly short.

We often talk about doctors and nurses in this House, but so many other people work in the NHS. Allied health professionals, caretakers, orderlies and all sorts of other people are affected by the cap, many of whom are on very low pay. I want to give a particular shout-out to paramedics in the east of England, many of whom regularly work very long shifts and often get home utterly exhausted after dealing with traumatic events. I pay particular tribute to the 70 staff from the East of England Ambulance Service NHS Trust who have signed up to become blue light champions to highlight the importance of mental health among their organisation’s workforce. That has been done with the support of Unison and the involvement of Mind, which does really important work with frontline workers.

When we talk about pay levels in the NHS, we should also think about pay levels in social care. Non-payment of the minimum wage is endemic in many parts of the social care system, which is intolerable. Too many workers who provide care in people’s homes are still not properly paid for travel time. Information I got from Her Majesty’s Revenue and Customs recently showed that millions of pounds of unpaid wages had been recovered following an exercise in social care. When we talk about the need for a fair deal for NHS workers, we also need to talk about a fair deal for people working in social care, who do often very unattractive but vital work.

**Danielle Rowley** (Midlothian) (Lab): The right hon. Gentleman mentioned public sector workers more widely. In Scotland, despite voting not to scrap the cap in May, the Scottish National party Government have now listened and done so. However, public sector workers in UK bodies in my constituency and across Scotland are still left out, and will continue to be left out by the recent Tory announcement to lift the cap selectively. Will he join me in urging the Government to value and properly pay all public sector workers across the UK and ensure that none is left behind?

**Norman Lamb**: I agree that we have to treat people with justice across the public sector to ensure that they are not unfairly and unreasonably left behind.

On the comments made by the hon. Member for Totnes (Dr Wollaston), behind this issue is the inescapable question of the amount of money that we are putting into health and care services, because that ultimately determines how much we can pay and how many people we can employ. The bottom line is that we cannot carry on as we are; it is not sustainable. We are not being honest with the British people. The truth is that, at the last election, none of the political parties had a solution for the NHS and the care system. I was challenged earlier about the fact that the Lib Dems argued for a 1p increase in income tax. I absolutely acknowledge that that is not a panacea and would not solve all the problems, but it would provide an immediate £6 billion, which would have a big impact on the sustainability of the system.

The bottom line is that we need to work together across the party divide. If we do not, we will be letting down the people of this country. We can continue to shout at each other, but that does not help the family whose loved one is let down by failures of care because the NHS and the care system do not have sufficient resources. More than 1 million older people have care needs that are not being met because of the underfunding in social care. As the Independent Age UK survey showed, well over 80% of Members of Parliament, on both sides of the House, agree that we need to work together to come up with a long-term, sustainable solution. Please, Government, get on with it.

3.6 pm

**Kwasi Kwarteng** (Spelthorne) (Con): It is a great honour to have been called in this serious debate. I am pleased by the way in which it has been conducted, as we have heard some very good speeches, in particular the maiden speech by the hon. Member for Portsmouth South (Stephen Morgan). It was an amusing, entertaining, heartfelt and serious speech, and I have no doubt that the hon. Gentleman will make valuable contributions...
in this Parliament and in years to come. It was a salutary speech because it gave one faith in the House of Commons.

Having been a Member for seven years, I have seen many debates—and some yah-boo politics—in which people apportioned blame for the crisis. Labour says that the Tories cut too much and that it was all the bankers’ fault that we had a deficit of £160 billion—the largest peace-time deficit in our history. The right hon. Member for North Norfolk (Norman Lamb), who was a Front-Bench member of the coalition Government for their full five years, will remember clearly the context in which we came up with the difficult policy of the pay cap. It was not a whimsey, and we did not do it for the hell of it to put people under pressure. The pay cap was a serious response to a difficult and chronic problem—the deficit.

I do not want to apportion blame, and I echo my right hon. Friend the Secretary of State in recognising that the global crash was not entirely Labour’s fault—I am willing to give it that—but the history of the public finances from 2001, eight years before the financial crisis happened, shows that we ran a deficit in every single one of those years. To borrow a phrase—a mantra—from a departed colleague, Labour did not fix the roof while the sun was shining. The Labour party had a record of fiscal incompetence, and it was against that backdrop that public sector pay restraint became an issue. It is important to look at the history to explain why the pay cap was instituted in 2011.

Eleanor Smith: The hon. Gentleman talks about eight years, but Andrew Lansley’s Bill basically destroyed the NHS. That is why we are in this state with the pay cap. I think the hon. Gentleman has forgotten about that.

Mr Deputy Speaker (Mr Lindsay Hoyle): Would the hon. Lady like to respond?

Eleanor Smith: I start by saying it was a joy to be in the Chamber to listen to the maiden speech by the hon. Member for Portsmouth South (Stephen Morgan). I am confident he will be a strong advocate for his area. I would also like to take this opportunity to recognise my hon. Friend the Member for Leicester South (Jonathan Ashworth). NHS workers must take some reassurance in knowing that they have a champion in him.

As I have mentioned many times in this House, my constituency lies between two hospitals: Dewsbury and District hospital, which has recently seen a significant downgrade; and Huddersfield Royal Infirmary, which is earmarked for future downgrade and closure. Sadly, and probably as a consequence of these NHS cuts, I receive a large number of hospital complaints from constituents covering a variety of different issues. There is, however, one common theme in all the letters and emails: no one wants to point the finger of blame at NHS staff, because they can see how hard they are working, often in unsafe conditions mainly due to chronic understaffing.

In March this year, it was reported that there were over 30,000 vacant full-time positions across the NHS. There are nearly 200 vacancies at just one of my local hospital trusts alone. This means that in many hospital wards across the country, staff are having to do the work of two or even three people. We have all heard the stories of NHS staff working 12 hour shifts without
food, water or even toilet breaks, where staff are close to breaking point mentally because of the undue stresses of their everyday working life. Yet they are consistently ignored when they ask for what they argue are their basic rights: a decent pay rise to reflect the work that they put in on a daily basis in circumstances some of us in this House can only imagine in our worst nightmares. They are, frankly, heroes.

As we have heard from many of my colleagues today, NHS workers have reported having to: cut back on food shopping; miss meals in order to feed their children; use debt services, taking out payday loans or even approaching loan sharks; and even resort to food banks when the money runs out at the end of the month. Many are leaving the profession to take alternative work in different sectors. Some tell me they choose to work in supermarkets, where the pay is broadly similar but without the stresses and strains of working in a stretched industry where many workers are left feeling undervalued and burnt out from trying to keep up with the unprecedented demand for care. Many worry about the future of their registration, given the pressures they are having to work under.

By undervaluing our NHS workers to this extent, the Government are presiding over what could be the worst staffing crisis ever seen in the NHS since its inception in 1948. NHS bursaries have been slashed, and we hear that nurse staff recruitment from EU countries is down 96% on last year, mainly because of uncertainty over Brexit. In addition, a huge proportion of the existing workforce is due for retirement in the early 2020s. Instead of looking for solutions to this problem, the Government have chosen to inflict a seven-year, real-terms pay cut on our NHS staff. Yesterday, they came out and offered nothing more than a sticking plaster, with no vague promise that maybe in the future there could be a little bit more money made available, but no details on for whom or how much.

Those of us on the Labour Benches know how those on the Government Benches feel about our public sector heroes. We heard that loud and clear in June this year when they voted to keep the public sector pay cap and then cheered in celebration at their “triumph”. That will stay with me for the rest of my life. These are people who often put their lives on hold for us and put their lives at risk for us. They clearly deserve a pay rise to reflect their dedication and commitment.

3.18 pm

Maria Caulfield (Lewes) (Con): I declare an interest as a nurse who has worked for over 20 years in the NHS, and who still works as a nurse on my hospital bank. I worked through 2010 to 2015, when the pay freeze and then the pay cap was introduced, so I know exactly how difficult it is to manage on a nurse’s wage and not see an increase. Inflation is now close to 3%, so it is becoming increasingly difficult. Seven years is enough for anyone to have lived with a pay cap or a pay freeze, so I support the RCN’s campaign to scrap the cap.

No political party comes out of this unscathed. There was a recognition among colleagues back in 2010 that we in the public sector had to tighten our belt if we were to protect jobs and frontline services. We recognised that we had to step up to the plate and play our part, and we did. However, we were promised by those on the Government Benches that that would be for roughly a five-year period. The Government have to take responsibility for not having tackled the deficit completely and for keeping the pay cap going. It is not fair on frontline staff that they are the ones still picking up the pieces of the mess the last Labour Government left the country in.

It is time now to scrap the cap. Nursing has changed dramatically over the last 20 years. It is now a graduate-only-entry profession. Nurses are taking more advanced roles, including nurse prescribing, and extended roles, such as biopsies and minor ops. Today is National Sepsis day. In A&E, it is often a nurse who sees a patient and, if they suspect sepsis, cannulates, takes blood, does the blood cultures and, if they have done their prescribing course, starts the first line antibiotics. That is done long before the doctor ever sees the patient. That is not because nurses are becoming mini-doctors; it is because they are extending their role, improving outcomes for patients and improving patient experience.

I want to send a message to Ministers: there are two myths doing the rounds at the moment about nurses’ wages. The first is that nurses are on an average of £43,000 or even £37,000. That is completely untrue. Most nurses are in bands 5 or 6, the average wage for which is £27,000—for an experienced nurse—and the starting salary roughly £21,000. The banding system is used to downgrade nurses and pay them as little as possible. When I do a hospital bank shift, I am on the lowest band 5 wage—after 20 years of working as an experienced cancer nurse who is chemo and intravenous-trained.

The incremental rise we hear about is also a myth. The banding system is used to start nurses on the lowest-possible salary. They have to wait seven years—each year going up a little bit—till they reach the top of their banding. In no other profession would that happen. We do not see MPs in the 2017 intake being paid less than those in the 2015 intake because they are less experienced or new to the role, but that is exactly what we do to nurses, and then we tell them they should be grateful for that incremental rise. They should be paid what is due for that job, not wait seven years to get the actual pay the job is worth. We do not say to the editor of the Evening Standard, “You’ve never been a journalist before, so you should be paid less than any other journalist in this country.”

This is about fair pay for a fair day’s work. We are asking people to save lives or put their own lives on the line to save the lives of others. The time has come to end the public sector pay cap, and I welcome the moves by the Government. As for the motion, I hear that the Labour party wants to scrap the cap, but there is not the money to do it across the board, although there are ways to give nurses, public sector workers and other NHS staff a pay rise. If we focus that pay rise on bands 1 to 7 and help those in high-cost areas with high-cost living allowances, we can make a difference, but using this as a political football will not score any goals. It is incumbent on all of us from all parties to work together.

When Ministers stand up at the Dispatch Box and say, “More schools than ever are good or outstanding”, “More patients are being treated than ever before” or...
“There is less crime than ever before”, they should remember it is because of the hard work of public sector workers. We need to reward them for their hard work and effort.

3.22 pm

Chris Stephens (Glasgow South West) (SNP): As the Member of Parliament with the highest percentage of workers in public sector employment in the UK, I will be supporting the motion today in the name of the shadow Front-Bench team.

The Government’s public sector pay policy can best be described by the Glasgow word “guddle”. Translation: a tangled mess. The Government, seeking to deflect criticism, and no doubt as a direct result of tricky doorstep conversations in the election, yesterday announced a policy that was spun as ending the public sector pay cap. It was no such thing, however, and instantly attracted criticism from the very set of workers they were hoping to silence. The Prison Officers Association correctly pointed out that the so-called increase on offer would amount to a real-terms pay cut since inflation had just hit 2.9%.

The title of this Opposition day debate is “NHS Pay”, and it is right that today there is a focus on a vital set of workers providing life-saving services, but I feel that the whole subject of public sector pay cannot be debated in a silo and in the context of one particular set of workers without reference to others. This week at the TUC conference, all the public sector unions came together in a collective call for parity and fairness in pay awards, not selective cherry picking.

I come from a public sector background and a trade union, Unison, that has always recognised that not rewarding and supporting public service workers properly is a political choice. It is a choice that the Government are trying to avoid being called out on, as from time to time token efforts are made to imply they understand and value public service. The Prime Minister told the Tory party conference last year: “Our economy should work for everyone, but if your pay has stagnated for several years in a row and fixed items of spending keep going up, it doesn’t feel like it’s working for you.”

That sounds good, but it is at odds with the very heart of Conservatism and the shareholder mentality that puts pounds and profits before a public sector ethos. The privatisation of public services is a case in point. Turning public assets into private shareholdings, rather than investing in quality, and targeting public sector pay for quick savings is a hallmark of every Tory Government. I was a public sector worker under John Major’s Government when they, too, had a public sector pay cap.

We would not be having this debate if the Government really valued public service workers and recognised that although many could earn more in the private sector, they have chosen to contribute their skills to helping others. The systematic punishment inflicted on them year on year by a Government who have chosen to make public sector workers pay the price for the failings of the private sector when the economy crashed in 2008 is morally unjust and unfair and has tested their patience to the limit.

I strongly believe that cuts to public sector pay is an issue that affects everyone—not just the workers, their families and service users but the wider community and local businesses. Local economies suffer when wages are held down and jobs are lost, and given the scale of the money involved, this is also a national economic issue. The TUC has produced an excellent report, “Lift the Cap”, that outlines in detail the knock-on economic impact on local economies through wages being systematically depressed.

How can the national economic picture be anything other than bleak if hundreds of thousands of people are on a low-pay subsistence existence and struggling to afford the basics, never mind boost consumer spending, without plunging even further into debt? All the time the cost of living is rising and hitting low-paid workers hardest, especially on energy and transport costs. The question is not: can we afford it? I advocate turning that miserable ideological argument on its head to say that we cannot not afford it. Paying public sector workers properly works for everyone: it generates tax revenues, reduces social security spending and creates jobs in the private and voluntary sectors.

I am concerned about the Government’s direction of travel in making announcements on police and prison officer pay over that of other public sector jobs. There is a danger that they are targeting professions dominated by men and not dealing with those public services where employment is dominated by women. I would like to hear from the Minister how they plan to tackle that issue. There is a risk of the gender pay gap increasing if the Government do not get their public sector pay policy correct.

Ruth George (High Peak) (Lab): I agree with the hon. Gentleman’s comments about the Government seeking to divide public services between those with more men and those with more women. That said, regarding the increase in police pay, an officer in my constituency wrote to me that it was only a 1% increase with a 1% bonus and that they did not get it on their overtime or shift allowances, and that it felt like another kick in the teeth, because it was being sold as 2%.

Chris Stephens: That is a fair point. Two years ago, three months after I was elected, I received a 10% pay increase followed by another uplift of 1.3% last year. As a trade unionist, I believe in a rate for the job and in accepting independent pay review processes, so I donated to local charities following the pay rise. It sticks in my craw, however, that there appears to be one rule for MPs and another for public servants. How much more must it offend my constituents?

Every Member who has spoken today against raising public sector pay while having accepted their own increase must have a different set of values, and they are entitled to their views. Equally, however, their low-paid public sector constituents are entitled to pass judgement on them, and no doubt they will draw their own conclusions. I say: lift the cap, lift it now and fund it properly.

3.29 pm

Damien Moore (Southport) (Con): I welcome the opportunity to address the House on the subject of NHS pay. Let me start by praising the excellent work that nurses and other NHS staff perform on a day-to-day
basis. In my constituency, the excellent Southport Hospital, part of the Southport and Ormskirk Hospital NHS Trust, is a shining example of how a hospital that has had difficulties can turn itself around with the right leadership. It was commended for being the most improved hospital in the first quarter of this year, and I was grateful to my right hon. Friend the Secretary of State for visiting it, talking to staff and listening to their concerns.

The Government have continued to listen to the public sector pay boards’ recommendations, and I am particularly pleased that they have announced this level of flexibility, which I hope they will extend to those at the lower end of the pay scale. Opposition Members, who did not sort out our economy when they had the opportunity to do so, should bear in mind that we did not introduce the pay cap to penalise nurses; we did it because of the economic situation that existed at the time. For many years, because of the Labour Government’s policies, the economy was like a patient itself—it was sick, and yes, there was some bitter medicine to take—but now, thankfully, the patient is on the road to recovery.

We know that the only route towards the building of strong public services is through the building of a strong economy, and that is exactly what the Government are doing. The Opposition have made some egregious claims about the situation of NHS staff, and have even tried to claim that there is a nurse recruitment crisis owing to poor pay, although the NHS Pay Review Body recently emphasised that that was not the case, stating: “We do not see significant short-term nationwide recruitment and retention issues that are linked to pay.”

I urge the Opposition to welcome the fact that 52,000 nurses are currently in training, and to celebrate the recent announcement that funds have been set aside for a further 10,000 training places by 2020.

Let me conclude by making a recommendation to Labour Members. If they are genuinely serious about raising public sector pay, they should consider supporting sensible economic policies that will lead to the nation’s increased prosperity and to rising wages for everyone, not just those in the NHS.

3.32 pm

Jim McMahon (Oldham West and Royton) (Lab/Co-op): Let me join in the congratulations to my hon. Friend the Member for Portsmouth South (Stephen Morgan) on his maiden speech. He was able to demonstrate what Parliament is at its very best, when members of communities come here to give a voice to those communities. It was a fantastic speech.

I also pay tribute to the members of our Front Bench for the fight that they have put up today, and, indeed, before today. They have ensured that the case has been made—for instance, when representatives of the Royal College of Nursing were across the road campaigning for the cap to be scrapped.

There is no doubt that we are still in very difficult times. The economy has not grown in the way that people intended; despite the setting of repeated targets, every one of them has been missed, and tax revenues have not been coming in. But, of course, there is always money for priorities, and this situation comes down to that question of priorities. Is the Government’s priority to give money to the wealthiest through corporation tax cuts and personal tax advantages, or is it to establish a foundation of decent public services? Collectively we know that if we are to achieve the type of society that we want, grassroots investment is vital.

Tomorrow is quite an important day for our country. It will be a decade since the financial crisis began, and queues of Northern Rock customers were forming at the cash machines. Now, our doctors and nurses are experiencing a real-terms pay cut. That is where the axe has fallen. Let us consider the Royal Bank of Scotland, a majority public institution, 73% of which is owned by the taxpayer. Last year it made a £2 billion loss. Let us forget the casino banking that brought our country to its financial knees. A majority publicly owned bank in which the Government had a significant interest, and which had made a £2 billion loss, managed to pay £17 million worth of bonuses. Where is the pay restraint when it matters? It is OK to be tough when that means talking down our doctors, nurses and other public sector workers. Where is that toughness when it comes to sticking it to the banks? The people who caused the financial crisis in 2010 have been allowed to get away with it, and the stress and the strain have fallen on our public sector workers.

The NHS does not sit in isolation. It is part of a very delicate public service ecosystem. It relies on other public sector agencies to be strong, robust and well resourced to ensure that that pressure is managed. In the north-west, more than 100,000 workers have been taken away from our local authorities and other public sector bodies, which means that there is more pressure on the NHS to deal with matters that ought to be dealt with in the community. Social services departments are under such strain that some are nearly falling over, but rather than dealing with that by paying people a decent amount for a hard day’s work, the Government seem to want to put their fingers in their ears, hum to themselves, and believe that everything is OK.

I am not fooled, and I do not believe that Conservative Back Benchers are fooled. When they stand up to defend their Government, there is a veneer of support because they have to toe the party line, but they know—they absolutely know—the real impact that their Government are having. [Interruption.] That is the truth. Listen: I know my feelings about the NHS, and they are not just about words. This is about action, about deeds, and about showing genuine support.

We are sent here to represent our constituents. Can any Conservative Members tell me how continuing to suppress the pay of hard-working public sector workers is to the benefit of any one of their constituents, when at the same time a publicly owned bank is getting away with paying £17 million in bonuses? Let them tell me where the pay restraint is when it really comes to it. Words are one thing, but facts—evidence—another thing entirely.

This comes down to stark choices. The choice on our side means having decent public services there when they are needed. The choice on the other side means sticking up for the rich at the cost of public services.

Several hon. Members rose—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I want to get everyone in, so I shall have to drop the speaking limit to four minutes because of the earlier interventions.
Anna Soubry (Broxtowe) (Con): I was going to say that it was a great pleasure to follow the hon. Member for Oldham West and Royton (Jim McMahon), but I truly struggle to do so. If we are to do our job as politicians, the first thing that we must do is drop the rhetoric, drop the slogans and stop the insults. They do not help, they do not achieve anything, and they are insulting. Let me tell the hon. Gentleman, my sister-in-law, my mentioning that in Parliament in the presence of my families. In fact, our families have long roots in the NHS. We do not use it, and, indeed, that we do not have families. In fact, our families have long roots in the NHS.

I am very proud of four generations of Soubrys all of whom are working, or have worked, in the NHS. My niece is training to be a paramedic, and I am sure that my mentioning that in Parliament in the presence of my right hon. Friend the Secretary of State will advance her career. Of course it will not! Her mother, my sister-in-law, works in a GP’s surgery, and my brother Charlie works at the Queen’s Medical Centre in Nottingham. My mother was a radiographer all her working life; she proudly worked in the NHS for 40 years, finally retiring, long after she should have done, at Doncaster Royal Infirmary. Her mother-in-law—my grandmother—was a nurse, as was my great aunt. I am therefore one of many Members on this side of the House with long, firm roots in the NHS. We get it, we love it, we have a passion for it, and that is why we continue to support it and fund it.

What the hon. Member for Oldham West and Royton just does not understand, like, sadly, so many of his colleagues, is that the way we achieve the great public services we all agree we want is to have a good, firm, sound economy, and we achieve that through the sort of sensible Conservative policies that we on these Benches have advocated, and have achieved—or we wreck it and destroy that strong economy with the sort of socialism that strangles our economy now being advocated by Labour’s current Front-Bench. The choice for the British people is crystal clear: if they want a strong NHS delivering those fantastic services, they should support the Conservative party, because it us who deliver the economy to pay for those services.

I also take grave exception to anybody telling me that I follow the party line; I can think of a few on the Conservative Benches who would take grave issue with that. I make it very clear that there are undoubtedly problems and huge challenges, and all is not well within our great NHS, but, please, we must not talk it down in the way we have done.

By way of example, a very dear friend of mine died only the other week; he had a terminal illness. Even in her deepest grief, my friend, Dick Benson’s widow, when she called to tell me of his demise, told me of the remarkable care that he had had thanks to the GP in Nottingham who had provided his end-of-life care support. That is just one example of the hundreds of thousands of people who are receiving world-class treatment every day, thanks to our NHS.

As I have said, however, all is not well. Too many of our NHS workers are working overly long shifts with short breaks. I know of consultant friends of mine having to pay for their lanyards when they are broken at Nottingham University Hospitals NHS Trust, and there are many other examples.

Finally, let me give an outstanding example from my clinical commissioning group, Nottingham West. It has said that six of the 12 GP surgeries are outstanding. There is much more to be done, but make no mistake: the way we achieve a great NHS and make it even better is to have the strong economy that only the Conservatives can deliver.

Eleanor Smith (Wolverhampton South West) (Lab): It is a pleasure to follow the right hon. Member for Broxtowe (Anna Soubry).

As a nurse of 40 years, I can say that the issue we are debating today is close to my heart. I, like many other NHS staff, struggled to make ends meet with the 1% pay cap, which acted as a pay cut. Since 2010, NHS staff who have decided to stay in the profession have experienced a real-terms pay cut of 14%. They are overstretched and undervalued, which is making patient care in the NHS a real concern. The 1% cap is forcing many experienced staff out of the profession, putting strain on those left. Others are pushed into the arms of agencies where they could earn many times their normal hourly rate, and others pursue a second job to make ends meet, working extra hours to increase their earnings. This puts a strain not only on their financial life, but on their family too.

In my constituency of Wolverhampton South West, I have constituents who work as nurses telling me they are leaving the NHS because of increasing workloads, which has caused them great stress, and years of pay restraint that has left them feeling undervalued and demoralised. Many hard-working nurses are turning to food banks, facing missing meals and struggling to pay their bills. Pay has not increased, but utility and grocery bills have. The Royal Wolverhampton NHS Trust employs over 8,000, and 7,297 are non-medical staff. Another constituent who is a ward manager at a local rehabilitation hospital in Wolverhampton contacted me explaining how she had been fortunate to train with an NHS bursary and to then be employed there as a staff nurse since 2001.

In response to a recent question by my hon. Friend the Member for Easington (Grahame Morris), the relevant Health Minister said that the Government changed the funding system for pre-registration tuition and bursaries to the standard student support system. This change means we have moved away from centrally imposed number controls and financial limitations, and therefore the artificial cap has been removed. That is not the case, as the latest UCAS figures show that applications for midwifery and nursing have fallen by 23% this year as health students are put off under this Government. Under this Government, it is difficult to train and to make a living as a nurse. That is why I am proud to have stood and been elected in the 2017 general election on Labour’s pledge, in a fully costed manifesto, to scrap the NHS pay cap and reinstate bursaries—unlike the Tories, who have given out massive tax giveaways worth £70 billion over five years.

Helen Whately (Faversham and Mid Kent) (Con): It is a pleasure to speak in this debate. I will not try to compete with my right hon. Friend the Member for
Broxtowe (Anna Soubry), but one reason why I am speaking today—and why I often speak on healthcare matters in this place—is that I, too, come from a family of doctors and nurses who work in the NHS. It was wanting to make the NHS better that first got me involved in politics, and I care very deeply about our national health service.

I welcome the Government’s decision to lift the pay cap, and to do it in a responsible way, but it has served a purpose. Back in 2010, the pay cap was necessary. Indeed, there was a pay cap in the Labour party’s 2010 manifesto as well. Labour also recognised that a level of pay restraint was necessary because of the financial situation in which the country found itself. Pay restraint was urgently needed, because wages are a significant driver of costs in the NHS and the wider public sector, and the public finances were running totally out of control. The pay cap was part of the restoration of financial discipline, of confidence in our economy and of growth, which we are now enjoying. Thanks to that growth, millions more people are now in work.

It is right to lift the pay cap now, but it must be done with caution because this country still has a sizeable deficit and increasing levels of debt. We are still paying off large amounts of debt interest. We therefore have to be responsible in the way we make commitments on public sector spending. I am very concerned about Labour’s plans for the pay increases that they would be willing to fund. They seem to involve an open promise and a potentially bottomless pit. Labour Members will not tell us how much the pay increases would be, but we know that the proposals in their manifesto would have cost between £6 billion and £9 billion extra. It was not clear where that money was to come from.

Time and again, we heard that it would come from corporation tax, but we know that when we put up corporation tax we reduce the tax take, so that policy would not have funded the increases. I am concerned that Labour Members are making an irresponsible promise that they would not be able to deliver, were they in a position to try.

I welcome the more responsible approach taken by this Government. It will not involve a blanket pay rise; rather, it will draw on the guidance of the next pay review body for the health service and make pay rises where they are most necessary. In my constituency in the south-east, for example, I am aware that the high cost of living affects the people on the lowest pay in the public sector, and I hope that they will be recognised in the pay review. We should definitely draw on the expertise of that body when making proposals for public sector pay, rather than just trying to score debating points and get the right headlines.

In my experience of about a decade working in many parts of the NHS, including hospitals, and as an MP, I have spoken to people working in the NHS and found that pay is rarely, if ever, the No. 1 concern. The issues that come up much more frequently include having time to care—

Darren Jones (Bristol North West) (Lab): I thank the hon. Lady for allowing me to intervene. She clearly wishes to champion nurses and their selfless desire to serve the public, but does she acknowledge that nurses in my constituency have to visit a food bank after a long shift at the hospital? Should not their selflessness in wanting to serve the public be recognised by their being paid what they deserve so that they can fund their families and their livelihoods?

Helen Whately: I genuinely believe that all members of the public sector should be paid a fair amount, and that is exactly what the pay review body will report on in its next report.

I was making the important point that pay has not been the No. 1 issue among nurses and other healthcare professionals when I have asked them what worries them most. Instead, they mentioned having time to care; being part of a stable team rather than having a high turnover of staff and lots of temporary staff; being listened to by the people they work with, particularly the senior people in the institution; and being valued. Being valued is not all to do with pay; it is much more to do with the way they are treated. In fact, I remember very well talking to one nurse whose line manager had not talked to her since the previous appraisal. To me, that is an extraneous worry but not valuing a member of staff; everyone should have regular conversations with their manager about how they are progressing.

Part of the problem in some NHS institutions is, therefore, in my view, not good enough management practices. If they were improved, we would have a much better environment for staff to work in, and I would very much like to see more attention paid to creating the right environment for healthcare workers, as well as ensuring that there is a fair and sensible pay settlement.

3.50 pm

Ian Paisley (North Antrim) (DUP): I have already alluded to the fact that I am delighted that the Labour party secured this afternoon’s debate. We will support the motion if this matter goes to a vote tonight, but it will be interesting to see whether we actually reach that point. Maybe the House will agree that the points that have been raised today are such that we should send out a clarion call from this House that we agree with what has been said on both sides of the Chamber today, despite some of the party political divisions that might have informed some of the debate.

I declare that, like many Members, I have members of the family in the health service. My wife was a nurse in the Royal Victoria Hospital in Belfast, my daughter is a nurse in the Craigavon Area Hospital, my niece is a trainee doctor, and my nephew is a junior doctor in a hospital in Belfast, and my nephew is a trainee doctor. Many of us therefore see at first hand and hear about the needs of our health service from our relatives. From time to time we hear churlish points made to the effect that people do not care. I think all Members throughout the House know that at any moment they will know someone who works for or is being cared for in the NHS, and it is important to state that it is a brilliant service and that that service needs to be supported.

I want to raise two points. The first relates to the number of nursing staff vacancies that currently persist in the NHS. I quote from a letter from Janice Smyth, a director of the Royal College of Nursing in Northern Ireland, in which she has indicated:

“The use of agency staff in Northern Ireland and associated agency costs have almost doubled”

over the past few years, and that of course puts significant pressure on budgets. Also, it is unfair on regular staff in the service when they see the difference in pay that
sometimes accrues. That is not to deny bank staff their right to that pay, but it does have an impact on people’s morale.

We have 1,300 vacant posts for nurses in Northern Ireland, and about the same again in the private sector. That needs to be addressed, and Northern Ireland has tried to address it by way of ensuring that the bursary remains in place. I believe that has been beneficial, but that is not the only answer. I also believe that the pay difference in Northern Ireland is dramatic and significant. It is important that I put this on the record. A care assistant in Northern Ireland earns about £17,500. Without the pay cap, they would be earning almost £20,000. A newly qualified nurse earns about £21,000. Without the pay cap, they would be earning about £25,000—a shortfall of £3,500 per year. For an experienced staff nurse, there is a significant difference: whereas they currently earn about £28,500, without the pay cap they would be earning £32,000—a shortfall of over £4,000 per annum. A highly qualified, experienced specialist nurse in Northern Ireland earns about £41,000; without the pay cap they should be earning £47,500—a shortfall of a staggering £6,500. That gap must be addressed, and addressed radically if we are to change things.

I would say to those members of the Labour party who chide us about the £1 billion deal: your party would have quite happily covered a deal that would probably have been better for us—those are the discussions we had in advance of the last election. In chiding us, you only hurt the public servants in Northern Ireland who are benefiting from that £1 billion deal that will allow us to allocate this money to relieve these costs.

Several hon. Members rose—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I am sorry to say this, but we are going to have to go down to three minutes. I still want to try and get everybody in.

3.54 pm

Simon Hoare (North Dorset) (Con): I will not take that personally, Mr Deputy Speaker.

I thank the Labour party for giving the Conservative side of the House, and me in particular, the opportunity to put on the record the grateful thanks of all our constituents to public sector workers for their fantastic work in hospitals in places such as Blandford, Shaftesbury, Poole, Dorchester, Salisbury, Southampton and Bournemouth, all of which will have served my constituents over the years. We are all grateful to them.

I want to make two points to the Labour party. I entirely endorse what my right hon. Friend the Member for Broxtowe (Anna Soubry) had to say, because this is not a bidding war over which party loves the NHS more; it is about all of us trying to come together to ensure that the NHS is fit for purpose for the next 70 years, delivering quality care that is free at the point of use in the face of ever-increasing demand in the ever-more competitive space of medical advancement. At the heart of that, I am afraid to say, is cruelty from the Labour party, which makes huge promises about raising this, doing that or scrapping the other without saying how, by how much, or how it is going to be paid for. Labour raises expectations only for them to be dashed, as always, on the rocks of what would ultimately be the folly of a Labour Government. Labour’s childish approach to economic management defines what it is to be a Conservative. Broadly, being a Conservative in public life is to be the man or woman with the bucket, the brush and the shovel following behind the horse of Labour Government and picking up the mess.

Margaret Greenwood (Wirral West) (Lab): I wonder whether the hon. Gentleman is aware of how his Government are reducing supply in the national health service, creating demand for private healthcare. People outside the Chamber are fully aware of the Conservative Government’s privatisation agenda and their agenda of selling off buildings—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. It is not normal to intervene just after coming into the Chamber. The fact is that Members who have been here all day are desperate to get in, and I am worried that they may not.

Simon Hoare: The hon. Lady has burnished her reselection credentials among the Corbynistas in Momentum as Labour approaches its party conference, and she will be grateful for that.

There is another great elephant that needs to be put out of its misery. It has been perpetuated by socialists down the decades, usually at public meetings and the like, that my party wants to privatisate the national health service. Let me say in all candour that the Labour party misses the fundamental fact that the Conservatives have been in government for longer than Labour during the existence of the NHS. We have had majorities in three figures and two figures and we have had minorities, so if it was a deep-rooted Tory secret that we wanted to privatisate the NHS, having privatised everything else we would have jolly well done it by now. We have no intention of doing so. I was born in an NHS hospital, as were my three daughters.

Anna Soubry: Will my hon. Friend confirm that the biggest increase in NHS privatisation—5%—occurred under a Labour Government? The Conservatives’ record is 1%.

Simon Hoare: My right hon. Friend is correct, but the Labour party does not like truth spoken unto opposition. Let us hope that we never have to speak truth unto Labour in power, because that would be even worse.

There is a false debate where GPs and pharmacists are in essence private businesses delivering healthcare and advice to our constituents free at the point of use. I think the mindset in the national debate has moved on beyond the cosy intellectual rigour of north Islington, and most people are just keen to enjoy a quality service that is delivered by motivated people in a safe and secure environment. That is at the heart of our policies.

There is clearly fluidity and movement on the pay cap, which is welcome. I used the word “cruelty” a moment ago. When its economy came under pressure, Ireland coped with the management of its health budget by making a vast number of health service workers unemployed. That is one way of dealing with it, but it is not the right way. We have done it the right way, and we are grateful for the forbearance that the other party have shown. It has not been done out of cruelty or out of intellectual or ideological purity; it has been done out of financial and economic necessity.
As our economy grows, so will the pay packets of those working in our vital public services. I know it is boring, and I know it is an inconvenient truth for the Opposition, but without a strong economy, without people in work, without business confidence and without people paying taxes, it would be an absolute sham to continue funding unsustainable pay increases and the like through borrowing, because that would just lead to cuts and further ruin.

4.1 pm

Ms Karen Lee (Lincoln) (Lab): I am pleased to speak in this Opposition day debate on the public sector pay cap. I was elected as a Labour MP for Lincoln on a fully costed manifesto, and I am proud to be a member of the shadow Treasury team.

Our NHS is chronically understaffed, and there are not enough nurses, doctors, midwives, healthcare support workers, housekeepers, occupational therapists or physios—I could go on and on. Taking a leaf out of Jeremy’s book, I spoke to some of my colleagues. I spoke to Rachel, a senior occupational therapist. OTs focus on how to support and enable people to live well at home. They empower people to be as independent as possible and to access jobs and education. We simply do not have enough OTs in our hospitals, which might be a clue as to why we have such long waiting lists for social care assessments and why we have delayed discharges.

I also spoke to Sue and Maz, who are both healthcare support workers. They wash our patients, take them to the toilet and give them back their dignity when they feel at their lowest ebb, and much, much more. Nurses cannot deliver holistic patient care without the support of a healthcare support worker. Maz told me that her family have had to cut back considerably because her wages have not gone up with the cost of living. She is on leave in a couple of weeks, and she will be working bank shifts to pay for basic household items that she cannot afford out of her regular wages. Her son is at university, and he gets a grant because the family are on a low income despite both Maz and her husband having jobs. Her son’s grant is not enough, so he is working part time alongside his studies. Next year, Maz and her husband will have to help to support him so that he can cut back on the hours he works so that he is able to study more in his final year at uni.

Another healthcare support worker, Sue, with whom I worked for 12 years, told me that she has had to cut back on her spending every single day. After working for the NHS for 20 years, her hourly rate is £1.75 above the current legal minimum wage. Again, both she and her husband have jobs and cannot make ends meet.

Gail is a housekeeper, and she told me that she has to work extra bank shifts just to make ends meet. She has not had a holiday since 2009 and, after paying her bills, she has £20 left each month. She has to do bank shifts if she wants to buy anything for her grandchildren or take them out. Again, she and her husband both have jobs.

Those women, like me, are in their 50s and will not be able to retire until they are 67. The one thing that they all told me is that they love their job. They love the patients and the people they work with, and they would not do anything else. I used to be part of that team, and I know that nurses feel the same. The trouble is that this Government have taken advantage of that hard work and loyalty for far too long, and some people just cannot afford to stay in the NHS. People cannot afford to train without a bursary, let alone stay in the NHS. To quote Gail:

“You can earn more...at Lidl than I get.”

The Government simply must pay all public sector workers what they are worth and what they deserve. They must reinstate bursaries—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. It is so unfortunate that time has run out.

4.4 pm

Eddie Hughes (Walsall North) (Con): Like everyone who has spoken, I completely welcome the hard work that is done by NHS staff up and down the country, but please let me bring some context to the debate. In representing Walsall North, I represent the 31st most deprived constituency in the country and the 17th most deprived in England by income. The average income in my constituency is £440 a week, which is approximately £23,000 a year. Across Willenhall and Bloxwich in my constituency the average property price is £122,000. My constituency is the complete embodiment of the hard-working, just about managing, and the people there, after 38 years, decided to elect a Conservative MP to advocate on their behalf. I intend to advocate on behalf of all my constituents, not just those who work in the public sector. Why is that? Well, the average salary in my constituency is £23,000, which is about the same as a qualified nurse starts on in the NHS.

Many workers in my constituency are employed as hairdressers, plumbers or carpenters, and what pay rise do they get every year on an incremental basis? They do not get one. They have had to work hard every year for their pay, and when we make the comparison using other factors, such as pension schemes, we see that in order to earn the same sort of pension a plumber would need to be putting away 43% of their salary. What have this Government done instead? Since 2010, we have increased the national minimum wage from £5.93 to £7.50, an increase of 26%; and we have increased the basic rate above which people pay tax from £6,500 to £11,500, putting an extra £1,000 in the pay packets of the people in my constituency. When the average salary is £23,000 a year, that money goes a long way to helping them buy a property. So, yes, I completely endorse the arguments I have heard and, yes, we value the public sector in this country, but the Conservatives value all the workers in this country, which is why I will be advocating that we continue with a Conservative Government in the future.

Several hon. Members rose—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Unfortunately, we have time for only one more speaker.

4.7 pm

Deidre Brock (Edinburgh North and Leith) (SNP): The first order of business should be congratulating the Scottish Government on removing the cap on public sector pay rises. We should note, too, that, as my hon. Friend the Member for Central Ayrshire (Dr Whitford) said, Scotland’s nurses get paid more than England’s, by between £300 and £1,100 each, and that wages for nurses in Wales and in Northern Ireland are even lower than in England. It is time that the English, Welsh and Northern Irish Governments opened up the cash tin and started paying nurses more—
Andrew Bowie (West Aberdeenshire and Kincardine) (Con): Will the hon. Lady give way?

Deidre Brock: No.

Those Governments must give nurses the cash to bridge that gap with Scottish nurses and then match the pay rises from the Scottish Government—and make it new money. This has to be new investment, not current resources and not freed-up efficiency savings—those infamous, mythical beasts. It must be new money that is put into the service to keep it viable. Squeezing current resources simply starves the whole service. Please, let us also have no more of the pretence that paying workers a decent wage would bankrupt the economy or that a couple of per cent. on the wages of the lowest-paid would be some sort of spiral of economic doom.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): Will the hon. Lady join me in asking why the Welsh Labour Government have not raised the pay cap where they could in Wales? That would have cost £60 million and would have relieved the situation for 30,000 nurses.

Deidre Brock: I thank the hon. lady for that important intervention. Austerity, wage cuts and in-work poverty are political choices—this is policy not necessity. The poverty facing public sector workers, including NHS workers, is a choice made by the Government—a choice made by millionaires, making ordinary workers poorer. An “increase” of 1% in someone’s wage while Brexit takes food prices through the roof, heating bills rocket, public transport fares are up by a quarter—more in some cases—the costs of childcare grow faster than the children, and rents soar is simply a pay cut. That makes the effects of the Government’s inhumane austerity policy worse. These workers are suffering the effects of cuts to public services.

In the Tory’s June manifesto, the Prime Minister wrote that she would deliver a “Britain in which work pays” and a mental health Bill “to put parity of esteem at the heart of treatment”.

Last year, the Mental Health Foundation found a causal link between poverty and poor mental health, just like dozens of studies have shown before. That means that Tory Government austerity is increasing the incidence of mental health problems while promising to make it better. That increases the pressure on the NHS and betrays the patients who need the help. We cannot solve the problem in England’s NHS with new laws; it needs new cash. A responsible Government would be finding that new cash and funneling it into the NHS and other public services.

English police forces have been saying that they cannot afford pay rises without additional funding. Some forces have clearly already reached and exceeded capacity, judging by the stories of crimes being ignored because no officers are available. For some unfathomable reason, the Government have let police numbers drop by around 20,000 since 2010. That is not a public service in a serviceable condition; that is a public sector breaking down.

If austerity continues, England’s public sector will cannibalise itself, and when that happens, Scotland’s public services will be damaged as well. Tied to this place, Scotland gets damaged time and again, but public services in England have reached fracture-point and are disintegrating. At this point, England’s NHS is not struggling but dying, and it is being helped on its merry way by Ministers who would rather it was gone. Breaking down the fabric of public services renders them irreparable, and breaking down the workers who deliver them does the same. Decent pay for decent work is not an outrageous demand, and decent funding for society’s infrastructure is a matter of respecting one’s own self-interest as well.

4.11 pm

Peter Dowd (Bootle) (Lab): Regrettably, I do not have much time to go through Members’ speeches, but I want to draw attention to the maiden speech by my hon. Friend the Member for Portsmouth South (Stephen Morgan)—a Pompey boy. There are two victories in Portsmouth: HMS Victory and my hon. Friend’s victory, for which I thank him. He mentioned Arthur Conan Doyle’s time as a doctor in Southsea; if the Tories had their way, this country would be going back to Victorian times.

Some 5.4 million people work in the public sector—including members of my family; my wife and daughter work in the NHS, as I did for many years—and they provide services that are crucial to the good running and, literally, the order of the country. They provide the armed services that protect our country and the protection that this House enjoys day in, day out; they provide the services that educate and look after our children; and they provide the services that care for our disabled citizens and senior citizens. They provide services that we barely notice until things go wrong, such as traffic problems, floods, weather damage, public health emergencies and much more. Some 1.6 million of those people work in the NHS, providing the services that look after the physical and mental health of our—yes, our—constituents.

Lucy Frazer: Will the hon. Gentleman give way?

Peter Dowd: I will come back to the hon. Lady in a moment.

NHS workers are the subject of today’s debate, but we must not forget workers in the rest of the public sector. In fact, I believe that NHS workers would be dismayed if we focused only on their pay situation. Why would they be? Because they spend their professional lives looking after others. I take NHS workers’ commitment incredibly seriously, unlike that hon. Member on the Government Benches who laughs at nurses, doctors and allied professionals. That is the sort of thing we get from the Tories.

Simon Hoare: Will the hon. Gentleman give way?

Anna Soubry: Will the hon. Gentleman give way?

Peter Dowd: No, I will not.

I know that NHS workers take that view because I have spoken to them.

Anna Soubry: On a point of order, Mr Deputy Speaker. Is it in order for an hon. Member to point randomly across the Chamber and insult another Member, without even having the courtesy to name them and thereby give them the right of reply?
Mr Deputy Speaker (Mr Lindsay Hoyle): If we were to take that as an example, I could give many other examples of people on both sides pointing and certainly not being courteous to Members in the way one would expect. The right hon. Lady has a good track record of being able to give a bit out; she ought to be able to take it.

Peter Dowd: I say again that I know for a fact that NHS workers take the view that this debate is not just about them but about the public sector generally. In proxy terms, this debate is about all public sector workers. Many of the arguments about the health sector apply to other parts of the public sector as well.

Anna Soubry: Will the hon. Gentleman give way?

Peter Dowd: No, I will not.

This debate has come at a stark time for our public sector workers. We have had the hardest summer that many of us can remember—our emergency workers and other public sector workers have faced the horror of terror attacks and the outrage of Grenfell.

Anna Soubry: Will the hon. Gentleman give way?

Peter Dowd: No, I will not.

As the country suffered, those workers stepped forward. Will we step forward for them? Labour says, yes, it will. We know what those workers provide for our communities and for our country. What do we provide for them—or, rather, what do the Tories provide for them? First, they provide huge amounts of patronising claptrap—we have seen loads of that today—backslapping and warm words. Those workers do not need our tributes; they need our action. The Tories tell them how much they are valued and what a great job they do. The Prime Minister tells us virtually on a daily basis how wonderful our public services are—it usually happens after a national emergency in which people are murdered, maimed or, in the case of Grenfell, asphyxiated or burned to death. Yes, in the week of the Grenfell public inquiry, it is as stark as that, so let us not shilly-shally around this issue.

Those public sector workers are the people we turn to when no one else is available. They are the people who save lives, help to bring life into the world and are there when we leave the world. While they gave their all for us over these hard months, they knew that the Conservative Government remained committed to capping their pay and to continuing with the real-terms pay cut they have faced since 2010. Ever since the election, they have faced mixed messages about their pay from the Conservatives.

Rachael Maskell (York Central) (Lab/Co-op): The problem is not just about pay, but about the funding of the NHS. York’s hospitals are in this capped expenditure process due to the debts they have accrued because of massive underfunding. Can we ensure that this money comes from the Treasury and not out of the coffers of the NHS?

Peter Dowd: I will come to that point in a minute.

In the election, Labour promised to end the public sector pay cap and to free the pay review bodies to do their work properly without the artificial encumbrance of a 1% cap. Meanwhile, the Tories have spent the period since the election putting the heads of public sector workers in a spin—will they or won’t they. Yesterday, No. 10 was briefing that the pay cap was over. The Chief Secretary to the Treasury was on the radio announcing derisory offers to police and prison staff, rather than coming to this House to explain what was going on. We had to have this debate today to get the Government here to explain their actions. Members on the Government Front Bench would do well to remember these words of wisdom:

“It is better that you should not vow than that you should vow and not pay.”

We will hold them to that. When the reality of this supposed U-turn emerged, there was nothing tangible. In the case of the police, it was just an unconsolidated 1% bonus on top of what they were due to get. Prison officers were offered just 1.7%. In effect, less than 4% of public sector workers were covered by the proposals announced yesterday. In the meantime, the other 96% can whistle. The nay party simply cannot help itself. What is its tactic? It is the same old, regurgitated tactic and again, of divide and rule. As ever, it tries to pit one group of workers against the other—the public sector against the private sector, doctor against manager, admin against manual workers, British workers against foreign workers, and the north against the south. Yes, it is the same old hackneyed tactic, but this time it has not worked. If the Government had focused on dealing with this matter and on sorting out the tax dodgers, we might not have been in this situation in the first place.

This is over. Even as the Government conceded the need for a thaw in the pay cap, Tory Front-Bench Members were briefing the media to raise the issue of wonderful contracts and pensions in the public sector. The Prime Minister attacked our public servants for having progression pay as they gain experience. The Government just could not accept that fairness required a change in direction. They still had to have that streak of resentment when they were announcing the policy change. As Anne Bronte said:

“There is always a ‘but’ in this imperfect world”.

With the Tories, it is always an industrial-sized ‘but’, visible from space.

The police and prison officers will have to pay for their pay rise themselves. There is no new money and no new resource. It is an announcement without substance. If and when the public sector pay cap is lifted across the rest of the public sector—namely the other 96% I referred to earlier and, in particular, the NHS—will the Minister be asking them to pay for their own pay rise by sacking more NHS staff? Will she provide new resources? Does she expect waiting times to get longer, and operations to be delayed or deferred? Who will be first on the sacking list—the porter, the radiographer, the medical secretary, the nurse, the doctor or an allied professional? Perhaps none of these redundancies will be needed because jobs in nursing, medicine and other allied health professions cannot be filled in large parts of the country.

This is a betrayal of public sector workers and it has to end. The Tories do have something in common with nurses and doctors, but for wholly different reasons. Nurses and doctors in the medical profession stitch people up for their own benefit. The Tories stitch people up for the benefit of the patient. The Tories provide huge amounts of patronising claptrap—we have seen loads of that today—backslapping and warm words. They still had to have that streak of resentment when they were announcing the policy change. As Anne Bronte said:

“There is always a ‘but’ in this imperfect world”. With the Tories, it is always an industrial-sized ‘but’, visible from space.

The police and prison officers will have to pay for their pay rise themselves. There is no new money and no new resource. It is an announcement without substance. If and when the public sector pay cap is lifted across the rest of the public sector—namely the other 96% I referred to earlier and, in particular, the NHS—will the Minister be asking them to pay for their own pay rise by sacking more NHS staff? Will she provide new resources? Does she expect waiting times to get longer, and operations to be delayed or deferred? Who will be first on the sacking list—the porter, the radiographer, the medical secretary, the nurse, the doctor or an allied professional? Perhaps none of these redundancies will be needed because jobs in nursing, medicine and other allied health professions cannot be filled in large parts of the country.

This is a betrayal of public sector workers and it has to end. The Tories do have something in common with nurses and doctors, but for wholly different reasons. Nurses and doctors in the medical profession stitch people up for their own benefit.
4.20 pm

The Chief Secretary to the Treasury (Elizabeth Truss): We have had an important debate, in which it is fair to say that both sides of the House have recognised the importance and hard work of workers across the NHS. I saw this hard work in action on the Becket ward of Worthing Hospital a few weeks ago, where deputy sister, Sue Grace, and her team were in an improvement huddle, where every day they look at how they can make life better for their patients. That goes on right across our NHS. Because of the hard work of NHS workers across the country, there have been 1 million more operations and cancer clear-up rates have improved.

The Health Secretary recognised in his opening comments that there are challenges to address. We need to ensure that we retain those hard-working staff; that we can recruit the next generation into the service and, as my hon. Friend the Member for Totnes (Dr Wollaston) pointed out, that we are able to recruit people in specialisms.

We have had an important debate, in which it is fair to say that both sides of the House have recognised the importance and hard work of workers across the NHS. W orthing Hospital a few weeks ago, where deputy sister, Sue Grace, and her team were in an improvement huddle, where every day they look at how they can make life better for their patients. That goes on right across our NHS. Because of the hard work of NHS workers across the country, there have been 1 million more operations and cancer clear-up rates have improved.

The Health Secretary recognised in his opening comments that there are challenges to address. We need to ensure that we retain those hard-working staff; that we can recruit the next generation into the service and, as my hon. Friend the Member for Totnes (Dr Wollaston) pointed out, that we are able to recruit people in specialisms. We need to look at making jobs more flexible so that people have a good work-life balance and we need to look at banding, as my hon. Friend the Member for Lewes (Maria Caulfield) pointed out. That is why the Government announced yesterday that we are moving from a blanket approach of having a 1% public sector pay cap to greater flexibility in each workforce across the public sector.

Just to be clear—because there seems to be some confusion on the part of Opposition Members—the prison officers and police settlements were for 2017-18. Our new policy is for 2018-19. There is already a clear process in place for that. The Health Secretary will submit evidence to the independent pay review body. It will look at issues such as recruitment, retention and affordability, and will then come back with a recommendation. That is the way we should do it; we should look at the evidence. Rather than shouting out numbers in the debate, we need to look at the circumstances, we need to ensure that pay is fair for people in the NHS, but that it is also fair for the taxpayers who fund those services.

OECD figures show that we spend 9.8% of our GDP on health and social care. That is above the European Union average of 8.6%. We are able to do that because we have run a strong economy. Today we announced record levels of employment. We have not heard any concrete proposals from Labour Members this afternoon. We have just heard reckless pledges that they will spend more money without looking at how they are spending it. As my hon. Friend the Member for South West Bedfordshire (Andrew Selous) and for Copeland (Trudy Harrison) pointed out, the Conservatives do not just spend more money. We actually make sure that the money goes to the frontline, that it helps and empowers people there to do their jobs, and that it makes those jobs more fulfilling.

It is not just about spending more money; it is also about the way we spend it. If we followed the Labour party’s advice, we would end up crashing our economy in exactly the same way the Greeks did with their economy. What was the result of that? They ended up cutting health service spending by 36%.

We have recognised that there are challenges in the national health service and in other parts of our public sector, and this policy applies right across the public sector. We have reflected on that situation, and we have moved to a more flexible policy that looks at issues of recruitment and retention.

However, it is important, as my hon. Friend the Member for Walsall North (Eddie Hughes) pointed out in an excellent speech, that we also look at fairness for the people who pay for our public services. It is only by having a strong economy and by being disciplined in our approach to debt that we can get the great public services that we all want.

Question put and agreed to.

Resolved.

That this House notes that in 2017-18 NHS pay rises have been capped at one per cent and that this represents another below-inflation pay settlement; further notes that applications for nursing degrees have fallen 23 per cent this year; notes that the number of nurses and midwives joining the Nursing and Midwifery Council register has been in decline since March 2016 and that in 2016-17 45 per cent more UK registrants left the register than joined it; and calls on the Government to end the public sector pay cap in the NHS and give NHS workers a fair pay rise.

Jonathan Ashworth: On a point of order, Mr Deputy Speaker. Is it not now clear that the House has been unanimous in saying that we should end the pay cap in the NHS and give health workers a fair pay rise? Is it not also clear that the reason the Government did not divide on this motion is that they knew they would lose?

Mr Deputy Speaker (Mr Lindsay Hoyle): The point of order is well made. It is not for me to judge, but I am sure many people will make a judgment, whatever side of the House they may be on.

Angela Rayner (Ashton-under-Lyne) (Lab): On a point of order, Mr Deputy Speaker. You may be aware of press reports that have circulated during the day that the Government are abandoning their manifesto commitment to ensure that private schools take concrete steps to earn their charitable status. Once again, this appears to be an announcement made to the media rather than this House, and with only one sitting day remaining for us to pursue it. One of the ways you may advise us that we can do that is through an urgent question, but given that the Secretary of State should be here for the next debate, would it be helpful to you and the House for her to respond to this point of order, clarifying whether these reports are accurate and whether we can expect a statement to be made?

Mr Deputy Speaker: What I can say is that Mr Speaker has always made it very clear that any announcements should be made to this House first. That is a clear line that is still held, and nothing has changed from that. I am sure that Ministers will have taken that on board, and the point is well made.
Higher Education (England) Regulations

4.28 pm

Angela Rayner (Ashton-under-Lyne) (Lab): I beg to move,

That the Higher Education (Higher Amount) (England) Regulations 2016 (S.I., 2016, No. 1206) and the Higher Education (Basic Amount) (England) Regulations 2016 (S.I., 2016, No. 1205), both dated 13 December 2016, copies of which were laid before this House on 15 December 2016, in the last Session of Parliament, be revoked.

It has taken a long time to get to today’s debate. The Government first snuck out this fee rise in a written statement on the last day before the summer recess, and they tabled the regulations we are debating the day before the Christmas recess. The Opposition tabled a prayer against the regulations on the first sitting day after that, but it took some time until the Government eventually allowed a vote, which was scheduled for 18 April—only for the Prime Minister to dissolve Parliament before that vote could even be held. It was almost as if the Government did not want to discuss their plans to raise tuition fees again during an election. And judging by the way young people voted in that general election, we can see why. Perhaps it is not surprising that the Government have been even more desperate to avoid votes in this House since the election result.

Let me remind Ministers of what the then Leader of the House, now the Justice Secretary, said from the Dispatch Box when he granted us a vote:

“The Government have delivered on the convention, and slots have been provided for debates on the prayers against the statutory instruments concerning tuition fees and the personal independence payment. The Opposition will get their opportunity to debate those after the recess. The Government will act, as all Governments do, on the basis of what Parliament decides.”—[Official Report, 30 March 2017; Vol. 624, c. 409.]

That was a commitment made by a Minister to this House. Perhaps the Ministers here today can tell us why they are breaking it—because, of course, we were not given those debates. We had to secure an emergency debate on the regulations, and even then the Minister refused to allow a vote. In fact, Mr Speaker, it was during that debate that you yourself had to intervene and tell the House:

“I had thought there was an expectation of a debate and a vote, and that the Opposition had done what was necessary.”—[Official Report, 19 July 2017; Vol. 627, c. 895.]

But eventually we have had to provide Opposition time on an Opposition motion that we are voting on today.

Today’s discussion goes beyond policy choices on tuition fees, although that is extremely important: it goes to the role of this House and our democracy. We have heard a lot about parliamentary sovereignty from Conservative Members, and we have heard a lot from Ministers about how they can be trusted with delegated powers such as those in the European Union (Withdrawal) Bill. Unfortunately, the Ministers here today have shown by their behaviour that they will now go to unprecedented lengths to deny this House a vote on a serious legislative decision made using delegated powers. Frankly, their attitude would put Sir Humphrey to shame. They refused a vote on annulment within 40 days, despite the clear convention that we were entitled to one. They then provided a vote, only to dissolve Parliament before it could even be held. Then, after the election, they delayed even longer, and when we called a debate they said it was too late.

Wendy Morton (Aldridge-Brownhills) (Con): Is the shadow Secretary of State suggesting that the reason we had an election was to stop this measure?

Angela Rayner: I hope that the hon. Lady notes that after having to bring this Government to the House to discuss this really important issue time and again, we have had to do this in Opposition time. I hope that Conservative Members who promised the electorate that they were against rises in tuition fees will take that on board today and support the Opposition’s motion.

Ministers seem to have found a parliamentary Catch-22 which, in effect, makes it impossible for this House to have a say on regulations like these if they decide that they do not want to grant one. They refuse a vote within the time limit, and then afterwards say that the deadline has passed. Even more incredibly, they seem to be suggesting that they would simply ignore this House if we voted the wrong way on today’s motion—that is, of course, if they allow us even to have a vote. In the space of this week they have gone from Henry VIII to King Charles I. Let me be clear that so far as we are concerned, it is unthinkable that this House would pass a substantive motion and that the Government would refuse to honour it.

Simon Hoare (North Dorset) (Con): I do not wish to beled the hon. Lady’s argument, but she is labouring this point of process. I wonder whether that is to mask her lack of policy; let me be charitable and suggest that it is not. When will we hear what her policy is on this important issue?

Angela Rayner: First of all, let me say that my husband would have been Charles I; I probably would have been a Cromwell. On the important point about our policy on tuition fees, we were clear in our manifesto that we would abolish tuition fees. I think the general public absolutely were clear on our policy on that. [Interruption.] The Secretary of State says, from a sedentary position, “What about Wales?” In Wales, we have a policy, despite this Government, of giving maintenance grants. What will the Secretary of State do for the students in England who need maintenance grants? The Government still refuse to give that support to students from disadvantaged backgrounds.

Anna Soubry (Broxtowe) (Con): Will the hon. Lady give way?

Angela Rayner: I will make some progress. The intention of the parent Act, the Higher Education Act 2004, was clear. It allows any such regulations to be annulled. The then Minister, the former Member for Hull West and Hessle, assured the House that “any change to the fee cap must be made by the affirmative resolution procedure, not the negative procedure. Although we cannot do it in legislation—if we could, we would—we give an undertaking that if Labour is in government, the statutory instrument dealing with the matter will not be taken in a Committee but on the Floor of both Houses. That will ensure that all Members have the opportunity to speak if called, and they will all have the right to vote on the matter.”—[Official Report, Higher Education Public Bill Committee, 26 February 2004; c. 323.]
He gave that assurance to a Conservative Member who demanded it. That Member is now the Transport Secretary in a Government who are doing completely the opposite.

The job of a legislator is to legislate. If we are not allowed to do that, their role will be reduced to turning up every five years, voting in the Government and letting them rule by decree, which is what they are attempting to do on tuition fees. If the Government act in this way on matters such as tuition fees, Members from across the House will have to ask themselves whether we can trust the Government with the powers that they are seeking to grant themselves in the European Union (Withdrawal) Bill. It is ironic that just this week, the Brexit Secretary was keen to assure us that nothing could happen. He told the House:

“Secondary legislation is still subject to parliamentary oversight and well established procedures. In no way does it provide unchecked unilateral powers to the Government.”—[Official Report, 7 September 2017, Vol. 628, c. 357.]

Even as he was saying that, the Ministers opposite me were busy proving him wrong by refusing to follow these procedures, rejecting parliamentary oversight and adopting exactly those unchecked unilateral powers to force this through. Of course, the Brexit Secretary has some other disagreements with the Education Secretary on this matter. I remember him saying that he had always been against fees. He said:

“In 2005 our policy was abolition and I was one of the drivers behind that”.

and that he was prepared to be “a rebellion of one”. Let us see whether he beats that figure today. He was right that the Conservative party’s policy used to be the abolition of fees entirely. A former Conservative shadow Education Secretary once said that the party would “show we care about the student who wants to go to university, but can’t afford tuition fees.”

She is now the Prime Minister, but her past promises seem to have been thrown in the bin along with Nick and Fiona.

Jo Churchill (Bury St Edmunds) (Con): If we are talking about promises broken, I seem to remember my daughters who are still at university being promised free tuition fees by the Labour party. I then remember the hon. Lady saying on the Marr show that that was nothing more than an ambition, largely because it was going to cost £89 billion.

Angela Rayner: I presume that the hon. Lady is slightly confused by the dictat from the Conservative Whips, which says something about student debt and tuition fees. We have been absolutely clear on both issues. We would not even be having this debate if the Labour party had won the general election, because we would have abolished tuition fees, as promised. The Conservative party already trebled tuition fees in 2010 to £9,000 a year, and that is what we are debating today. They have abolished the nurses’ bursary and scrapped maintenance grants for students from low and middle-income backgrounds, and ignored the fact that the drop-out rate among disadvantaged students reached a five-year high afterwards. They have also imposed interest rates of 6.1% and frozen the repayment threshold at £21,000 a year, despite Conservative Ministers in the coalition Government promising that it would rise in line with earnings.

Paula Sherriff (Dewsbury) (Lab): My hon. Friend is making an excellent speech. Does she agree that there is now evidence that students from less well-off families are graduating with significantly more debt than those from wealthier families, which is a direct threat to social mobility?

Angela Rayner: I absolutely agree, and the points that I have just made show that the Government could progressively do something about that. The interest rates are scandalous, and the income threshold has been frozen despite the Government’s promises that they would not do that. They also still refuse to bring back maintenance grants. Shame on this Government—they do not care about social mobility.

Anna Soubry: Will the hon. Lady give way?

Angela Rayner: Only this morning, the director of the Conservative think-tank Bright Blue echoed a point that we have been making for months, writing:

“Would make a real difference is increasing the salary threshold of £21,000 for repaying student loans.”

That is one of the—[Interruption.]

Mr Speaker: Order. The shadow Secretary of State is clearly not giving way at the moment. [Interruption.] Order. She is not giving way, and there is a long-standing convention that Members do not consistently harangue and barrack when their request to intervene has not been granted. [Interruption.] Order. After a reasonable period, which people use their judgment to decide on, they can try again. What they are not entitled to do is rant incessantly from a sedentary position. Let me be absolutely clear that it is not going to happen from either side of the House, and that is the end of that matter.

Angela Rayner: Thank you, Mr Speaker.

As I said, only this morning the director of the Conservative think-tank Bright Blue echoed a point that we have been making for months about increasing the salary threshold. That is one of many options that we have told the Government time and again they need to look at.

I had a group of young air cadets from my constituency down here yesterday, and I hope that they are watching today even though the debate is a bit later than I told them it would be. It makes me so angry to think of the opportunities that the Government are denying those young people and others across my constituency. Through their policies, they have left graduates in England with the highest level of debt in the world. Students will now graduate with an average debt of £50,000, and those from the poorest backgrounds will have debts in excess of £57,000.

Mr Jim Cunningham (Coventry South) (Lab): I have two universities in my constituency, and further education colleges. As my hon. Friend knows, not only have the Government abolished the education maintenance allowance, but more importantly, they have been trying to sell off the Student Loans Company. Interest levels will go higher if that goes through.
Angela Rayner: I thank my hon. Friend for that important point. We are trying to highlight a number of things that the Government have done in both further education and higher education that have genuinely damaged the opportunity for our young people to get on and get by in life. Today, they have an opportunity at least to do what some Government Members promised at the general election by refusing to raise tuition fees again, taking them beyond £9,000 a year.

Anna Soubry: The hon. Lady will no doubt recall that it was her party that promised not to introduce tuition fees and then, when in government, went on to do that. Does she accept that application rates among disadvantaged English 18-year-olds and black and minority ethnic 18-year-olds are at an all-time record high?

Angela Rayner: The hon. Lady makes two important points, but she fails to recognise two important things that have happened alongside that. Lord Adonis made it clear that the Frankenstein that the Government have created with tuition fees is completely unsustainable, so Conservative Members cannot hide behind that if they think it limits their responsibility for trebling tuition fees. They are now trying to justify increasing them.

Our young people need that opportunity, but the Government feel that tuition fees need to rise again. When we last debated this issue, I said that Conservative Members might disagree with our desire to reduce tuition fees but it was wrong to deny the House the right to make the choice. Today, despite the Government’s best efforts, the House can make that choice, and I know that our constituents will remember the choice each of us makes.

Conor Burns (Bournemouth West) (Con): The £9,000 limit was introduced more than five years ago, but given inflation over that period, in real terms it is £8,500 today, and by 2020 it will be £8,000. Is it not the case that the direct consequence of the perfectly honourable position that the hon. Lady advocates is that less money will go into higher education?

Angela Rayner: I am at a loss about how to answer the hon. Gentleman. Our young people know the reality of the debt they take on today. I have just spoken about many different ways in which the Government could alleviate our students’ debt: there is the interest rate, the income threshold, and even maintenance grants if they really cared about students from poorer and disadvantaged backgrounds. Despite what the right hon. Member for Broxtowe (Anna Soubry) said, part-time and mature students are dropping out at record levels, and students are deterred from going to university.

We could debate this issue for many hours, but the motion that Members of this House can vote on tonight is clear. It is not about the debt or whether we abolish the £9,000 tuition fees; it is about whether the Government hike fees by another £250 a year—more than £1,000 over the lifetime of a course—making them unsustainable and completely unfair for students. That is the choice that Members have to make today. If they decide not to support this motion, they will have to answer to the students in their constituency.

**The Secretary of State for Education (Justine Greening):** Today’s debate is about student finance—an issue on which, as we have just seen, the Opposition put rhetoric ahead of results, spin ahead of substance, and self-interest ahead of students. As we have just heard reconfirmed, Labour’s policy is to have no tuition fees, but no fees means fewer students at worse universities. Labour’s policy is an anti-social mobility policy writ large. It is a disgrace.

Let me talk about how far we have come in recent years. We have made extraordinary strides in higher education since the Government took office. More people are at university than ever before, including record numbers of young people from disadvantaged backgrounds. That is not a hypothesis but a simple fact. In 2016, disadvantaged 18-year-olds were 43% more likely to go to university than in 2009.

**Several hon. Members rose—**

**Justine Greening:** I am happy to take an intervention from anyone on the Opposition Benches who thinks that is a bad thing and wants to justify not continuing with a policy that has led to more disadvantaged young people going to university.

**Paul Farrelly** (Newcastle-under-Lyme) (Lab): Over the summer I received a heartbreaking email from a young lady who was a student at Keele University in Newcastle-under-Lyme:

“Starting in September both my brother and I will be hoping to go off to university...My parents are having great difficulty trying to work out how they are going to support both of us and have suggested that I drop out of university as they can only support one of us financially. Last year I got the minimum loan from student finance and will be getting the minimum loan again.”

I ask the Secretary of State to consider that this is not just about rising tuition fees or turning maintenance grants into loans, but costs and support for students, in particular for what some people like to call the squeezed middle. Is it not time that the Government looked at this seriously, in the round, for the sake of students from all families in the country?

**Justine Greening:** First of all, there has never been more funding available to enable students to go to university. Secondly, the facts simply do not bear out the hon. Gentleman’s point. If what he says is correct, we would see fewer and fewer students going to university, but the exact opposite has happened. [Interruption.] We can hear Labour Members’ faux anger about how much debt students have, but the bottom line is that they do not want to even engage with the fact that there have never been more young people getting the opportunity to go to university. I was the first person in my family to get the chance to go to university. If Labour ever has the chance to bring in its policy there will be fewer people from backgrounds like mine who will have the chance to go to university. That is a statistical fact.

**Sir Desmond Swayne** (New Forest West) (Con): Will my right hon. Friend give way?

**Justine Greening:** Let me just make some progress and I will give way to my right hon. Friend in a second.
What would a policy of no fees mean? It would mean an emergency cap on student numbers, going back to the days when we had to limit the number of young people who went to university. That is because if we are not willing to fund the system, there can be fewer people in it. It has to be paid for.

Sir Desmond Swayne: I recently returned to my alma mater in Scotland, some 30 years after leaving. I was surprised to discover that Scottish students were capped at 20% of the student body. It is a disadvantage for all students if there are no fees, because universities cannot afford to educate them.

Justine Greening: My right hon. Friend is absolutely right. There are two groups of people who miss out in Scotland. We know what no fees would mean; we only have to look north of the border. In the interests of evidence-based policy, I encourage Labour Members and the Labour party to actually look at the impact of what they are proposing. Go to Scotland. See whether disadvantaged young people from the poorest families have more or less chance to go university in a country where there are no fees. They have less chance. In fact, young people overall have less chance of going to university in Scotland. I am not putting some kind of hypothesis before the House; this is a simple fact. It is a consequence of the Labour party policy of no fees.

Emma Hardy: (Kingston upon Hull West and Hessle) (Lab): Will the Secretary of State give way?

Justine Greening: I will give way to the hon. Lady. Unlike Labour Members, I am quite happy to take interventions.

Emma Hardy: In the interests of providing evidence and discussing evidence-based education policy, which I am very keen to do, I have to ask the right hon. Lady whether she agrees that we have seen a reduction in the number of part-time students attending university and a reduction in the number of mature students. Part-time and mature students predominantly come from more economically deprived backgrounds, so they are missing out on their chance to attend university.

Justine Greening: I am pleased the hon. Lady accepts that there are more young people going to university. A number of different factors are involved when it comes to mature students. We will be providing more support for mature students, but part of the decline is due to the fact that more young people are going to university in the first place, so there is simply a smaller cohort of mature students.

Mr John Baron: (Basildon and Billericay) (Con): Will my right hon. Friend please never cease to remind people, as there is sometimes a risk that we are losing the PR war on this, that we are doing more for disadvantaged students, courtesy of the tuition fees—in particularly with the element of support above £6,000—that many previous Governments? That is why south of the border participation rates by poorer students, relative to students as a whole, are so much higher than they are in the north. We need to keep drilling that message home, because it is one of the best aspects of tuition fees.

Justine Greening: My hon. Friend has made the point brilliantly, and of course it is not just about making sure that university is open to young people from disadvantaged families—although it is about that too; actually there is much greater diversity among the young people now able to get to university for the first time, particularly among black, Asian and minority ethnic groups across our country. That is something that we should welcome and be proud of. Moreover, through the Higher Education and Research Act 2017, we are doing more to ensure that once people get to university they stay and complete their courses.

I want to finish my point about Scotland. In that country, which has no fees, as Labour is proposing for England, there are fewer young people going to university. Research by the Sutton Trust found that last year in Scotland the gap between the number of people from the most and least advantaged areas going to university was the highest of any of the home nations of the UK. Disadvantaged young people are less likely to go to university in Scotland than they are here. Labour cannot want to see that happen here, yet under its policy the better-off would still go to university and the worse-off would lose out.

Tom Pursglove: (Corby) (Con): Is it not worse than that? Under Labour, upon leaving university and entering the world of work, people will have fewer job opportunities because when Labour wrecks the economy, much of the recent job growth will be obliterated.

Justine Greening: Of course my hon. Friend is absolutely right. The last Government left youth unemployment 30% to 50% higher than when they came in. The ultimate opportunity destroyer in our country is a Labour Government running our economy.

I shall add a further reason why disadvantaged young people would lose out under Labour’s policy: who would pay for those people who did get to university to go to university? It would be some of those disadvantaged young people who had missed out, it would be their families, it would be pensioners—we would all be paying for the cohort of young people most likely to become higher-rate taxpayers to get a degree.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I think what most of us taking part in this debate want is the right balance. I was the Chair of the Education and Skills Select Committee when we introduced the £3,000 fees, and the balance then was between what the employers paid, what the individual who benefited paid, what the taxpayer paid and the good to the community. The problem is that the cost has been ratcheted up to £9,000 with an unacceptable level of interest. Is it not time we had some moderation and a balance that is fair to students?

Mr Speaker: We are grateful to the hon. Gentleman for his speech.

Justine Greening: The hon. Gentleman should direct that question to his own Front-Bench team. It is they who are proposing a policy of zero balance by saying we should go from our current structure to no tuition fees at all. As I have said, the big losers would be the most disadvantaged young people in our country. Labour has proposed a policy for the moneyed, not the few. Whereas no cap on students means more students in...
England, no fees means fewer students. As we know from Scotland, no fees also harms quality, because it means a return to the past for our universities—a past that saw them starved of cash.

Paul Farrelly rose—

Justine Greening: I will not give way to the hon. Gentleman again.

In the decades before tuition fees, per-student funding plummeted by 40%. When Labour first introduced fees, it was against a backdrop of an underfunded higher education system. There was a chorus of voices clamouring for change so that we could ensure that our world-class universities could have the funds that they needed.

We now have the highest GDP spending per student in the OECD. The Institute for Fiscal Studies has shown that the 2010 reforms increased the resources being invested in our students by universities by 25% in real terms since 2012. That is why the OECD says that our system is sustainable, unlike the unsustainable, underfunded university systems that we see on the continent. I had a chance to discuss the issue with Andreas Schleicher yesterday, and he made that very point.

Several hon. Members rose—

Justine Greening: I give way to the hon. Member for Nottingham South (Lilian Greenwood).

Lilian Greenwood (Nottingham South) (Lab): We already know that 75% of students will not pay back their loans, or will not be able to do so. How can the Secretary of State say that the system is sustainable? And what about the young people from disadvantaged backgrounds who increasingly drop out of university because they cannot afford to stay? Is not the removal of maintenance grants part of what is disadvantaging those young people, and they cannot maintain their places at university even if they are fortunate enough to win one?

Justine Greening: The facts simply do not support the point that the hon. Lady has made. The facts are that more disadvantaged young people are making the decision to go to university, which I think is hugely welcomed and hugely important.

If Labour is able to pursue its catastrophic policy, our higher education system will be much more broadly at risk. It will not be just a case of students missing out. We have universities that are among the best in the world, but being the best in the world requires continued investment, and a no-fees policy would undo all that success. Funds for universities would dry up, and within a few years there would be a big funding crisis all over again.

Wes Streeting (Ilford North) (Lab): The Secretary of State did not actually address the point made by my hon. Friend the Member for Nottingham South (Lilian Greenwood). What is she going to do about the fact that drop-out rates among disadvantaged young students have gone up, what is she going to do about the fact that part-time and mature applications are in free fall, and what is she going to do about the fact that students are increasingly struggling with maintenance costs? Her statement reeks of complacency; perhaps she will address the challenges ahead.

Justine Greening: Complacency is pushing ahead with a policy that we know will mean fewer disadvantaged young people going to university. As for the hon. Gentleman’s question about drop-out rates, they are lower now than they were in 2009-10, so there has been progress. However, he is right to say that we should continue to work on that issue and make progress. He will welcome the fact that the Higher Education and Research Act 2017 amends the Office for Students so that, as I have said, it focuses increasingly not just on access to universities but, critically, on participation and ensuring that young people finish the degree courses on which they embark.

I was talking about just how catastrophic Labour’s policy would be for continued funding for universities, which would simply dry up. Our world-class universities would wither on the vine. No fees—which is what Labour wants—would mean fewer students, in worse-funded universities. I think it is now time for Labour to admit that it will have to cap student numbers as well.

Dr Roberta Blackman-Woods (City of Durham) (Lab): Let me take the Secretary of State back to her earlier point about the sustainability of funding. As was pointed out by my hon. Friend the Member for Nottingham South (Lilian Greenwood), we know that 75% of students will not pay back their loans, and that all the Government are doing is saddling a future Government with having to pay off the huge debt that will remain unpaid, which will place a burden on the young people who have that debt now. The funding is not sustainable in any way. When will the Secretary of State address that?

Justine Greening: Our approach means that students make a time-limited contribution, and that the students who are earning the most pay the most. That is how the system works. The bottom line is that if the Labour party is saying that we should have no fees and that this system does not work, and people getting degrees should not have to pay for them, the only way to avoid this outcome is, presumably, although I would welcome any clarification from the Opposition, to place a huge burden on everyone else—on the majority of people who never went to university.

Dr Rupa Huq (Ealing Central and Acton) (Lab): The Secretary of State has reiterated the policy of no fees quite a few times now. Can she confirm that in 2005 she stood on a manifesto commitment—and campaigned and won her seat—on precisely that policy of no fees?

Justine Greening: The hon. Lady just needs to travel down the M4 to Wales to see her own party having two policies simultaneously on the same issue. I will take absolutely no lectures from the Labour party.

Several hon. Members rose—

Justine Greening: I will give way to my hon. Friend the Member for Fareham (Suella Fernandes) and then make some progress.

Suella Fernandes (Fareham) (Con): Will the Secretary of State confirm that the estimated cost of cancelling tuition fees and writing off debt will be £100 billion, a price to be paid by all taxpayers, many of whom will not
have gone to university, and many of whom will not be earning as much as the graduates who benefit from that? Does she think that that is fair?

Justine Greening: Actually, we do not, but the Labour party clearly does. [Interjection.]

Mr Speaker: Order. There is very unseemly gestickulation and what I can only describe as noisy chuntering from a sedentary position on both sides of the Chamber; chuntering from one side and what I will call eccentric gestickulation on the other. I do not wish to be the umpire as to which is the less desirable of these two undesirable behaviours.

Justine Greening: Thank you, Mr Speaker. I did not see the gesticulating, but am pleased that you are on top of keeping the House in order.

What we are having here now is a real debate, because I am prepared to take interventions from Labour Members and to engage in a debate. The hon. Member for Ashton-under-Lyne (Angela Rayner) took just one, or perhaps two, interventions from Conservative Members.

Several hon. Members rose—

Justine Greening: I will give way. Come on! The more the merrier, frankly. We know what our policy is. Labour's policy is utterly flawed.

Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op): I want to ask whether Labour Members really mean to have this policy. Have they understood the impact it would have? It has been confused and unclear at every turn, and most of all we have seen confusion over what they plan to do about the existing stock of student debt, which amounts to more than £100 billion, or 5% of GDP.

Victoria Prentis (Banbury) (Con): Earlier, the Secretary of State tantalisingly referred to the situation in Wales. Might it help Opposition Members if she were to explain exactly what is going on in Wales with regard to tuition fees?

Justine Greening: The Labour party is increasing them. It is doing the very thing that Labour Members are expressing faux anger at in the Chamber today. I will come on to that in a second, because I have not quite finished—

Angela Rayner rose—

Justine Greening: No thank you. I have taken lots of interventions.

During the election, the right hon. Member for Islington North (Jeremy Corbyn) said that he would “deal with” student debt. I think he meant that taxpayers would deal with it. Then he ditched that promise after the election. It was snake oil populism at its worst. I have to say, however, that this debate represents a new low in Labour's integrity-free politics. The hon. Member for Ashton-under-Lyne stands here today and opposes a fee increase in line with inflation, yet this is a core part of the fee regime that Labour put in place in 2004. Frankly, it is laughable that they are trying to be taken seriously on this. It is also an insult to everyone's intelligence.

Dr Sarah Wollaston (Totnes) (Con): The Leader of the Opposition reneged on his clear pledge to deal with historic debt. Does the Secretary of State agree that policy would have meant graduates repaying not only their own debt but the future debts of others?

Justine Greening: Indeed. The Labour party has a confused, muddled, counterproductive and anti-social mobility policy on student fees and student debt that would put at risk much of our higher education sector. It would be absolutely disastrous.

The bottom line is that, even now, across the border in Wales, the Labour colleagues of the hon. Member for Ashton-under-Lyne are implementing the very increases, in line with inflation, that she is opposing here today. That shows a level of hypocrisy that is becoming a hallmark of the current Labour Front Bench. The bottom line is that they are in—[Interjection.]

I am taking no lectures from the hon. Lady about taking interventions when she was scared to take more than two. The bottom line is that Labour's student finance policy is a cold, calculating con trick on young people. It is shameless politics.

I have three serious questions for the Opposition on the policy of no fees, and they are questions that they need to answer. How many of the poorest children in
this country are they going to prevent from going to university under that policy? How many world-class universities will shut down because they run out of money? If highly paid graduates do not have to pay to go to university to get their degrees, who is going to pay the bill? Those questions have never been answered. The Opposition have no answers, because having a sensible approach that has the best interests of students, universities and taxpayers at its heart is not their objective, is it? Driving social mobility is not Labour's objective. Enabling more disadvantaged young people to go to university is not their objective. Properly funded universities are not their objective. It is just a cynical con trick. That is Labour's objective. Far from Labour being the friend of students and universities, its policy would destroy opportunity and destroy our world-class universities. This House should see straight through it. Frankly, the motion is not even worth the paper it is written on.

5.14 pm

Carol Monaghan (Glasgow North West) (SNP): It is a pleasure to follow the Secretary of State's myth-spinning about Scottish universities. She would have us believe that our universities are not world-class. I am sure it would be of great interest to the 19 higher education institutions in Scotland, many of which are in the top 200 in the world, to hear her comments today. I thank the Secretary of State for that.

As legislators, we must ask ourselves why it is that we educate. Is it for self-enhancement, or is it for the benefit of society? I would say that for young people, as they set out considering tertiary education, it would probably be the former—get a decent job, a nice house and a decent education. However, for legislators there should be a clear distinction. First, of course, we are concerned about the individual and their future life chances, but we must take a wider view of the purpose of education and it must include our vision for society. To talk about “burdening” society with fees, as the Secretary of State just did, is to fail to take into account the benefits gained from having a well-educated population and a well-educated workforce. As we move ever closer to Brexit, with the cliff edge looming, key skills shortages in healthcare, education, digital and IT mean that graduates are needed now more than ever to ensure that the UK remains competitive in a post-Brexit environment. When that is considered, fees for tertiary education—fees that young people pay simply so they can fuel economic growth—become nonsensical.

We can clearly see the effects of that ludicrous policy when we consider the abolition of nursing bursaries. The steep decline of 20% in those choosing to study nursing should be a warning to us all. That, coupled with the devastating 96% drop in EU nurses registering to work in the UK, should be a wake-up call to the Government and their damaging policies.

It is a fundamental principle of the SNP that education should be based on the ability to learn and never the ability to pay.

Kevin Hollinrake (Thirsk and Malton) (Con): Would the hon. Lady be willing to inform the House about the effect of the Scottish policy on the abolition of fees on disadvantaged students? To quote the Sutton Trust, “the Scottish...policy of avoiding tuition fees meant that it was obliged to cap university places...with particularly negative consequences for less advantaged students”.

Carol Monaghan: First, the Scottish Government abolished fees, but secondly, since we came to power in 2007 there has been a 12% increase in Scottish-domiciled students going to university. We have a strong and principled record of opposing increases in tuition fees in England and Wales, and we will reject any legislation that seeks to increase the financial burden on students.

Maria Caulfield (Lewes) (Con) rose—

Carol Monaghan: I will not give way.

The fact that such a sweeping change to fee structures can be brought in by stealth as a statutory instrument—or that such an attempt can be made—is an indication of how low the present Government are willing to stoop, and how scared they are of putting this brutal policy to the test.

That is not the only attack on English students. The interest on tuition fees has risen sharply from 4.6% to 6.1%. Maintenance grants have been scrapped. Now we hear that debt on completion of course has reached an astronomical £50,000 for students in England, which will leave many young graduates saddled with debt throughout their entire working life. I wonder how many hon. Members would have trooped willingly through the Lobby in 2010 to support the policy that, seven years on, has left so many of our young people financially crippled.

Michelle Donelan (Chippenham) (Con): Does the hon. Lady think that the quality of education that students receive is important? An audit in Scotland found that 22% of Scottish university estates are now poor or very poor. The quality of education must come first.

Carol Monaghan: In Scotland, we take a holistic view of education that is not simply about higher education. In fact, I have referred to “tertiary education” several times already because the distinction between further education and higher education is fluid in Scotland. The Secretary of State suggested that fewer young people from disadvantaged backgrounds enter higher education in Scotland than other parts of the UK, but let me quote what UCAS has to say:

“For people living in England, Wales and Northern Ireland, UCAS covers the overwhelming majority of full-time undergraduate provision. Therefore, the statistics on acceptances or entry rates can be taken as being very close to all recruitment to full-time undergraduate higher education. In Scotland there is a substantial section of provision that is not included in UCAS’ figures. This is mostly full-time higher education provided in further education colleges, which represents around one third of young, full-time undergraduate study in Scotland... Accordingly, the statistics on UCAS entry rates and acceptances in these... charts reflect only that... undergraduate study that uses UCAS.”

To put that simply, UCAS only considers direct entry from school to university and takes no account of higher education provided in our FE sector or, indeed, of young people who enter university having completed an access or college course. To talk down the interactions between FE and HE in getting young people from disadvantaged backgrounds into tertiary education does a great disservice to the institutions and the young people served by them.
Hannah Bardell (Livingston) (SNP): Will my hon. Friend join me in welcoming the fact that youth unemployment is at its lowest level in Scotland for nearly 20 years? At 8%—7% in my constituency—it is one of the lowest rates across the EU and is significantly lower than across the UK.

Carol Monaghan: I thank my hon. Friend. In Scotland, we tailor courses to meet the needs of our economy, meaning that we have jobs for our young people to go into.

Our free tuition policy benefits 120,000 undergraduate students every year, saving them from accruing the massive debt seen in other parts of the UK. Even taking into consideration my previous comments about tertiary education, the number of students from Scotland’s most deprived areas entering university has increased by 19% in just two years. We are clearly ahead in supporting those young people to ensure that they remain in education and do not drop out, which we have heard about from several hon. Members.

This debate is also about the kind of nation that we want to build. Scotland values free access to higher education and so do many young people across these islands. We saw that in the general election both through their interaction and in the results. Many young people came out to vote against damaging Tory policies.

Angela Crawley (Lanark and Hamilton East) (SNP): Does my hon. Friend agree that many of us on the SNP Benches would not even be here today were it not for the SNP’s policy of scrapping tuition fees? Does she also agree that the Government could learn some lessons from Scotland?

Carol Monaghan: The Government struggle to look north. They use statistics to their advantage and to spin their particular story, but the facts in Scotland are quite different. We have the most educated population in Europe—only Luxembourg is ahead of us. We value education, and we are fully committed to ensuring fair access to higher education so that every child, no matter their background, has an equal chance of going to university.

Education is not an industry to be opened up to free market practices. This is a sector that operates for the university. Whatever the small print said, the impression was given. "No, they didn’t." They did. The leader of the Labour party is saying that he is wrong and to improve the productivity of our nation. I was amazed when one vice-chancellor said that I am wrong to say universities are about people getting jobs at the end of it, and also that universities are really more about the experience. If people want an experience, they can go to Alton Towers. Between a fifth and a third of graduates end up in non-graduate jobs. If they are paying £9,250 a year and coming out with a good, well-paid job, the university has done the right thing. If they are not, what is the £50,000 debt for?

I welcome the new longitudinal education outcomes data that the Government have introduced and the opportunity they provide to look at graduate outcomes and earnings after one, three and five years. Closer monitoring of graduate outcomes is essential to this debate and to the conversation on value for money. It is encouraging to hear that the Government are considering linking tuition fees to graduate outcomes, one of which should be a university’s success with degree apprenticeships. The Minister with responsibility for apprenticeships, my right hon. Friend the Member for Guildford (Anne Milton), who is on the Front Bench, has done a huge amount of work on that issue.

Yesterday, the Chancellor said there is a significant difference between leaving university with debt but with a good degree and employment prospects, and leaving with the same debt but with a poorer qualification and no job. I strongly support those words, and I am aware that the Minister for Universities, Science, Research and Innovation, my hon. Friend the hon. Member for Orpington (Joseph Johnson) is actively working to support these measures.

Karin Smyth (Bristol South) (Lab): The right hon. Gentleman talks about the need to use both university access and degree-level apprenticeships, and we worked together on this when he was in his former post. The issue of accessing degree-level apprenticeships is fundamental. Does he agree that some sort of UCAS system to help people move between those two things, to advance opportunities for young people, is a good policy to pursue?

Robert Halfon: The hon. Lady is absolutely right on that, and I was pleased to visit her excellent local college when I was in my previous role. Of course she is right to say that we need a UCAS for apprenticeships and the skills system. That was in the Conservative manifesto and I believe the Government are working hard to achieve it.
Over the summer, the issue of vice-chancellors’ pay has consistently been in the headlines, and we need to examine the salaries of the senior management of universities. It cannot be right that 55 universities are paying their vice-chancellors more than £300,000 and yet a recent survey found that just 35% of students believe their higher education experience represented “good” or “very good” value for money. I am worried about the seemingly Marie Antoinette approach taken by some vice-chancellors, who are living in their gilded palaces and saying, “Let the students eat cake”, as they receive almost obscene amounts of pay.

Emma Hardy: Does the right hon. Gentleman agree that the salaries of not only some vice-chancellors, but some chief executive officers of academy chains and multi-academy trusts in this country are obscene, at a time when our education system is seeing so many cuts and schools are struggling so badly? Does he agree that we should also be looking at the obscene rates of pay in these academy chains?

Robert Halfon: We need to look at this across the board to make sure that salaries are related to performance and are seen as fair. I am not against high salaries, but what we have seen with some of these vice-chancellors, although not all, is pretty awful. As I say, their Marie Antoinette response to this just shows that they are completely out of touch with what is going on with a struggling economy, struggling students and so on. That is why I support the recent comments by the Universities Minister on pay and the restrictions the Government have proposed.

In my role as Chair of the Education Committee, I look forward to bringing greater scrutiny to the issue of pay and the wider value-for-money question. The hon. Lady is a new, valued member of the Committee, and I am pleased that one of the first areas the Committee will look at is the extent to which students are gaining a high-quality education and accessing graduate-level jobs. We will look at the evidence on how universities are currently spending the £9,000 and how an extra £250 would improve—or not—the experiences and outcomes of students.

Value for money must also be linked to interest rates. Not only are students graduating from university with greater debt than ever before, but they are facing substantially more interest on their loans. The interest rate of 6.1% is just too high; with the increase it will be more than 24 times the official Bank of England base rate. It has to be reviewed and it must be lowered, and it would increase their earning capacity and thereby create a higher-skilled workforce. We need to be sure that any rise in tuition fees will not deter such learners and deny them access to higher education.

Any extra rises in tuition fees should be linked to evidence on strong outcomes for graduates, and universities that are failing their students must neither be paying vice-chancellors enormous salaries nor increasing their students’ debts. I hope that the Education Committee can make a useful contribution on such issues in the coming weeks.

Several hon. Members rose—

Mr Speaker: Order. The erudition of the right hon. Gentleman’s speech is matched only by his readiness to engage with colleagues and take interventions. That is a hallmark of his service in the House and it is very much appreciated. However, may I just advise the House and him that there is a large number of would-be contributors and there will have to be a tight time limit? Therefore, I feel cautiously optimistic that he is approaching his peroration.

Robert Halfon: Not only am I nearly finished, Mr Speaker, but I shall not take any more interventions.

We need to assess the impact of tuition fees on part-time learners—an issue that has already been raised in the debate. The number of part-time learners peaked at almost 590,000 in 2008-09, but it is now down to 310,000—a fall of 47%—and we know that they are more likely to be older, to be from lower socioeconomic backgrounds and to be women. We may be able to link the apprenticeship policy to those people who are falling off from the higher education system. A decline in access to part-time education removes the opportunity for thousands of workers to upskill or reskill, which would increase their earning capacity and thereby create a higher-skilled workforce. We need to be sure that any rise in tuition fees will not deter such learners and deny them access to higher education.

It is such an honour and privilege to have been elected as the Member of Parliament for Birmingham, Edgbaston, a constituency that has returned a female MP in every election since 1953. [HON. MEMBERS: “Hear, hear.”] The most recent was my predecessor, Gisela Stuart. Before being selected as the Labour candidate for Edgbaston, I knew of and respected Gisela from afar. I may not have agreed with her on every single issue, but she was passionate, gutsy and a fierce defender of Labour values. [HON. MEMBERS: “Hear, Hear!”] By the
end of my first campaign session, when almost every house on whose door I knocked seemed to have a story about how Gisela had helped them. I knew just what a brilliant constituency MP I was following. Gisela’s contribution to Edgbaston will never be forgotten by the thousands of constituents she helped in ways both big and small.

It is also an honour to be the first female Sikh to sit on these Benches and to be here alongside my hon. Friend the Member for Slough (Mr Dhesi), the first turban-wearing Sikh MP. Being the first Sikh female MP comes with a huge sense of responsibility. I and many others will be asked to raise difficult issues in the House on behalf of Sikhs, on matters such as hate crime, the Jallianwala Bagh massacre, Sikh ethnic monitoring in the 2021 census and an independent public inquiry into UK involvement in the 1984 Sikh genocide.

For many decades, Sikhs have lived in this country, paid their taxes, fought in world wars and contributed to society in every way imaginable. It is an historic moment for Sikhs in this country because Parliament is beginning to look more like the people it serves. Sophia Duleep Singh, the granddaughter of Maharaja Ranjit Singh—the ruler of the formidable Sikh empire from 1801 to 1839—and the goddaughter of Queen Victoria, would have been immensely proud that the United Kingdom had elected its first female Sikh MP some 100 years after she, a prominent suffragette, had fought for women in this country to have the right to vote.

Having been born and bred in one of the most diverse cities in the United Kingdom, I am so proud of the vibrant and exciting multicultural society that we live in today. I walk through Birmingham and see the two towers that inspired JRR Tolkien to write “The Lord of the Rings”, an influential chamber of commerce and a world-famous cricket ground.

The University Hospitals Trust and Birmingham University are two of the biggest employers in my constituency, which is why today’s debates on the public sector pay cap and tuition fees are so important. The Government’s public sector pay cap has caused chaos for the NHS. The cap on pay has seen wages fall 14% below inflation since 2010. Nurses in my constituency are being forced to use food banks to make ends meet. The Government have created a workforce crisis in the NHS, which is causing misery for patients. Hospital wards and GP surgeries in parts of my constituency are chronically understaffed and the knock-on effect is waiting lists, which are spiralling out of control. For seven years, Ministers have balanced the books on the back of NHS staff.

I spent a day in Birmingham’s children's hospital this summer after an unfortunate incident involving my daughter and a trampoline. As ever, I was bowled over by the skill, courage, and dedication that NHS staff bring to their working lives.

On the rise of tuition fees, I am concerned that young people and their families are impacted by the hikes in these fees, which will further increase student debt. For a young person in my constituency to go to university to study a three-year course, it will cost £30,000. A five-year medicine course is £50,000, and that is not to mention the living costs. For young people growing up in normal households in my constituency where money can be tight, this is an astronomical and intimidating sum of money. Graduate wages are stagnating and student debt will only rise further. Everyone in society benefits from our graduates—they are our engineers, our doctors, and our social workers of the future. That is why, today, I will vote to revoke a rise in tuition fees.

Like all of us in this House, behind the history and the records sits an ordinary story of simple values. For more than 20 years, my father drove the No. 11 bus around the constituency that I now represent. He worked every hour he could to make sure that my siblings and I had the best possible start in life. My mother and father provided my brothers and sisters and I with a simple set of values. Those values permeated through every aspect of our upbringing, and that is what brings me here today. First, that we all had to work to build something with our lives. The hours my father spent driving that bus, delivering community projects as the president of our local gurdwara, or resolving yet another squabble between us kids was never lost on me. It was simple dedication, hard work and a belief that he could make things better not only for us, but for all communities. He certainly achieved that and much more.

Secondly, my parents taught us that we should not forget about the people around us who were less fortunate. My parents both knew what it was like to start completely afresh, and to feel new, alone and lost. Ever since, I have passionately believed that one of the most important things we can all commit to is a simple act of kindness, whether it is a sympathetic ear or a hand-up to somebody desperate for a break. It is this last point that I would like to draw upon in making my maiden speech.

Issues around mental health and emotional wellbeing can make a person feel alone, confused, lonely, hopeless and lost. Such issues are cruel and indiscriminate; they can affect any one of us at any time. My constituency has a high proportion of young people. I have heard about the teenage girl suffering anxiety about her body image after seeing too many photo-shopped images on social media, the middle-aged man suffering from depression so overwhelming that he finds it impossible to make it out of the house in the morning, and the older person living alone, so worried about making ends meet that they cannot sleep at night.

The new “#StatusOfMind” report by the Royal Society for Public Health shows that
“identified rates of anxiety and depression in young people have increased by 70% over the past 25 years.”

That is nearly 80,000 children and young people in the UK suffering from severe depression. The report also states that nearly nine in 10 girls are unhappy with their body shape, that “Seven in 10 young people have experienced cyberbullying”, and that no action was taken in 91% of cases in which cyber-bullying was reported.

As a parent of two girls, aged seven and six, this terrifies me. We need to do so much more to stop these trends and to make sure that our children are able to fulfil their potential. We should ensure that schools are given the time, opportunity and resources to make personal, social and health and economic education lessons a priority, not an afterthought, and we should work with social media platforms to identify users who could be suffering from mental health problems and signposting them to help. We need to support families to make sense of heart-breaking issues their children could be facing so that they can build a level of resilience.

For many people suffering with mental health and emotional wellbeing issues, these can both cause and, indeed, be caused by additional issues such as substance and alcohol misuse. The Reach Addiction centre at the Church of the Redeemer in my constituency does amazing work supporting people who, without it, would be completely lost and adrift from society. St. John’s church in Harborne and St. Boniface church in Quinton provide food banks and support to those suffering from homelessness and mental health issues. I recognise the vital support that these faith organisations, along with public sector workers in my constituency, provide. One of Britain’s finest hours was the creation of the NHS and the welfare state in 1946—a safety net for those of Britain’s finest hours was the creation of the NHS and the welfare state in 1946—a safety net for those who fell on hard times. To tackle issues such as alcohol and substance misuse, we need to rethink this safety net and direct it to those who need it. We need to ensure that those who need it have access to it and that no action was taken in 91% of cases in which cyber-bullying was reported.

Finally, for those growing old in our country, retirement should mean a well-earned rest from a lifetime of hard work—an opportunity to put their feet up and focus on the things they are passionate about, rather than a destination to be dreaded. Unfortunately for some residents in my constituency, this stage of life is about trying to make ends meet and worrying about whether their pension will stretch to cover the whole month. They feel more and more isolated in their homes as more local community facilities are closed, and they are left counting the days since they spoke to someone who was not the checkout assistant at their local supermarket. The recent Channel 4 documentary, “Old People’s Home for 4 Year Olds”, was a wonderful reminder of the amazing ability we all have to make a difference to the people around us essentially by bringing people together. This will be my mission as the Member of Parliament for Birmingham, Edgbaston. Whenever I walk into this Chamber, I will be here to fight for funding for the services doing incredible work supporting my constituents who are facing these and many other issues. I will speak up for the young people in my constituency whose voices need to be heard more loudly in this House. I will work with colleagues from all parties to bring all our communities and constituents closer together.

I will also be thinking back to my dad, driving that same No. 11 route—day in, day out. Through hard work, he was building the platform and opportunities for me and my siblings to succeed. It is that spirit which I will bring to this role. I am so grateful to the people of Edgbaston, and I will be restless in working and fighting for every single one of them.

**Several hon. Members rose—**

Madam Deputy Speaker (Dame Rosie Winterton): Order. The Speaker, unfortunately, had to leave, but he did ask me to pass on his congratulations and, I am sure, those of all of us, for that excellent and thoughtful speech.

5.50 pm

Conor Burns (Bournemouth West) (Con): It is a genuine pleasure to follow the maiden speech of the hon. Member for Birmingham, Edgbaston (Preet Kaur Gill). Many Members in this House will have incredibly fond memories of her predecessor, who was not only a lady of incredible principle, but a lady with an irrepressible and irreverent sense of fun. She will be greatly missed on both sides of the House. The hon. Lady said her predecessor was a great advocate of Labour values, but I have to say that she was also a great advocate for national independence and the role of this Chamber in our national life. For those reasons, she will be missed especially by many of us on the Government side of the House.

When the hon. Lady was speaking, I was thinking whether I could possibly find any linkage between my south coast constituency of Bournemouth West and her midlands constituency of Birmingham Edgbaston, but then she mentioned J. R. R. Tolkien and something in her constituency that inspired him to write. Of course, Tolkien did much of his best writing from the Miramar hotel in my constituency, and I hope that that has established some sort of link between us.

I also pay tribute to the hon. Lady for what she said on mental health, something that is profoundly important to many of us in the House, and particularly those of us who have had family members who have been severely affected by different mental health conditions over the decades. If the hon. Lady carries on in the vein in which she began this afternoon, she will find a warm hand to meet hers across the aisle in this Chamber. She made an excellent maiden speech, and she has shown early promise that she will be a worthy successor to Gisela Stuart.

I have two universities in my constituency, Bournemouth University and the Arts University Bournemouth. They add enormously to the area I serve. They provide economic growth and social enrichment, as well as personal development for those who attend them. They are at the heart of the constituency I serve. Only last night, I had the vice-chancellor of Bournemouth University and Professor Keith Brown from the National Centre for Post Qualifying Social Work downstairs in the Churchill Room, doing an event to highlight the financial scamming of vulnerable people. In a week’s time, I will be going to the Bournemouth visual effects conference, to which people will come from around the world—people from Disney and others—to see the projects undertaken by young people in the competition there.
Bournemouth University is absolutely at the core of my constituency, and I have been in touch over all the years I have been a Member of Parliament with all the different presidents of the students union—Toby Horner, Murray Simpson, Chloe Schendel-Wilson and Daniel Asaya, and on behalf of the students, they have told me—as have many of the students I have met—of their concerns about our policy on higher education and particularly on student finance.

However, this is an Opposition day, and this is an Opposition day motion, so it is appropriate that we scrutinise the Opposition. There has been a lot of talk about what was said during the election, so I have dug it out. The Leader of the Opposition, in his now famous interview, said:

“Yes, there is a block of those that currently have a massive debt, and I’m looking at ways that we could reduce that, ameliorate that, lengthen the period of paying it off, or some other means of reducing that debt burden.

I don’t have the simple answer for it yet—I don’t think anybody would expect me to, because this election was called unexpectedly... And I don’t see why those that had the historical misfortune to be at university during the £9,000 period should be burdened excessively compared to those that went before or those that come after. I will deal with it.”

That was heard loud and clear by students in Bournemouth and elsewhere.

Then the shadow Secretary of State, in her outburst of candour on “The Andrew Marr Show”, said:

“It’s a huge amount; it’s £100 billion... It’s a huge amount of money. It’s a big abacus that I’m working on with that. But we’ve got to start dealing with this debt”.

James Cleverly (Braintree) (Con): My hon. Friend highlights the words of the Leader of the Opposition and the shadow Secretary of State, but is it not a fact that it was not just students in his university town who interpreted the Leader of the Opposition’s comments as a debt write-off? Two shadow Ministers broadcast their interpretation that this would be a 100% write-off of student debt.

Conor Burns: My hon. Friend has pre-empted what I was about to come on to. There was a lot of shouting going on when the students heard that the Labour party was going to get rid of their debts, abolish their fees, and deal with historical debt.

Let me quote what a Labour candidate—a Member in the current and previous Parliaments—said to camera. The hon. Member for Bradford East (Imran Hussain), surrounded by primary school children, looked to camera and said:

“Just this morning Jeremy Corbyn has announced that the tuition fees will be abolished straight away from September if there’s a Labour government, and that we will bring back immediately EMA”,

education maintenance allowance,

“and also”—

this is critical—

“that every existing student will have all their debts wiped off.”

He ended:

“That’s fantastic news, isn’t it guys?”

Well, it turned out not to be such fantastic news because it turned out not to be true. They were the first Opposition in history to U-turn on a manifesto without the burden of actually having to get elected into office. The reason it was not implementable was the enormous burden it would have added to the public finances—5% on GDP. It was an absolute betrayal of our electorate and students to promise them that we could do that.

We have seen the greatest expansion of student numbers in this country, from a mere 4,357 in 1920 to 73,163 in 1990.

Michael Tomlinson (Mid Dorset and North Poole) (Con): My hon. Friend is talking about the expansion of student numbers, and that is right, but is it not also right that the proportion of students from disadvantaged backgrounds has gone up as well—not just the number but the proportion?

Conor Burns: My hon. Friend and neighbour is absolutely correct. Some of the people who in previous generations, when I was at university, could not have dreamed about getting into university are getting in and getting these life chances under this Government, and, in fairness, the Labour Government before this lot took over as the Opposition.

In 1990, only 77,163 people completed their first degree. That was the year that my right hon. Friend the Secretary of State and I began at Southampton University. By 2015, that number was almost 400,000. There are now five times more people enjoying the benefit of a university education than when I was at university. One could say, to coin a phrase, that we on these Benches are the party for many, not just the few.

I have a serious warning to the Opposition. I sat in hustings on campus at Bournemouth University in the 2010 election, when the Liberal candidate was cheered to the rafters. In 2015, the Labour party was cheered to the rafters. If Labour Members look to their left—not metaphorically but literally—they will see the consequences of making promises to students that they know they cannot deliver. It is wrong to do so.

5.57 pm

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): It is a pleasure to take part in this debate, and, in particular, to speak after my hon. Friend the Member for Birmingham, Edgbaston (Preet Kaur Gill), who made a very powerful and eloquent maiden speech. I concurred with her tribute to her predecessor, my good friend Gisela Stuart. An extraordinary lesson that we can learn from Edgbaston is that it has elected women Members of Parliament since 1953—long may that continue. I particularly congratulate my hon. Friend as the first Sikh woman Member of Parliament.

I pay tribute to the new Chair of the Education Committee, the right hon. Member for Harlow (Robert Halfon), for the tone and content of his speech. We are at a point where we need to have a serious debate that looks at the evidence about what is happening in our higher education system. My starting point is that surely the current scale of student and graduate debt must worry us all, whichever party we are a member of.

I want to focus on three things: first, student satisfaction levels and value for money; secondly, part-time students; and thirdly, interest rates. The student academic experience
survey conducted this year showed a significant shift in students’ perceptions that should concern us all, and I hope the Minister will address it in his closing remarks. Five years ago, the majority of students—53%—rated their university experience as good or very good. That figure had fallen to 35%, and the number of those who rated it poor or very poor had doubled in that five-year period. The figures for England were worse than those for Scotland and Wales—that must surely be a cause for concern.

Other colleagues have spoken about the impact on part-time students. In Russell Group universities this year, the number of first-year students studying part time is 44% lower than it was in 2011. In other higher education institutions, the fall is even greater. In certain subjects, the fall is dramatic: in languages, that figure has fallen from 16,000 to just over 6,000; and in computer sciences, it has fallen from almost 6,000 to just over 3,500. Surely that must be a matter of concern.

Then there is the question of interest rates. When Labour introduced tuition fees, the interest payable on loans was either the Bank of England base rate plus 1% or the retail prices index, whichever was the lower. Interest rates could be expected, in that period, to be as low as 1.3%. Because of the changes that this Government have made, some students are leaving university having already incurred £6,000 in interest. Surely that is something that we have to look at, and it is a matter of concern.

Let us have a serious debate about this subject. I welcome the fact that the Select Committee will be doing so under the chairmanship of the right hon. Member for Harlow. I absolutely accept that access to higher education is about more than just student fees and graduate debt. Schools and colleges have a vital role to play in raising aspirations and providing support for students. As the Secretary of State has said, some progress has been made on access for some disadvantaged groups, particularly some—not all—black and minority ethnic groups, and that is very welcome, but there is a big challenge for white working-class kids, particularly those from the poorest backgrounds.

I represent a constituency that is predominantly white working class, and one aspect of the challenge is access to our top universities. That is why two years ago I established a programme with eight secondary schools serving my constituency that we have called the Liverpool to Oxbridge Collaborative, which supports the most academic students to consider applying to Oxford or Cambridge. I am delighted to say that five students, from West Derby, Broughton Hall and Cardinal Heenan schools, have gained places at Oxford and Cambridge, starting this autumn. The programme is starting to make a difference. The aspiration of the young people and their parents, and the support that they have had from those schools, has been amazing. I want that level of support for the most academic students to be as commonplace in state schools as it is the top private schools. If it is not, we will not address our fundamental problems of social mobility and inequality.

Further increases in tuition fees risk undermining the progress that is being made in many of our schools and colleges. That is why we need a rethink, and I welcome the investigation that the Select Committee Chair has said that his Committee will undertake. I think that the motion, which would revoke the latest increase in tuition fees, is a step in the right direction towards achieving that rethink.

6.2 pm

Kevin Hollinrake (Thirsk and Malton) (Con): It is a pleasure to speak after the hon. Member for Liverpool, West Derby (Stephen Twigg), and it was an even greater pleasure to listen to the fine maiden speech from the new hon. Member for Birmingham, Edgbaston (Preet Kaur Gill). She spoke of some touching and superb family values, which we all look for in our families. Her parents, whom she spoke of, must be very proud of her performance in the House today. I welcome her to the Chamber.

There are many spending commitments that we might wish for, and free tuition would be a wonderful commitment if we could afford to make it. That would be wonderful for me, because I have four children, all of whom may at some point enter the realms of higher education. But there are many other competing pressures, such as the pension system, the police forces, our armed forces, help for disabled people, the NHS and public sector pay. During the general election campaign when I talked to voters on the doorstep about some of the Opposition’s spending promises, the key question that I was asked many times was, “How are they going to pay for it?” The reality is that if students do not pay for tuition, the taxpayer will have to pick up the bill.

Of course, the Opposition will say that they have a fully costed manifesto to deal with the problem, but it is right that we look at the detail of that manifesto. [Interruption.] I am very happy to take an intervention if Labour Members would like me to. The reality is that there was £250 billion of extra spending commitments in that manifesto, on top of the fact that this country already spends about £50 billion a year more than it receives in taxes. The Institute for Fiscal Studies said that there was a £45 billion hole in Labour’s extra spending commitments, which included £125 billion in extra infrastructure spending, roughly £125 billion to nationalise our utilities and railways, and £100 billion to wipe off past student tuition fees—that was a commitment, whether or not it was a manifesto promise.

The reality is that spending commitments can only be made in a strategic way. We cannot simply use cheap party politics and a short-term, kneejerk approach to funding the finances of this country.

Angela Rayner: May I ask the hon. Gentleman whether he actually read our manifesto and looked at our costings, and where in his party’s manifesto the DUP deal was?

Kevin Hollinrake: We are talking about tuition fees, on which the Leader of the Opposition made a clear commitment to deal with past debt as well as future fees. The reality is that we have to find the money to pay for the commitments that we make, and there was a huge gaping hole in the funding for the Opposition’s commitments. Such a gaping hole was why this country ended up £1.7 trillion in debt, and the Conservative party had to deal with inheriting a £153 billion deficit on the back of uncosted spending commitments. Of the 13 years for which Labour was in power, it did not balance the books in nine of them. Its public spending
was greater than its tax receipts. We need an end to this short-term party politicking and gesture politics. We need properly costed manifestos and properly costed public spending. We simply cannot wipe out tuition fees without finding the money to pay for it.

My right hon. Friend the Member for Harlow (Robert Halfon), the Chair of the Education Committee, made some good points about how we should look at reforming tuition fees by making sure that they are performance-related so that universities are held to account for providing a good education that provides a return on investment for students. We also need a more flexible approach so that students can have lower debt by taking modular courses, for example.

**Jo Churchill:** May I draw my hon. Friend’s attention to the Higher Education and Research Act 2017, which took just that approach by ensuring that universities can offer two-year degrees, which will save students money? They can also offer lifelong learning opportunities and so on, all of which helps more than the Opposition’s approach would.

**Kevin Hollinrake:** My hon. Friend makes a good point. Taking a university course in two years rather than three or four makes perfect sense for someone wanting to reduce their debt. So does attending a local university, and we should move towards modular courses to ensure that students have ways around accumulating large debts, which nobody wants to see.

Opposition Members will say that we need to make the spending commitments that they are suggesting today, but they miss the point. There are huge ticking time bombs in our public expenditure for the coming decades, including our health and welfare spending. There is no strategic element to their spending plans. It is simply gesture politics.

**Carol Monaghan:** I am interested to hear the hon. Gentleman talk about a ticking time bomb in healthcare spending. Would he like to explain where new nurses are going to come from?

**Kevin Hollinrake:** I am sorry, I misheard the hon. Lady’s final point—I am very happy for her to make it again.

**Carol Monaghan:** I was asking the hon. Gentleman where new nurses are going to come from.

**Kevin Hollinrake:** There are 12,000 more nurses on our wards in the UK than there were in 2010. More money is going into the NHS, and there is a commitment to spend another £8 billion by 2020. We are investing in the health service, but there is no doubt that those commitments will be very significant in future years. Of course we need to invest in our public services wherever we can, but we need to do so strategically without cheap party politicking. A piecemeal approach to our expenditure would have catastrophic consequences for our future debt. We need the strategic approach taken by the Conservative party.

6.10 pm **Emma Hardy** (Kingston upon Hull West and Hessle) (Lab): I should start by declaring an interest: I am still paying off my student loans. Student fees will always be an emotive issue, but I believe that everybody on both sides of the House wants the same outcome. We all want an education system that allows every child to reach their potential and equips citizens for life and work in our country.

Some Members argued that the staggering debt that students leave university with is notional, but considering that I have been paying mine off for 15 years, I can assure them that it does not feel notional. It feels very real indeed, and I am sure it feels very real for everybody else in the UK who is still paying off their student debt in the same situation.

I am mindful that we are discussing heaping debt on people who might never earn enough money to pay it off, yet every one of us earns nearly three times the national average salary. During my two maternity leaves, I saw my student debt increase each year because the interest kept being added while I was not earning enough money to pay it off. For people who have not been on maternity leave, I can tell them that it is financially difficult, and people can struggle. It is incredibly demotivating and demoralising to see a debt from going to university and trying to get on in life constantly increasing. I assure the House that my constituents, too, feel demoralised at seeing their debt increase. Members might say, “It doesn’t matter. If they don’t earn more than £21,000, so what? They will never pay it off,” but if they got a statement each month telling them that the money they owed was going up and up, that would make them feel demoralised, dejected and fed up with their life.

I am looking forward to working with the right hon. Member for Harlow (Robert Halfon), who is unfortunately no longer in his place, on the Education Committee, and I agree with him that the interest rates are appalling. How can it be justifiable that they are so much higher than the Bank of England base rate? To show that the unfairness of the high interest rates is even worse than that, someone contacted me the other day and said, ‘Do you realise that they start adding interest to student loans from the moment you start university?’ Students’ debts increase while they are still studying at university—they have not even graduated. How is that fair or justifiable?

One of the best things we can do to help universities with funding—I hope the Minister takes this on board—is to encourage overseas students to come to our country and pay for our university education. I hope the reality of our universities’ funding problems will break through Conservative Members’ ideological aversion to overseas students coming here.

I am concerned about the reduction in the number of part-time and mature students. I believe in lifelong learning. I think everybody should have the opportunity to go to university at a time that suits them. Let us be honest: it is often women with caring responsibilities who study part-time at university. They will miss out, and I think that is a travesty. We should look at that issue.

I am sorry, but I do not buy the idea that more people from deprived backgrounds are going to university and that we have tuition fees, so having tuition fees mean that more people from deprived backgrounds go to university. That is rubbish; that is correlation, not causation. The Government cannot say that increasing
tuition fees means that more people from deprived backgrounds go to university. That is total nonsense.

Let us be honest: the current model of ever-increasing tuition fees and student loans does not work for students or our universities. Because so little is repaid, I do not believe it works for the Treasury either. It is time to consign tuition fees to the same bin the Government dumped their election manifesto in.

6.14 pm

Wendy Morton (Aldridge-Brownhills) (Con): I welcome the opportunity to speak in this debate. It is a pleasure to follow the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy). It was also a pleasure to have been in the Chamber to listen to the maiden speech of a fellow west midlands MP, the hon. Member for Birmingham, Edgbaston (Preet Kaur Gill). She gave an absolutely delightful maiden speech setting out some of her family values and her community values, which are shared by so many of us across the House. I do not know whether I am supposed to say this of someone from the Opposition Benches, Madam Deputy Speaker, but I wish her well in her parliamentary career.

I would imagine that many Members in the Chamber went to university. Some will have paid their own fees, which were introduced by Labour in 1998. Some will not have paid fees, because they are a little bit older and a different system was in place. Some will have been educated in Scotland. There will be others who, like me, did not go to university. At 18, I chose to go straight into the workplace and to study later. I went to the institution that the hon. Member for Blackpool South (Gordon Marsden) knows very well, the Open University. As he will know, students at the Open University pay as they go along. I was paying and working throughout taking that education route. In the end—it may have taken me some time—I did get my master’s degree.

I passionately believe in choice in education, whether university, technical or apprenticeships. The Government have an excellent track record on apprenticeships. In my constituency, there is an excellent apprenticeship provider, In-Comm training, which is at the heart of developing the skills required not just for today’s employers, but for those in the future. The point is about choice and providing a fair deal for students whichever route they choose, while at the same time ensuring our universities are properly and sustainably financed. It is about funding. Whatever the choice, it has to be paid for, either by the individual or the Government, or by a combination of the two. What really matters is that the education system is accessible.

The student funding system removes financial barriers for anyone hoping to study. It is backed by the taxpayer, and, as we know, any outstanding debt is paid off after 30 years. To those on the Opposition Benches who say that increases in tuition fees will reduce access to university for young people from disadvantaged backgrounds, we have heard today that the figures do not bear that out. Recent figures show that in the academic year 2016-17 the entry rate for 18-year-olds from disadvantaged backgrounds is at a record high: 19.5% in 2016 compared to 13.6% in 2009.

I appreciate, Madam Deputy Speaker, that I do not have many minutes left in which to speak. That is the disadvantage of speaking towards the end of a debate of this nature.

I struggle with the definition of a disadvantaged background. The figures bear out that one can come from a disadvantaged background and still receive a good education, increasingly so through the university route. At the heart of that is choice and availability of places. Whatever the educational route, the education system is about merit, not background. It should be a system that is based on hard work and aspiration, and I believe the Conservative party is the party of aspiration and hard work.

6.19 pm

Paul Blomfield (Sheffield Central) (Lab): As I have probably pointed out before, I represent more students than any other Member, by a long way, and on their behalf I thank my hon. Friend the Member for Ashton-under-Lyne (Angela Rayner), the shadow Secretary of State, for securing this debate. She has fought as hard to ensure that Parliament is involved in key decisions on student funding as the Secretary of State has fought to avoid it.

It is not as if the Government do not know the system is at breaking point. They clearly do. In July, after Labour’s commitment in the recent election put the abolition of tuition fees at the centre of the political agenda, the First Secretary of State, the Prime Minister’s deputy, called for a national debate on the issue, and only yesterday the Chancellor of the Exchequer apparently told the Economic Affairs Committee of the House of Lords that the Government were carefully considering a review because—this is the reason he gave—the system had not worked out as originally expected. A bit of an understatement!

Why are the Government ploughing ahead regardless with the fees increase? It is important that we not only reject this increase but look to make fundamental change. According to reports, the Government are considering some change. As the Chair of the Education Select Committee did, they are floating the idea of reducing the interest charged on student debt. Clearly the rate is too high—I have argued against it previously and action should be taken—but of all the changes to make it is perhaps the least important. It is probably attractive to the Government for the reason that the hon. Member for Thirsk and Malton (Kevin Hollinrake) pointed out: because it will primarily assist higher earners. It will not help those most in need, however, from the poorest families who will, according to the Institute for Fiscal Studies, face the greatest debt burden.

What should the Government do then? They should start by reintroducing maintenance grants for students from lower-income households. They were central to the 2012 settlement. The House would not have agreed to the £9,000 fees without those grants, and the fact that the Government got rid of them at the first opportunity when they formed a Conservative Administration on their own says an awful lot about their priorities. They should reconsider and reverse that decision.

Before cutting interest rates, the Government should think about the retrospective changes to repayment terms. Obviously everybody understands that they got their calculations badly wrong on the unrepayable debt. Its measure, the resource accounting and budgeting charge, rose relentlessly from the introduction of the new system in 2012. People make mistakes, but what was wrong was for the Government to make graduates pay for the consequences—to make them pay for the
Government’s miscalculation by changing the terms of the deal to which they had signed up. Before the 2015 general election, I asked Ministers for assurances that they would not make those changes, and I was told that they had no plans to do so, but no sooner were the votes counted than those plans were rolled out in the 2015 Budget. Unfreezing the repayment threshold—making graduates pay more than was in the contract they signed up to—is frankly fraudulent. It undermines confidence in the student loans system and trust in democracy, and it should be reversed.

Finally, the Government should reconsider the decision to scrap bursaries and introduce fees and loans for nursing, midwifery and allied health courses, as a number of people have mentioned. Back in January 2016, when we debated the issue in Westminster Hall, the then Health Minister, Ben Gummer, told Members—that is a good one, wait for it—that the move would lead to an increase in applications. Now we know how wrong they were. In my city, there has been a drop of 22% in applications to Sheffield Hallam University, but it did slightly better than the rest of the country, because across the UK the drop is estimated to be 26%.

On issue after issue in relation to student funding, the Government have got it wrong. Today they can start to get it right. They can agree with us in ruling out this increase and, beyond that, they can revert to their 2005 manifesto commitment and join us in committing to abolish tuition fees.

6.24 pm

Alan Mak (Havant) (Con): I join other Members on both sides of the House in congratulating the hon. Member for Birmingham, Edgbaston (Preet Kaur Gill) on her election and her excellent maiden speech. I think that her election—along with that of the hon. Member for Slough (Mr Dhesi), who is no longer in the Chamber—is testimony to the ongoing success and strength of the Sikh community in this country, and I wish her well for her time in the House.

Like the hon. Member for Birmingham, Edgbaston, I support local schools throughout my constituency, and I encourage young people to pursue higher education, as I did. Going to university has a number of benefits, such as life chances, salary uplifts and skills. However, I agree with my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton) that those who advocate an entirely free system are simply living in the past. They forget that if that system were allowed to persist, very few people would be able to go to university.

In 2002, having benefited from an assisted place myself, I became the first member of my family to go to university. I was also one of the first to pay tuition fees, which had been introduced by the Labour party in 1998 and increased in 2001. Even as recently as 2002, it was not commonplace for people from my background to go to university, which is why, when the Conservatives came to power, we opened up the higher education system to make it more accessible and increased student numbers by lifting the cap.

That had two benefits, which I want to highlight in the short time that I have in which to speak. First, universities finally had the resources that they needed in order to give all their students a high-quality, world-class education. As we heard from my hon. Friend the Member for Bournemouth West (Conor Burns), the £9,000 cap that was set in 2012 is now worth £8,500 in real terms, and, if left unchanged, will be worth only £8,000 by 2020. If our higher education system is to have the resources that it needs to be sustainable and maintain its world-class reputation for excellence, it must be financed properly and the quality of teaching must be maintained. Only by giving our universities those resources can we maintain our world-class standing in science, the arts, the humanities, and all the other disciplines that are needed to ensure that our country is globally competitive in the years ahead.

I welcomed a recent report from the Institute for Fiscal Studies which states that, on a per-student basis, our universities are better funded than they have been for the last 30 years. That represents an incredible opportunity for universities on the south coast, including those in my constituency, but also for universities throughout the country.

The other benefit of our 2011 reforms was our ability to lift the cap on student numbers to ensure that all those who were qualified to go to university had the opportunity to do so. They also gave people from disadvantaged backgrounds and minority-ethnic communities a greater opportunity to go to university, and I am pleased that other Members have mentioned that record numbers now do so.

In the final two minutes left to me, I want to highlight the Opposition’s record, given that this is an Opposition day. Others have pointed out that the proposals and policies articulated during the election were unrealistic, but I want to explain why they were unaffordable as well. It has been mentioned that writing off student debt was an important element of Labour’s proposals, and I am sure the whole House will acknowledge that it would increase our national debt by about 5% of GDP.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Will the hon. Gentleman give way?

Alan Mak: I will not, because of the shortage of time. I want to make some more progress.

Writing off student debt would also add at least £3,500 to the household budget of every family in the country. I will now give way to the hon. Gentleman.

Lloyd Russell-Moyle indicated dissent.

Wes Streeting: He has finished.

Alan Mak: If the hon. Gentleman does not want to intervene, I will continue.

As I was saying, the policies articulated at the time of the election were not only unrealistic but unaffordable. They would have added to the national debt and burdened future generations with their own debts, but they would also have choked off our higher education system from the essential funding that it needs. That is why I support the regulations. They are reasonable, they bring extra resources into the higher education system, and they sensibly and reasonably allow fees to be increased in line with inflation to ensure that, in real terms, the system is protected. Students and their parents, employers and universities want a fair and reasonable system that provides both wide access and sustainable funding, and I therefore urge the House to support the regulations.
6.29 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): In a few short weeks’ time, students up and down the country, including at the University of West London in my seat, will be going back for a new term. This is supposed to be an exciting time, but it is also an anxious one, because the fee regime they have been subjected to is continually changing by stealth. I am not just talking about the trebling since 2010; even since I have been an MP in the last two years we have seen many shady changes. This week, people have been discussing Henry VIII powers—the things done by shady Committees upstairs, rather than on the Floor of the House—but we have seen that in what has happened to student fees since 2015 as well, with the convenient cover of the teaching excellence framework, which seems to be another way to inflate fees. The worsening terms people are on means their repayments have gone up since they took out these loans; that is moving the goalposts after the game has started, which is very odd.

This £250 increase might look small, but, as has been pointed out, that is for three years, so we times that by three. There is also the monstrous interest rate of 6.1%. So if we add that up, we are looking at increases of thousands and thousands over a lifetime. Even if there is no upfront payment, our fees in this country are higher than those of any of our near neighbours. In France, across the channel, the fee is only a couple of hundred euros, while those in Norway, Denmark and Austria pay nothing at all.

We are seeing £9,000 turn into £9,250; when is it going to be £10,000? It seems that with this Government the sky is the limit. It is no wonder that the Institute for Fiscal Studies puts the average student debt at £50,000—we have heard a figure of up to £58,000, and 75% of it is never going to be paid back.

Proponents of fees often say that this is something for the future and is not paid back until the person is earning £21,000, and that there is a 30-year period so that it can be written off and never paid back, but this is affecting students now. There has been a fivefold increase in 10 years in students presenting with mental health problems, and a record number of suicides. The reasons people give are exorbitant housing costs and debt.

When we reduce everything to a cost-benefit analysis, we take out those kind of human stories and the greater good that education can do. People always say that graduates will earn more over their lifetime, but matters beyond the cost-benefit analysis are frozen out of the figures. When we just look at bald admission figures, we neglect to look at the number of dropouts, which is rocketing, and we neglect to look at the number of non-traditional students, which is going down. There are 61% fewer part-time students since 2010, and 39% fewer mature students. If we want to democratise our education, we are going in the wrong direction.

How this has been done is all wrong as well. If the Student Loans Company was a normal lender, it could be referred to the Financial Conduct Authority for mis-selling because these retrospective changes to terms and conditions would not be allowed for any normal lender—we know that the SLC is not a normal lender. Again, we heard all the arguments on Monday about Henry VIII powers and shady processes by statutory instrument, but that is precisely how these things were done in 2015; I remember that my hon. Friend the Member for Ilford North (West Streeting) and I were present.

It has been said that overview and scrutiny have been sacrificed. As it is now, the sector is reeling from Brexit, with the effect on the number of EU students and staffers and access to the grants regime, and all the funding is going. The same process by which that was rammed through this House earlier this week has been followed here. It was smugged in, too, in the 2015 autumn statement. All students should have been told properly—in the small print, exactly, like the WASPI women; this reminds me of those valiant 1950s women who were never informed and things kept changing. I have just seen that I have only 47 seconds left—no way.

The Democratic Unionist Party used to have an anti-fees policy, and even the current Secretary of State for Exiting the European Union, the right hon. Member for Haltemprice and Howden (Mr Davis), has said that he worries about this. In 2010, he joined us on this side—I was not here then. He said that he was worried about what this would do to student mobility. I urge all right-minded people on the Conservative Benches to join us in the Lobby. The election has changed everything, and the Government need to think again.

6.34 pm

Mike Wood (Dudley South) (Con): I should like to add my congratulations to the hon. Member for Birmingham, Edgbaston (Preet Kaur Gill) on a fine maiden speech. Many of us remember her predecessor with much fondness.

Like the Secretary of State, I was the first in my family to go to university, thanks largely to Conservative Governments in the 1980s and ’90s raising participation rates from about one in eight to about one in three. That is why, by the mid-1990s, I found myself campaigning against proposals to introduce tuition fees for the students who would come after me. I feared that prospective students from disadvantaged and lower income backgrounds would be put off from going to university and prevented from having the opportunities that I was enjoying. Indeed, I was so convinced of this that I even voted for the hon. Member for Norwich South (Clive Lewis) in at least one of his bids to become president of the National Union of Students.

However, it soon became clear to me that those fears, however genuinely held they were at the time, were wrong. I am pleased that they were wrong. It is great that we have seen increasing levels of participation and an increasing proportion of students from lower income families and other disadvantaged backgrounds going to university. We saw the same fears being expressed in 2004 when Tony Blair’s Government trebled tuition fees, and again in 2011 and 2012. They have again been proven wrong. Young people from our poorest areas are something like 43% more likely to go to university than they were seven years ago. The hon. Member for Ealing Central and Acton (Dr Huq) referred to drop-out rates, but those rates have fallen in the past few years, following years of increases. Similar figures apply to those from other disadvantaged backgrounds. Part of the reason for this is that the new system means that new graduates in particular are paying back less at a time when they
are trying to set up a home, get a mortgage and start a family. Their repayments might be £45 a month, or £540 a year, lower than they would otherwise be paying. Measured on affordability, mortgages therefore become more, rather than less, affordable.

We are prone to having world-class universities, and we have many universities around the country that are doing genuinely innovative research and promoting first-class teaching in many areas. However, those universities and that teaching must be paid for. If we accept that, it is surely right that those who benefit the most from higher education should also contribute the most. Statistics show that a male graduate is likely to be about £170,000 better off over the course of their career; the figure for a female graduate is around £250,000. We can see that the people who benefit by far the most are the graduates themselves. Under the present system, people contribute more towards the cost of their education as they earn more. Indeed, those who are right at the top of the scale are contributing more to the cost of other people’s university education. That is a rather progressive measure that, in other circumstances, the Opposition might actually be tempted by.

Without the measures in the statutory instruments, the value of the funding going to universities would be reduced from £9,000 in 2012 to just under £8,500 now and to £8,000 by the end of this Parliament. That would be a big loss to our universities. If funding were to become available, and given that the extra £250 would be paid only by those on the very highest incomes—those currently paying the full loan repayment—it would surely be better to consider repayment thresholds.

6.39 pm

Faisal Rashid (Warrington South) (Lab): It is my pleasure to speak in this important debate and follow the hon. Member for Dudley South (Mike Wood). I congratulate my hon. Friend the Member for Birmingham, Edgbaston (Preet Kaur Gill) on her excellent maiden speech.

Madam Deputy Speaker, I have been in the Chamber for over seven hours now. I wanted to speak in the earlier important debate on NHS pay and did not get a chance due to the shortage of time and the number of interventions. I have one and a half minutes at the moment, so I do not know how much I can say, but there is plenty that I wanted to say.

Since 2010, under successive spans of Tory rule, students have repeatedly been held back by Government policy. It was a Conservative-led Government who trebled tuition fees to £9,000 in 2012, with the help of the Liberal Democrats. It is a Conservative Government who have frozen the student loan repayment threshold at £21,000; a Conservative Government who introduced the extortionate 6.1% interest rate on student loans; a Conservative Government who abolished the maintenance grants that were a lifeline for many of the poorest students. And most recently, of course, it was a Conservative Government who snuck out a written statement on the final day before summer recess which allowed universities to further raise tuition fees to £9,250 per year.

Thank you for letting me speak, Madam Deputy Speaker.

6.40 pm

Gordon Marsden (Blackpool South) (Lab): We have had a very good debate with some excellent contributions from both sides of the House. Obviously, I want to single out one or two of the contributions—my hon. Friend the Member for Newcastle-under-Lyme (Paul Farrelly) said we had to look at student support in the round; and my hon. Friend the Member for City of Durham (Dr Blackman-Woods), spoke about the way in which Government were saddling people with debt.

I had to agree with the hon. Member for Glasgow North West (Carol Monaghan), who made the important point that there was no sense of public space or public good in anything the Secretary of State said in her speech. There was no sense of the contribution made to the local economies that people work in or the ideas and productivity they develop.

The right hon. Member for Harlow (Robert Halfon), the Chair of the Education Committee, in a characteristically thoughtful speech echoed the concerns that we have had about graduate outcomes and some of the issues around vice-chancellors’ fees.

My hon. Friend the Member for Birmingham, Edgbaston (Preet Kaur Gill), in a superb speech, emphasised not just her pride in her Sikh heritage but the multi-ethnic pride in both place and context of her constituency in Birmingham. She spoke movingly about the concerns of the NHS and specifically addressed the issues of student debt and graduates’ sense of public duty.

My hon. Friend the Member for Liverpool, West Derby (Stephen Twigg) was right to focus on the evidence base, especially the academic evidence in respect of the lower numbers of part-time students in the Russell Group. My hon. Friend the Member for Kingston upon Hull West and Hessle (Emma Hardy) reminded us that debt was incurred from day one. My hon. Friend the Member for Sheffield Central (Paul Blomfield), who did superb work on the Higher Education and Research Bill with me and my other colleagues, said that when we had our Opposition Day debate in 2016 we were right to focus on maintenance grants.

My hon. Friend the Member for Ealing Central and Acton (Dr Huq) spoke about the statistics failing to convey—indeed, freezing out—the human stories of the results of the pressure of debt. My hon. Friend the Member for Warrington South (Faisal Rashid), who stoically stayed all the way through both of today’s debates, reminded us that it was the Conservatives who had systematically stripped away many of the benefits that were given from 2012.

I want to make brief comments—they will be brief because, unfortunately, I see the Secretary of State is not in her place. She equivocated on an emergency cap that were given from 2012.

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I want to make brief comments—they will be brief because, unfortunately, I see the Secretary of State is not in her place. She equivocated on an emergency cap on student numbers—another policy that exists only in the minds of the Government. In fact, she said, “if we are not willing to fund the system, there can be fewer people in it.”

But the Secretary of State ignores the fact that we would be replacing, pound for pound, the actual outlay of the Student Loans Company. Also, when talking about so-called record numbers of students in our universities, she ignored the fact that UCAS figures showed applications actually down 4%.
The context of the debate and all the Government's procedural shenanigans were eloquently explained by my colleague the shadow Secretary of State, in a superb speech. She also made the point that the Minister for Universities, Science, Research and Innovation, the hon. Member for Orpington (Joseph Johnson), who spoke in the Standing Order 24 debate in July, did not take account of what his namesake, Alan Johnson—there the comparisons end—the Minister in 2004, said about what we should be doing. The effect of annualling the fee increase would do something immediately. For reasons that I will go into, we know that the Government have already performed twists and turns over where they think they might be going, but the fact is that the cumulative effect of Tory Ministers’ actions since the tripling of tuition fees in 2012 has been socially and economically destructive.

Ben Lake (Ceredigion) (PC): Will the hon. Gentleman give way?

Gordon Marsden: Owing to the time left, I will not.

Two recent reports from OFFA and the Social Market Foundation point to growing drop-out rates, especially among students from disadvantaged backgrounds. The most recent Sutton Trust survey shows the poorest stats on school students planning for HE in eight years. The Government have not hobbled just one generation. The tumbrel of ever-rising fees has hit not only the young, but people of the second age and even the third age. I warned to the hon. Member for Aldridge-Brownhills (Wendy Morton) for her positive words about her Open University experience, but the fees were a fraction of what they are today when I was teaching and when she was studying. The Open University has been badly hit by this process.

We must also remember mid-life issues, which is why the University and College Union’s 20 July report suggested that things would get radically worse with the ninefold increase in inflation. Who knows where we are going from the 6.1% interest rate? None of this exactly hangs by this process.

Ben Lake (Ceredigion) (PC): Will the hon. Gentleman give way?

This problem is not just an English thing; it is a British problem, affecting not only English students, but students from Scotland, Wales and Northern Ireland who have chosen to study in England. They, too, will be hit by this unjustified and regressive increase. In 2015-16, 28,730 Welsh students were studying in the UK, alongside 9,505 Scottish students and 11,745 Northern Irish students.

Rising fees might have been a coherent defence but, as MillionPlus has said, there has been no direct grant available for university courses in so many subjects since 2014-15. There is an alternative, however. It that was overturned by the Labour party at the last general election, but I will not repeat the eloquent pledges of my hon. Friend the shadow Secretary of State. Instead of reversing the changes on grants, the Government have just ploughed on regardless. They are wedded to an outdated market-driven Thatcherism that is stuck in the late 20th century. They do not understand the changes of the 21st century or issues relating to our international competitors. In that respect, the Universities Minister has shown a degree of arrogance and complacency in failing to adjust. He pins his hopes on an explosion of new private providers while the threats to our existing world-class HE system are piling up all around him. That system, local economies and the UK economy will suffer if there is no change in this Government’s addiction to these dangerously outdated models.

The Government are now panicking. A recent YouGov poll found that only 9% of 18 to 24-year-olds trust the Tories on education. As we have heard, the Chancellor and various others are tearing their hair out and scurrying around, trying to find quick fixes. Rachel Sylvester said in The Times this week:

“The Tories have smothered their own charm offensive at birth. It is the sense that their future is being stolen from them that has really fuelled the youthful rage against the ascent of the gerontocracy.”

That reminds me that the Government Chief Whip’s tarantula is called Cronus. Cronus is identified in Roman mythology as Saturn, who devoured his own children, so it is appropriate that that should apply to the Chief Whip and the Front-Bench team.

As I said, the tumult of ever-rising fees has hit everybody. This Minister and his colleagues are so besotted with the mantras and clapped-out ideologies of late Thatcherism that they have failed to see that nudge has become throttling for graduates. The list of their supportive groupies is shrinking and the evidence of dysfunction and short-termism is there to see. There is no narrative or strategy except the cobbled together of a minority Government of diminished expectations and little vision outside the coteries of private advantage. They have traditionally praised Benjamin Disraeli’s one-nation Conservatism. Perhaps they should remember what he said about Gladstone’s Ministers the year before they were defeated in a general election:

“Behold a range of exhausted volcanoes. Not a flame flickers on a single pallid crest.”

Well, there they sit, the 21st-century Theresa May versions of Disraeli’s exhausted volcanoes.

We see that all around. We have set the vision. We have raised the parity of esteem. We have proposed a national education service. We have put those things forward. We are acting anew when the Government are stuck in the past. Acting anew means acting today to move past this ridiculous situation and to cut the fees, as we have proposed. I urge the House to approve the motion this evening.

6.50 pm

The Minister for Universities, Science, Research and Innovation (Joseph Johnson): We have heard many excellent speeches this afternoon, particularly a splendid maiden speech by the hon. Member for Birmingham, Edgbaston (Preet Kaur Gill). That she is the first Sikh woman MP, and that she represents the constituency in which her father once drove the number 11 bus, is a powerful demonstration of the social mobility that all Members of this House want actively to promote. That theme of social mobility goes to the heart of this debate.

The Government aim to achieve an outstanding system of higher education that is open to all who have ability to learn and to benefit from it, and one that is
fair to those taxpayers who do not directly benefit from higher education yet who are asked to contribute to its costs.

Going to university, as we have heard from many Members this afternoon, is a truly transformational step for young people, which is why this Government are truly proud of our record on increasing participation in higher education. We are ensuring that more people from disadvantaged backgrounds can share in those life-changing benefits than ever before. The entry rates of young people, including the disadvantaged, have reached record levels. Those are the foundations for improving social mobility, and the Government are committed to continuing that positive trend.

The regulations that the Labour party seeks to oppose are essential to the financial sustainability of our universities. They will help our universities deal with the erosion of their fee income brought about by inflation. Fees have been frozen in cash terms since 2012 and, as my hon. Friend the Member for Bournemouth West (Conor Burns) said, £9,000 in 2012 will be worth just £8,000 in 2020. Clearly fees cannot be frozen forever. We cannot come back here in 10 or 15 years’ time with fees still frozen at the current rate, not if we want a sustainable university sector that delivers on social mobility and other economic outcomes.

Indeed, the principle of preserving the real-terms value of university fees was central to the fee regime that the Labour party introduced in 2004, which allowed for regular increases to keep pace with inflation. This Government remain committed to a funding system that provides a fair deal to students while ensuring that universities are sustainably and properly financed, which is why, under these regulations, we are allowing providers to maintain their fees in line with inflation only if they can demonstrate that they are providing high-quality teaching and student outcomes. We are therefore imposing a higher standard and a greater degree of conditionality on universities than the Labour party put in place more than a decade ago.

Wes Streeting: If everything is so bright and rosy, why have we had an entire summer of parents and students complaining about fees going up when they have not had a better service? They are concerned that, although the Minister argues that inflation has kept funding down, vice-chancellors’ pay has rocketed. How can we shake him out of that complacency?

Joseph Johnson: We are determined to secure good value for money for students and taxpayers who are investing in the system. That has been at the heart of our reforms. As the hon. Gentleman knows from being a dedicated member of Committees that have scrutinised our reforms in various ways, we are securing the value for money that will ensure that students and taxpayers feel the system is delivering for them and for their needs.

The sector has made it clear that an inflation-linked fee cap is essential for our universities to maintain and improve on their current high standards and to prosper in the long term. Gordon McKenzie, the chief executive of GuildHE, made that clear recently when he said that “fees had to rise by inflation at some point and it was fairer for students if those rises were linked to an assessment of quality.”

The Government’s policy is that fee caps should be linked to the quality of teaching, as we are doing in these regulations, and it is counter to Government policy for fee caps to rise in any other circumstances.

Wendy Morton: As the Minister will be aware, the OECD has said that the UK is “one of the very few countries that has figured out a sustainable approach to higher education financing”. Does he agree that Labour’s approach risks undermining that sustainability?

Joseph Johnson: Yes, I certainly do. To see that, we only need see what the OECD said yesterday in its latest report on global education systems. Andreas Schleicher, its eminent director, once again gave a ringing endorsement of the sustainability of our higher education system and pointed out that the way we have been successful in sharing the costs of funding the system between individual students and the general taxpayer has enabled us to meet rising demand for higher education and to lift the student number controls, which have been holding back young people from disadvantaged backgrounds for so long.

Chris Elmore (Ogmore) (Lab): I am grateful to the Minister for giving way—he has more courtesy than the Secretary of State. I am not arguing with what he is saying, but I wish briefly to talk about the Welsh system. What the Government are ignoring is the grant system the Welsh Government are introducing. It is a shame the Secretary of State could not have taken my intervention—I think this was something to do with being cowardly and ignoring the statement of what the Welsh Government are doing.

Joseph Johnson: I am grateful to the hon. Gentleman for raising the issue of the Welsh model. Interestingly, it is a Labour Government in Wales who now have the highest tuition fees of any part of the United Kingdom; the Welsh Government will be having fees in the next academic year of almost £9,300, as compared with the £9,250 we are proposing. He mentioned grants, so let us turn to that issue. The cost of mapping over the Welsh system to England would be more than £5 billion, so I challenge Labour Members to say exactly where they are going to find that extra £5 billion, on top of the £12 billion they are already going to be spending to abolish tuition fees and the £100 billion they are going to need to find to wipe off the student debt. So let us perhaps not hear any more about the Welsh model.

Let us turn to widening participation, which has been one of the signal achievements of our reforms. Alongside incentivising improvements in teaching, the Government’s policies on student fees have allowed us to lift the student number cap, which is allowing more people than ever to benefit from a university education. The Leader of the Opposition, who has just joined us, stated in July:

“Fewer working-class young people are applying to university.”

I invite him to intervene if he wants to stick by that statement. Apparently, he does not. It was outrageous and false, and it is a disgrace that he has not corrected himself. In 2016, disadvantaged 18-year-olds were 43% more likely to go to university than they were in 2009 and they were 52% more likely to go to a high-tariff university.
Jeremy Corbyn (Islington North) (Lab): Drop-out rates—

Joseph Johnson: The Leader of the Opposition asks about drop-out rates, so he will be interested to know that across all categories—young, mature, disadvantaged, and black and minority ethnic—those are lower now than they were in 2009 and 2010. He should look at the statistics before he challenges the Government’s record on widening the participation and attainment of people from disadvantaged backgrounds. Labour’s proposal to remove fees—

Mr Alan Campbell (Tyne and Wear) (Lab): claimed to move the closure (Standing Order No. 36).

Question put forthwith, That the Question be now put.

Question agreed to.

Main Question put accordingly.

Question agreed to.

Angela Rayner: On a point of order, Madam Deputy Speaker. The vote we just had reflects that it is the will of this House that the increase in tuition fees be reversed. As was mentioned in the debate, it has taken far too long for the House to have the opportunity to vote on this issue. Now that it has, more than eight months since a motion to annul the regulations when they were first tabled, it has voted unanimously to revoke them. I seek your guidance, Madam Deputy Speaker, as to how I may secure an undertaking from the Secretary of State that she will immediately give effect to the will of the House to see the opinions of everybody present? My understanding is that that would be possible if the House agrees to a motion that revokes legislation, how can the Government just carry on as though nothing has happened?

Madam Deputy Speaker: As I have said, the situation this evening is that the House has expressed a view about the regulations, and, as I have said, it is up to the Secretary of State to decide how to proceed. The hon. Gentleman might wish to pursue the matter in business questions tomorrow.

Kevin Brennan (Cardiff West) (Lab): On a point of order, Madam Deputy Speaker. Some reports on social media say that it is the Government’s intention not to participate in any Divisions on Opposition day motions for the rest of this Parliament. Would it be possible under the normal voice and vote provisions of “Erskine May” for hon. Members of this House to vote no in an acclamation, but to vote in the opposite Division Lobby should there then be a Division, thereby enabling the House to see the opinions of everybody present? My understanding is that that would be possible if the Government continued with that line.

Madam Deputy Speaker: It is not a matter for the Chair how Members individually or collectively choose to vote. At the moment, this is rather a hypothetical question. However, this is something that hon. and right hon. Members might like to raise at business questions tomorrow.

PETITIONS

Bangor-on-Dee Post Office

Susan Elan Jones (Clwyd South) (Lab): I rise to present this petition about Bangor-on-Dee Post Office. I really hope that the Government and the Post Office will take note of what is happening here and in other rural communities right around the country.
The petition states:

The Petition of residents of Clwyd South,
Declares that Bangor-on-Dee Post Office is a central part of the community and that the services it offers are invaluable; and further that it’s closure will mean the loss of vital Post Office and banking services which will have a catastrophic effect on the rural community currently served by Bangor-on-Dee Post Office. The petitioners therefore request that the House of Commons urges the Government to make provisions to ensure that Bangor-On-Dee Post Office remains open and available for use by the community.

And the petitioners remain, etc.

The Redwell fields, Wellingborough

7.8 pm

Mr Peter Bone (Wellingborough) (Con): I rise to present a petition on behalf of the Save our Park campaign. It has more than 800 signatures. My role in this is to present the petition on behalf of my constituents to get their voice heard. The body deciding the issue is the borough council of Wellingborough and I would not want to express my own personal opinion on the issue. The petition is presented by Anne Coles, Suzanne Saunders and Jeremy Gold.

The petition states:

The Petition of residents of Wellingborough,
Declares that the petitioners strongly object to the building of a 3G sports pitch on Redwell Field open 8am until 10pm weekdays and 8am until 8pm weekends; further that the location is wrong; further that our field is for recreation, dog walking, wildlife, free football and cricket, running and other sports; further that it is a place where families relax in a quiet pleasant residential area; further that the planned 3G sports pitch will mean that the petitioners’ children have nowhere to play; further that the residents will suffer noise, traffic, light pollution and other inconvenience; further that the pitch will spoil the character of the area; and further that the park should not be spoiled. The petitioners therefore request that the House of Commons urges the Government to urge Wellingborough Council to reject the planning application of a 3G sports pitch on Redwell Field.

And the petitioners remain, etc.
Employment Tribunals

Motion made, and Question proposed. That this House do now adjourn.—(Andrew Stephenson.)

7.10 pm

Mike Penning (Hemel Hempstead) (Con): I will raise the case of a constituent that has far-reaching concerns for those across the House. I have been joined by my right hon. Friend the Member for Basingstoke (Mrs Miller), who will probably intervene. The subject of the debate is an unfair dismissal tribunal.

My constituent Anna Hardie came to see me at my surgery. Her husband had been ill for some time. She was very worried because he was really stressed at work—I will not, in any way during this short debate, say who would have been right and who would have been wrong should the case have got to a tribunal for unfair dismissal—so they eventually decided as a family that he would leave that employment.

The family had financial commitments so Anna’s husband, Gordon, first wanted to get back into work. Then, Anna told me, they wanted to claim for unfair dismissal. Anna believed that they had actually submitted a case for unfair dismissal. It was a difficult time as her husband was very stressed and unwell when he came home from work, but she thought that that had happened. Gordon was 40 years of age. In January, he died of a heart condition, which Anna and some of the specialists feel was exacerbated by the stress.

Anna has a family and, as I am sure the Minister can imagine, it must have been an enormously stressful time for them. First they were worried about their finances and Gordon finding a new job, although he then found a new job. But they were still also worried about the tribunal. Then, of course, came the terrible situation of Gordon passing away at 40, which must have been absolutely appalling for the family. The autopsy clearly showed that he had an underlying condition, which is why he had been so tired and stressed when he came home from work.

Once Anna got her affairs together, she wanted to proceed with a constructive dismissal claim on behalf of her deceased husband. But when she went to the preliminary hearings, not only was she cross-examined by the company’s legal team—asking why she did not bring a claim, and the case was dismissed—without the judge hearing any evidence about what could have brought on some of the problems that led to Anna’s situation.

I am not going to say whether Anna would have won or lost if she had got to the tribunal—that is not for us to decide in this House. What we are looking for is fairness and natural justice, and what Anna wants is not just natural justice for her, although we would like to meet the Minister to see whether there is an opportunity to take her claim forward. She can appeal the decision, but if the appeal is based on the same criteria, and possibly in front of the same judge she was in front of in the first place, the logic is that she will not be successful.

Mrs Maria Miller (Basingstoke) (Con): My hon. Friend is making a compelling case for his constituent about the importance of access to justice. However, the case he makes about the time limit on accessing justice involves other groups of people as well, and particularly women who may be subject to discrimination at work and who may need to seek redress through a tribunal, but who have only three months to do that, when they may well be pregnant or have very small children. Does he agree that reviewing the three-month period could be an important thing for the Government to do?


Because the different tribunals have different rules, it is really difficult to find out whether someone’s exceptional circumstances will be accepted. One thing Anna and I discussed in my surgery is what would happen if someone had had a nervous breakdown, had been sectioned or had been in a road traffic accident and was not well enough to make a claim in time. Would the judge rule that those were exceptional circumstances, or would the person be time-barred?

One thing the Minister should look at is simplifying the process—I had a preliminary conversation with her earlier, and she was very generous with her time with me. We should ask why there are so many different rules on this. I was lucky enough to be a Minister in the Justice Department and the Department for Work and Pensions—I have been a Minister in lots of Departments, although not now—and there are different tribunals in each of them. I thought this was an issue for the Justice Department when I discussed it with my right hon. Friend the Member for Basingstoke, but it has ended up with the Department for Business, Energy and Industrial Strategy, because that is the right place for it to be.

However, if we are going to have tribunals and natural justice, and if we are going to get this right, we should move from three months to six months so that people have time to mourn or to get well before they have to bring a claim. Then we should give the judges proper, simple guidance about what the exceptional circumstances would be if someone needed to appeal outside that time.

Six months would limit things quite a bit. I know there are arguments that people might forget what went on or that the company would be left in abeyance, but that is not going to happen a huge amount of times. What we are looking for is fairness and natural justice, and our constituents have the right to feel that justice has fitted them. I am not saying that Anna would have won or lost, but she never had the opportunity to stand up for her husband, and now she wants to stand up for others. I hope the Minister will spend some more time with me after the debate so that I can introduce her to Anna.
More importantly, I hope the Minister can try to change the system. I know how difficult it is to change the system. I have been a Minister—my right hon. Friend was a Secretary of State—and I know how many brick walls will come up. The Chinese walls and everything will come up, and there will be a million and one reasons why we cannot resolve this, but there is one reason why we should—and that is Gordon Hardie, Anna’s husband.

Margot James: I do apologise to my right hon. Friend—and indeed to my right hon. Friend the Member for Basingstoke. Towards the end of the day, one forgets these terms, but they are important.

My right hon. Friend the Member for Basingstoke raised the issue of pregnant women or women who have just given birth and the time limit in respect of bringing cases to employment tribunals. She and I have discussed this in the past, and I am aware of the recommendations of her Select Committee, the Women and Equalities Committee, on this point. I can confirm that we are reviewing whether we need stronger protection against redundancy for pregnant women and women returning from maternity leave. We will consult on options in due course, and we would very much welcome her views during that process.

Mrs Miller: I warmly welcome my hon. Friend’s announcement, which will draw very positive comments from well beyond these walls. Could that review perhaps be extended to cover the points raised by my right hon. Friend the Member for Hemel Hempstead (Mike Penning), who has made a most compelling case for people who are in the particular circumstances that his constituent found herself?

Margot James: I thank my right hon. Friend, who makes a sensible proposal. I hesitate to make too much of a commitment based on one case, no matter how harrowing it is. I think I must first meet Anna, if I may call her by her first name, and my right hon. Friend the Member for Hemel Hempstead. However, I will certainly take the suggestion by my right hon. Friend the Member for Basingstoke into consideration, as we are indeed reviewing the position with regard to pregnant women and women returning from maternity leave.

I have not said much about bringing cases to employment tribunals, but the first step, of course, is for people to refer themselves to the arbitration service ACAS. The Government are committed to encouraging people to resolve their workplace disputes without the stress and cost of an employment tribunal. I reiterate that I am grateful to my hon. Friend for bringing this issue to my attention, because I was not aware of the impact that the difference in wording can have in cases such as that of his constituent.

Margot James: Although I said I could not comment on the details of the case, I must say, given what my hon. Friend says, that there are situations in which the law itself is insufficient to guide the behaviour of barristers in their work. I find myself very sympathetic to the concern and horror expressed by my hon. Friend.

Mike Penning: Can I just say that I have had the honour of kissing the Queen, so I am a right hon. Member? That might give the Minister a bit of time to find the right page. It is sometimes hard to do that; it has happened to me on more than one occasion. It was a great pleasure to have kissed the Queen’s hand.

Margot James: Was that a request for another intervention? Of course I will give way to my right hon. Friend.

Mike Penning: I thank the Minister for agreeing to meet my constituent. She has opened a Pandora’s box, because she has quite rightly said that she wants to see other evidence to show that this is not a one-off. I took advice, as she probably saw from the article in the Law Society Gazette, from eminent lawyers, including Kerry Underwood from Underwoods Solicitors, who is a specialist
in this area. She will find that not one, not two, but lots and lots of cases like this have been time-barred, when common sense and natural justice might have suggested that they should be allowed to go through.

**Margot James:** In the case that there turns out to be a substantial body of evidence, as my right hon. Friend has indicated, I am sure that it will be very persuasive. I suggest that he invites the relevant Minister from the Ministry of Justice to join our meeting, because responsibility for this matter is shared across two Departments. With that, I conclude my remarks and thank my right hon. Friend again for bringing this matter to the attention of the House.

*Question put and agreed to.*

7.26 pm

*House adjourned.*
Oral Answers to Questions

DIGITAL, CULTURE, MEDIA AND SPORT

The Secretary of State was asked—
Cultural Industries

1. Maria Eagle (Garston and Halewood) (Lab): What steps she is taking to protect the interests of cultural industries after the UK exits the EU.

Mr Speaker: I call the Secretary of State for Digital, Culture, Media and Sport.

The Secretary of State for Digital, Culture, Media and Sport (Karen Bradley): I think I may have upset you, Mr Speaker, by correcting you on Tuesday. The Government want to ensure the best deal for Britain on leaving the European Union and to provide as much certainty as we can. I have held a series of roundtable discussions within the cultural and creative sectors on the impacts and opportunities affecting them as a result of the UK’s exit from the EU. My Department remains committed to working closely with the cultural and creative sectors to ensure that their needs and views are understood.

Karen Bradley: Of course, those touring musicians tour wholesale, not just in the 27 member states of the European Union, and they have great expertise and experience. I was with the London Symphony Orchestra in Seoul earlier this year, for example. We have seen that the sector is very successful and that they can make a success of what they do throughout the world. I am, of course, mindful of the concerns about free movement. I had a meeting with the Minister for Immigration earlier this week. I will continue to make the point that we need as much flexibility as possible in the immigration system to allow those high-skilled, highly trained musicians to export their great success.

Damian Collins (Folkestone and Hythe) (Con): Does the Secretary of State agree with the former chairman of the Arts Council, Peter Bazalgette, who said in his evidence to the then Select Committee on Culture, Media and Sport that we should look seriously at maintaining our membership of organisations such as Creative Europe that have supported creative and cultural organisations in this country and are open to non-member states?

Karen Bradley: I am aware of those concerns, and the Department is looking carefully at them. Clearly, this is part of a negotiation, but we are looking carefully at the areas in which it is important that we continue membership.

Dan Jarvis (Barnsley Central) (Lab): European regional development fund money has helped Yorkshire’s film and TV industries to grow faster than those in any other part of the UK. What is the Secretary of State’s plan to ensure that that growth continues in Yorkshire when we leave the European Union?

Karen Bradley: I am well aware of that, and of course it was the Conservatives who brought in the original funding streams. It is important to recognise that in European structural funds, there are sometimes restrictions that do not work in the United Kingdom as we would want. We are looking carefully at how we make sure that we get funding in the right places, in a way that works for Britain.

Michael Fabricant (Lichfield) (Con): Of course, in 2021 we will be out of the European Union and we will have the Commonwealth games. May I thank my right hon. Friend for choosing Birmingham as the UK’s candidate to host those games? I hope that she will put pressure on the Chancellor of the Exchequer to ensure that he does what is needed. May I just say to you, Mr Speaker, to make it absolutely clear, that I will not be appearing on “Naked Attraction”?

Mr Speaker: Whether, if you were to do so, it would constitute a cultural industry is probably a divisible proposition in the House.

Karen Bradley: My breath is taken away by the very suggestion. I do not like to correct my hon. Friend, but 2021 will be the City of Culture year. I will not be making any further comments on that, given the shortlist. The Commonwealth games will be in 2022, and he will have heard the Prime Minister’s comments at Prime Minister’s questions yesterday, when she gave a very firm backing to Birmingham’s bid.

Brendan O’Hara (Argyll and Bute) (SNP): The UK’s creative and cultural industries have benefited greatly economically, creatively and culturally from being part of Europe for the past 40 years. That explains why 96% of the Creative Industries Federation voted to remain in the European Union. Other than assuring them that it will be all right on the night, can the Secretary of State tell me what she is doing to ensure that the creative and cultural industries will be able to access the talent and skills that they need from across the European Union? Does she agree that the UK staying in the single market, at least, is the best way to do that?
Mr Speaker: Too long.

Karen Bradley: As I have said, the creative industries are an enormous success story for the United Kingdom, but they take talent from the whole world, not just from 27 countries in the European Union. Of course I am very aware and mindful of the concerns about free movement, but we can learn a lot from the creative industries and the way in which they have been able to sell music, television, film and so on throughout the world.

Liam Byrne (Birmingham, Hodge Hill) (Lab): It is a great pleasure to be back on the Front Bench. I always knew there were going to be risks with growing a beard, and so it seems—here I am. I hope that the Minister for Digital, in particular, will find me a constructive critic over the years to come.

I need to ask about data protection this morning, because we cannot have strong cultural industries without strong data protection, and last week we saw Equifax lose the records of 44 million Brits. Of great concern to me is the fact that Equifax signed a multi-year, multimillion-pound contract with the Government in 2014 for debt recovery services. Equifax must not profit from the British Government until it is straight with the British people, so will the Secretary of State tell us today: do the Government remain a customer of Equifax, which Departments use Equifax, and which Departments have had their data exposed by Equifax? We need to know.

Karen Bradley: I am not quite sure how that relates to protecting the interests of cultural industries after the UK leaves the EU.

Mr Speaker: You are not the only one.

Karen Bradley: My right hon. Friend the Minister for Digital met the Information Commissioner yesterday specifically on that point. On the matter of data and leaving the European Union, the right hon. Gentleman will I hope welcome the position paper that we issued today: do the Government remain a customer of Equifax, which Departments use Equifax, and which Departments have had their data exposed by Equifax? We need to know.

Inward Tourism

2. Ben Bradley (Mansfield) (Con): What assessment she has made of trends in the level of tourism to the UK in the next five years.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (John Glen): Data from Visit Britain show that 2016 was a record-breaking year for tourism, with 38 million inbound visits, and the Government are working hard with Visit Britain and the sector more broadly to achieve the aim of 40 million visits per year by 2020.

Ben Bradley: Mansfield is the biggest and best town in Nottinghamshire, with a wonderful theatre, a nationally acclaimed museum and Sherwood forest on its doorstep, but we do not make the most of those assets. In fact, we do not have a single major hotel in the constituency. Will the Minister join me in commending the work of Mansfield Town football club, which is striving to bring such a hotel to the constituency, and will he offer the Government’s support in making Mansfield a tourist destination in the future?

John Glen: I commend my hon. Friend for his ambition, in his first three months in the House, and I certainly pay tribute to Mansfield Town football club. I would say to him and to all hon. Members that there are such opportunities, particularly looking at the Discover England Fund, which specialises in supporting tourism products outside London. I would draw his attention to that in the first instance.

David Hanson (Delyn) (Lab): North Wales has been identified as one of the places to go to in the world this year, and with Chester on our doorstep and Liverpool close by, we are a tourist destination of choice. When can the Minister give certainty about visas, or the potential for visas, for European Union citizens post the EU exit, because we service Ireland and we have many visitors from the mainland EU?

John Glen: I certainly recognise the many attractions of the right hon. Gentleman’s part of the world, and I visited Liverpool during the recess. With respect to visas, I will be having a roundtable discussion with many representatives from the tourism sector in two weeks’ time, and I will be looking to take this forward across the Government in the coming weeks.

Jeremy Lefroy (Stafford) (Con): Stafford has wonderful tourist attractions, not least the town centre, but also Shugborough and Weston Park. However, to get to Stafford from the M6, people have to come off at junctions 13 or 14, both of which are blighted constantly by lots and lots of litter. What can my hon. Friend do to persuade Highways England of the need to keep our major roads cleaner to attract more tourists?

John Glen: I have experienced that difficulty in my constituency, and I am very sympathetic to what my hon. Friend says. Perhaps I could have a conversation with him to work out where those particular spots are and approach Highways England to see whether we can get a resolution.

Christine Jardine (Edinburgh West) (LD): My constituency, Edinburgh West, is—like the rest of Edinburgh and much of Scotland—highly dependent on tourism. We have the new attraction of the bridge, Edinburgh zoo, the rugby and the world’s biggest international festival. Will the Minister assure me that he will press Her Majesty’s Treasury to take the same sort of initiative on lowering VAT for the tourism industry that our partners in the EU have done to support that industry and boost their communities?

John Glen: I thank the hon. Lady for her question. The Secretary of State and I visited Edinburgh during the recess, and we saw the many attractions, particularly the festival. I certainly listen very carefully to representations from across the tourism sector about what we can do to encourage more visitors, and I take her point on board.
ATMs: Listed Phone Boxes

3. Mr Ranil Jayawardena (North East Hampshire) (Con): If she will make it her policy to allow the installation of community ATMs in listed phone boxes without their having to first be de-listed. [900836]

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (John Glen): Amending the listed status policy in the way that my hon. Friend suggests will not be possible, but the installation of community ATMs in listed phone boxes is possible provided listed building consent is granted by the relevant planning authority.

Mr Jayawardena: I thank my hon. Friend the Minister for that clear answer. BT provided a phone box cashpoint in Odiham in my constituency, and I have asked it to do the same in Hartley Wintney, but it is restricted by the listed status there. Will my hon. Friend meet me to discuss how the community benefit can be delivered either through amendments to the listed status or through other measures, which could prevent the boxes from being removed in future?

John Glen: I commend my hon. Friend on his determination to get this sorted. I will work with him and the residents of Hartley Wintney to look at what the local authority can do, because it is the prime mover and can provide the listed building consent that he seeks.

Public Service Broadcasting Contestable Fund

4. Mr John Whittingdale (Maldon) (Con): What progress her Department has made on establishing a public service broadcasting contestable fund. [900837]

The Minister for Digital (Matt Hancock): As part of the BBC charter review, the first part of which took place under my right hon. Friend’s wise leadership, the Government committed to establish a pilot for a new contestable fund. The Government’s consultation closed earlier this year, and we will publish the response and next steps in due course.

Mr Whittingdale: While I recognise the BBC’s huge contribution to public service broadcasting, does the Minister agree that some TV genres are underserved and that a public service broadcasting contestable fund could increase competition and innovation? Will he confirm that the Government intend to go ahead with a pilot in due course?

Matt Hancock: Yes, I agree with everything my right hon. Friend said, and I can confirm that that pilot will be going ahead.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I love the BBC, even though Sarah Sands, the new editor of the “Today” programme, and Nick Robinson seem to be destroying that programme at the moment. I therefore start with a prejudice, but when I look at the sort of deals that have always been favoured by Conservative Members who want to privatise by the back door, I see MediaCom, Singapore and the black hand of international companies such as the Murdoch empire.

Matt Hancock: I normally think the hon. Gentleman is sensible, but today he seems to have avoided that. The contestable fund is about ensuring that we have a great diversity of success in broadcasting in our nation. As for the “Today” programme, I thought Nick Robinson’s broadcasts from Silicon Valley yesterday were superb. They were all about the interesting changes that are going on in the world and the economy due to artificial intelligence and digital. I thought that was another excellent direction for the BBC to be taking.


National Trust

6. Kelvin Hopkins (Luton North) (Lab): What recent discussions her Department has had with the National Trust on its stewardship of places of cultural value and heritage. [900839]

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (John Glen): My Department has regular conversations about shared interests with the National Trust, such as conservation, participation and world heritage. I will be meeting Dame Helen Ghosh, director general of the National Trust, next month.

Kelvin Hopkins: I thank the Minister for his answer. I should say that I am a member and a supporter of the National Trust. I must ask, however, whether the licensing for trail hunting on National Trust land is consistent with his aim of preserving and protecting historical places and spaces, considering the growing evidence of illegal hunting, particularly under the false alibi of trail hunting, and the damage that can cause.

John Glen: That is certainly a matter I will need to raise with the director general of the National Trust. Such matters are for National Trust members, and the National Trust has its own policies in place. I believe that a resolution is going to its annual general meeting in the autumn. This is a matter for it to resolve.

Steve Double (St Austell and Newquay) (Con): I thank the Minister for his recent visit to Cornwall. I am pleased to be able to confirm to the House that the Minister is a fine figure of a man when wearing a wetsuit. On his visit, I am sure he will have learned that Cornwall has a disproportionately high number of National Trust properties, many of which are kept going not just by the paid staff but by an army of volunteers. Will he join me in paying tribute to those volunteers and thanking them for their excellent work in maintaining our National Trust properties?

John Glen: I thank my hon. Friend. I do not know about my bodyboarding, but I certainly enjoyed visiting Watergate Bay, which is a fine destination in Cornwall. Volunteers across so many cultural, arts and heritage organisations do a wonderful job. It is great that they can contribute and offer so much up and down the country.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): Alongside the National Trust, the Minister will be aware of the press coverage over the weekend about a number of high-profile charities that own seats in the Albert Hall. Trustees of those charities have been selling
those seats at a very high price. That is a despicable practice; it is no way for such charities to act in a modern society. Will the Minister support the Charity Commission in their attempts to resolve this long-standing and complex issue.

**EU Withdrawal Negotiations**

7. **Deidre Brock** (Edinburgh North and Leith) (SNP): What discussions she has had with the Secretary of State for Exiting the European Union on her departmental priorities for the negotiations on the UK’s withdrawal from the EU.

**The Secretary of State for Digital, Culture, Media and Sport (Karen Bradley):** I have regular discussions with the Secretary of State for Exiting the European Union on a range of issues affecting Departmental priorities in the context of leaving the EU.

**Deidre Brock:** Once again, the Edinburgh festivals were adversely affected this year by UK Visas and Immigration decisions that blocked performers from attending. Will the Secretary of State make representations to the Brexit Secretary that freedom of movement should be maintained after the UK leaves the EU, so that EU performers do not face the same difficulty getting to the Edinburgh festivals—and other festivals—as performers from elsewhere in the world already face?

**Karen Bradley:** As I said earlier, I visited the Edinburgh festival—as did the Arts Minister, the Under-Secretary of State for Digital, Culture, Media and Sport, my hon. Friend the Member for Salisbury (John Glen)—this summer and I had a fantastic time. I was not aware of any issues with the UKVI blocking performers, but perhaps the hon. Lady can write to me on the specifics. She is talking about a situation where we already have free movement, so I am not sure how that particular issue affects leaving the European Union. All I would say is that I am mindful of the concerns about free movement and want to make sure we have as flexible a visa system as possible for performers from throughout the world.

**Paul Farrelly** (Newcastle-under-Lyme) (Lab): As the Secretary of State will be aware, international broadcasters based in London are very concerned about Brexit and their future. They are already looking at relocating to continental Europe, which will affect jobs and investment. What steps has the Secretary of State taken to reassure those companies that they will not face a great switch-off on exit day?

**Karen Bradley:** I think the hon. Gentleman said broadcasters based in London. I am concerned about broadcasters based across the whole United Kingdom. I am, of course, aware of the concerns about the country of origin principle and I am working hard to ensure we get the most favourable deal for UK broadcasters, so that they can continue to thrive in the world-class industry we have at the moment.

**Kerry McCarthy** (Bristol East) (Lab): I hope the Secretary of State will be aware of the ongoing problems that UK musicians have trying to get visas to tour in the United States. Will she assure me that as well as addressing those problems, which I am told have got worse recently, we will not see a replication of them when we leave the EU, and that musicians will not have to have visas to travel and tour around Europe?

**Karen Bradley:** As I said, I met the Immigration Minister earlier this week. The experiences of UK musicians touring throughout the world are very important in helping us to design an immigration system that not only works for the 27 member states, but the whole world.

**First World War Commemoration**

8. **Luke Hall** (Thornbury and Yate) (Con): What plans her Department has to commemorate the first world war.

**The Secretary of State for Digital, Culture, Media and Sport (Karen Bradley):** The Government have delivered successful national commemorations marking the centenary of the outbreak of war on 4 August 2014, the battle of Gallipoli in 2015, and the battles of Jutland and the Somme in 2016. In July this year, we commemorated the centenary of Passchendaele, the third battle of Ypres, and I was fortunate to be able to attend. It was a moving occasion and my thanks go to all those involved in helping, including national citizen service graduates.

**Luke Hall:** Thornbury will be marking the centenary of the first world war by hosting south Gloucestershire’s Armed Forces Day for the first time. Will the Secretary of State consider visiting Thornbury to see the work that is being done and to meet and thank the volunteers who are working so hard to make that day a fitting tribute?

**Karen Bradley:** It is fantastic to see so many communities around the country commemorating world war one and having armed forces days for the first time. I pay tribute to Thornbury for that. I will, of course, look at my tours and see what I can do to accommodate it.

**Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): The Secretary of State will know that many of the poppies that surrounded the Tower of London to commemorate the centenary of the beginning of world war one are now forming a “poppy wave” over the old navy war memorial in Plymouth. Does the Secretary of State agree that the synergy of fantastic art by the artists Paul Cummings and Tom Piper, and sympathetic lighting, can be a way to reconnect war memorials with modern communities, especially young children?

**Karen Bradley:** The tour of the poppies around the country is one of the most wonderful things. They were in Hull for its City of Culture and next year they will be in Stoke-on-Trent, which I was very pleased to note as it is very important for the ceramic poppies to appear in the home of the Potteries. I agree with the hon. Gentleman that this is one of the most wonderful installations, which can be seen by so many people around the country.
9. Diana Johnson (Kingston upon Hull North) (Lab): When her Department plans to make an announcement on its review of fixed odds betting terminals.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): As I made clear in questions before the recess, there will be no further announcement on this matter before October.

Diana Johnson: I thank the Minister for reiterating that answer, but has she given any thought to the fact that the gambling industry is failing to meet the 0.1% donation suggested by GambleAware to help to fund research and the treatment of people suffering from gambling addictions? Will she now act on that?

Tracey Crouch: Of course I give this regular thought. That is a voluntary commitment from the gambling industry, but I have met GambleAware, and it is sometimes quite shocking to hear some of the stories. For example, one bookmaker—not a national bookmaker, I hasten to add—sent GambleAware a cheque for 1p as part of its contribution. That is not good enough. We have to consider the issue of gambling alongside that of social responsibility, and I would like the bookmakers to take responsibility for that.

Mr Speaker: Ah, yes: Hollobone on hockey.

Hockey

10. Mr Philip Hollobone (Kettering) (Con): If she will encourage greater participation in local hockey clubs.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): Not only do I support the continued investment of Sport England in grassroots hockey via England Hockey, but during the recess I put my own shins at risk, borrowed a stick and did a “back to hockey” session at a local club. While I was absolutely shattered, I loved it more than I ever did when I was at school.

Mr Hollobone: Will the Sports Minister join me in congratulating all the hard-working volunteers and talented players at Kettering hockey club on their brand-new astroturf pitches, which are located in the heart of Kettering and generously funded by Bishop Stopford School? The hockey facility is now the best in Northamptonshire.

Tracey Crouch: I would be delighted to join my hon. Friend in congratulating Kettering hockey club. A number of hockey clubs across the country are investing in their facilities to attract more people to participate in hockey.

Sport: Discrimination

11. Vicky Foxcroft (Lewisham, Deptford) (Lab): What steps her Department is taking to tackle discrimination in sport.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): It is a good job I am fit, Mr Speaker.

There is no place for discrimination of any kind in sport. All forms of discrimination are unacceptable, and the Government are committed to tackling it.

Vicky Foxcroft: Following the successful “This Girl Can” campaign, which encouraged an extra 250,000 women to play sport, it remains disappointing that those from working-class backgrounds are 13% less likely to take part in sport. Do the Government have a strategy for tackling that? If so, what is it, and is it properly funded?

Tracey Crouch: There is a stubborn gender gap in sports participation. We are addressing it through a variety of initiatives, including the “This Girl Can” campaign—although that is not the only thing; there are a number of excellent initiatives out there—and we are helping to shift the gender gap through investment in not only grassroots sport but in elite sport, in which we saw several successful women’s teams during the summer and beyond, which will inspire other women and girls to get involved in sport.

Philip Davies (Shipley) (Con): Will the Minister congratulate the people who organised the International Mixed Ability Sports rugby tournament in Spain this summer? As she knows, the first of those tournaments was held in Bingley in my constituency. The organisation wants to expand mixed ability sport, so that it covers many more sports, but it needs much more funding to do so. The Minister has given the organisation great support, but will she give it more support to get the funding it needs, so that more people can play mixed ability sport?

Tracey Crouch: That is a question from my hon. Friend that I can agree with.

It was a pleasure to meet the mixed ability sports rugby team about 18 months ago to discuss their tournament in my hon. Friend’s constituency, and I was pleased by their success over the summer recess. I would, of course, be happy to meet them again, and him, to discuss taking this forward.

18. Joan Ryan (Enfield North) (Lab): Will the Minister join me in congratulating the England team who took part in the women’s rugby world cup in Ireland over the summer? I watched them play and they were magnificent.

The organisation Sports Coach UK has said that one reason for lower participation rates in physical activity among black, Asian and minority ethnic women and girls, and women and girls in general, is that women are under-represented in coaching. What further steps are the Government prepared to take to provide tailored and targeted support to help to develop women coaches from BAME communities?

Tracey Crouch: I am happy to join the hon. Lady in congratulating the England women’s rugby team, and also, of course, the England women’s cricket team, who won the world cup as well. I was a coach in an all-girls football club, but I was the only female coach at that club, so I completely understand the point that she has made. The sports strategy sets out, very carefully, our wish
to see more female coaches. We need to ensure that mums who take their kids to sports events become involved, rather than just cheering the kids on in the background, and we have tried to address that through the implementation of the sports strategy.

14. [900847] Mr Marcus Fysh (Yeovil) (Con): Yeovil Town ladies football club has achieved great success. It has reached the Football Association’s Women’s Super League 1, and is inspiring girls and women throughout the south-west. What more can the Minister do to help it to continue to inspire?

Tracey Crouch: Yeovil Town is indeed an example of great success in women’s football, and I join my hon. Friend in congratulating the club on what it is doing. I also congratulate other female football clubs around the country that are doing their bit to inspire the next generation of girls to get involved in football.

Mr Speaker: While we are on the matter of congratulations, I hope that the whole House will want to join me in congratulating Jamie Murray and Martina Hingis on winning the mixed doubles title at the US Open.

Dr Rosena Allin-Khan (Tooting) (Lab): It has been a successful summer for British women in sport, and I hope that the Secretary of State and the Minister will join me in paying tribute to all the women who took part in sporting events on behalf of our nation. However, in recent months, a senior football manager has threatened a female supporter, the body that governs English rugby has refused to extend contracts to the women’s national team, a high-profile radio presenter has questioned the nationality of one of our own Wimbledon stars, and serious allegations have been made of racism in the England women’s football team. At this delicate time, women in sport need to know that discrimination will not be tolerated. Will the Minister update the House on what she and her Department have done in response to the four incidents that I have outlined?

Tracey Crouch: It is great to see the hon. Lady back after the summer recess. I know you will be shocked to learn, Mr Speaker, that, owing to a conspiracy, she and I were disqualified from the three-legged race during the parliamentary sports day. Thankfully a full inquiry is under way to relieve the shame on Parliament.

The hon. Lady raises some extremely serious issues. Obviously, I have been keeping abreast of them. I talk regularly to all the national governing bodies. We need to have best practice in place to ensure that there is no discrimination in any of those bodies and that such issues do not deter other women from participating in sport at either grassroots or elite level.

Heritage Sites

12. Rachael Maskell (York Central) (Lab/Co-op): What progress she has made on improving accessibility to heritage sites.

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (John Glen): My Department and arm’s length bodies are committed to ensuring that our heritage is protected for future generations and accessible to all. The Heritage Lottery Fund issues awards to projects that make heritage relevant to everyone, regardless of their personal background, and actively challenges grantees to reach beyond the traditional heritage audience.

Rachael Maskell: Clifford’s Tower in York is about to have a £2 million upgrade, but it will not be accessible to disabled people afterwards. It is 22 years since the passing of the Disability Discrimination Act 1995, yet heritage organisations hide behind the term “reasonable adjustments”. What is the Minister doing to ensure that heritage sites are accessible to everyone?

John Glen: I am familiar with the case that the hon. Lady mentions. Clifford’s Tower is a particularly difficult site to deal with, but I shall be happy to meet her to discuss her specific concerns, and I will take them to English Heritage directly, if that will help.

Rebecca Pow (Taunton Deane) (Con): On 21 October, the town of Wellington will celebrate the 200th anniversary of the laying of the foundation stone that commemorates the Duke of Wellington’s success at the battle of Waterloo. Although that wonderful monument, which can be seen from the M5, is accessible from the outside, the staircase on the inside is not, because the monument is undergoing a massive restoration project. Will the Minister join me in wishing all the people of Wellington well in the celebrations—in which I will take part—and does he agree that it is very important to restore monuments of such magnitude? That benefits not just local people, but those nationally and internationally, because such monuments are very important to our history.

John Glen: I congratulate my hon. Friend on her election to the DCMS Committee and endorse everything that she says on this matter. I will be looking at progress as these improvements proceed, and it was a pleasure to visit her constituency in the recess.

Topical Questions

T1. [900865] Julian Knight (Solihull) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for Digital, Culture, Media and Sport (Karen Bradley): As has previously been referred to, since the last oral questions, my Department has changed its name—the “D” in DCMS now stands for “Digital” in recognition of our responsibility for a massive and growing industry. We have also through the course of our questions mentioned many of the great successes of the summer: the Edinburgh festival, and the great sporting successes for England women’s cricket in the world cup, and the under-20s in the football world cup. I want to particularly mention, in addition to the others mentioned before, Chris Froome, who once again won the Tour de France and has secured a historic double by winning the Vuelta a España.

Please forgive me, Mr Speaker, but I do want to make another comment in this statement. On Tuesday I set out that I was minded to refer the proposed merger of 21st Century Fox and Sky on the grounds of genuine commitment to broadcasting standards, as well as media plurality. Yesterday I received letters on behalf of both parties to the merger confirming that while they disagree...
with my “minded to” decision, they would not be making substantive representations in relation to it. As a result, I can confirm that my “minded to” decision is now final, and I will now refer the merger to the Competition and Markets Authority for a phase 2 investigation on the grounds of media plurality and genuine commitment to broadcasting standards.

I will issue and publish my formal referral decision in the coming days. I will also publish the substantive representations I have received during this process shortly. From the point of referral, the CMA has 24 weeks—around six months—in which to investigate the merger and provide me with advice. I must then come to a final decision on whether or not the merger can proceed, including any conditions that will apply in order to do so. I hope you will understand, Mr Speaker, that I did want to put this to the House before anyone else, which is why I have extended this statement accordingly.

Mr Speaker: Of which the Secretary of State was courteous enough to notify me in advance, and I am very content with that—it is in the interests of the House, as it also is that the shadow Secretary of State, the hon. Member for West Bromwich East (Tom Watson), should have some modest latitude in his interrogation.

Tom Watson (West Bromwich East) (Lab): Does the Secretary of State believe our gambling laws are fit for purpose?

Mr Speaker: Order. The comprehensive character of what the Secretary of State had to say was such that I included the hon. Member for Solihull (Julian Knight), and he might be feeling discriminated against, which would be a sadness. So before we hear from the hon. Member for West Bromwich East, we shall hear from Mr Knight—let’s hear it man.

Julian Knight: It will be worth waiting for.

The west midlands creative industry punches well above its weight, yet over the years we have seen poor investment from the BBC and, to a lesser extent, ITV. Is there not a great opportunity for Channel 4 to make use of our diverse communities and talent, blaze a trail, and relocate to the west midlands?

Karen Bradley: I would not wish to say where might be a suitable location for Channel 4, but I have been clear that I do want Channel 4 to make more of a contribution to the nations and regions of the United Kingdom. I will be publishing the responses to my consultation on the contribution that Channel 4 can make to the nations and regions, and I am sure that the board of Channel 4 will have heard my hon. Friend’s suggestion of the west midlands and will take that into consideration.

Mr Speaker: I call Tom Watson.

Tom Watson: Mr Speaker, surprise is everything in politics: does the Secretary of State believe our gambling laws are fit for purpose?

Karen Bradley: Gosh: I am completely caught off guard. The hon. Gentleman knows that we made a call for evidence on the matter of gambling as part of the triennial review last year, and we will be publishing the results of that shortly.

Tom Watson: From that answer, I feel that our cosy consensus over the future of Sky and Fox might be breaking apart, because Labour Members believe that recent research has shown that Britain has a hidden epidemic of gambling addiction. Moreover, research over the summer has shown that our children are exposed to gambling advertising more than ever before. Let me try to rebuild our spirit of partnership and say to the Secretary of State that if she brings forward a new gambling Bill fit for the digital age, we will support her in that. If she does not, a future Labour Government will have to do so.

Karen Bradley: The Government of which the hon. Gentleman was a supporter—and I think at times a member—were the Government who brought in the Gambling Act 2005. We are now conducting the triennial review of the Act and it is important that we look at all the available evidence. I note that he made a statement over the summer about the sponsorship of football shirts, saying that a future Labour Government, should there be one, would ban the sponsorship of football shirts by gambling companies. I see the hon. Member for Newcastle-under-Lyme (Paul Farrelly) in the Chamber. I think that the supporters of Stoke City would be quite concerned if they were to discover that their stadium could no longer be called the bet365 stadium and that the company could no longer be a shirt sponsor. They might wonder where they would be able to purchase players from. And I just wonder what West Brom is doing in terms of its sponsorship at the moment.

T4. [900868] Ms Nusrat Ghani (Wealden) (Con): Many businesses in Wealden are forced by BT to depend on slow, unreliable broadband, and they get appalling service if they are ever unlucky enough to have to contact the company. Can the Minister update the House on progress to improve rural broadband, especially in Wealden?

The Minister for Digital (Matt Hancock): Yes, I can. More than 90% of homes and businesses in Wealden now have access to superfast broadband, and 16,000 homes and businesses get that because of the Government’s support for the roll-out. We recognise that that leaves just under 10% without it, which can be incredibly frustrating, so we are bringing in a universal service obligation. At the weekend, we announced a further amount of just over £600 million for the roll-out of superfast broadband to make this country fit for the modern age.

T2. [900866] Gavin Newlands (Paisley and Renfrewshire North) (SNP): Scottish politics can be rather tribal, but yesterday Scottish politics united in support of Paisley’s bid to become the UK City of Culture in 2021. Paisley’s bid is now Scotland’s bid. The final stage of the competition is looming, and a win for Paisley would create a bigger legacy than a win for anywhere else. Will the Minister join us in supporting Paisley 2021?

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (John Glen): I support all the bids as they reach the final stages. In two weeks’ time they will be submitted to the panel, which is chaired by...
Phil Redmond, and I am watching the process closely. I look forward to making an announcement on the successful city at the end of the year.

T7. [900871] Kevin Foster (Torbay) (Con): The Minister will be aware of the great success of initiatives such as the Seafood Coast in promoting tourism in Torbay. What further support will the Government offer to encourage more people to come to the coast in the south-west?

John Glen: I am looking carefully at the options. As I said, I will be meeting representatives of the tourism sector in two weeks’ time. I hope that the Discover England fund can be extended to encourage more initiatives such as the one my hon. Friend mentions, because they are transformational to local tourism economies.

T3. [900867] Thangam Debbonaire (Bristol West) (Lab): Following the creation of the Ebacc, the take-up of music education is going down. Given the value of the UK’s world-leading music industry to our economy—it was £123 million in Bristol alone in 2015—will the Minister please listen to the music industry, reverse the Ebacc and invest in music teaching?

John Glen: I acknowledge the challenges to arts, cultural and music education, and I am looking at what can be done, through the cultural development fund, with the Arts Council to find ways of promoting increased participation. I am in active dialogue with other Departments over how we can deal with this reality.

Mark Pawsey (Rugby) (Con): It is almost a year since World Rugby established its hall of fame, appropriately at the birthplace of rugby in the Rugby art gallery and museum. We will shortly have the annual induction of more greats of the game. Does the Sports Minister agree that this could play a major role in attracting local and international tourism?

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): The hon. Member for West Bromwich East (Tom Watson) said that surprise was the name of the game, but I am not surprised by my hon. Friend’s question about rugby. We all understand the importance of rugby in his constituency, and the hall of fame has provided a great opportunity for tourism and heritage. I join him in his support of that.

T5. [900869] Clive Efford (Eltham) (Lab): Further to the answer that the Secretary of State gave to my hon. Friend the Member for West Bromwich East (Tom Watson), the online gambling industry has exploded since the Gambling Act 2005 and is now worth more than £6 billion a year. Too much advertising is now reaching young people, particularly through social media outlets. What is the Minister doing to regulate advertising through social media outlets and the offers that allow young people to gamble for free?

Tracey Crouch: The Gambling (Licensing and Advertising) Act 2014 brought all online gambling sites under the regulatory remit of the Gambling Commission. The commission keeps all such matters under regular review, and the outcomes of that include a recent fine for 888. We continue to look to ensure that the regulation of both online and land-based gambling is robust.

Antoinette Sandbach (Edisbury) (Con): The Sandstone Ridge arts festival in my constituency is looking to have a suffragette theme next year to celebrate women getting the vote. What funds are available for community arts programmes to celebrate that magnificent achievement?

John Glen: That sounds like an excellent initiative. Funds are available either through Arts Council England or the Heritage Lottery Fund, and I am happy to work with my hon. Friend to identify the most appropriate route for an application.

T6. [900870] Liz Twist (Blaydon) (Lab): Blaydon has a growing number of small and micro-charities, many of which are trying to fill the gaps left by Government cuts to local authorities, and their survival is often precarious. Following the Secretary of State’s discussions within the sector, what action is she taking to help those charities with fundraising and other support?

Tracey Crouch: We are working on a programme to promote local and small charities later this year, further details of which will be announced shortly. If the hon. Lady has any particular concerns about small charities in her constituency, I would be happy to meet her to discuss them.

Mims Davies (Eastleigh) (Con): We simply must take steps to protect online users, particularly through education about online responsibility. How will the Government’s Data Protection Bill, which I welcome, benefit people in terms of the data held about them? I am thinking in particular of the use of children’s data and consent.

Matt Hancock: The Data Protection Bill, which we published in the other place today, is about giving citizens more power over their data while ensuring that data can be used innovatively and effectively. It also introduces new powers to protect minors and to allow people to request the deletion of their data on social media sites at the age of 18, ensuring that they are more in control of their online data.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I welcome the inclusion of “Digital” in the Department’s title. However, despite that bold and innovative step, the availability of superfast broadband in Orkney and Shetland remains disappointingly low. I suspect that the roots of the problem lie in how the contract was tendered under the Broadband Delivery UK system, so will the Minister work with the Scottish Government to ensure that the mistakes in that process are learned?

Matt Hancock: I am also delighted that “Digital” has been added to the Department’s title. The Scottish Government have been the slowest of all the different organisations around the country to contract the broadband that we so desperately need. That is why Scotland is behind. We are offering technical support, but they are behind every English county and behind both the Welsh Government and Northern Ireland Government, and they need to get a move on.

ATTORNEY GENERAL

The Attorney General was asked—

Serious Fraud Office

1. Jo Stevens (Cardiff Central) (Lab): What plans the Government have for the future of the Serious Fraud Office.
The Attorney General (Jeremy Wright): The Serious Fraud Office does vital work in tackling the most serious instances of fraud, bribery and corruption. We will continue to consider how best to allocate resources and improve joint working between all the enforcement agencies involved in combating economic crime.

Jo Stevens: Blockbuster funding can make up a significant amount of SFO funding. Does the Attorney General agree that it would be better to have a greater level of permanent funding?

The Attorney General: The hon. Lady is right that blockbuster funding forms a significant component of the SFO’s funding. I think that is likely to remain the case because, as she will appreciate, it is difficult for the SFO to predict exactly the number or severity of the cases it will deal with in any given year. However, there is an argument for relooking at how core funding is developed for the SFO, particularly so that it can attract and retain the best quality staff.

Robert Neill (Bromley and Chislehurst) (Con): The SFO’s reputation has been greatly enhanced under its current director David Green, who is shortly to retire. It is critical that a director of equal quality is appointed to succeed him, so can we put to rest once and for all the suggestion that the independent SFO is likely to be merged into the National Crime Agency? That would be a grossly retrograde step for the efficiency and reputation of our fight against economic crime.

The Attorney General: On the importance of good leadership, I belatedly congratulate my hon. Friend on retaining the Chair of the Select Committee on Justice. My hon. and learned Friend the Solicitor General and I look forward to appearing before his Committee again.

On the future of the Serious Fraud Office, my hon. Friend the Member for Bromley and Chislehurst (Robert Neill) is right to recognise the work that David Green and, of course, many others within the organisation have done to improve performance, and I would expect that to continue. I would also expect that, whatever we do, we will hold fast to the crucial requirement that any organisation combating this kind of crime must be effective and independent. Whatever changes are made, my hon. Friend has my assurance that that is what I will require as an end result.

Nick Thomas-Symonds (Torfaen) (Lab): As we leave the European Union, the Labour party is very committed to the highest standards of corporate governance and will never tolerate the UK economy becoming some sort of refuge for dirty money. As a step to achieving that, a future Labour Government will definitely safeguard the future of the Serious Fraud Office. I am making that commitment from the Dispatch Box. Can the Attorney General do the same?

The Attorney General: I am glad the shadow Solicitor General recently had the opportunity to visit the Serious Fraud Office, and I am glad that he took up that opportunity. He will have seen the level of commitment within that organisation to combating economic crime. As he has heard me say before, it is about effectiveness and co-operation across the landscape of different organisations that deal with economic crime. It is not about whose name is on the letterhead; it is about how they do the job. We are committed to making sure that, whoever is doing the job of combating economic crime, they are effective, they are properly funded and they have the necessary independence to deliver the results we all want to see.

Nick Thomas-Symonds: Yes, I did visit the Serious Fraud Office with my noble friend the shadow Attorney General last week, and we saw the commitment and dedication of its staff. The ongoing uncertainty that has been caused by the Attorney General’s position with regard to the Serious Fraud Office is not helping morale or recruitment. I say again that it would help significantly if, rather than giving the answers from the Dispatch Box that he has given today, he were far more definite about his commitment to the Roskill model and the independence of the Serious Fraud Office.

The Attorney General: I am sorry to say that I think the hon. Gentleman, who is usually very assiduous in paying close attention to our proceedings, may not have been listening carefully enough. I have given repeated commitments to the Roskill model, which is clearly demonstrating its success in bringing together prosecutors, investigators, accountants and others to make sure that cases of this complexity are properly addressed. I am a full supporter of the Roskill model, as I have said on many occasions.

Hate Crime

2. Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): What steps the Crown Prosecution Service is taking to implement the Government’s plan for tackling hate crime.

The Solicitor General (Robert Buckland): Last month, the CPS took new steps to fulfil one of its commitments in the cross-Government hate crime action plan by publishing revised public statements and legal guidance on all strands of hate crime.

Mr Clarke: Homophobic and transphobic hate crime prosecutions in the north-east are up by 55% in recent years. Will my hon. and learned Friend join me in welcoming that increase in prosecutions and, crucially, will he inform the House of what he is doing to encourage the spread of best practice in how we continue to bear down on this horrible crime?

The Solicitor General: On my visit to the north-east CPS, I met representatives of the lesbian, gay, bisexual and transgender community to discuss the ways in which the regional CPS is engaging with that community. I am glad to say that, on a wider basis, the CPS is developing a training package on these issues with input from the relevant leading organisations in the field.

Simon Hoare (North Dorset) (Con): Alas, we have seen an increase in the use of all types of social media as a vehicle for all types of hate crime. What steps has the CPS taken, is it taking or does it plan to take to deal with all types of online hate crime?
The Solicitor General: Last month, the CPS published revised guidance committing it to treat online hate crime as seriously as offline offences, taking into account the impact on the wider community when deciding the question of prosecution in the public interest.

Modern Slavery

3. Michael Fabricant (Lichfield) (Con): What progress the Crown Prosecution Service has made in improving conviction rates for offences of modern slavery; and if he will make a statement. [900854]

The Attorney General (Jeremy Wright): The CPS is dealing with increasing numbers of modern slavery and human trafficking offences, and the number of convictions for those offences in 2015-16 was 48% higher than the year before.

Michael Fabricant: My right hon. and learned Friend will know that in counties such as Staffordshire there is a growing trend of gangmasters exploiting vulnerable people for things such as drug pushing. How can we use the Modern Slavery Act 2015 to try to restrict that? What guidance does he give the courts on this?

The Attorney General: My hon. Friend makes a good point, which is that modern slavery offences are often found alongside other types of offending, in particular, drug offending. We already have strict penalties available for the drug offending elements of that kind of activity. What the Modern Slavery Act gives the prosecution, and then of course the court, is the opportunity to pursue the modern slavery aspect of this offending, which is hugely important. As I have indicated, we are starting to see an increased volume of those offences going through the courts.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the Attorney General join me in congratulating all those involved in the highly successful, high-profile recent prosecution of people involved in modern slavery? Such cases are very expensive to prosecute, so will he assure the House that the required money and resources will be available? This activity is endemic up and down the country, not just in London, and we need the resources for the police to be able to conduct these cases.

The Attorney General: I can give the hon. Gentleman that assurance, and there should never be any question but that where this type of offending is prosecuted successfully and convictions are recorded, people receive the appropriate punishment. In the case I suspect he is referring to, where sentences were handed down recently, a clear signal of that has been given. There were 11 defendants, all members of one family, as he knows, and they received a total of 79 years’ imprisonment. That is appropriate for offending of the type involved in that case—it was truly horrendous behaviour.

Mr Philip Hollobone (Kettering) (Con): Which regional office of the CPS is performing best at prosecuting modern slavery and how might its best practice be rolled out to others?

The Attorney General: My hon. Friend will be shocked to learn that I do not have that figure at my fingertips, but I will find it out for him. He will understand that these can often be complex investigations and prosecutions, as the hon. Member for Huddersfield (Mr Sheerman) has just correctly said. There may not be uniformity of experience across the different regions; some regions may not have seen many of these cases, whereas others may have seen a great deal of them. So we will have to be cautious in the comparison he invites me to make, but I will have a look at the figures and see what I can sensibly tell him.

Leaving the EU: UK Legal Systems

4. Martyn Day (Linlithgow and East Falkirk) (SNP): What assessment he has made of the potential effect of the UK leaving the EU on the functioning of the different national legal systems in England, Northern Ireland, Scotland and Wales. [900857]

The Solicitor General (Robert Buckland): The Ministry of Justice has had recent contact at ministerial and official level with counterparts in the devolved Administrations; they discussed how we work together on matters relating to Brexit that will affect the different legal systems in the devolved Administrations of Scotland and Northern Ireland. The Government have also engaged with Welsh counterparts to update them on matters affecting justice.

Martyn Day: The president of the Law Society of Scotland has said that there needs to be a “whole of governance” approach to the UK withdrawal from the EU that takes into account the devolved Administrations. Does the Solicitor General agree with that statement?

The Solicitor General: Yes, I do, which is why the Government are taking an approach that will ensure the required continuity and certainty, so that, where necessary, a UK-wide approach will be taken and, where appropriate, there will be devolution to the devolved Assemblies and Parliaments.

Stephen Kerr (Stirling) (Con): Will the Solicitor General take this opportunity to reassure the House and Opposition Members that the leaders of all the devolved Administrations, in Edinburgh, Cardiff and Belfast, when we have one there, will be consulted and respected on the broader issues of Brexit, including those relating to his office?

The Solicitor General: I am happy to give that assurance and that is reflected in the bilateral work of government, where there is continuing dialogue at official and ministerial level. This is all about mutual respect and getting the best outcome, not only for Britain, but for all its constituent parts.

Hate Crime

5. Holly Lynch (Halifax) (Lab): What steps the Government are taking to ensure that the Crown Prosecution Service has adequate resources to tackle social media hate crime. [900858]
The Solicitor General (Robert Buckland): The CPS prosecutes cases where they meet the test for prosecution. It allocates its resources accordingly, and will continue to do so, and I welcome its commitment to treat hate crimes on social media as seriously as other sorts of hate crime.

Holly Lynch: I am grateful for that response, but will the Solicitor General go further and outline what steps are being taken to address the significant variations in conviction rates across different regions, with particular reference to the 4.7% fall in successful convictions for religiously aggravated hate crime in 2015-16?

The Solicitor General: The hon. Lady is right to look in detail at regional variations. Overall, progress is still encouraging: the conviction rate for all strands of hate crime increased slightly again last year, and the number of hate-crime prosecutions has now reached record levels—it is in excess of 15,000. The answer to her question lies in the sharing of best practice among different regions. Earlier, I talked about engagement with the trans community in the north-east, and there are examples from other regions of how, if we work closely with the communities, we can increase conviction rates. In the hon. Lady’s area, work with disability communities has resulted in improved disability hate-crime prosecutions.

Joan Ryan (Enfield North) (Lab): Earlier this year, the Kantor Centre identified an 11% increase in anti-Semitic abuse in the UK, much of which is driven by online and social media-based abuse. I am sure the whole House would want to condemn anti-Semitic abuse, but we need to do much more to tackle it, to prosecute it and to make it clear how unacceptable it is.

The Solicitor General: I am grateful to the right hon. Lady for raising the appalling crime of anti-Semitism. It is on the rise and it is not acceptable. We all need to speak out together to stamp it out. I am glad to say that the CPS is now encouraging prosecutors to look into the wider community impact, particularly of online hate crime, when they assess whether or not to prosecute. The right hon. Lady is right, and if we tolerate it online, the culture will gradually change and anti-Semitism will become mainstream. We cannot allow that to happen.

Leaving the EU: Hate Crime

6. Thangam Debbonaire (Bristol West) (Lab): What assessment he has made of the potential effect of the UK leaving the EU on the level of prosecutions for hate crime towards EU citizens. [900859]

The Solicitor General (Robert Buckland): The Crown Prosecution Service does not disaggregate its data by perpetrators and dealing with those crimes, because it is wrong for them to allow what the Law Society of Scotland called “the potential for the erosion of human rights”, despite different parts of the UK having voted to remain in the EU?

The Solicitor General: I do not see an erosion in human rights. The Government are absolutely committed to our membership of the European convention. The charter of fundamental rights does not add anything substantive to UK human rights law, and the underlying principles of EU law will, of course, be brought into our domestic law by virtue of the European Union (Withdrawal) Bill. The hon. Gentleman can reassure his constituents that the Government are utterly committed to rooting out hate crime wherever it exists.

Domestic Violence

7. Diana Johnson (Kingston upon Hull North) (Lab): What discussions he has had with the Crown Prosecution Service on cases involving domestic violence. [900860]

8. Laura Pidcock (North West Durham) (Lab): What discussions he has had with the Crown Prosecution Service on cases involving domestic violence. [900861]

9. Nick Smith (Blaenau Gwent) (Lab): What discussions he has had with the Crown Prosecution Service on cases involving domestic violence. [900863]

The Attorney General (Jeremy Wright): I discuss offences connected to domestic abuse with the Director of Public Prosecutions on a regular basis. Such cases are forming a higher percentage of the CPS case load, and prosecutions and convictions in them are at their highest ever level.

Diana Johnson: Last weekend, I met a woman who had been subjected to horrific domestic abuse by her partner since the age of 13, and it had carried on for many years. She was concerned that the relatively new offence of coercive and controlling behaviour had never been used against that perpetrator and that it may not be being used as much as it should be. Will the Attorney General look at that when he next meets the DPP?
The Attorney General: I will certainly do that. I understand the concern that the hon. Lady has expressed. As she knows, this offence is relatively new, and there have therefore been relatively few cases where it has been deployed. There have been convictions, and the more that there are, the more the signal will be sent that this is the kind of behaviour that will result in criminal action, prosecution, conviction and sentencing. I hope that that will increasingly be the case, but of course it cannot act retrospectively. In relation to the future, we are making good progress.

Laura Pidcock: It is apt to say in these questions that our thoughts are with Doreen Lawrence whose son, Stephen Lawrence, would have been 43 yesterday.

An estimated 1.8 million adults aged 16 to 59 were victims of domestic abuse in the year ending March 2016. Will the Attorney General consider whether electronic-only evidence submissions to the CPS is the most effective way of capturing a case and the experience of a victim?

The Attorney General: We will always consider ways in which we can capture the evidence from victims, and other witnesses of course, in the most effective way. The hon. Lady will know that some of our recent changes involve the opportunity for particularly vulnerable witnesses to give evidence without being in a courtroom physically and to do so in advance of the rest of the case, so that they can get their part in the case done quickly. We will always look at ways in which we can do that better. It is a crucial part of encouraging people to come forward and report abuse and stick with the purpose and the process of prosecuting those who are responsible.

Nick Smith: In Gwent, 1,401 cases of domestic abuse were put forward to the CPS in 2015-16, and charges were brought in 68% of them. The highest rate was in Leicestershire where the CPS pursued 82% of cases. Will the Attorney General please explain why there are such stark regional differences?

The Attorney General: The differences are always explained by the merits of the cases themselves, and there will be some variation. I will look at the hon. Gentleman’s particular statistics, but he will recognise that every case is different, every case must be considered on its merits, and the CPS must make the best judgment it can in each of those cases.

Several hon. Members rose—

Mr Speaker: We are well out of time, but I will take Mr Fysh.

Mr Marcus Fysh (Yeovil) (Con): The local police in Yeovil report good progress in dealing with domestic violence but would welcome a bit more flexibility from the CPS about the types and amounts of evidence required for prosecution, including evidence gathered by modern methods such as body cameras. Will my right hon. and learned Friend please work with the police and the CPS on those suggestions?

The Attorney General: I agree that flexibility is important, and I hope that my hon. Friend will be reassured to know that, with the roll-out of more and more body-worn cameras, we will see this evidence play a greater part in this kind of prosecution. That is welcome, because it means that we can have evidence of what was happening when the police arrived without the need to extract that evidence from complainants who may be reluctant for all sorts of reasons. That is a positive move, and I am sure that we will see more of it in Yeovil and elsewhere.
Police Pay and Funding

10.37 am

Louise Haigh (Sheffield, Heeley) (Lab) (Urgent Question): To ask the Home Secretary if she will make a statement on the 2017-18 police pay settlement and police funding.

The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton): I am pleased to have the opportunity to answer the question today.

The pay award for England and Wales for 2017-18 was announced this Tuesday after the Government carefully considered the recommendations of the independent Police Remuneration Review Body and the Senior Salaries Review Body. The decision to award officers in the PRRB remit group a pay award worth a total of 2% to each officer in 2017-18, consisting of a 1% consolidated pay increase in addition to a one-off 1% non-consolidated payment to officers, represents a fair deal to the taxpayer and to our hard-working police officers.

Our public sector workers, including police officers, are some of the most extraordinarily talented and hard-working people in our society. I recognise the extraordinary contribution made by police officers in response to some of the most challenging situations that our country has faced for a very long time. I also fully respect the independent conclusions of the pay review bodies.

At the same time, we have committed to taking the difficult decisions to balance the books that have enabled us to repair the damage to the economy, while keeping employment up and taxes down. This will help us to strike the right balance between being fair to police officers and to taxpayers. We believe that the award is affordable within the current police funding settlement, noting that the PRRB has highlighted in its report the potential for further efficiencies.

Police reform is working. Crime, as traditionally measured by the independent crime survey for England and Wales, is down by a third since 2010. However, we know that the nature of crime is changing, and we are engaging with the police to better understand the changing demands on the police and how these can best be managed. That includes looking at what more can be done to improve productivity and efficiency, and to make prudent use of financial reserves.

Louise Haigh: Mr Speaker, I am grateful to you for granting this urgent question.

As the Minister said, the review body this week recommended a 2% consolidated pay rise for federated and superintending ranks. The Prime Minister stated during Prime Minister’s questions yesterday that the Government had accepted that body’s recommendations in full. But, as the Minister just confirmed, they have not. The Government’s response to the recommendations was to offer a 1% pay rise and a 1% one-off non-consolidated payment that is non-pensionable. Will the Minister tell us why those recommendations were not accepted in full?

The Prime Minister then went on to suggest that police officers had received a real terms increase of 32%, which, of course, the Police Federation called a “downright lie”. I would suggest that it was a cynical attempt to create a false impression, divorced from the reality for officers on the ground. Does the Minister think that the Police Federation was lying or that the Prime Minister got it wrong?

The Prime Minister confirmed that the pay settlement would be unfunded. The Metropolitan police estimate that this will cost them £17.7 million this year. West Yorkshire police and West Midlands police both estimate that it will cost them around 80 frontline officers this year. Does the Minister accept what chief constables are telling her—that this will cost us more frontline officers? If she does not, how will she advise forces to pay for this unbudgeted increase?

The Government announcement mentioned police reserves, which they claim to have increased to £1.6 billion in 2016. Will the Minister confirm, however, that the vast majority of these reserves are earmarked for projected spending and that only £363 million remains in general reserves? As she knows, police and crime commissioners are under a legal duty to hold adequate reserves. The Audit Commission suggests that this level would be between 3% and 5%, yet some police forces have reserves at levels beneath 1%. Will the Minister therefore confirm whether the Government are actually requiring police forces to run down their general reserves to fund staffing costs? Does she consider that fiscally responsible? From my private sector experience, I gently advise her that it is not.

The Government have repeatedly claimed that they have protected police funding since 2015. We know this is not the case because crime has risen in recent years, despite what the Minister says. This week’s announcement entails a further cut to forces’ budgets. The Government have been on warning for some time that the police are near breaking point. This move may finally break them.

Sarah Newton: I am grateful for the opportunity actually to set out some facts before the House, which is hardly what we have heard from the hon. Lady. Before I address the substantive points she raised, I want to say that it really does our hard-working police officers the most horrendous disservice to portray them constantly at breaking point, as if they cannot serve communities. Confidence in the police has been rising and is much higher now than it was in 2010. Those hard-working police officers are doing an extremely good job—day in, day out—for the communities they serve.

We have accepted the independent recommendations. Police officers will receive a 2% pay increase. The hon. Lady’s key point was about affordability. Let me address this head-on. On the latest audited figures, every single police force in this country has reserves of at least 6% of its general budget. The costs of delivering on the extra 1% are a very small fraction of all the police funding this year—less than 0.5%. This is absolutely affordable for forces. They were planning on a 1% increase; the extra 1% they are going to be finding—let me be absolutely clear—is less than 0.5% of the budget. Their reserves are increasing; they are running up to £1.8 billion.

If we look at the latest inspections by Her Majesty’s inspectorate of constabulary, we see that Sir Tom Winsor has made it absolutely clear that there is room for more efficiencies in police services. The Government are supporting police officers on the frontline, as well as their leaders, to make those changes and to invest in technology, so that we can have the most efficient police force, which we can all be proud of.
To summarise, I believe that this proposal is affordable and that the money is there for the chief constables and the police and crime commissioners to fund it, and the Home Office is working with the leadership of the police to make sure that they can continue their really good progress on innovation, while keeping the nation safe.

Andrew Selous (South West Bedfordshire) (Con): Ever since I arrived in this House in 2001, it has been clear that the national funding formula does not treat Bedfordshire police fairly, and I have lost count of the number of Policing Ministers to whom I have made that point. My request to the Minister, whom I regard very highly, is that she go back to the Home Office and ask the Home Secretary and the Policing Minister to emulate what our colleagues have done in education, by providing a fair level of funding to every police force, so that we bring those at the bottom up to nearer the average.

Sarah Newton: I thank my hon. Friend for his kind words and his very good question. He is a marvellous champion for his constituency and his local police force. Like many colleagues, he has in the past made the case for changes to the funding formula, and the Policing Minister and the Home Secretary have that information and that consideration carefully under review.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Notwithstanding the unrecognisable response from the Labour Front Bench, the SNP welcomes the UK Government following the lead of the Scottish Government in lifting the pay cap for public services—recognising that pay is behind inflation and that pressure is increasing on household budgets. Given that Steve White, the chair of the Police Federation of England and Wales, has said that many of his members would be “angry and deflated” at their pay award, does the Minister recognise that the police force at the frontline of our services must be supported? Does she also agree with the First Minister of Scotland, who said that it is not just police officers but nurses, teachers, firefighters and workers right across the public service who deserve a fairer deal for the future?

Sarah Newton: I thank the hon. Gentleman. He is a marvellous champion for his constituency and his local police force. Like many colleagues, he has in the past made the case for changes to the funding formula, and the Policing Minister and the Home Secretary have that information and that consideration carefully under review.

Sarah Newton: I thank the hon. Gentleman for his kind words and his very good question. He is a marvellous champion for his constituency and his local police force. Like many colleagues, he has in the past made the case for changes to the funding formula, and the Policing Minister and the Home Secretary have that information and that consideration carefully under review.

Sarah Newton: I yet again reiterate that, within the current budget, these pay increases are affordable. Of course it is our first duty to keep people safe. Again, the hon. Gentleman, like other Opposition Members, is talking down the police force and the huge strides they have made with falling crime. I have absolutely accepted in this House, not just today but in the past, that there has been, and there is, a rise in violent crime. We are acting with determination, at pace, to make sure that police officers in every community have the resources and the powers that they need to tackle that crime.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): I never cease to be amazed by the dedication and bravery of Cleveland police officers, who do a fantastic job protecting our community. Does my hon. Friend agree that this award is all about being fair to those officers for their dedicated record of service but also fair to the taxpayer and to the wider public services at a time when we are running a deficit of £52 billion this year, posing a real threat to the sustainability of public services?

Sarah Newton: My hon. Friend is absolutely right. Of course, those brave police officers are also taxpayers, and they will absolutely understand that we have to
strike the right balance, because without the strong and growing economy that this Government are delivering, we will not raise the taxes, so that we can have the world-class public services that we all want to see.

Several hon. Members rose—

Mr Speaker: Order. I have been a bit worried about the hon. Member for Dewsbury (Paula Sherriff) because she has been jumping up and down quite a bit and has not been heard yet—so she must be heard.

Paula Sherriff (Dewsbury) (Lab): Thank you, Mr Speaker.

Figures obtained from West Yorkshire police show that they have dealt with 33,000 more 999 calls this year than last—an increase of nearly 10%—yet officer numbers are down by nearly a fifth due to Government cuts. It would cost the equivalent of another 80 officers to fully fund the Government pay settlement. Like my hon. Friend the Member for Sheffield, Heeley (Louise Haigh), I too used to work in the police, and I know that frontline staff feel that this Government treat them not as public servants but as public enemies. Can the Minister guarantee that we will not face any further cuts to police numbers?

Sarah Newton: That is a totally unacceptable thing to say. My sister was a police officer. My nephew, I am very proud to say, has just joined our local police force. Figures obtained from West Yorkshire police show that they have dealt with 33,000 more 999 calls this year than last—an increase of nearly 10%—yet officer numbers are down by nearly a fifth due to Government cuts. It would cost the equivalent of another 80 officers to fully fund the Government pay settlement. Like my hon. Friend for Sheffield, Heeley (Louise Haigh), I too used to work in the police, and I know that frontline staff feel that this Government treat them not as public servants but as public enemies. Can the Minister guarantee that we will not face any further cuts to police numbers?

Sarah Newton: I am pleased to let the hon. Lady know that police forces across the country, including Devon and Cornwall constabulary, are recruiting, and there are many more people wanting to join the police force than there are opportunities available. Clearly, pay and remuneration are not deterring people from coming forward and taking up the marvellous careers that being in the police force offers them.

Bob Blackman (Harrow East) (Con): I warmly welcome the decision to double the amount that was expected to be given to our brave police officers on the frontline. However, the Labour Mayor of London is consulting on widespread police station closures, the amalgamation of boroughs and a reduction in the number of police officers. Is any extra money going to be allocated to London to cover the costs of this pay increase, which I warmly welcome, or is it expected that there will have to be further closures of police stations and a further loss of police officers?

Sarah Newton: I thank my hon. Friend for raising that important matter. Local police forces—the Metropolitan police is no exception—have funding from the taxpayer via the Government, but they also have the ability to raise precepts in the local community. All police forces that use their precepting powers are seeing an increase in the amount of money that they have to spend. I strongly encourage all London Members, across the political divide, to ask the Mayor to use his precepting powers, so that cuts do not have to be made to services.

Dr David Drew (Stroud) (Lab/Co-op): I have met both the police and crime commissioner and the chief constable of Gloucestershire over the last couple of weeks. They already faced a very difficult funding situation, but this announcement will only make it worse. They have made all the back-office savings that they can possibly make, and their worry is that restructuring is again on the Government’s agenda. Will the Minister at least rule that out today, so that I can go back to them and give them the assurance that they are not expected to waste yet more time and money on a useless restructuring exercise?

Sarah Newton: I thank the hon. Gentleman for giving me this opportunity to say that it is plain scaremongering to suggest that there is some hidden agenda of reorganisation. Operational decisions are made by police officers.

Dr Drew: What about Dorset?

Sarah Newton: As a Cornish MP, I can tell the hon. Gentleman that Devon and Cornwall police leaders have decided for themselves to work in partnership with Dorset. That has been a very successful partnership, which is saving back-office expenditure and enabling the force to be more efficient and keep our communities in Devon, Cornwall and Dorset safer. These are independent operational decisions made by the police themselves.
To answer the hon. Gentleman’s question directly, the police in his constabulary area have reserves of more than 6% of their annual budget that they could prudently use—they would have to use only a very small percentage—to reward extremely brave and hard-working frontline officers. I am sure all his constituents would want them to do that.

Mr Alistair Carmichael (Orkney and Shetland) (LD): Just last week, the chief constable of Northumbria said that his force was getting “very, very close” to not being able to deliver a professional service because of budget cuts. Does the Minister think that burdening him with extra expenditure without giving him any extra budget is going to make that situation better or worse?

Sarah Newton: I thank the right hon. Gentleman for his question, but I do not consider that paying our brave and hard-working frontline officers, who have faced the most extraordinary year, extra pay is a burden. It is absolutely right that their extraordinary public service should be rewarded with this richly deserved extra 1%; that is absolutely the correct thing to do. Police forces will be sitting on reserves, and reserves are there for a reason: they are there, in part, for extraordinary circumstances. The police have faced extraordinary circumstances this year, and they richly deserve this pay rise.

Chris Elmore (Ogmore) (Lab): On Wednesday, the National Police Chiefs Council said that “without better real terms funding protection from government, an award above one per cent will inevitably impact on our ability to deliver policing services and maintain staffing levels.” Does the Minister think that the unfunded pay deal will lead to a reduction in the number of officers, or is she suggesting that the council is making this up?

Sarah Newton: I say to the hon. Gentleman, as I have said to a number of his colleagues, that if we take the police budget as a whole, the extra 1% is less than—I repeat, less than—0.5% of the budget. All police forces are sitting on reserves of at least 6% of their annual funding, so these pay rises are affordable. I think they are richly deserved by frontline officers, and I thoroughly support the independent pay review bodies that made these recommendations.

Liz McInnes (Heywood and Middleton) (Lab): I hate to burst the Minister’s bubble, but PC Joseph Torkington has just resigned from Greater Manchester police, citing, in addition to the pay freeze, cuts to frontline resources and attacks on terms and conditions. In his words: “To the government I have nothing good to say whatsoever, they should hang their heads in shame.” What effect does the Minister think that this below-inflation pay award, which is unfunded, will have on already plummeting staff morale?

Sarah Newton: We only have to look at the evidence for the fact that people want to join the police force, and more and more people are coming forward to do so. Police pay is not just made up of this annual increase; they have incremental increases, good terms and conditions, and pensions that they absolutely richly deserve. I think the police force today offers a great career for men and women across our country, and, by the way, the public are really delighted with the work that is being done in the hon. Lady’s community and across the country. Confidence in the police and in their ability to keep us safe is rising, and it is much higher than the level we inherited from the Labour Government back in 2010.

Jeff Smith (Manchester, Withington) (Lab): The Minister says that we should look at the evidence. The evidence is that Greater Manchester police has lost 2,000 staff—officers—since 2010 as a result of Government cuts, and the strain is showing right across south Manchester. How can she claim that these unfunded rises are affordable for police forces such as Greater Manchester police when they are already desperately short of funds?

Sarah Newton: I will not repeat myself again, but I will say that I think the police have risen magnificently to the challenge of having to deal with the reductions in their funding. We only have to look at this in terms of the reduction in crime and the rising public confidence in the police. The nature of policing is changing, and the nature of policing needs to change because the nature of crime is changing. The Government are supporting the police in that transformational work. In addition to the annual budgets given to police forces, we also give significant funding for transformation—up to £175 million—and we are doing a huge amount of work on innovation to support crime prevention and crime reduction. The Government are standing four-square behind the excellent and determined work that our police officers are doing all across our country in facing up to and dealing with the new crimes and emerging threats.

Justin Madders (Ellesmere Port and Neston) (Lab): Is not making half the pay award non-consolidated a sleight of hand, which officers will see right through? If they are worth a 2% pay increase, why can the Minister not make it a genuine consolidated 2% increase?

Sarah Newton: I do not think we can be accused of sleight of hand when we are standing here in Parliament being very clear about what we have done and why we have done it. In addition to all the support we are giving to frontline officers and their leadership through the transformation funding, we are doing a huge amount to enable police officers to be supported by the wider public sector. Every day, police officers have to deal with vulnerable people, who are often suffering a mental health crisis. The Government have supported the wonderful partnership work between the NHS and police officers so people—and police officers—are properly supported. This is about not just the amount of money that is going into police funding, but the transformation and partnership work, which is being enabled far better than it was in 2010.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): The Minister will know that the police force that covers both our constituencies has lost 597 police officers since 2010. What estimate has she made of how many experienced police officers will leave Devon and
Cornwall police this year because they feel undervalued and devalued by a below-inflation pay rise, which is a real-terms pay cut?

**Sarah Newton:** I always welcome any opportunity to praise the work of our excellent Devon and Cornwall police. When I go about my business there, I see highly motivated police officers and lots of people who want to join the Devon and Cornwall constabulary. As we have discussed before, it is doing very innovative work, not least with the police force in Dorset. I do not accept the very negative picture that the hon. Gentleman is trying to paint. I encourage him to speak more positively and represent its extremely good work in the House. Crime is falling and it is keeping us safe in Devon and Cornwall.

**Diana Johnson** (Kingston upon Hull North) (Lab): The Minister ended her response to the urgent question by talking about the prudent use of reserves, but why does she think she knows better than the National Audit Office, which demands that police forces keep adequate reserves and says that taking staffing costs out of reserves is financially irresponsible? My chief constable in Humberside explained to me last week how important reserves are when unexpected demands are made on the police service, such as multiple murders that have to be investigated. The money is not there to cover the increased pay costs.

**Sarah Newton:** I thank the hon. Lady for her question, which gives me the opportunity to thank the Metropolitan police for its deep and consistent engagement with my colleagues in the Home Office working on action plans to tackle the spike in violent crime in London. We do a huge amount of joined-up work supporting our colleagues in the police force in London to tackle these issues. Taxpayers all over the country pay for policing through a combination of general taxation and local precepts. Given that the Metropolitan police consumes about a third of the police budget for England, I do not think it is too much to ask Londoners to pay their fair share of the precept, just as my constituents have to pay their fair share.

**Holly Lynch** (Halifax) (Lab): In Calderdale in the past 12 months, we have lost 50% of our neighbourhood policing officers. The picture being painted by the Minister could not be any further from the reality on the streets of Halifax. The pay bonus would cost West Yorkshire police an additional £4 million, which is the equivalent of 83 police officers. How does the Minister expect our forces to be able to deliver the pay bonus without it impacting on frontline services? And may I be very clear about this point, Mr Speaker? Those of us on the Labour Benches are speaking up for our police officers, not talking them down.

**Sarah Newton:** As I said, I believe the reserves held by police forces should be used to cover the cost. I do not see that they have to make frontline cuts to officer numbers. Operational decisions are totally down to chief constables and police and crime commissioners. I believe the costs are affordable. I encourage the hon. Lady to go back and speak to her police and crime commissioner about her concerns about local operational decisions. The decision that has been made will enable us to do the right thing for our brave and hardworking police officers, who have had the most extraordinary year facing up to some of the greatest challenges that our country has faced for a very long time. They richly deserve this extra pay rise.
Business of the House

11.12 am

Valerie Vaz (Walsall South) (Lab): Will the Leader of the House give us the forthcoming business?

The Leader of the House of Commons (Andrea Leadsom): The business for week commencing 9 October will be:

Monday 9 October—General debate on Gypsies and Travellers.

Tuesday 10 October—Consideration in Committee and remaining stages of the European Union (Approvals) Bill, followed by a general debate on Baby Loss Awareness Week.

Wednesday 11 October—Consideration in Committee of the Finance Bill.

Thursday 12 October—General debate on exiting the European Union and data protection.

Friday 13 October—The House will not be sitting.

In response to the many requests from Members right across the House, I am delighted we have been able to find Government time for a debate on Gypsy and Traveller encampments, a subject that I know is a concern to many colleagues and has been for some time. May I also pay tribute to my hon. Friends the Members for Banbury (Victoria Prentis), for Colchester (Will Quince) and for Eddisbury (Antoinette Sandbach), and the hon. Member for Colchester (Tom Hunt), for their work in raising the tragic issue of baby loss? I am very pleased that we are able to announce a debate on this issue during Baby Loss Awareness Week.

Finally, I wish all Members a very successful conference season. I look forward to seeing them all when the House returns in October.

Valerie Vaz: I thank the Leader of the House. I share with her an understanding of the difficulties people face. My right hon. Friend the Member for Oldham East (Keith Vaz) lost a baby, so in our family we know exactly what that is like.

Yesterday was absolutely jaw-dropping. I heard the numerous points of order at the end of our first Opposition day, for which we had waited for so long. It became clear that the Government had cynically decided not to vote for or against the motion. Madam Deputy Speaker said that the matter should be raised at business questions, so I am raising it here. The House voted to lift the cap on nurses’ pay and to revoke the rise in tuition fees, which means that students and nurses have a legitimate expectation that that is the intention of Parliament. We would like to know how that will be enacted.

It is clear, and has been said on social media, that this is what the Government are going to do with every Opposition day motion. I would like you, Mr Speaker, to have a meeting with the business managers to work out exactly how to take this forward, because it makes Parliament look ridiculous. On Tuesday, an hon. Member read from the confidence and supply agreement. Will the Leader of the House publish that document and schedule a debate on it, given that Government lawyers have said that it “will have appropriate parliamentary authorisation”, and that “No timetable has been set for the making of such payments”?

On Tuesday, the House debated proposals relating to Standing Committees. If the Government truly believe in parliamentary democracy, all those Committees should have an equal number of places for the Government and Opposition, as the hon. Member for Wellspring Borough (Mr Bone) pointed out, so that we can all work together in the interests of this country. To support Parliament, will the Leader of the House please commit to equal numbers on all Public Bill Committees? Otherwise, it will look like the Government are afraid of debate, accountability and transparency. This has been a bad week for parliamentary democracy.

Moreover, week after week, the Leader of the House never responds to any of my questions. She did not respond to my question about how many statutory instruments would follow from the European Union (Withdrawal) Bill. The White Paper says between 800 and 1,000. Has she had any discussions about timetabling, and what resources will be provided following the Procedure Committee report published on 2 May? She also said last week that the UN report on the disabled did not accurately reflect the evidence given. Will she please schedule a debate on the issue, following the point of order by the shadow Secretary of State for Work and Pensions, my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams)?

The Leader of the House said that the NHS was not privatised. Will she explain why NHS Professionals was being marketed for sale? Following the persistence of my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders), who asked the National Audit Office for a report and tabled 17 written parliamentary questions, the Government announced in a written statement that NHS Professionals would remain in public hands. Now we see that profit-driven hospitals are seeing a 15% to 25% increase in their profits year on year, at the same time as patients are being denied care as a result of long waiting times; the Government’s abolition of the 18-week target means that people are having to pay £14,000 for hip and other operations.

Yesterday, the Back British Farming campaign came to the House. The farmers are asking for access to existing markets, in or out of the EU. When will the White Paper on trade be published? A recent survey has found that 66% of people believe that leaving the EU without a mutually agreed deal would be bad for Britain. Will the Government publish an impact statement, therefore, on what would happen to the country’s economy if we left without a deal?

This week, we celebrate the 20th anniversary of the vote that established the Scottish Parliament. As leader of the Labour party, John Smith committed a future Labour Government to establishing that Parliament. Robin Cook and Robert Maclennan looked at the constitutional issues and put flesh on that policy. Donald Dewar was the first First Minister of the Scottish Parliament. All were great exponents of parliamentary democracy, as is the Father of the House, so there are many good role models to show what Parliament can do.

Finally, I congratulate all the new Members who made their first speeches in the House this week: my hon. Friends the Members for Canterbury (Rosie Duffield) and for Liverpool, Walton (Dan Carden), the hon.
Member for Moray (Douglas Ross) and my hon. Friends the Members for Portsmouth South (Stephen Morgan) and for Birmingham, Edgbaston (Preet Kaur Gill). We look forward to their expertise in Parliament. I also join the Leader of the House in thanking all the staff. It seems amazing that after the break they managed to get us running in smooth order for these two weeks. I wish everyone a very happy conference recess.

Andrea Leadsom: First, I join the hon. Lady in congratulating the Scottish Parliament on its first 20 years. It seems like that was only yesterday. It was obviously a while ago, but doesn’t time fly when you’re having fun? I wish the Parliament much further success. I also congratulate all the new Members who made their maiden speeches this week. We heard some excellent contributions, and I wish them every success.

The hon. Lady talked about yesterday’s Opposition day debates. Let me say to all Members that we take incredibly seriously the issues underlying tuition fees and pay for public sector workers. As Members will know, there have been many statements, many briefings to the House—both written and oral—and many discussions about those subjects in recent months, during, for instance, urgent debates initiated by the Opposition and business questions.

Yesterday there was an equal number of speakers on both sides of the House, and some excellent contributions were made. There is no doubt that we have engaged at every level. I should point out, however, that the Opposition’s intention yesterday was purely political. They will be well aware that the vote on their tuition fees proposal has no statutory effect. The regulations concerned are determined under the negative procedure. There is a 40-day period in which such a statutory instrument can be annulled, and that period expired. As the Opposition know, a debate was scheduled for 18 April, but the general election interrupted that, so for the hon. Lady to suggest that yesterday’s vote would have had a statutory effect is simply not correct.

The hon. Lady asked about Committees. On Tuesday evening the House voted for Committees to reflect the majority on the Floor of the House. Let me make clear to the hon. Lady, who did not seem to understand this point on Tuesday, that it is proposed that in an even-numbered Committee there will be parity. I think she was asking me to confirm that. That was set out clearly on the Order Paper, but unfortunately she does not seem to have noticed.

The hon. Lady asked how many statutory instruments would arise from the European Union (Withdrawal) Bill. It is not possible to give a definitive number, because the volume of legislation will depend, for instance, on the outcome of negotiations, on policy decisions still to be made and agreed by the House and on further work connected with how we introduce secondary legislation. However, as my right hon. Friend has said from the Front Bench, we are listening very carefully. We are hearing submissions from Members in all parts of the House about how we can ensure that secondary legislation is covered in an efficient and effective way. I can assure all Members that the Parliamentary Business and Legislation Committee, which I chair and which looks at all legislation, has been assiduous in ensuring that statutory instruments are properly timetabled, properly ready for introduction and prioritised. There will be more information about that in due course.

The hon. Lady asked about the United Nations report on disability. She will be aware that this country is spending £214 billion a year on welfare matters, including disability. It is spending more each year than at any time since 2010. We are absolutely committed to improving the situation for people with disabilities: more disabled people are getting into work than ever before, and we are doing all that we can to give them more rewarding opportunities.

The hon. Lady asked about the NHS. The Government, and all parties in the House, are fully committed to an NHS that is free at the point of delivery. No party takes a different approach. The Government are determined to ensure good value for taxpayers’ money, good improvements in NHS productivity, and fair pay and terms for our excellent public sector workers, but at the same time we are committed to an NHS that is free at the point of delivery, supporting all of us when we need it.

The hon. Lady raised the issue of farmers’ access to the single market. She will be aware that there is to be an agriculture Bill. The Secretary of State for Environment, Food and Rural Affairs is working very hard in his Department—as I did when I performed the role before him—to bring about positive outcomes for food and farming, a critical sector for which enormous opportunities are arising from Britain’s departure from the European Union.

The hon. Lady asked about the UK’s leaving the EU without a deal. As all Members would expect, the Government are looking at all eventualities. We fully intend to reach a fair, clear, broad-ranging free trade agreement with the EU, with collaboration across a number of areas to ensure that the clear and close special partnership of which the Prime Minister has spoken is our aspiration and, indeed, is achieved at the end of this negotiation.

Sir David Amess (Southend West) (Con): Given the suggestion that Nelson’s column be taken down, will my right hon. Friend find time for a debate on the criteria for erecting statues? It took a long while for the monument to Raoul Wallenberg to be erected outside the West End great synagogue. I hope it will not take so long for statues to be erected in London to Princess Diana, the first woman Prime Minister and Sir Bruce Forsyth.

Andrea Leadsom: I love my hon. Friend’s ideas; he always surprises and pleases us in this House. Following the passing of the Deregulation Act 2015, consent from the Secretary of State for Digital, Culture, Media and Sport is no longer required to erect statues; the process is now determined through the planning system only. But since I am sure all Members will agree that it feels as though my hon. Friend has represented his seat of Southend West for at least a century, perhaps his constituents would like to consider erecting a statue of him on Southend pier.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the business for when we return.

This has been an absolute stinker of a week for the democratic arrangements of this House. First, there was the repeal Bill with its grotesque Henry VIII powers, then the manipulation of the Standing Committees of
the House in the Government’s favour, and now the
downdragging of Opposition day debates to little more
than Adjournment debates. Next, Mr Speaker, they will
be coming for your Chair.

The Leader of the House said when she assumed the
role that she wanted to reach out to the parties of the
House, to seek consensus and work across this Chamber,
but the Government are now behaving little better than
da dysfunctional tinpot dictatorship, although they are
doing that so ineptly that they will probably end up
oppressing themselves. This is a Government who singularly
fail to accept their minority status, and delusionally
assert they have a majority even when their billion-pound
friends desert them.

Turning to that, apparently the Government’s Democratic
Unionist party deal requires parliamentary approval—
something they were pretty keen to keep from this
House when it was first announced. So what are they
going to do to bring a debate to this House? Apparently,
that has to be done through the estimates process, but
debates on estimates are purely in the gift of the Liaison
Committee, so what plans does the Leader of the House
have to bring this grubby deal on to the Floor of the
House, so that all the issues can be considered?

And what are we doing about the time for Committee
stage of the repeal Bill? The equivalent of seven eight-hour
days have been set aside for it, but there will be hundreds
of amendments, and we know that there will be real
interest from Members, as we saw on Second Reading.
What is the Leader of the House doing to ensure we get
sufficient time?

Lastly, we have just got back from a long summer
recess, but apparently we are taking a break again so
that three voluntary organisations can have the equivalent
of their annual general meetings. The public will be
baffled that we can find only seven days for that Committee
stage in the House, yet can find a week to let our
12 Liberal Democrats go to their conference.

Andrea Leadsom: First, may I advise you strongly,
Mr Speaker, to nail down your Chair, just in case? The
hon. Gentleman is clearly concerned that someone might
run off with it.

I am afraid that the hon. Gentleman shows his usual
contempt for this place, which is actually a bastion of
democracy. [Interruption.] He calls it a tinpot dictatorship,
which is pretty contemptuous. It is a great shame, but it
comes as no surprise; that attitude pervades his approach
to this place.

The hon. Gentleman raises the question of, as he calls
it, the “grubby deal”. The confidence and supply
arrangement with the DUP provides funding to the
Northern Ireland Executive, once reconstituted, and
frankly I am sick of Opposition Members putting it
forward that this is somehow finding its way to a
political party. They know full well that that is not the
case. They also know full well that there have been
many support packages for different parts of the United
Kingdom. The money being provided for Northern
Ireland will go towards tackling incredibly important
problems and challenges in Northern Ireland, such as
mental ill health, the consequences of the troubles,
and infrastructure.

In response to the hon. Gentleman’s question on the
hours allocated for the eight-day Committee of the
whole House on the European Union (Withdrawal)
Bill, we have provided eight hours a day of protected
time. In fact, that compares rather favourably with the
39 hours and 17 minutes provided for discussion of the
Lisbon treaty. As we showed when we extended the time
for debate on Second Reading of the European Union
(Withdrawal) Bill following a request from Members,
we will of course look carefully at this matter. Finally, it
is a bit rich of the hon. Gentleman to say that the
confidence recess is held at the behest of the Liberal
Democrats when he himself came to me to ask whether
we could consider changing the dates to suit the Scottish
National party conference— [Laughter.]

Mr Speaker: Order. In thanking the Leader of the
House for her kind invitation, I can confirm to the
House that my Chair is not going anywhere. Neither am I,
for that matter. I call Mr Peter Bone.

Mr Peter Bone (Wellingborough) (Con): Thank you,
Mr Speaker. This is none the less a serious point that
you bring up. Parliament clearly voted for two motions
yesterday, so it seems to me that the Government are
going to have to listen carefully to what the House says,
or at least, as a minimum, if they lose a vote in the
House—

Paula Sherriff (Dewsbury) (Lab): When?

Mr Bone: Someone has shouted “When?” It is probably
likely to happen again. Could we have an undertaking
from the Leader of the House that in those circumstances
the Government would subsequently make a statement
in reaction to any such vote? This also applies to debates
arranged by the Backbench Business Committee. If the
House passes something, the Government need to respond
to it. It would therefore help the House if the Leader of
the House were able to give such an undertaking.

Andrea Leadsom: As usual, my Northamptonshire
neighbour and hon. Friend the Member for Wellingborough
(Mr Bone) makes a good and constructive suggestion.
As I tried to indicate to the hon. Member for Walsall
South (Valerie Vaz), the Government have taken very
seriously and considered in great detail the issues of
public sector pay and tuition fees, both in the Chamber
and outside it. However, my hon. Friend makes a good
point about areas that have not been so thoroughly
discussed in this place, and I will certainly take that
away and look into it.

Ian Mearns (Gateshead) (Lab): May I crave your
indulgence for a moment, Mr Speaker? Members across
the House might be aware that a light aircraft crashed
on the Sandringham estate in the North West Norfolk
countryside on Monday evening. Two people were
killed, and it was subsequently discovered that they
were both from Gateshead. They were the pilot, Nigel
Dodds, who was from Gateshead but lived in Menorca,
and a friend of mine, a lady called Val Barnes, who lived
in Whickham, in the adjoining constituency of my hon.
Friend the Member for Blaydon (Liz Twist). Val used to
be the school administrator at Kelvin Grove Primary
School, where I am the chair of the governors. She was
a volunteer with the breakfast club and worked with the
parent-teacher association. She was a long-standing governor and a genuine friend of the school, with her energetic enthusiasm, her vibrant personality and her real passion for the school and its children. She will be very sadly missed.

The Backbench Business Committee is open for business, and I would be grateful if the Leader of the House could let us know as soon as possible about the allocation of time for Backbench Business Committee debates from the week beginning 16 October. Back-Bench Members on both sides of the House, this is your time. This is your opportunity to raise issues about the interests of your constituents. Applications are very welcome, and we already have a number on the stocks. All Members will want to be reassured that the Backbench Business Committee will be given a fair allocation of time in the Chamber in this untypical two-year parliamentary Session. The Standing Orders state that in a typical parliamentary Session, we will get 35 days, 27 of which will be in this Chamber, but this two-year Session is untypical. We would therefore welcome an assurance that we will be given a pro rata time allocation.

Andrea Leadsom: I am sure that I can speak for all Members in expressing our enormous condolences and sympathies regarding the loss of those two individuals—such wonderful people, by the sounds of things. The hon. Gentleman makes an impassioned case.

As for the Backbench Business Committee, I am sure that the hon. Gentleman will be delighted that his request from last week was heard and acted upon, and that the Committee is now up and running. I have also heard his request for a decent number of days for the Committee. I assure him that that is fully my intention, and that I am always happy to discuss any particular requests with him.

Michelle Donelan (Chippenham) (Con): Will the Leader of the House make a statement about Ministers being stopped during their winding-up speeches? It happened yesterday when the Minister for Universities, Science, Research and Innovation was discussing an important topic and that cannot become a precedent.

Andrea Leadsom: My hon. Friend is right to raise that. When Ministers are speaking about important topics, it cannot be allowed for them to be stopped mid-flow through unreasonable interventions and deliberate blocking practices.

Ms Harriet Harman (Camberwell and Peckham) (Lab): I ask the Leader of the House to look at yesterday’s Westminster Hall debate on the representation of women. It was led by a truly excellent speech from the hon. Member for Eastleigh (Mims Davies), which elicited a wide consensus across the parties. There are more women in the House than ever before, and that is not just welcome; it is a democratic imperative. There are more babies being born to women MPs, which is a fact of life. Since 2010, 17 babies have been born to women Members of this House, and there is no maternity leave or paternity leave.

At the European Union (Withdrawal) Bill debate on Monday, the only way for my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) to record her vote was to bring her lovely new baby—just a few weeks old—to the House, and my hon. Friend the Member for Bury North (James Frith) had to leave his baby, who is just a few hours old. Will the Leader of the House join me in thanking Mr Speaker for setting up a reference group to consider the matter and in supporting his work? We can square the circle to ensure that we can be good parents and excellent MPs and that constituents can be properly represented, but we need change. Mr Speaker, although you arrived in this House as a man and as a Tory, since you have been in the Chair you have really proven yourself to be nothing less than an honorary sister.

Andrea Leadsom: I thank the right hon. and learned Lady for her point. I absolutely share her passion for resolving such issues. There are many barriers to women entering Parliament and, in the centenary year of women’s suffrage, it is important that we do all we can to help resolve the matter. Many colleagues across the House, including my right hon. Friend the Member for Basingstoke (Mrs Miller), the Chair of the Women and Equalities Committee, are also working hard on these issues. I am sure that “Mr Sister”—otherwise known as Mr Speaker—will be keen to make some progress.

Several hon. Members rose—

Mr Speaker: Order. I am bound to say to the Leader of the House, to the right hon. and learned Member for Camberwell and Peckham (Ms Harman) and to the House as a whole that, as Members can probably tell, my cup runneth over. I am in a state of overwhelming excitement. On a formal level, I should just tell the House that as chair of the Commons reference group on representation and inclusion, of which mention has been made, I can say that we are fully seized of the right hon. and learned Lady’s proposals relating to baby leave. Indeed, we discussed them fully on Tuesday afternoon. We are committed to vigorously pursuing them with a view to an effective motion being brought before the House for its decision.

I call Mr Philip Davies.

Philip Davies (Shipley) (Con): Thank you, Mr Speaker—[Interruption.]

Mr Speaker: Order. I should just say, and I am sure the hon. Gentleman will be very relieved to hear this, that nobody has ever suggested he should be granted the status of an honorary sister.

Philip Davies: I was just about to commend you, Mr Speaker, for identifying the other honorary sister on the Conservative Benches, for I presumed that was why I had been called.

It is bad enough that we have a bloated, wasteful and unaffordable overseas aid budget, but it is even more ridiculous that we now learn we cannot spend our overseas aid budget on our overseas territories. As we are getting back control from the unelected and unaccountable European Union, may I suggest that we now get back control over our overseas aid spending from the unelected, unaccountable morons at the OECD, so that we can spend our overseas aid budget on the things that we want to spend it on, rather than on the things that they tell us to?
Andrea Leadsom: I am grateful to my hon. Friend for raising what is a very important point in his usual way. Hurricane Irma, which sparks his question, is an unprecedented disaster, and it was absolutely right that the UK responded immediately to the needs of people affected. That was our primary focus, and it continues to be our priority. We are now looking at how the current overseas aid rules apply to such disasters.

So that all hon. Members are aware, the Prime Minister announced yesterday that a further £15 million of assistance for the overseas territories has been committed, on top of the £32 million already committed last week. We have already deployed more than 1,000 military personnel to the area and we have sent more than 40 tonnes of aid. There is no lack in the UK’s assistance for these people who have been devastated by this awful natural disaster.

Mr Alistair Carmichael (Orkney and Shetland) (LD): On Tuesday evening, the Leader of the House justified the changes to Standing Orders on the basis of the Government having, in her words, a “working majority.” That working majority was not much in evidence yesterday afternoon when the Government sat on their hands on two motions. We now read that that is to be the Government’s approach to all Opposition day debates. Can she tell us whether that is the case? I remind her that, without Opposition day debates and the insistence of her party, the situation on Gurkha immigration status would never have been resolved. Does she really understand the danger of what she is doing to our parliamentary procedures?

Andrea Leadsom: The right hon. Gentleman should not believe everything he reads in the press. As I said to the hon. Member for Walsall South (Valerie Vaz), the subjects of yesterday’s two debates, public sector pay and tuition fees, are very serious issues that the Government have been looking at. We have provided information to the House, and we have had debates and comprehensive statements in this Chamber. The policies are very clear. These are very serious issues, and Government Members participated fully, matching the number of Opposition speakers—there were as many speakers as were permitted. Indeed, my hon. Friend the Member for Harborough (Neil O’Brien) was not even called because there was not enough time for his contribution to be heard. There is no question but that this Government continue to fully engage in Opposition day debates.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): I know the Leader of the House is fully aware of the importance of ring-fencing local housing revenue, which is vital to all our constituents, but I have evidence here showing that Taunton Deane Borough Council has been siphoning off huge sums to spend on new computer equipment. May we please have a debate on propriety in local government?

Andrea Leadsom: My hon. Friend has raised that point in the Chamber a number of times, and I know he continues to raise it with the appropriate Ministers. I encourage him to keep doing that.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): As someone who has served in this House for some years, I add my voice to those who are saying that some of the decisions of the past week will usher in a very unpleasant atmosphere in the House.

On a lighter note, I highlight a new report, “Women unbound. Unleashing female entrepreneurial potential,” which I helped to launch in the House this week with PricewaterhouseCoopers and the Crowdfunding Centre, which is based in Yorkshire. Women in this country have huge potential. They are starting new businesses and creating wealth. Will the Leader of the House and Mr Speaker read the report? Let us get on with unleashing that potential and get this country moving again.

Andrea Leadsom: I am happy to endorse completely what the hon. Gentleman is saying. The female employment rate is at a record high and there is a higher percentage of women on FTSE boards than ever before. There are now about 1.2 million businesses led by women, which is more than ever before, and the gender pay gap has fallen to a record low. However, as the right hon. and learned Member for Camberwell and Peckham (Ms Harman) was saying, we need to address issues in terms of getting more women into Parliament—getting more people representing those who share some of their particular interests. I am happy to read the report he mentions and I congratulate him on doing it.

Rishi Sunak (Richmond (Yorks)) (Con): The Government are funding the installation of almost 600 mobile phone masts in remote areas as part of their emergency services network roll-out. It would be hugely helpful for rural constituents in areas such as mine if the Government were to allow mobile phone operators to freely locate on these towers and strongly encourage them to do so, to broaden mobile phone coverage in rural areas. Will the Government make a statement about their plans in this area?

Andrea Leadsom: My hon. Friend raises an issue that matters a great deal to lots of our constituents, including mine in rural areas. The mobile network operator EE is delivering about 500 new sites, of which just under 300 will be part of those Government-funded sites. He will be pleased to know that EE is making sure that those new Government-funded sites will be open to site applications from other operators.

Liam Byrne (Birmingham, Hodge Hill) (Lab): Will the Leader of the House bring forward an urgent statement on integrated data services? Last week, we saw one of the biggest data breaches in the world at Equifax, a company with which the British Government set up a joint venture to provide debt recovery services in 2014. People in this country have a right to know whether a British Government company was involved in one of the biggest data breaches we have ever seen.

Andrea Leadsom: The right hon. Gentleman raises an important point and if he would like to write to me, I shall be happy to take it up with the relevant Department separately. However, he may well want to raise it at the next oral questions opportunity.

Tom Tugendhat (Tonbridge and Malling) (Con): I am pleased that the Leader of the House is in her place today, because she will understand better than almost anybody here the importance of buses for children to get to schools in Tonbridge and Tunbridge Wells, having been educated in the wonderful town of Tonbridge herself. Sadly, the buses in my community and that of
my right hon. Friend the Member for Tunbridge Wells (Greg Clark) are struggling to get children to school on time and to get them home safely. Will the Leader of the House make time available so that my right hon. Friend the Member for Tunbridge Wells and I could hear views from other Members and put pressure on those running the buses to serve our children better?

Andrea Leadsom: My hon. Friend is right to say that so many communities—schoolchildren and many others—rely on bus services. When I was at Tonbridge girls grammar I used to cycle to school, so I can thoroughly rely on bus services. When I was at Tonbridge girls grammar I used to cycle to school, so I can thoroughly rely on bus services. When I was at Tonbridge girls grammar I used to cycle to school, so I can thoroughly rely on bus services. When I was at Tonbridge girls grammar I used to cycle to school, so I can thoroughly rely on bus services.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): Thank you for allowing me to raise an important issue, one that might require parliamentary privilege. Mr Speaker, TTX Express in my constituency has been in business for 40 years. It employs 90 people and is Tesco’s haulage company of the year. It has an outstanding complaint with Clydesdale Bank, whose chief executive we met in this place, when a commitment was given to review the complaint and to hold a meeting before action was taken to sell the land from which this company trades from under its feet. The bank carried out a thin internal review and then refused to meet in the way it had agreed to.

The business is due to go into administration tomorrow, and I understand that the bank has agreed the sale of the land to a third party. That puts at risk 90 jobs and a long-standing business in my constituency. When it has gone to the Financial Conduct Authority for support, the FCA has concluded that it cannot review the complaint because it is outside its scope. Having seen the evidence, it is my belief that potentially criminal activity has been taking place, so my question is this: will the Leader of the House support my call for the bank to hold off on the sale and the administration? In addition, will she confirm this, Mr Speaker—that the hon. Gentleman would find that such a discussion would be in order during the general debate in the first week back after the recess.

James Cleverly (Bracknell) (Con): The number of people claiming out-of-work benefits in my constituency is now 67% lower than it was in 2010, but that brings a different challenge: several employers, particularly high-tech manufacturing employers, are struggling to fill vacancies. May we have a debate on the availability of technical training to enable the workforce to fill successfully the technical jobs gaps in my constituency?

Andrea Leadsom: My hon. Friend points to the amazing employment performance in this country. We now have some of the highest employment numbers in the western world, with employment up by almost 3 million and at its highest rate since the early 1970s. That does bring its own challenges, though. I am sure that my hon. Friend will be delighted, as I am, by the Department for Education’s extreme efforts to improve skills. He will no doubt wish to raise his particular issues at Education questions after the recess.

Ruth George (High Peak) (Lab): I am a member of the Work and Pensions Committee, and yesterday we heard from eight organisations that all agreed that the UK is not yet ready for the roll-out of universal credit. As it is due to be rolled out to almost half a million households in the next month, will the Leader of the House please prevail upon her colleague the Secretary of State for Work and Pensions to halt or at least delay the roll-out so that all those people do not suffer?

Andrea Leadsom: The hon. Lady will be aware that the point of universal credit is to address the plight of people out of work and to improve their opportunities...
[Andrea Leadsom]
to get back into work. Even if someone is working for only a few hours a week, they still qualify, which improves the incentives for working. She raises a very important point about the readiness of the complete roll-out. I shall certainly take that up with the Department on her behalf, and she may also wish to raise it herself with the Minister concerned.

Bob Blackman (Harrow East) (Con): In the wake of Hurricane Irma, Britain is rightly providing aid and assistance to the thousands of people who have had their homes destroyed and their lives ruined. Ministers have kept this House up to date with what is going on. However, at the same time, on the Indian subcontinent, hundreds of people have lost their lives and thousands have lost their homes and their livelihoods, yet we have had no statement about that from the Government. Given that this is part and parcel of our Commonwealth responsibilities, as well as our wider responsibilities on international development, will my right hon. Friend make sure that, on our return, we have a statement to the House on the work that we are doing as the United Kingdom to support our Commonwealth partners?

Andrea Leadsom: That issue has been raised in business questions a number of times. I know that our colleagues in the Foreign Office and the Department for International Development are following very closely what is going on with the appalling floods in south-east Asia. Our pre-positioned relief supplies ensured that thousands of people in Bangladesh and Nepal did receive immediate support following the terrible floods. We have allocated a further £400,000 to the Nepal Red Cross Society for monsoon flood response that will provide clean water, and help with food, financial support and so on. India has not requested international assistance, but we continue to monitor the situation very closely, and I will take up that point with Departments.

Marsha de Cordova (Battersea) (Lab): I just wish to follow on from the question about universal credit asked by my hon. Friend the Member for High Peak (Ruth George). The Leader of the House stated why the credit has been introduced. However, we are currently taking evidence on the matter—we have heard from several organisations including the Local Government Association and Citizens Advice—and it seems that the system is not working and that the Government need to pause any further roll-out of universal credit.

Andrea Leadsom: As I said to the hon. Member for High Peak (Ruth George), we are absolutely committed to universal credit as a means of supporting more people to get into work. That must be a good thing for those individuals, for our economy and for our society. However, the hon. Member for Battersea (Marsha de Cordova) and for High Peak have raised an important point. Ministers are very aware of the issue, and we will be listening carefully to what people have to say.

Mike Wood (Dudley South) (Con): Can the Leader of the House tell us how many Members contributed to the two Opposition day debates yesterday? Is she satisfied that both sides of the House fully engaged with those debates?

Andrea Leadsom: My hon. Friend will be aware that we on this side of the House engaged very fully with those debates. In fact, there were equal numbers of Opposition and Government contributors—unlike on Tuesday, when there were only two or three Members from Her Majesty’s loyal Opposition present to debate the incredibly important Finance Bill. Opposition Members need to be a bit careful. We are fully engaged with all matters in this House, but they seem to be cherry-picking the things that they feel give them political advantage.

Bill Esterson (Sefton Central) (Lab): Peel Ports has announced a massive investment of £750 million in rail freight at the Port of Liverpool. Will the Leader of the House ask Transport Ministers when the Government will match that investment in much-needed rail freight across the whole of the north of England? The private sector is playing its part; it is time for the Government to do the same.

Andrea Leadsom: The hon. Gentleman will be aware that the Government have committed more to infrastructure than at any time in recent history—£49 billion since 2010, which is 17% up on the comparable period under the last Labour Government. We are investing more than £13 billion in the north of England’s transport infrastructure. From major new infrastructure schemes to local transport improvements, we are trying to transform journeys for passengers and drivers and to create the capacity that the north really does need.

Mims Davies (Eastleigh) (Con): Opposition days and general debates are vital to the relevance of this House, as is the opportunity to discuss community, family and constituency matters in Westminster Hall, so I roundly welcome the forthcoming debate on baby loss. Will the Leader of the House make a statement on the impact of the Opposition’s determination yesterday to squeeze in those two large issues of the NHS and education? Doing so diminished speaking time for Members on both sides of the House, including the time for the relevant Ministers to respond.

Andrea Leadsom: The subjects of Opposition day debates are obviously a matter for the Opposition. Nevertheless, it is the case with these very important issues that they squeeze in two for the price of one. My hon. Friend makes the good point that some of these matters are worthy of more debate. There were certainly many Government Members who would have liked to have made their case, but were unable to do so.

Paul Flynn (Newport West) (Lab): When the former Chancellor, Mr George Osborne, left office, he took on a job with BlackRock finance, working four days a month for a remuneration of £650,000 a year. In pursuit of the investigations of the Select Committee on Public Administration and Constitutional Affairs into possible abuses of the revolving door by which former Ministers might be using their inside knowledge for financial gain, the Committee invited Mr Osborne to come to this House to explain allegations that he had had dealings with BlackRock finance when he was Chancellor, as a result of which the laws were changed in favour of BlackRock. Should we not insist that we debate this issue and renew the invitation to Mr Osborne to explain his position to the House to guard our reputation?
Andrea Leadsom: There are very tightly enforced, clear rules regarding what ex-Ministers are able to do both when they have left office and while they are still in office. The hon. Gentleman is merely putting forward a hypothesis in which I see no merit. He is taking the opportunity to criticise something when he has no evidence to support his case—that is extremely unfair.

Jeremy Lefroy (Stafford) (Con): The clock is ticking in the Democratic Republic of the Congo, where elections are still nowhere on the horizon, despite the agreement at the end of last year that they should be held within one year. The United Kingdom has been highly engaged in the process. Could we have a statement from the Minister responsible—perhaps a written statement, or some kind of indication during the recess—about what we can do to ensure that the Democratic Republic of the Congo does not fall into a period of great uncertainty, but holds the promised elections?

Andrea Leadsom: We remain deeply concerned about the political crisis in Burundi and continuing human rights abuses. The current crisis can only be resolved by inclusive dialogue that preserves the Arusha agreement. We still believe that the east African community dialogue led by former Tanzanian President Mkapa offers the best prospect for a mediated solution. We call on all parties to engage without preconditions. On my hon. Friend’s request for a ministerial statement, I will ask the Department concerned whether it can provide more of an update.

Judith Cummins (Bradford South) (Lab): I am sure the Leader of the House is aware that the Department for Transport’s annual publication “Reported Road Casualties” is being substantially delayed and is now scheduled for 28 September—three months late. During my time in this House, I have campaigned for improved road safety in my constituency and for tougher sentences for dangerous driving. If, as expected, this year’s figures reveal an increase in road deaths and serious injuries, that would represent a shocking reversal in the decade-long trend toward safer roads. Given that delay, and given that publication now falls in the recess, will the Leader of the House arrange for time to be made available to discuss this important issue when the House returns?

Andrea Leadsom: First, I congratulate the hon. Lady on her work to raise this important issue and on being a champion for safer roads—she is absolutely right to do that. I will look into the point she raises about the delay to the report, and I will get back to her to let her know what we can do.

Michael Tomlinson (Mid Dorset and North Poole) (Con): Last week in Westminster, there was the launch of the manifesto on strengthening families. The Leader of the House found time to attend, and I commend her for the work she has done in this area. Can she find time for a debate on strengthening families, particularly with an angle on the important link between prisoners and families? The odds of reoffending are 39% lower if people retain contact with their family while in prison. Perhaps she could also find time to commend Lord Farmer for his work in this area.

Andrea Leadsom: I am delighted to commend Lord Farmer for his work on the relationship between prisoners and strengthening families. I was delighted to attend the launch of the families manifesto last week and to see the extensive number of Back-Bench Members who had put their names to it. I know my hon. Friend shares my passion for all children to have the best start in life, and he will be pleased to know that all Departments are committed to making progress, including the Department of Health, which has committed an additional £1.4 billion for mental health services for children and young people over this Parliament. I am proud to say that £365 million has been made available to provide specialist mental health services to mums before and after having their babies, and that is being led by NHS England. That will make a huge difference to families.

Martyn Day (Linlithgow and East Falkirk) (SNP): I hope that the House will join me in praising the efforts of Epilepsy Connections in working with people who face this condition, such as my constituent Carol McNeil, and supporting them with the challenges and difficulties they face. Perhaps we could have a debate in Government time about the organisation’s concerns about access to face-to-face support for epileptics at all stages of the personal independence payment process—from initial application to appeals against negative decisions.

Andrea Leadsom: The hon. Gentleman raises a really important point, and I completely share his enthusiasm for highlighting the importance of understanding what to do when faced with somebody who is suffering an epileptic fit. He should use the opportunities that are open to him—perhaps by securing an Adjournment debate or a Backbench Business Committee debate—to try to raise this issue more widely.

Kevin Foster (Torbay) (Con): I am sure that the Leader of the House will be reflecting, like me, on the fact that it is truly bizarre when the biggest complaint of someone who comes to this Chamber is that no one turned up to object to their proposal the day before. May we therefore have a debate on what it means to put proposals forward and how to act positively in this Chamber, rather than just looking for opportunities to score cheap political points?

Andrea Leadsom: I am very sympathetic to what my hon. Friend has to say. We have discussed this issue during today’s business questions. The important point is that we engage in clear and coherent debate, although it can be as feisty as we like. The point is also that the choice of subject for Opposition day debates is a matter for the Opposition. The Government will always engage with debates, but we will not always take part in the political point scoring that was the objective behind the Opposition’s particular subjects yesterday, and that point is backed up by the fact that they chose to hold two debates on very serious subjects on which Conservative Members would very much have liked to contribute, and at greater length than was permitted by an Opposition who just wanted to get in as much political point scoring as they could.

Diana Johnson (Kingston upon Hull North) (Lab): I really do not know how the Leader of the House is keeping a straight face when she makes those comments to the heart of democracy in this country.

I am sure the Leader of the House will be aware of the landmark news this week that offshore wind energy is now cheaper than new nuclear energy, so can we...
please have a debate on this new industry and on what more the Government can do to support it—particularly to meet our carbon targets—and to ensure we have continued access to the EU export market after Brexit?

Andrea Leadsom: The hon. Lady raises a point that I am sure all Members will be delighted by, which is the extraordinary rate at which the cost of offshore wind has come down. As an ex-Energy Minister, I remember having whole stakeholder meetings with offshore wind developers urging them to compete more for the contracts for difference paid for by bill payers, so that we could get these costs down as quickly as possible. We should be very proud in the United Kingdom that we have led the world in the development of this technology. We are the third best country in the world, according to the independent Climate Action Network, for tackling climate change. We have outperformed our closest EU counterparts, with the largest cut in greenhouse gas emissions since 1990. There is more to do, but we are absolutely committed to doing it. If the hon. Lady wanted to generate a debate in this Chamber, I am sure that many Members would be delighted to take part in it.

Helen Goodman (Bishop Auckland) (Lab): The weakness of the House’s scrutiny of delegated legislation was illustrated yesterday afternoon by the fact that the House passed a motion calling for the regulations on tuition fees not to go forward that the Government propose to ignore. The Leader of the House knows that amendments have been tabled by Members in all parts of the House looking for changes to the European Union (Withdrawal) Bill, but amendments to the Bill alone will not solve the problem. We may need a new Select Committee, changes to Standing Orders and extra resources, and we will need to consider these in parallel with the Committee stage of the Bill. Will she commit today to bringing forward proposals and making time to do that in parallel with the Committee stage of the Bill?

Andrea Leadsom: The hon. Lady is conflating two separate issues. Let me be very clear with her on yesterday’s debate that she says, had the Opposition won, would have revoked the tuition fees rise. The 40-day annulment period is set out in the Statutory Instruments Act 1946, not in Standing Orders, so it is an entirely separate point. [Interruption.] Yes, it is an entirely separate point.

On the hon. Lady’s question about scrutinising secondary legislation under Brexit legislation during the course of this Parliament, Ministers are listening very carefully. As my right hon. Friend the Justice Secretary said on Monday night in response to questions from this House, we are looking very carefully at what more can be done to reassure Members that secondary legislation that has a more significant impact than merely to change little bits of wording here and there can be properly scrutinised by all Members. We are looking very carefully at what we can do.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): During the summer, I met Renfrewshire charity No Strings Attached, which supports young asthma sufferers to self-manage their condition by improving their knowledge of asthma and by teaching them a wind instrument. May we have a debate on how we better support organisations such as No Strings Attached?

Andrea Leadsom: I congratulate the hon. Gentleman on raising such an important issue. Asthma is often taken very lightly by people, but it is a very serious condition with very serious implications if it is not properly taken care of, so anything that can be done to highlight its importance is welcome. I myself have a son who has suffered from asthma, and it something that we worry about quite considerably. I urge the hon. Gentleman to use the opportunities that he has for an Adjournment debate or a proposal to the Backbench Business Committee to raise this important issue.

Vicky Foxcroft (Lewisham, Deptford) (Lab): Is it true, as quoted on Twitter by Paul Waugh and briefed elsewhere, that Government MPs are no longer expected to vote in the—very, very rare—Opposition day debates? I think the last one was in January. I know that the Leader of the House has been asked this several times, so she might want to answer with a yes or a no.

Andrea Leadsom: I certainly think we should consider changing Standing Orders to suggest to hon. Members that they do not take their facts from Twitter. The hon. Lady’s information is from Twitter, so it is, by definition, not Government policy and not therefore to be relied on.

Grahame Morris (Easington) (Lab): Reinforcing the points made by my hon. Friend the Member for High Peak (Ruth George) and for Battersea (Marsha De Cordova), may we have an urgent debate in Government time about the confidence of DWP decision makers in the rules they work under? The Leader of the House may recall that I raised a case last week. I have had another case in my constituency where the DWP rejected a request from a constituent to do a paper assessment, even though this constituent has severe mental health and learning difficulties, placing her in the lowest 1%. I sometimes wonder whether those in the DWP are intent on inflicting pain and misery when their time could be better spent helping others. May we have a debate or a statement about their qualities?

Andrea Leadsom: It is important to set out that this Government are absolutely committed to supporting disabled people. That is why we are spending over £50 billion a year in 2017-18 on benefits to support disabled people and people with health conditions—up by more than £7 billion since 2010. We are trying to focus the support on those with the most severe conditions. I absolutely recall that the hon. Gentleman raised a particular issue with me. We all know that unfortunately we sometimes have to put an extra case for a particular constituency case that we feel has gone wrong. I will always help hon. Members if they feel they are not being listened to on individual cases, but the overarching policy of trying to help people with disabilities more is the right one.

Paula Sherriff (Dewsbury) (Lab): Infertility is a disease, never a lifestyle choice, and access to treatment should not be a postcode lottery—yet it is. A number of clinical commissioning groups across the country are deciding
no longer to offer free cycles of IVF, and the Government do not appear to be interested in enforcing the National Institute for Health and Care Excellence guidance. Could we have a debate or a statement from the Government on this very important issue?

Andrea Leadsom: I certainly agree with the hon. Lady that infertility is heart-breaking for so many people. I have had constituency cases myself where people have tried to get infertility treatment and not been able to do so. I absolutely sympathise with the point that she makes. I urge her to use all the opportunities she has to raise this very significant issue.

Alison Thewliss (Glasgow Central) (SNP): During the summer recess, I was informed that the hours for the phone lines for the Scotland and Northern Ireland inquiry team at UK Visas and Immigration were temporarily reduced to 11 am to 4 pm. On 31 August, this was further reduced by half an hour. Thirty per cent. of my caseload is immigration cases, and this restriction is making it very difficult for me and my staff to support constituents with complex cases, including asylum issues, removals and visas. How long will this unacceptable situation continue? Four and a half hours to serve 77 MPs is just not enough. May we have a debate on staffing levels and capacity in UKVI?

Andrea Leadsom: The hon. Lady did not give me prior notice of her question, which I am interested to hear. I also heavily use the MPs’ hotline she mentions to try to make progress with cases. I have always found it to be very efficient, and we are able to make progress quite quickly. If she would like to write to me, I am happy to take it up, but she might find it quicker to put in a notification to the Home Office that she intends to ask a question at Home Office questions.

Jeff Smith (Manchester, Withington) (Lab): Last week, the Advisory Council on the Misuse of Drugs published a report noting that addiction services are facing disproportionate and severe cuts in funding, hitting the amount and quality of treatment across England. May we have a statement or a debate on how the Government are going to respond to the report and address the problem?

Andrea Leadsom: This is a very important subject that we try to address as a Government to do all we can to help people to end their addictions. It is absolutely vital that we do that. The Psychoactive Substances Act 2016 was designed to ensure that we can get on top of new addictive substances as they emerge. The hon. Gentleman is right to raise this point. I am sure that the Government will respond to the report as soon as we can.

Liz McInnes (Heywood and Middleton) (Lab): This morning, the Under-Secretary of State for the Home Department, the hon. Member for Truro and Falmouth (Sarah Newton), informed me that my constituents were very satisfied with the service they were receiving from Greater Manchester police. Sadly, nothing could be further from the truth. My constituents regularly speak to me about their fears and concerns for their safety, from the lack of visible policing to difficulties with the 101 system. May we have an urgent debate on funding and resources for Greater Manchester police?

Andrea Leadsom: The hon. Lady raises an issue that affects MPs right across the country. Members of the public always feel nervous about crime, quite understandably, regardless of the facts of the case. Their concern can be sometimes with good cause, and sometimes without. As the hon. Lady knows, she can speak to her police and crime commissioner and take the matter up locally, or she can do so directly with the Department if she feels as though she is not getting proper answers.

Chris Stephens (Glasgow South West) (SNP): My constituent Mr John Foley is asking, as are many others, for a general debate or a statement from the Government on sepsis awareness. Does the Leader of the House agree that the Government must expand and promote awareness of this potentially deadly condition?

Andrea Leadsom: The hon. Gentleman raises an important point, and he will be aware that my hon. Friend the Member for Dudley South (Mike Wood) almost died of sepsis. This subject is live in the Government, and we are looking at it carefully. An estimated 37,000 people die every year as a result of sepsis, and every death is a tragedy. We need to get much better at spotting sepsis right across the NHS, and the NHS England commissioning for quality and innovation scheme for sepsis incentivises providers to improve identification and timely treatment. As the Prime Minister said in Prime Minister’s questions yesterday, we will be doing all we can to encourage better identification and early diagnosis.

Justin Madders (Ellesmere Port and Neston) (Lab): This week, the Government announced a badger cull in Cheshire. The scientific evidence shows that a vaccination programme would be far more effective, but the Government insist on carrying out this cruel and barbaric practice contrary to the science. Can we have a debate, please, on why the Government insist on operating in this way?

Andrea Leadsom: I know from my time as Secretary of State for Environment, Food and Rural Affairs that the science is not entirely clear. There is very clear qualitative evidence that culling badgers reduces the incidence of bovine tuberculosis. We know that badgers carry bovine TB, and that there is a worldwide shortage of the vaccine that could be used for badgers. World guidelines state that we should not be using that vaccine—it is a human vaccine—on badgers for the time being.

There is a lot of work going on in the Department for Environment, Food and Rural Affairs to make sure that the culling is humanely carried out under very strict conditions and supervision. I think that we must allow the best science to prevail, because bovine TB is destroying farmers’ livelihoods and their lives. It is heartbreaking to see the stories of farmers who are trying to deal with having to have their whole herd culled as a result of one breakout of bovine TB. It is not something that we can just ignore.

Nick Smith (Blaenau Gwent) (Lab): Can we have a statement on tax evasion by websites such as Amazon? Her Majesty’s Revenue and Customs believes that Amazon is being obstructive about providing data that would
make it possible to crack down on fraud. When are the Government going to stop this digital giant helping to rip off the taxpayer?

**Andrea Leadsom:** The hon. Gentleman will be pleased to know that HMRC has been enormously successful in its compliance measures against avoidance and evasion, and that since 2010 it has achieved more than £150 billion of revenue from its work in this area. The Government are working hard to tackle online VAT fraud, and we have announced joint and several liability from September 2016 as part of a package of Budget measures to tackle VAT fraud in online sales. The problem is a complex international one, but the UK is the first country to introduce a power making online marketplaces jointly and severally liable for the unpaid VAT of overseas sellers. We are leading the world in this work, but there is more to be done. I share the hon. Gentleman’s disgust at any company that seeks to avoid taxes in such a way.

**Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): Devonport-based HMS Ocean is doing a superb job as part of the response to Hurricane Irma, but despite having proven its worth, the ship is due to be scrapped. The new carriers cannot replicate the unique role of HMS Ocean in littoral waters. Can the Government bring forward a debate about the risk of losing littoral helicopter carrier capabilities when HMS Ocean is scrapped or sold?

**Andrea Leadsom:** The hon. Gentleman will have heard the statement in the last two weeks by my right hon. Friend the Secretary of State for Defence on shipbuilding in the United Kingdom. The hon. Gentleman will therefore be aware that this is an expanding area and a great UK story. In Scotland, and in the south-west and the north of England, we are expanding our shipbuilding to become a great naval force again, and there are big opportunities. He may well wish to take up his specific point at Ministry of Defence orals.

**Local Housing Need**

12.25 pm

**The Secretary of State for Communities and Local Government** (Sajid Javid): With permission, Madam Deputy Speaker, I would like to make a statement on the latest stage of our work to fix this country’s broken housing market.

As I told the House in February when I published our housing White Paper, successive Governments all the way back to the Wilson era have failed to get enough new homes built. We are making some progress on tackling that: 189,000 homes were delivered last year and a record number of planning permissions granted, but if we are to make a lasting change and build the homes we need to meet both current and future demand, we need a proper understanding of exactly how many homes are required, and where.

The existing system for determining the number of new homes needed in each area is simply not good enough. It relies on assessments commissioned by individual authorities according to their own requirements and carried out by expensive consultants using their own methodologies. The result is an opaque mishmash of figures that are consistent only in their complexity. Such a piecemeal approach simply does not give an accurate picture of housing need across the country. Nor does it impress local people who see their area taking on a huge number of new homes, while a town on the other side of a local authority boundary barely expands at all.

If we are to get the right number of homes built in the right places, we need an honest, open and consistent approach to assessing local housing need, and that is exactly what we are publishing today. The approach that we are putting out for consultation follows three steps. The first step is to use household growth projections published by the Office for National Statistics to establish how many new homes will be needed to meet rising need. I should point out that those projections already take account of a substantial fall in net migration after March 2019, but that number simply shows the bare minimum that will be required in order to stand still. If we only meet rising demand, we will do nothing to fix the broken housing market, a situation caused by the long-term failure to match supply with demand.

The second step, therefore, is to increase the required number of homes in less affordable areas. In any area where average house prices are more than four times average earnings, we will increase the number of homes planned. The assessment goes up by 0.25% for every 1% that the affordability ratio rises above four. Of course, the state of the housing market means that in some areas, doing so would deliver large numbers of homes that go well beyond what communities have previously agreed to as part of their local plans.

That is why we have added a third stage of the assessment, which is to set a cap on the level of increase that local authorities should plan for. If a local authority has adopted local plan that is less than five years old, the increase will be capped at 40% above the figure in the local plan. If the plan is not up to date, the increase will be 40% above either the level in the plan or the ONS projected household growth for the area, whichever is higher.
Those three steps will provide a starting point for an honest appraisal of how many homes an area needs, but it should not be mistaken for a hard and fast target. There will be places where constraints, such as areas of outstanding natural beauty or national parks, mean that there is not enough space to meet local need. Other areas may find that they have more than enough room, and they may be willing and able to take on unmet need from neighbouring authorities.

Such co-operation between authorities is something that I want to see a lot more of. To the frustration of town planners, local communities are much more fluid than local authority boundaries. People who live on one side of a line may well work on the other, communities at the edge of a county may share closer ties and more infrastructure with a community in the neighbouring county than they do with another town that is served by their own council, and so on.

From talking to the people who live in these kinds of communities, it is clear that they get frustrated by plans based on lines on a map, rather than on their day-to-day, real-life experience. Planning authorities are already under a duty to co-operate with their neighbours, but that duty is not being met consistently. Today, therefore, we are also publishing a statement of common ground, a new framework that will make cross-boundary co-operation more transparent and more straightforward.

Under our proposals, planning authorities will have 12 months to set out exactly how they are working with their counterparts across their housing market area to meet local need and to make up any shortfalls.

The methodology that we are publishing today shows that the starting point for local plans across England should be 266,000 homes per year. Nationwide, this represents a 5% increase on the upper end of local authority estimates, showing that the local planning system is broadly on target. For almost half of the authorities for which we have data, the new assessment of need is within 20% either way of their original estimate. Nearly half—148—will actually see a fall in their assessments, which are going down by an average of 28%. In the other 156 areas, where the assessed need will increase, the average rise is 35%, but in most cases the increase will be more modest: 77 authorities see an increase of more than 20%.

We are not attempting to micromanage local development. This is not a return to Labour’s ineffective and unpopular top-down regional strategies, which we abolished in 2010. It will be up to local authorities to apply these estimates in their own areas; we are not dictating targets from on high. All we are doing is setting out a clear, consistent process for assessing what may be needed in the years to come. How to meet the demand, whether it is possible to meet the demand, where to develop, where not to develop, what to develop, how to work with neighbouring authorities and so on remain decisions for local authorities and local communities.

New homes do not exist in a bubble. New households need new school places, new GP surgeries, greater road capacity and so on. That is why earlier this year we launched our new housing infrastructure fund. Worth a total of £2.3 billion, it ensures that essential infrastructure is built alongside the new homes that we need so badly. We will explore bespoke housing deals with authorities that serve high-demand areas and have a genuine ambition to build, and we are providing further support to local authority planning departments with a £15 million capacity fund.

Those are our proposals, but experience tells me that as soon as I sit down, the right hon. Member for Wentworth and Dearne (John Healey) will leap to his feet, bang his fist on the Dispatch Box and tell us that today’s announcement is not enough and that it will not get homes built—and you know what, Madam Deputy Speaker, he will be absolutely right. These measures alone will not fix our broken housing market. I make no claim that they will. As the White Paper made clear, we need action on many fronts, and this new approach is one of them. On its own, it will simply provide us with numbers, but taken with the other measures outlined in the White Paper, it marks a significant step in helping to meet our commitment to deliver 1 million new homes by 2020 and a further 500,000 by 2022.

It is so important that we fulfil such a commitment because the young people of 21st-century Britain are reaching out, in increasing desperation, for the bottom rung of the housing ladder. For the comfortably housed children of the ’50s, ’60s and ’70s to pull up that ladder behind them would be nothing less than an act of intergenerational betrayal that our children and grandchildren will never forget or forgive. If we are to avoid that and if we are to fix the broken market and build the homes that the people of this country need and deserve, we—all of us together—must start with an honest, open, objective assessment of what is needed and where. Today’s publication provides the means for making that assessment, and I commend it the House.

12.34 pm

John Healey (Wentworth and Dearne) (Lab): The country has a housing crisis, and Ministers are tinkering with the technicalities of the planning system. I thank the Secretary of State for the early copy of his statement, but 70% of people now see that the country has a housing crisis, and they are right: everyone knows someone who cannot get the home they need or aspire to. Home ownership has hit a 30-year low, homelessness is soaring and just 1,000 new homes for social rent were started last year under this Government, directly as a result of policy decisions taken by Conservative Ministers since 2010. There have been seven years of failure on all fronts. Not just the public but his own party expect more of the Secretary of State. Even the Prime Minister knows that housing was a big reason why Conservatives did so badly in the election.

Some of what the Secretary of State has announced today will be useful to help to underpin the national planning policy framework, albeit five years after it was adopted, but we cannot meet local housing needs without new homes of all types—from new homes to buy to new homes for affordable social rent—and securing planning permissions is only a small part of the answer. There were 300,000 planning permissions granted last year, yet the level of new affordable house building has hit a 24-year low.

The Secretary of State is right that the duty to co-operate is not working in a system in which there has been no strategic planning since 2010, so how is another plan going to help, even if it is called a statement of common ground? What will he do after 12 months if
local authorities do not meet his deadline? It is sensible to have a standard method of assessing housing need, and the national housing and planning advice unit had one until 2010, when it was abolished. Will the new method apply from April 2018, as the White Paper promised, and if not, when will it apply? Lack of a standard method causes delay in producing local plans, and that is part of the reason why it now takes months longer to adopt a local plan than it did in 2010. How much quicker will these changes make the plan-making process?

At the heart of this is a new national formula that fixes housing numbers for local areas. The Secretary of State tells us that it is not a hard and fast target, yet local plans must meet the new numbers, and in more than half the country the numbers will go up by at least a third. What is it—tough action or warm words, a big stick or small beer? What action will follow a local authority's failure to use the numbers in delivering the local plan? How many local authorities will at present meet and how many will fail to meet the new housing delivering test that he set out in the White Paper, and how many Conservative councils will fail his housing delivery test? Why did he make no mention of it at all in his statement?

One advantage of having the statement in advance was that I noticed the Secretary of State failed to mention one of the constraints that may mean these numbers do not need to be adopted. The green belt is in his script, but he failed to mention it in the House. Will he make it clear whether he meant to leave out any mention of the green belt?

Finally, people are looking for big action from the Government to fix the broken housing market and housing policy failures. They are looking for leadership to tackle the housing crisis. After seven years of failure, simply fine-tuning the detailed workings of the planning system falls dismally short of what the country needs.

**Sajid Javid:** I thank the right hon. Gentleman for his entirely predictable remarks. If I heard him correctly, he talked about tinkering with our broken housing market and about failure in the housing policy changes. I think he was referring to the 13 years of the Labour Government, in which he served as Housing Minister, and under which Britain reached the lowest level of housing starts since the 1920s. During those 13 years, housing starts declined by 45%, waiting lists increased by more than 1 million and the number of units available for social rent was cut by 420,000. This House will not take any lectures from him; that is his legacy. I readily admit that there is much more to do, but we have made serious progress over the past seven years—more than 893,000 new homes, including 333,000 new affordable homes, and planning permissions last year were at a record high. Of course, there is much more to do, and that is what today's statement is about.

The right hon. Gentleman asked about the statement of common ground. The requirement is to build on the duty to co-operate. We want to ensure that every local authority does that—working with its neighbours, but in a much more transparent and open way. They must show their communities exactly how they are going to work with all their neighbours. He will see that the consultation sets out in detail exactly how that will work, but one of the first requirements will be that, within 12 months of the planning changes being made, all local authorities will be required to publish a statement of common ground.

The right hon. Gentleman asked when the new way to assess housing need will apply. We hope to make the changes by April 2018, but the earliest they will apply will be April 2018. To be clear, if any local authority is close to finishing a plan based on its current methodology, and if that plan is submitted for inspection by April 2018, that will be the basis on which the inspector will consider the plan.

The right hon. Gentleman also asked about the numbers—he referred to them as targets. I have been very clear that the numbers—the new way to assess housing need, which ensures that it is done properly and is more open, honest and transparent, and that there are more homes in the right places—will be the starting point for adopting new plans. When local authorities set out their plans and submit them to the independent planning inspector, they will be expected to have started with these numbers. If there is any difference from these numbers, they will have to explain that. For example, green belt, which the right hon. Gentleman asked about, is a perfectly valid reason, because protections are provided for the green belt, areas of outstanding natural beauty and national parks. Local authorities can say, “These are some natural constraints that I have. How can you help me work with them?”

The right hon. Gentleman also asked me about the delivery tests. I did not mention them because they are not part of the consultation. They were consulted on for the White Paper. The White Paper was the consultation for the delivery tests, and it will be introduced, as planned, in 2018.

The right hon. Gentleman has a choice. He knows that his party failed the British people abysmally on housing for 13 years; it took us backwards, not forwards. Now he has the chance to put that right. He can either play party politics with this issue or he can listen to the British people and help us to fix this broken housing market.

**Sir Oliver Letwin** (West Dorset) (Con): I strongly welcome my right hon. Friend's introduction of a long overdue market affordability test. Does he agree that the answer to the shadow Secretary of State's question about the enforceability of these measures is that developers themselves, through the principle of sustainable development, will appeal and thereby enforce them if local authorities do not adapt their local plans to the new target?

**Sajid Javid:** I thank my right hon. Friend for his introduction of a long overdue market affordability test. Does he agree that the answer to the shadow Secretary of State’s question about the enforceability of these measures is that developers themselves, through the principle of sustainable development, will appeal and thereby enforce them if local authorities do not adapt their local plans to the new target?

**Alison Thewliss** (Glasgow Central) (SNP): I thank the Secretary of State for advance sight of his statement. In his analysis of the housing problem that England faces, he referred to the housing market and rungs of the ladder, but that reference to a market strikes me as the problem. As we move through life, our housing needs...
change, so there is a spectrum of housing needs, rather than one ladder that people go up and down, and which is entirely based on the purchase of property. We need to look at the whole mix of housing available to people right across the UK.

The Secretary of State mentioned the changes to local plans. I ask that he speak to the Minister with responsibility for housing in the Scottish Government. Kevin Stewart. We have a system called strategic housing investment plans, in which local authorities set out investment priorities for affordable housing, demonstrate how they will be delivered, identify resources and enable the involvement of key partners. That co-operation with a range of key partners makes the system something that the Secretary of State might want to look at in more depth.

The Secretary of State failed to mention the right to buy, which has driven this crisis in England by reducing the housing stock. Those houses have not been replaced. Since the Scottish Government brought in right to buy, we have kept 15,000 homes in the social rented sector and have protected that stock for the use of future generations, which is absolutely vital.

The Government are making house building in the social rented sector more difficult; in particular, the 1% rent cap at a stroke reduced the ability of social rented housing providers to carry on with their investment plans. They may have had things that they wanted to do in the pipeline, but cuts to their resources may have significantly reduced their ability to carry them out. I urge the Secretary of State to reconsider the 1% cap.

It is important that the Secretary of State looks at the full spectrum of housing, not just at the market—that is, houses to purchase. If he does not, the UK Government will continue to fail so many people who are in vital housing need.

Sajid Javid: The hon. Lady makes a number of points, many of which were covered in the housing White Paper published in February. If she has not found the time to read it yet, she might want to do so, and if she has, she might want to re-familiarise herself with it. She talked about having the right mix of homes, and of course she is absolutely right. We must make sure that as local plans are developed, they take account of the needs of older people, young families and others. That set of changes was articulated through the White Paper.

The hon. Lady also mentioned right to buy and the Scottish National party’s opposition to people having the right to buy their own home—I am sure that her constituents heard that. One big difference between her and the Scottish Government’s approach on the one hand, and that of the Conservative party on the other, is that we believe that everyone should have the right to own their own home.

Bob Blackman (Harrow East) (Con): I welcome my right hon. Friend’s statement, but can he elucidate the rather confused position in London regarding the Mayor of London, the London boroughs and the surrounding boroughs? There seems to be a complete lack of cooperation in determining the number of affordable properties for sale and rent, although there is desperate need. In particular, can he look at central London, where property prices are beyond the capacity of anyone on a reasonable salary or wage?

Sajid Javid: My hon. Friend is right to highlight London. He will know from his experience and will have heard from his constituents that some of the greatest need in our country is in our great capital city. There is a need for greater co-operation, but the statement of common ground will help significantly by bringing greater transparency and more certainty, and it will force councils to co-operate much earlier in the process. One of the issues with the current duty to co-operate is that it tends to happen at the end of the process. This will ensure that that important dialogue begins right at the start.

Clive Efford (Eltham) (Lab): Following that answer, we are talking not just about the number of housing units, but about who needs them. If the Secretary of State relies only on private developers to build houses in areas of high land values, such as London, we will not build houses at affordable rents in which people can live while they save to become house buyers. The Government have to step in and start building social housing again at rents that people can afford in areas of high land values, so that we can really mend the broken housing ladder.

Sajid Javid: The hon. Gentleman might like to reflect on what I said earlier. When his party was last in power, social units declined by 420,000. I do not think many Members can remember him saying similar things then. If he really means what he says this time, he should agree with what he has heard today and what he has read in the housing White Paper published in February—I hope he has read it. We very much agree that there needs to be diversified supply in the market. It is not just about the private sector, although it has a hugely important role to play; we need more small and medium-sized builders in the market. We need to help housing associations, which currently account for almost a third of housing starts, to do even more. Where ambitious councils want to build more homes, we are ready to work with them.

Mr Christopher Chope (Christchurch) (Con): The written statement says that there will be places, such as areas of outstanding natural beauty or green belt, where constraints mean that there is not enough space to meet local need. As the Opposition spokesman pointed out, my right hon. Friend omitted a reference to green belt areas of outstanding natural beauty or green belt, where constraints mean that there is not enough space to meet local need. As the Opposition spokesman pointed out, my right hon. Friend omitted a reference to green belt in the written statement; was that a slip of the tongue or intentional? He instead inserted the phrase “national parks”. If it was a slip of the tongue, will he issue a ministerial correction?

Sajid Javid: I can assure my hon. Friend that we have been absolutely clear, and I am happy to be clear again: green belt rightly has a significant amount of protection in planning policy. What we have said today, and what we have put in the White Paper, changes absolutely none of that. We are committed to maintaining those protections; existing protections will in no way change. As I made clear in the statement and in my response to the right hon. Member for Wentworth and Dearne (John Healey), when the new housing assessment is done, one constraint for local authorities could well be green belt. For others, it could be national parks or areas of outstanding natural beauty. It could be a combination of them. Some might apply to a single
local authority. One of our building priorities has always been to prioritise brownfield land, and that does not change.

Helen Hayes (Dulwich and West Norwood) (Lab): The Secretary of State has made a statement today that acknowledges the depth of the housing crisis and the broken nature of housing supply in the UK. Throughout the passage of the Homelessness Reduction Bill last year, Ministers consistently claimed that they would need to fund the implementation of the Act for only two years, because the Act would solve homelessness within that time. A National Audit Office report this year makes it clear that the homelessness crisis is deepening and that the Government’s light-touch approach is simply inadequate to the task. Will the Secretary of State now commit to proper and continuing funding for the implementation of the Homelessness Reduction Act 2017, so that councils have the resources that they need now to support everyone who requires help with their housing?

Sajid Javid: I am proud of the Government’s support for the Homelessness Reduction Act. When it comes into force, it will help in many ways and make a big difference, but it will do so alongside all the other measures the Government are rightly taking to tackle homelessness. We are committed to spending £550 million for the five years to 2020. That commitment stays, but we are always looking to see what more we can do. That is why, in our recent election manifesto, we committed to Housing First pilots.

Kevin Hollinrake (Thirsk and Malton) (Con): I welcome today’s announcement. I believe it will help to fix not only the national housing market but an issue in my area. Will the Secretary of State confirm that where two local authorities—in this case, Ryedale and Hambleton—have local plans in place to deliver on need, but one local authority that borders them has no local plan, the Government will step in and write that local plan for it?

Sajid Javid: The new statement of common ground will require all local authorities, including those that do not have plans in place, to set out within 12 months exactly how they will co-operate and work with their neighbours. My hon. Friend highlights powers that we have taken in this House that would allow the Government to direct a local authority—for example, a county council—to do a plan for them if it will not do it. We will not hesitate to use those powers where necessary.

Graham P. Jones (Hyndburn) (Lab): I just think the Government’s policy is a shambles. In the Rossendale part of my constituency, the Government have imposed a target of some 5,000 properties, and I presume they will propose another target, yet in the other half of my constituency there are 2,000 empty properties. There are 750,000 empty properties in the country. Nothing has been said about that. We have had no regeneration of empty properties. We have shops lying empty that could be used for the housing crisis, but we have heard nothing about that either. The Government have an incoherent programme. When are they going to do something about empty housing, and when are they going to have a coherent housing policy?

Sajid Javid: There is a huge role for the hon. Gentleman’s local authority to play, so he should be putting those questions to it about what it intends to do. On vacant homes, the number of long-term vacant homes in England is approximately 600,000. That is the lowest number recorded in a decade, so we have already made substantial progress. There is, of course, a lot more to do, but he should give the Government some credit for doing work that should have been done by a previous Government.

Mr Richard Bacon (South Norfolk) (Con): Since the Self-build and Custom Housebuilding Act 2015 was passed by Parliament, some 25,000 people have registered their interest in getting a serviced plot of land to build their own house. Is the Secretary of State aware of how much further this could go, including as regards affordable social rent through group self-build, as I have seen personally in the Netherlands and in Germany? Will he work with the Right to Build Task Force to ensure that this sector plays the fullest possible role in helping people to achieve their dreams?

Sajid Javid: I very much look forward to working with the taskforce. I congratulate my hon. Friend on his work over a number of years in promoting self-build. He has made considerable progress. He will know that in the housing White Paper we wanted to reflect the need to make sure that local authorities consider self-build as we diversify the housing market. I look forward to working with him and to helping to enable that.

Wera Hobhouse (Bath) (LD): I acknowledge that assessing housing need properly is an important first step, but it does not deliver the houses that need to be built. A blame game over which Government failed to build those houses is not helpful; we are where we are. Is it not now important to lift the borrowing cap for local authorities, so that the houses can actually be built? That would rectify the ludicrous situation whereby local authorities can invest in properties in other areas for income purposes, but cannot invest in their own area.

Sajid Javid: I agree that having a new, proper way to assess housing need will not in itself solve our housing problems, but it is an essential step. Alongside it, many others are required. For example, one hon. Member mentioned a delivery test. A number of such steps are set out in the housing White Paper. The hon. Lady asked specifically about the borrowing cap on housing revenue accounts. There is currently over £4 billion of headroom for borrowing, so local councils collectively can borrow more if they wish and if they have prudent, sensible plans. I have been clear that where local authorities believe that the borrowing cap is in the way of their ambitions to build more, they should come and talk to us because we want to do deals with them.

Robert Neill (Bromley and Chislehurst) (Con): The Secretary of State is right to recognise the importance of infrastructure in underpinning the delivery of housing—not just local infrastructure, which is referred to in the statement, but major transport infrastructure unlocking brownfield housing land. The classic case is Crossrail 2 in London, which has the ability to deliver some 200,000 homes, overwhelmingly on brownfield land, in London and the wider south-east. Will he stress the importance to his colleagues the Transport Secretary
and the Chancellor of an early commitment to pressing ahead with that infrastructure project to deliver homes, in accordance with these proposals?

Sajid Javid: My hon. Friend speaks with considerable experience, and I thank him for all the work he did when he was Minister with responsibility for planning to enable more homes to be built. He rightly points out another major issue. He is absolutely right that this relates to all kinds of infrastructure—not just the local GP surgery or a new school, but major types of infrastructure such as transport. I reassure him that I am working very closely with my right hon. Friend the Transport Secretary. We are considering how every major decision we make can be used to enable us to build more homes.

Justin Madders (Ellesmere Port and Neston) (Lab): A growing number of people in the private rented sector are, for a variety of reasons, unable to buy a home of their own. Local authorities consider them to be adequately housed, which means they cannot access affordable housing either, so they are effectively trapped in the private rented sector. What will the Government do to help them?

Sajid Javid: I agree with the hon. Gentleman. Many people feel trapped in private rented accommodation. The amount of rent they are paying—in London, rents are more than 50% of average earnings after tax—means that many feel unable even to save for a deposit. I therefore hope that he can support today’s announcement because it takes into account affordability in local areas, with an adjustment for areas where more homes need to be built. In the longer term, that will help to improve affordability.

Dr Sarah Wollaston (Totnes) (Con): The South Hams has one of the highest house prices to earnings ratios in the country. I know that the Secretary of State wants to help young people to get on the housing ladder by introducing the earnings ratio, but that will be of no help to young people in my constituency if all the homes become second homes. Will he set out his plans to deal with areas of exceptionally high second home ownership?

Sajid Javid: My hon. Friend makes a good point. She will know that schemes are already in place to help people to get on to the housing ladder, such as the Help to Buy scheme, which has helped more than 400,000 people. On her specific point about second homes, measures such as those announced today and an honest assessment of housing need. In the shorter and medium term, measures that are already in place, such as the Help to Buy scheme, are helping millions of people, particularly younger people, to own their own homes.

Robert Halfon (Harlow) (Con): I strongly welcome the measures that have been set out today, particularly the statement of common ground, given the development of Harlow North by Places for People. My right hon. Friend recognises the need for more social housing. Will he consider tax incentives for housing associations so that more can be built?

Sajid Javid: I thank my right hon. Friend for his support. He is right to point out the need for more co-operation between local authorities. He asks about
Sajid Javid: I assure my hon. Friend that the changes will not apply when local authorities have already submitted their plans for inspection, or will do so before next March. As for Weaver Vale housing trust, I will take a closer look at it.

Mr Philip Hollobone (Kettering) (Con): The Secretary of State mentioned immigration assumptions in his statement. Even if we reduced net immigration to zero today, it would not alter the fact that our population is heading for a total of 70 million by 2030, so more and more of our open countryside will be built on. One of the Secretary of State’s predecessors told the House that immigration was responsible for 42% of all new housing needs. What is that percentage today, and what immigration assumptions has the Secretary of State made?

Sajid Javid: I am not able to give my hon. Friend the percentage for which he asks, but I will happily get back to him. It would be inappropriate for me to try to guess the figure, but I know that it is still a substantial proportion of our housing demand. My hon. Friend also asked me what account had been taken of the numbers that he gave. The new assessment method starts with the annual household growth figures published by the Office for National Statistics, and its latest figures assume a 39% reduction in net migration from 2016 levels over the next five years.

Mr Marcus Fysh (Yeo Valley) (Con): I welcome the statement and the consistency that is being sought, because getting those housing need numbers produced has imposed a real burden on communities and local authorities in the past. I welcome the effort that the Government are making to put the right amount of housing in the right place. Will my right hon. Friend be giving any guidance to the Planning Inspectorate in respect of the assessment of five-year housing land supplies for authorities that have already put their local plans in place, given that, according to his announced formula for housing need, it might be suggested that the numbers in those plans were too high? May I also ask how my right hon. Friend can persuade builders to utilise the permissions that they might have secured? Quite often it is their slowness rather than local authorities’ unwillingness that is holding up delivery in the system.

Sajid Javid: My hon. Friend asked about instances in which a local plan features a number that is higher than the number that the new assessment method would show. In all cases in which a plan is already in place and has been properly adopted, that will be the starting point, but once the changes have gone into the national planning policy framework, they can be used as a material consideration in planning decisions. I hope that that helps my hon. Friend.
Michael Tomlinson (Mid Dorset and North Poole) (Con): I am grateful to the Secretary of State for his comments about the green belt and areas of outstanding natural beauty, both of which are reasons why Dorset is such a special place in which to live and work and to visit. Will he reaffirm the Government’s position on the green belt, and reassure my constituents and the three local planning authorities that cover my constituency that protections are still in place?

Sajid Javid: I will happily reaffirm the Government’s position. We remain absolutely committed to the protections that are already in the planning code. Nothing that I have announced today will change the protections that are rightly afforded to the green belt, or our demand that when it comes to development, the priority should always be brownfield.

Helen Whately (Faversham and Mid Kent) (Con): I fully appreciate the problem of the unaffordability of housing, not least on the basis of my own casework, but the main concern in my area about development relates to the lack of infrastructure and, in particular, the failure to invest in the road network. Will my right hon. Friend ensure that councils plan for and seek investment in infrastructure in line with development? Does he recognise that there may be some need for investment from the infrastructure funds that he mentioned so that the infrastructure can catch up with housing that has already been built, as well as that which is planned?

Sajid Javid: I share my hon. Friend’s concern. She is right to emphasise the need for the right infrastructure, and more infrastructure, if we are to have more homes. That is one of the reasons why we launched the £2.3 billion housing infrastructure fund earlier this year. I encourage my hon. Friend’s council and others to apply to the fund, if they have not already done so.

The statement of common ground to which I have referred requires co-operation at the start of the process because much of the infrastructure, especially the major infrastructure, is naturally shared between local authorities. I think that that will also help to meet some of my hon. Friend’s concerns.

Schools: National Funding Formula

1.16 pm

The Secretary of State for Education (Justine Greening): In my statement to the House on 17 July, I set out my Department’s plans to increase spending on schools by £1.3 billion over the next two years, on top of our existing plans. I said that that would mean that we could press ahead with introducing a national funding formula for schools and high needs from April 2018 that would provide a per-pupil cash increase in respect of every school and every local area, and would also maintain the overall budget in real terms, per pupil. I promised to return to the House in September to set out the Government’s final decisions on introducing fairer funding in full, and today I am doing just that.

This is an historic reform. It means that, for the first time, the resources that the Government are investing in our schools will be distributed according to a formula based on the individual needs and characteristics of every school in the country. Not only will the national funding formula direct resources where they are most needed, helping to ensure that all children can receive the high quality education that they deserve, wherever they live; it will also provide that money through a transparent formula, which will mean greater predictability. By clearly setting out the sums that we are directing to different aspects of the formula—to the basic amount per pupil, or to children with additional needs—it allows for properly informed debate on this vital topic, something that the existing opaque system has held back.

The need for reform has been widely recognised across the House and beyond. The National Association of Head Teachers has said:

“A revised funding formula for schools is essential”.

The Association of School and College Leaders believes:

“The way in which funding has been distributed to schools has been flawed for many years... Reform of the school funding system is vital”.

The case is so strong because there is manifest unfairness when Coventry receives £510 more per pupil than Plymouth, despite their having equal proportions of pupils eligible for free school meals, and Nottingham attracts £555 more than Halton, near Liverpool in Cheshire. Addressing those simple but damaging inequalities will represent the biggest improvement in the school funding system for decades. It is a step that previous Governments have failed to take for far too long.

It has been vital for us to take account of a broad range of views when making such a significant reform. Our wide-ranging consultations, both in 2016 and earlier this year, allowed us to hear from more than 26,000 individual respondents and representative organisations. I am grateful to everyone who took the time to share their views and respond to the consultations, including many Members on both sides of the House. We have considered all those responses carefully.

As I said to the House in July, I am putting an additional £1.3 billion into core funding for schools and high needs, so that the overall budget will now rise by about £2.6 billion in total, from almost £41 billion in 2017-18 to about £42.4 billion in 2018-19 and £43.5 billion in 2019-20. Building on this firm foundation, I can today set out the final funding formulae we will introduce, which, over the next two years will mean we will deliver
on our manifesto pledge to make school funding fairer and ensure that we deliver higher funding as well in respect of every area and school.

Building on our consultation proposals, as I set out in the House prior to the summer recess, I am increasing the basic amount of funding that every pupil will attract. We recognise the challenges of the very lowest funded schools so will introduce a minimum per pupil funding level. Under the national funding formula, in 2019-20 all secondary schools will attract at least £4,800 per pupil. Today I can announce that all primary schools will attract at least £3,500 per pupil through the formula in 2019-20. And the formula will provide these levels of funding quickly: secondary schools will attract at least £4,600, and primary schools £3,300, in 2018-19, and then the full amounts the following year.

I will also provide a cash increase in respect of every school. Final decisions on local distribution will be taken by local authorities, but under the national funding formula every school will attract at least 0.5% more per pupil in 2018-19, and 1% more in 2019-20, compared with its baseline. Many schools will, of course, attract significantly larger increases under the formula: up to 3% per pupil in 2018-19, and a further 3% per pupil in 2019-20. And the minimum per pupil funding level will not be subject to this gains cap, delivering particularly fast gains in respect of the very lowest funded schools.

Our consultation confirmed the importance of funding for additional needs—deprivation and low prior attainment. We know that these factors are our best way to identify the children who are most likely to fall behind, and to remain behind, their peers, and it is only right that we provide the greatest resources to the schools that face the greatest challenges. As I said in July, we will protect the funding the formula will direct towards additional needs at the level proposed in our consultation, and I can therefore confirm today that total spending on additional needs will be £5.9 billion.

As we proposed in December, we will distribute that funding more fairly and in line with the best available evidence. We will use a broad measure of deprivation to include all those who are likely to need extra help, and we will increase the proportion of additional needs spending allocated on the basis of low prior attainment, to give additional support to those who might not be economically deprived but still need help to catch up.

I can also confirm today that, as we proposed in December, the national funding formula will allocate a lump sum of £110,000 for every school. For the smallest, most remote schools, we will distribute a further £26 million in dedicated sparsity funding. Only 47% of eligible schools received sparsity funding in 2017-18 because some local authorities chose not to use this factor. Our national funding formula will recognise all eligible schools.

Our formula will rightly result in a significant boost directed towards the schools that are currently least well funded. Secondary schools, which would have been the lowest funded under our December proposals, will now gain on average 4.7%. Rural schools will gain on average 3.9%, with those schools in the most remote locations gaining 5%. Those schools with high numbers of pupils starting with low attainment will gain on average 3.8%.

As I set out in my statement in July, to provide stability for schools through the transition to the national funding formula, each local authority will continue to set a local formula, which will determine individual schools’ budgets in their areas in 2018-19 and 2019-20, in consultation with local schools. This means that the school-level allocations from Government I am publishing today, alongside this announcement, are notional allocations which we will use to set the total funding available for schools in each area. As I set out in the House, schools’ final actual funding allocations for 2018-19 and 2019-20 will be based on that local formula agreed in their area by the local authority, and schools will receive that allocation ahead of the new financial year, as normal. I will put copies of both documents in the House of Commons Library, and the Lords.

Our objective to provide the best education for every child places a particular focus on the support we offer to the children who face the greatest barriers to success, and on the high-needs budget that provides that support. The case for reform of high-needs funding is every bit as strong as the case for school funding reform, and therefore the move to a national funding formula is every bit as important. We set out full proposals for the introduction of a high-needs national funding formula last December, alongside our schools formula, and I am today confirming that we will proceed with those proposals.

Thanks to the additional £1.3 billion investment I announced in July, I can increase funding for high needs so that I will also be able to raise the funding floor to provide a minimum increase of 0.5% per head in 2018-19 and 1% per head in 2019-20 for every local authority. Underfunded local authorities will receive up to 3% per head gains a year for the next two years, to help them catch up. That is a more generous protection than we proposed in December, to help every single local authority maintain and improve the support it offers to some of our most vulnerable children. It means that local authorities will see a 4.6% increase on average in their high-needs budgets.

The additional £1.3 billion we are investing in schools and high needs means that all local authorities will receive an increase in 2018-19 over the amount they plan to spend in 2017-18. Local authorities will take the final decisions on distributing funding to schools within local areas, but the formula will provide for all schools to see an increase in funding compared with their baseline.

In conclusion, the new national funding formulae will redress historical inequities in funding that have existed for far too long, while also maintaining stability so that schools and local areas are not disadvantaged in the process. After too many years in which the funding system has placed our schools on an unfair playing field, we are finally making the decisive and historic move towards fair funding.

The national funding formulae for schools and high needs and the increased investment we are making in schools will help us continue to improve standards and create a world-class education system. No one in this House should accept the system as it has been; it has perpetuated inequality and that is unacceptable. I am proud that it is a Conservative Government who are now putting that right. On this firm foundation, we will all—Government and schools, teachers and parents—be
able to build a system that finally allows every child to achieve their potential, no matter what their background, or where they are growing up.

1.29 pm

Angela Rayner (Ashton-under-Lyne) (Lab): Once again on the last day before a recess we see the Secretary of State sneak out new policy. [Interruption.] I would hardly call that once in a national debate, but I wonder whether this statement has been put out today to try and hide and to distract from the fact that the Government are ripping up the rulebook on democracy, as they did yesterday in the debate on tuition fees. But of course, if this is a genuine change of heart, it is welcome. After all, the Secretary of State will be taking her policy directly from the pledges in the Labour party manifesto. Ever since she took office, we have been urging her to keep the promise her party made in 2015 to protect funding in real terms for every pupil.

Will the Secretary of State guarantee to the House that no school will be even a penny worse off in real terms—not cash terms—as a result of this funding formula? Will the proposal apply from this year or from 2015? The National Audit Office has found that schools have already lost nearly £2.7 billion since her party made that pledge. Members across the House have heard from schools that are already facing those cuts and that have had to beg parents to help them to find money and resources. Will she admit to the House that her announcement today does nothing to reverse those cuts and keep that promise?

The Secretary of State has said that her funding formula will increase per pupil funding by 0.5% a year until 2020, but the Education Policy Institute has found that in that period, inflationary pressures are over 2%, so will she admit that her funding formula will in fact mean a real-terms cut in school budgets? In today’s statement she says that the formula provides “a per pupil cash increase in respect of every school and every local area”, so will she admit that there will be pupils, schools and local authorities that see a real-terms cut in funding by 2020? She has referred to transitional protections offered to schools. How long will the transition period last? Will it include protections against losses during that transition, and for how long will those protections last?

The Secretary of State said that the basic amount allocated to each secondary school pupil will be “at least £4,800 per pupil”, but the Education and Skills Funding Agency guidance describes this an “optional” part of the funding formula. Will she guarantee that all secondary schools will now receive £4,800 per pupil? Can she tell us how much this increase in the basic per pupil funding rate will cost each year, and how she will fund it? Today’s announcement says that the minimum funding per primary school pupil will be £3,500. In December, the proposed basic per pupil funding in primary schools was £2,712, so again I ask: how much will the increase in basic per pupil funding cost, and how will it be funded?

None of the money announced so far is actually new money for education. Instead, the Secretary of State is simply cutting elsewhere to fill the black hole that the Government have created. Can she confirm that over £300 million of the supposedly new funding for schools has actually come from cutting the healthy pupils fund by over 75%? That money was meant to be ring-fenced for school sports, healthier meals, facilities for disabled pupils and mental health provision, and it is only days since the Prime Minister claimed that this would be her new priority. Only in February this year, the Secretary of State promised in a statement that the fund would not fall below £415 million. Will she now apologise for breaking yet another promise?

This leaves another £100 million that must come from her main capital budget. Where will that come from? She has said that she will “reprioritise” £250 million in 2018-19 and £350 million in 2019-20. Where will those cuts fall? She has also said that she will “redirect” £200 million from “central programmes that support schools on relatively narrow areas of their work”. Will she tell us what those programmes and those narrow areas are? Or is the truth that she simply made up that number, hoping that her civil servants can find more cuts?

The July announcement went no further than 2020. What happens then? I will be glad if the Secretary of State has listened to us, and to parents and teachers across the country, and looked again at the funding formula, but the fact is that this does not meet the promises that she has made. When will she return to this House with the funding that her party promised the electorate?

Justine Greening: I want to start by adding a massive thank you to the Department for Education officials who have worked on this for many years. It has been a complex piece of work, and it has been looked at under many Governments. I want to put on record my thanks to the team.

On the points raised by the hon. Member for Ashton-under-Lyne (Angela Rayner), I had hoped, given the cross-party recognition of the need for school funding reform, that there might be a warmer welcome for this announcement. It is not just schools represented by Government Members that will gain from it; many in Opposition Members’ constituencies have been equally underfunded. This is not a political issue; it is a question of ensuring that we fund children, wherever they are growing up in our country, in a consistent, transparent and fair fashion. That is what we are shifting towards today. This is not an uncomplicated thing, and we have worked really hard to make sure that schools that were already well funded will continue to remain well funded. However, this is also about making sure that schools that have traditionally been underfunded for a very long time can now start to catch up.

The hon. Lady asked a few questions. I think she misunderstood my point about ensuring that there is a minimum per pupil funding rate of £4,800 for secondary schools and £3,500 for primary schools. There are not many schools that are not at that minimum funding rate, but it is important for those that are below it that we address those issues through the consultation response. That is what we are doing today—[Interruption.] The hon. Lady asks what the guidance says. That guidance is for local authorities, as I have explained and as I hope she will understand. Local authorities currently set local formulae. We had already said, and I had hoped she might have recalled, that that will continue for 2018-19. When I came back to the House in July this
year, I set out that that would also continue for 2019-20 because we believe that the right way to bring in a significant change in school funding is to work with local authorities. As part of the setting out of the final funding formula, we also set out a small but important element of flexibility for local authorities to respond to the changes as they come through and to nuance them to take account of local issues. That is where the optional element comes in. We are simply saying that it is right to give local authorities a modicum of flexibility to ensure that they can use the funding effectively on the ground.

We are being clear-cut about what the funding formula allocates to every single school in this country, and Members will be able to see those allocations. They will be able to sit down with their local authorities, and if they want the funding to go to those schools they will be able to ensure that it does. I expect that some local authorities will feel that the right thing to do is to get on with putting the funding formula in place at local level and that they will simply pass the money straight through to the schools. That is something that I would support, but it is important to have a small amount of flexibility while the formula comes in.

The hon. Lady asked about the fact that we are putting an extra £1.3 billion of additional funding into the core schools formula and budget. I felt it was important to do this. Over the past few years, we have challenged schools to try to find efficiencies, because we want to get the most out of every pound we put in. However, it is also important that I challenge the rest of my Department to do the same kind of exercise that we are asking schools and headteachers to do. I believe that doing that has enabled us to free up some additional resourcing that we can now push directly to headteachers in the frontline. Frankly, I am staggered that the hon. Lady thinks that that is a bad thing to do. Anyone in my role should be challenging their civil servants to try to work smarter and more efficiently to get money directly through to the frontline. That is yet another example of the hon. Lady doing nothing other rant and produce rhetoric, and there is not a lot of thought behind that rhetoric about what is the right thing to do.

With that, I will sit down. I look forward to the contributions from hon. Members.

Robert Halfon (Harlow) (Con): I strongly welcome this announcement, particularly the help for the disadvantaged. This is social justice in action, and I look forward to discussing the measures with my right hon. Friend when she comes to the Education Committee on 25 October. Has an assessment been made of how much the pupil premium helps disadvantaged pupils in particular? How will the pupil premium sit alongside the national funding formula?

Justine Greening: We have been clear about protecting the funding that is going to the children we want to be able to catch up. Both the Education Endowment Foundation and Ofsted have done important, insightful work on the use of the pupil premium. It is important that we get the most out of that investment, and I think we are steadily understanding what works to help children who are falling behind to catch up. The transparency in the new formula means that we can now take a similar approach on helping children catch up with the other money flowing through the core schools formula. In time, we can have a common strategy across the two budget elements. One of the most important things that we did in education in the previous Parliament, other than our general push to raise standards, was to identify that we needed to put funding against children who are at risk of falling behind, because that is how we will drive social mobility through education.

Dr Roberta Blackman-Woods (City of Durham) (Lab): In the Secretary of State’s original funding formula proposals, schools in Durham were projected to lose up to £1,000 per pupil. Even with the additional resources, which are welcome, many school budgets in Durham will, at best, flatline. Will the Secretary of State guarantee today that no school in Durham will face a real-terms cut? In addition, when will she address the urgent need to rebuild many of our schools?

Justine Greening: First, as I set out today, there will be a minimum 0.5% cash increase per pupil for all schools in 2018-19, increasing to 1% by 2019-20, and that settlement is actually more generous than the Opposition manifesto commitment. Those schools are now doing better under our funding formula.

Secondly, we are investing huge amounts in our schools estate, not least through the condition improvement fund. We have managed to get ahead of the school places crisis that was left to us by the previous Labour Government. Ensuring that we have the school places in our system that children need is a major thing that we have done.

Sir Peter Bottomley ( Worthing West) (Con): I welcome the changes to a system that was unfair, opaque and out of date. I am glad that the Secretary of State has listened to the headteachers, the governors, the MPs and the parents, who have asked that no school should be left behind and that those that have been dramatically underfunded should be able to catch up within two years, and I am glad that she has lifted the cap on the transition. Lastly, I recognise that quality of teaching is also important in addition to the funds, and I hope that teachers will recognise that this increase in funding acknowledges their contribution to the education of all our children.

Justine Greening: My hon. Friend is right that it is important that schools that have been underfunded for years while being held to account on exactly the same standards as every other school can catch up properly. As for the quality of teaching, the continued professional development of teachers and the teaching profession is an intrinsic part of school improvement and the two are inextricably linked. Today, we have announced the first successful bids to our teaching and leadership innovation fund, which is about ensuring that we lift up our teaching profession and is particularly directed towards schools in parts of the country where we know we can do better.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Will the Secretary of State guarantee that no Liverpool school will receive a real-terms cut? Although the discretion given to local authorities is welcome, will she also
guarantee that that will not lead to Liverpool City Council being blamed for a cut coming from central Government!

**Justine Greening:** The Institute for Fiscal Studies has been clear that our £1.3 billion additional investment will lead to the per pupil core schools budget being protected in real terms, which is good news. As for the schools the hon. Lady mentions specifically, we will ensure that all Members get the breakdown of the notional allocations. I expect some local authorities to choose simply to reflect the national funding formula at a local level, but that will be a matter for them. I am sure that Members from across the House will want to have those discussions at a local level.

**Mr William Wragg** (Hazel Grove) (Con): I warmly welcome my right hon. Friend’s statement and look forward to additional financial resources for Stockport’s schools. Much of the previous concern about school funding centred on the proportion of the basic amount per pupil, so will she comment further on that aspect of the new national funding formula?

**Justine Greening:** The basic amount will be going up and the proportion is broadly stable, but the bottom line is that the £1.3 billion extra in the core schools budget is principally going through that per-pupil amount, which is why it has been raised overall, and why I have chosen to protect the amount for additional needs.

**Thelma Walker** (Colne Valley) (Lab): At a meeting with the National Association of Head Teachers this week, headteachers told me that they face a teacher recruitment crisis, a school budget crisis and endless tinkering with assessment and the curriculum. Will the Secretary of State tell the House which of those she would like them to deal with first?

**Justine Greening:** As I said at the beginning of my statement, the NAHT welcomed the move to fair funding. As for teacher recruitment, part of the answer is to ensure that we are investing in teachers, and the NAO has been clear that the Department is taking steps to ensure that we are investing in teachers, and the NAO has been clear that the Department is taking steps to ensure that we do just that.

**Fiona Bruce** (Congleton) (Con): I thank Ministers for meeting senior headteachers from my constituency, and for responding to their principal request, which is that to be truly fair to pupils across the country, and to cover school costs properly, school funding should include a minimum amount per pupil, wherever they live. I also thank Ministers for allocating £4,800 per pupil from 2019, which is exactly the amount that my headteachers recommended. Does that not show that this Government are not only listening, but acting?

**Justine Greening:** We have listened carefully and have had meetings with many Members from across the House. I pay tribute to my right hon. Friend the Member for Congleton (Fiona Bruce) and other Cheshire MPs who have been tireless campaigners on behalf of their local communities and schools, and I have appreciated the comments, suggestions and proposals. They carried weight, which is why they have been reflected in the final funding formula that I have set out today.

**Jack Dromey** (Birmingham, Erdington) (Lab): The shadow Secretary of State is absolutely right, because she listens to the voice of headteachers; 100 headteachers came to Parliament earlier this week and told heartbreaking stories of having to sack teachers and teaching assistants. One headteacher had had to sack the caretaker and, because he could not afford to replace them, was having to do some of the caretaker’s duties himself.

I want to correct the Secretary of State. The NAHT said today that, while progress on the funding formula is welcome, “at least” £2 billion in additional resources is necessary, without which they will have to “cut staff, narrow the curriculum, remove pastoral support”, and many will have to close down after-school clubs. Despite the progress on the funding formula, the simple truth is that the Government are still letting down this country’s children.

**Justine Greening:** I strongly disagree with the hon. Gentleman. We are putting additional money into our schools. Over the next few years, as I have said, the schools budget will rise by £2.6 billion. The Institute for Fiscal Studies has made it clear that, over the remaining years of the spending review, we are now protecting per-pupil funding in real terms. It is easy to focus on spending, which is of course important, but we are more interested in results, and the results in English schools are that standards are going up, not least due to the hard work of our teachers, results are getting better and outcomes for young people and children are getting better. That is something we should all talk up, rather than talk down.

Of course over in Wales, where Labour is in charge, it is a very different situation, with that country slipping down the international league tables on education.

**Matt Warman** (Boston and Skegness) (Con): I welcome the engagement of the Secretary of State and the Minister with responsibility for schools in this process over many years. Lincolnshire, as the Secretary of State knows, is one of the most challenged areas when it comes to school funding, but will she confirm that this new funding formula pays particular attention to the kind of challenges that we see in coastal communities? As she knows, coastal communities face unique challenges in recruiting teachers because half the catchment area is the sea.

**Justine Greening:** My hon. Friend is absolutely right. That very point was made to me in Scarborough, which is one of our opportunity areas. The situation is exacerbated by the very different funding levels of different schools, which of course has knock-on effects on the amount of staffing that schools are able to provide. The formula’s consistency will put us on a much firmer footing.

**Tom Brake** (Carshalton and Wallington) (LD): Sutton has excellent schools and teachers, but it is a London borough with a very high cost of living—higher as a result of Brexit-driven inflation. Now that the Government have breached the pay cap for police and prison officers, and as they could not defend NHS pay levels yesterday,
do they agree it is time to fund a proper pay rise for teachers, to reward them for their professionalism and to help them address the pressures of cost of living increases?

**Justine Greening:** The right hon. Gentleman may be aware that we accepted the recommendation of the School Teachers Review Body, an independent review board that considers all the evidence provided not only by the Government but by the unions, labour economists and all sorts of interested stakeholders. The review body made its proposal to me earlier in the summer, and I accepted it. I have no doubt that, when the review body next assesses teachers’ pay, it will continue to consider recruitment and retention alongside affordability, which is quite right.

**Kit Malthouse** (North West Hampshire) (Con): I welcome the Secretary of State’s announcement of the retention of local authority discretion for the next two years, which will assist my village schools, many of which are sparse but not quite sparse enough. Can she reassure me that, at the end of that two years, the level of funding that those village schools receive will effectively become baked in as the baseline for future funding and that they will not face some kind of cliff edge in the funding formula?

**Justine Greening:** Today I have set out the new funding formula for schools. We will have a transition period, during which local authorities continue to have the ability to allocate at local level, but we have made it clear that we are setting out the amounts that we think schools should get. That is the whole point of this process, which does reflect sparsity. We have more work to do to ensure that we reflect sparsity more accurately over the coming years, as I have set out in the funding formula document, but this is a step in the right direction. I fully expect that, over time, we will continue to get better and that we will move to an even more accurate approach to sparsity.

**Helen Goodman** (Bishop Auckland) (Lab): Seven years ago there were two secondary schools in Spennymoor. Now there is only one, and no children went into the sixth form this September, which obviously puts its future into question. Surely the truth is that because the Secretary of State has been able to win only £1.3 billion, she will not be able to give those children in Spennymoor the future they should have.

**Justine Greening:** That is not correct. As the hon. Lady admits, we are putting additional funding into the core formula, which is part of this Government’s strategy to raise standards. Alongside that, of course, we have improved the curriculum, and the new GCSEs are successfully starting to roll out this year. As we debated yesterday, importantly, more and more of our young people are going to university. Record rates of disadvantaged young people are going on to higher education. We are moving in the right direction, but there are still parts of the country that have not reached the level and achieved the standards we want for our young people. That is why I have committed to having opportunity areas to lift up places that have perhaps faced the most difficult challenges. That is part of a broader push from the Government, and from me as Secretary of State, to ensure that we truly lift all parts of our country to reach the best standards of education for children.

**Tom Pursglove** (Corby) (Con): I very much welcome what the Secretary of State has said today. Northamptonshire has been underfunded in the past. What particular consideration will be given to areas that receive significant housing growth in the years ahead?

**Justine Greening:** We built a growth factor into the formula. We believe the formula will address growth better than the current system, which simply considers historical data. We will make projections and seek to compensate local authorities on the basis of accurate data, rather than just pure long-term historical projections, and that is important. It is one of the many reasons why this is a good step forward.

**Clive Efford** (Eltham) (Lab): The Secretary of State has to accept that taking £2.7 billion out of education since 2015 and putting £1.3 billion back in leaves a £1.4 billion hole. That means schools are missing out. Will she undertake to write to every Member of the House with the per-pupil funding for each school, comparing the 2015 funding with the outcome of today’s announcement?

**Justine Greening:** We will be publishing a lot of data following this statement; the hon. Gentleman will have more than enough to look at. The point of introducing a funding formula is to make sure that schools that have been underfunded can start to catch up and to provide stability for better-funded schools. That is precisely what we are doing, and I am proud that we are able to achieve it.

**Antoinette Sandbach** (Eddisbury) (Con): I thank the Secretary of State and the Minister with responsibility for schools for sending officials to Cheshire to understand some of the problems faced by my schools, which were some of the worst funded in the country and are members of the f40. Will the Secretary of State praise the work of Edward Timpson, my former colleague, who worked incredibly hard to ensure that deprivation funding is reflected in the formula, and who fought valiantly on behalf of his constituents in Crewe and Nantwich?

**Justine Greening:** I will pay tribute to Edward Timpson. He was a fantastic Minister and is much missed in the House.

We work extremely hard, as a Department and as a group of Ministers, to listen to the very different views of colleagues in trying to achieve a national formula that works for very different schools and communities across the country. We have taken a big step in launching the formula today, and I am grateful for the contributions of all Members.

**Bill Esterson** (Sefton Central) (Lab): One headteacher in my constituency told me, “The current funding situation means that sixth forms and colleges across the country will find it increasingly difficult to offer the range of subjects they used to and provide the number of teaching hours recommended to deliver courses over the two years.” A situation that leaves sixth forms unable to
offer students what they need does not sound very fair because it is not fair. How is such an inadequate funding system in the interests of young people, employers or the economy?

**Justine Greening:** The formula I set out today covers primary and secondary—up to 16. We are making sure that we continue funding post-16 colleges and A-levels, and the hon. Gentleman will be aware that we have gone beyond that. We announced an additional £500 million in the last Budget to help boost technical education, which will be of benefit not just to further education colleges, but to sixth forms and sixth-form colleges.

**Mr Peter Bone** (Wellingborough) (Con): I thank the Secretary of State for coming to the House to sneak out an oral statement. She must have got the formula right, as so few Opposition Members are in the Chamber. She is also right to say that this is about not only funding, but the quality of education. She will know that my area has a number of inadequate schools and that the Education Fellowship Trust is a failing academy chain and is being replaced. The excellent Schools Minister is working on this issue, but it would help me enormously if I could be given an update, in due course, about progress on replacing that academy chain.

**Justine Greening:** My hon. Friend raises an important issue for his local community. A lot of work has been done to make sure that those schools are put under the control of a trust that can make sure it gives the best to local children. I know the Schools Minister will be happy to meet my hon. Friend to update him on the latest situation.

**Dr David Drew** (Stroud) (Lab/Co-op): Let me give one cheer to the Secretary of State for at long last addressing the national formula. Will she give due credit to the f40 group, which has for a generation been arguing for this very change? I welcome the emphasis on sparsity, but will she re-examine the issue of using free school meals as a denominator of deprivation in rural areas? It has never been a good measure, and it never can be one because of the stigma associated with free school meals. Will she consider other formulae that are now available to make sure that we get proper representation in rural areas when the budget is settled?

**Justine Greening:** I welcome the hon. Gentleman’s welcome for the introduction of the funding formula. He is right to say that identifying deprivation is more complex than just looking at free school meals. That is why this formula includes the additional element of an index that looks at child deprivation in particular: the IDACI—income deprivation affecting children index. That index is already used by many local authorities, and it is an aspect of how we are assessing the deprivation factors that are built into this formula. I hope he will welcome that.

**Kevin Foster** (Torbay) (Con): Let me congratulate the Secretary of State on her statement and say how much it will be welcomed in Torbay, where schools have been underfunded for some years. When the last set of figures was published, I found that a number of people felt that the formula would not be of benefit because of some things that they had been told by unofficial groups.

What efforts will be made to ensure that schools, particularly in places such as Torbay, hear about the real impact of this new formula?

**Justine Greening:** We will be writing to every MP in this House with details about their local schools. I hope that they will be able to share those with local headteachers, and of course the local authority will consult on how then to spread that funding. It is vital that schools, and indeed parents, have the facts and are not given misleading information. It is important that we recognise that more funding—record funding—is now going into our schools system and that we focus equally on the standards we are getting in relation to that investment.

**Jim McMahon** (Oldham West and Royton) (Lab/Co-op): I congratulate my neighbour, my hon. Friend the Member for Ashton-under-Lyne (Angela Rayner), on the sterling work she is doing to really shine a light on some of the problems in education today. I do not think it does the Secretary of State any justice to come to the Dispatch Box and be so condescending to a colleague on the other side of the House. Would it not make sense for the Government to look at where money is being lost from the system? In my constituency, a university technical college has closed its doors at a cost of £14 million to the taxpayer while a free school has closed at a cost of £4 million. The two closures have resulted in 300 pupils being displaced. Should that not be the focus of the Government’s attention?

**Justine Greening:** We do take action when we see schools that are not delivering for their pupils. Overall, that has borne fruit over the past few years, which is why Ofsted now grades nine out of 10 schools in our country as good or outstanding—that is significantly more than was the case in 2010. I would have hoped that the hon. Gentleman welcomed that, but I can assure him that where we see schools failing, we are taking action.

**Mr Philip Hollobone** (Kettering) (Con): Mums and Dads in Barton Seagrave in Kettering have been alarmed by a recent Lib Dem newsletter which, under the title “Education Meltdown”, says that “the Tory Government still plans to go ahead with its new school funding formula which could mean that by 2019 our local schools will face cuts of up to £543 per pupil”. It goes on to state that “the threatened loss to each school” is as follows: Barton Seagrave Primary, £185,000; Latimer Arts, £485,000; and Southfield Girls, £416,000. Is it not simply outrageous to circulate such misleading and inaccurate information? Is it not clear that the Lib Dems have been caught red-handed peddling untruths?

**Justine Greening:** The Lib Dems have been caught red-handed and frankly it is a disgrace for them to put out such misleading “facts” to parents. Indeed, only one party of the two is against extra funding for schools, and that is the Lib Dems, because clearly they are against the national funding formula, which is directing additional funding to my hon. Friend’s community.

**Peter Heaton-Jones** (North Devon) (Con): I warmly welcome the Secretary of State’s announcement and share her dismay and disappointment that Labour Members seem incapable of saying anything positive about it.
Perhaps that is because they utterly failed to tackle this issue when they were in government. It is the Conservatives who have done this, and I want to thank her for listening to me and to other Devon MPs who have made representations. I also thank the hard-working teachers and staff of schools in my constituency. Will she confirm that the historical unfairness that has seen Devon schools underfunded will be tackled as a result of this announcement?

**Justine Greening:** This formula makes a big difference to schools in Devon. My hon. Friend has been a tireless campaigner for his local community in setting out the views of teachers and parents in Devon. This formula will mean that Devon schools gain, and I am proud that we are finally rectifying the unfair funding that so many schools have had to put up with for so long.

**Bob Blackman** (Harrow East) (Con): I congratulate my right hon. Friend on delivering yet another of our election manifesto commitments. As a fellow London MP, she will know that we are affected by twin aspects in London. The first is rising rolls and young people needing a school place. Despite expanding a number of schools and delivering more new schools, that is ever a pressure. The second relates to those children who come in with English as an additional language—this situation is widespread. In the schools in my constituency, at least 161 different languages are spoken. Will she commit to keeping the funding position under review to make sure that additional resources are provided to deal with the expansion in the number of children in schools, so that per-pupil funding is not diluted?

**Justine Greening:** My hon. Friend will welcome the fact that the Institute for Fiscal Studies has made it clear that the amount of funding we are now putting into our schools does protect per-pupil funding in real terms. He is right to mention school places, as the estimate is that between 2015 and 2020 we will need an additional 600,000 extra school places, which is why we are investing so much in building new schools and expanding existing schools. I can assure him that we are very clear about where those pressures are, and we will seek to work with communities, MPs and local authorities to make sure that good school places are available for every child in our country.

**Jeremy Quin** (Horsham) (Con): This package of changes without doubt represents an improvement for West Sussex schools and I welcome it. Will my right hon. Friend confirm that she has been able to fund this improvement while still supporting the creation of new schools where they have been announced?

**Justine Greening:** Indeed, we have a very strong pipeline of schools under construction as well as ones that have been agreed, which will go ahead. As I have set out, we need to make sure that we keep ahead of the need for more places in the coming years, which is why we will be having more free schools and working with existing schools to see them expand, too.

**Michael Tomlinson** (Mid Dorset and North Poole) (Con): I congratulate the Secretary of State on delivering yet another manifesto pledge, and I commend both her and the Schools Minister for their hard work in this area. Was she as disappointed as I was with the tone of Labour Front Benchers in response to this statement. Not only does this formula help historically underfunded areas such as mine, but it will help across the whole country, importantly, by dealing with additional needs and looking at deprivation, too.

**Justine Greening:** Absolutely. In some areas we should be able to set politics aside and work broadly on what we think is the right solution for our country as a whole. That is exactly how I have tried to approach this issue. I have welcomed the engagement we have had from all parties, including some Labour MPs—I just hope that they will transfer steadfastly to the Labour Front-Bench team. Perhaps it would be helpful just to have some transparency with a simple confirmation from the Labour Front-Bench team on whether they think this is a good funding formula. If they think it is not, they should be clear about whether they would rescind it should they get into power.

**Alex Chalk** (Cheltenham) (Con): I thank my right hon. Friend and her team for grappling with a formula of labyrinthine complexity that penalised my constituents in Cheltenham and for listening to me and others and then revisiting the original iteration, which many of us thought needed further attention. The new formula means that per-pupil average funding for secondary schools in my constituency will rise from around £4,200 to £4,800, and that will change lives in Cheltenham. Does my right hon. Friend agree that it is important to recognise that the average in many Labour seats will continue to be higher than £4,800? In those circumstances, it seems somewhat churlish for Labour Members to have responded as they have.

**Justine Greening:** I do agree with my hon. Friend. I would like to take this opportunity to pay tribute to him for all he has done in his local community and, of course, with the £40 group to help improve the formula and to make sure that what was, as he says, an incredibly complex piece of work ended up in the right place. We have today a strong national funding formula that can work for some very different schools and communities throughout the country, and I am proud that we are finally able to launch it.

**Sir Edward Leigh** (Gainsborough) (Con): So often in this place one campaigns about historical underfunding but nothing happens, because it is all too difficult, so I have hung around this afternoon to thank my right hon. Friend. We have campaigned for rural schools for years, and she is now giving them 3.9% more. In Lincolnshire, we have many very small schools with under 100 pupils, and even some that traditionally have fewer than 50. My right hon. Friend has announced another 5% for schools in the most remote locations. Will that help counties such as Lincolnshire that have a sparse but evenly distributed population?

**Justine Greening:** The new formula will help those sorts of schools. We made a minor but important adjustment in the formula to make sure that it works for the very, very smallest schools, which otherwise might not have gained in the way we wanted them to. I hope that that is good news for my hon. Friend.
Points of Order

2.12 pm

Hon. Members: On a point of order—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. The loudest voice I heard was Tom Brake’s, so we will start with him.

Tom Brake (Carshalton and Wallington) (LD): That was a wise choice.

Mr Deputy Speaker: I will be the judge of that.

Tom Brake: On a point of order, Mr Deputy Speaker. You may be aware that while the Government commissioned a report on the funding of extremism, they have subsequently said they are not willing to publish it. However, they are on record as saying that Privy Counsellors who want to access the report can do so and consider it in what I guess would be a confidential environment. I have made multiple attempts to get such access to the report, but the Home Office has so far seemed incredibly reluctant to make it available. I hope you are able to assist me in ensuring that the Home Office delivers on its promise.

Mr Deputy Speaker: That really is not a point of order for the Chair, but it is quite rightly now on the record. I know that the Government are listening. I hope that that will be taken on board and that the right hon. Gentleman will be given the access that he was promised.

Mr Deputy Speaker: That really is not a point of order for the Chair, but it is quite rightly now on the record. I know that the Government are listening. I hope that that will be taken on board and that the right hon. Gentleman will be given the access that he was promised.

Sir Peter Bottomley (Worthing West) (Con): On a point of order, Mr Deputy Speaker. Following on from the point made by my hon. Friend the Member for Wellingborough (Mr Bone) during the statement on school funding, would it be appropriate or possible to put on record the names of the four Labour Back Benchers who were kindly present at the end of the statement? We have to assume that all the rest were happy.

Mr Deputy Speaker: If I started to do that for both sides, the book would be very full, so perhaps those in glass houses ought not to throw stones quite as quickly.

Dr Alan Whitehead (Southampton, Test) (Lab): On a point of order, Mr Deputy Speaker. I am sure you will be aware of the numerous answers to parliamentary written questions concerning the publication of the clean growth plan that is required to be brought to the House under the Climate Change Act 2008. On several occasions, in response to questions both written and oral, the Secretary of State for Business, Energy and Industrial Strategy has stated that he intends “to publish the plan when Parliament sits again after the summer recess.”—[Official Report, 27 June 2017; Vol. 626, c. 453.]

I am sure that you will observe, Mr Deputy Speaker, that we have already sat after the summer recess and are about not to sit anymore. Have you received any communication from the Secretary of State informing you that he intends to come to the House this afternoon to make a statement about the publication of the plan?

Mr Deputy Speaker: There has been no communication to me, as the hon. Gentleman could well have guessed, but he has made people aware that the plan is being awaited by Members of this House. He has put that on the record, and hopefully people will respond accordingly, but there has been absolutely no communication to me.

Mr Peter Bone (Wellingborough) (Con): On a point of order, Mr Deputy Speaker. I had hoped to present a petition this week about a huge, intensive poultry factory farm that is proposed in Rushden. More than 6,000 people had objected, the format of the petition had been agreed by the Table Office, and it had been signed by Mr David Jenney, Mr Roger Barnes, the chairman of the Stop Higham and Rushden intensive poultry farm group, and Mr Peter Tomas, mayor of Higham Ferrers. Unfortunately, the petition has got lost somewhere in the House’s postal system, or has not yet been delivered, so we have not been able to register it so that I can present it. How can I put that fact on the record? Is there a procedure whereby I can present a petition when the House is in recess?

Mr Deputy Speaker: It is certainly now on the record and we know about the petition. There is nothing I can do to assist between now and October, but it is not often that a Member gets two bites of the cherry: you have the petition and the names on the record, and I am sure that the moment we get back after recess the House will accommodate your making that presentation.
General Election Campaign: Abuse and Intimidation

2.17 pm

The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton): I beg to move,

That this House has considered the abuse and intimidation of candidates and the public during the General Election campaign.

I am sure that you, Mr Deputy Speaker, and—I hope—Members from all parties will agree that it is essential for our democracy that people are able to stand for office and to become a Member of Parliament without fearing that they will experience abuse. It is equally essential that MPs are able to represent their constituents without being abused or intimidated. Indeed, that applies to anyone serving in public office, whether a democratically elected candidate or the people serving in our vital public services. We should all be able to go about our work and live our lives without fear of abuse or intimidation. The Government absolutely recognise that this is a very serious issue that affects not only MPs and parliamentary candidates from all parties, but the wider public. I know that many Members will talk this afternoon about how they, their families and their communities have been personally affected.

Fear of abuse or intimidation can have far-reaching consequences. It has the potential to affect people’s desire to stand for office or public service in the first place. In turn, that can have a negative impact for us all and for our democracy. That is why in July the Prime Minister asked the Committee on Standards in Public Life to carry out a review of the intimidation experienced by parliamentary candidates. The review sought to gather evidence of harassment and to consider what action is needed to ensure the integrity of the democratic process.

The consultation is now complete and the findings are now being analysed. I am sure that the committee will make good progress with its work and act as quickly as possible. The Government look forward to reading its recommendations.

Although it is really important that we look at what more we can do, I want to reassure all Members that arrangements are in place to ensure their safety. The police and the Parliamentary Security Department continue to work to ensure that appropriate security measures are in place. Personal security advice and guidance has been provided to all Members, and a package of security measures is available for homes and constituency offices. Support and advice regarding security and any concerns around personal safety are available from the Members’ security support service and the Parliamentary Liaison and Investigation Team, and all measures are kept under review.

Alison Thewliss (Glasgow Central) (SNP): The Minister may not be aware of this but when we were leaving the House in the wee small hours of Tuesday morning, a television camera was outside the gates of the House of Commons filming MPs as they were leaving. That means that people watching television would know who leaves at what time, who leaves together and in which direction they are heading. Can she raise those kinds of things with broadcasters?

Sarah Newton: The hon. Lady raises a very serious issue. I encourage her to contact the House security team, but, as she has raised those issues today, they will be looked at by the police and the House security service to see what more can be done. That may include having conversations with the media if it is felt that their actions are increasing the risk to ourselves and our staff. There would have been many staff working in Parliament that evening, supporting our democratic process, and they, too, might have been under threat.

I think that we can all agree that freedom of speech and expression are fundamental human rights. However, there is a responsibility that comes with those rights. When a person’s views cross a boundary into criminal acts, action must be taken. The Public Order Act 1986 includes a number of offences that tackle such behaviour, including offences of fear, provocation of violence, intentional harassment, alarm or distress. I know that there have been some shocking instances of abuse directed towards MPs, and equally shocking examples of hate crime.

Sir Hugo Swire (East Devon) (Con): Can my hon. Friend tell the House how many successful prosecutions there have been for any of these crimes?

Sarah Newton: I do not have the latest figures on hate crime prosecutions to hand, but I can absolutely assure my right hon. Friend that the number of people reporting hate crime has significantly increased, as have the prosecutions and convictions. Thanks to the bravery of two of our female colleagues from these Benches who were subjected to appalling hate crime and stalking, prosecutions were secured and the perpetrators are now in prison, where they so richly deserve to be. I hope that that sends out a very strong message that this type of intimidation will simply not be tolerated.

The Prime Minister made her views very clear when she said that “hate crime of any kind is completely unacceptable. It divides communities, destroys lives and makes us weaker. Britain is thriving precisely because we welcome people from all backgrounds, faiths and ethnicities, and that is something we must strive to protect.”—[Official Report, 12 July 2017; Vol. 627, c. 168WH.]

One of the first actions of the Home Secretary was to launch the hate crime action plan, which sets out steps that we are taking to prevent these crimes, boost the reporting of offences and support victims. It focuses on five key areas: preventing hate crime by challenging beliefs and behaviours; responding to hate crime in our communities with the aim of reducing the number of incidents; increasing reporting; improving support for victims; and building up our understanding of the motivation of hate crime.

We already have a strong legislative framework in place to tackle these crimes. The action plan lists new actions to ensure that the legislation is used effectively to support victims and deal with perpetrators. We recognise the importance of ensuring that the police response to hate crime is as good as it can possibly be, which is why the Home Secretary has asked Her Majesty’s inspectorate of constabulary to carry out an inspection into how the police deal with all five strands of hate crimes, including online abuse. That inspection will take place during this financial year. We are very keen to see what HMIC finds and how the issues are addressed.
I know that, for many Members, the issue of online abuse is of particular concern. The Government are absolutely clear that abusive and threatening behaviour online is totally unacceptable—whoeveryer the target.

Mrs Pauline Latham (Mid Derbyshire) (Con): I read in today’s paper that even Laura Kuenssberg was verbally attacked during the election campaign and had to be accompanied by security officers. Surely even the press—I do not like everything that the BBC says or do—should be protected and able to have free speech.

Sarah Newton: My hon. Friend makes an extremely valid point. Hate crime is totally unacceptable. No one—whether they are a journalist, police officer, nurse, or anyone else in our country—should be subjected to hate crime.

Bob Stewart (Beckenham) (Con): It gets worse than that—it goes to children. All my four children have been hassled by other kids in their local schools because of the job of their father. There is little that can be done about that, because they are children. My kids are robust enough to withstand it, but such behaviour is taken to a new level when, during the last general election, a teacher tells the class of my 13-year-old boy that nobody should talk to him because he is the son of a Conservative MP.

Hon. Members: “Shame!”

Sarah Newton: I am grateful to my hon. and gallant Friend for sharing with the House such a personal and deeply upsetting and troubling incident that has happened to his son. That is simply unacceptable. It is a noble thing to stand for election; and it is a noble thing to want to represent your community, whether as a councillor or as an MP in this place. People such as teachers who are in a position of authority and influence should be supporting and upholding the shared values of our country. It is most disappointing to hear of somebody in such a powerful and influential position letting themselves and their profession down.

The Government are absolutely clear that this abusive and threatening behaviour that we are increasingly seeing online is totally unacceptable—whoeveryer the target.

Vicky Ford (Chelmsford) (Con): Does my hon. Friend agree that we should be particularly concerned about those who are vulnerable? I have in mind the case of one of my Conservative colleagues who stood in the east of England who was threatened with rape online. Then the threat was, “Shoot her, then pull her teeth out of her jaw while she fades away.” The said candidate is partially sighted and was going around the constituency every day with her dog. It is exactly those sorts of people whom we should encourage to be in this House, which is why those of us who are here must stand up and defend them.

Sarah Newton: I am very grateful to my hon. Friend for sharing that experience. She is absolutely right: it is essential that people from every sort of background and from every part of our country feel that they can represent their communities. The Conservative party has put in a lot of effort over a number of years to break down the barriers so that people with disabilities can serve their communities locally or nationally. I was very proud of our party for setting up a new fund in the Cabinet Office, which provides funding to people who need to make reasonable adjustments to stand for office and to serve their community. I hope that my hon. Friend will pass on to that candidate our sincere gratitude for her perseverance—not being bullied or intimidated, but carrying on and taking a message of hope to her community. I encourage her to report that incident to the police. She has clear online evidence of hate crime perpetrated against her, and I would fully expect her local constabulary to take that seriously and go after the appalling person who wrote such things.

Alex Chalk (Cheltenham) (Con): Does my hon. Friend agree that the social media platforms have a role to play? So many people get fed up with reporting abuse and nothing seems to happen to the individual who perpetrates it. If social media companies are serious about upholding their house rules, is it not vital that they issue a system of yellow cards and, if necessary, red cards to stop people having the platform they need to perpetrate this vile abuse?

Sarah Newton: My hon. Friend makes an incredibly important point. When social media companies are notified of this type of abuse, harassment and bullying, we expect them to take that material down. The police have the power to request that such material is taken down. It is important that people report instances of hate crime, and that those reports are followed up and prosecuted.

The law does not differentiate criminal offences committed on social media from those committed anywhere else. It is the action that is illegal. Robust legislation is in place to deal with internet trolls, cyber-stalking, harassment, and perpetrators of grossly offensive, obscene or menacing behaviour. A number of criminal offences may be committed by those abusing others on social media. These include credible threats of violence; damage to property; sending grossly offensive, indecent, obscene or menacing messages; harassment; and stalking.

The Crown Prosecution Service recently revised its guidelines on social media to help to ensure a robust criminal justice system response. The updated guidelines incorporate new and emerging crimes that are being committed online and provide clear advice to help with the prosecution of cyber-enabled crime. On 21 August, the CPS published new public statements on how it will prosecute hate crime. The Director of Public Prosecutions committed the CPS to treating online hate crimes as seriously as those committed face to face. The CPS also launched revised legal guidance that sets out how prosecutors should make the charging decisions and handle these cases in court.

Victoria Prentis (Banbury) (Con): My hon. Friend is aware that the law moves exceedingly slowly on occasion. Would it be possible to encourage Facebook and other social media platforms themselves to have a system—not a criminal system, but perhaps a red-card one, as my hon. Friend the Member for Cheltenham (Alex Chalk) suggested—to enable accounts to be taken down when abuse routinely appears on the accounts of armchair warriors?

Sarah Newton: My hon. Friend makes an important point. We absolutely recognise that this is not just about the law, although the CPS has moved swiftly and done a
thoroughly good job in this instance. The number of prosecutions is increasing. As if by magic, I now have the figure for successful prosecutions; it is now running at more than 15,000 a year. That is significant progress with the tools and guidance available.

Social media companies have a vital role to play. The recently enacted Digital Economy Act 2017 requires the establishment of a code of practice for social media providers. The code will set out guidance about what social media providers should do in relation to conduct on their platforms, including bullying or insulting an individual or other behaviour likely to intimidate or humiliate them. The Government are considering how to take forward the social media code of practice as part of the digital charter. We will shortly provide more details about the consultation and what should happen.

Martin Whitfield (East Lothian) (Lab): The social media platforms seem to achieve the red, amber and green cards when it comes to copyright and they are at risk of financial consequences. But they do not seem to be able to achieve that with bullying and harassment.

Sarah Newton: I absolutely agree that these companies need to do a lot more. They need to act with vigour, determination and speed in addressing the abuse that their platforms are enabling. I am sure that they will listen to the contributions made today by colleagues across the House, and we hope that they will respond, just as we very much hope that they will respond swiftly and thoroughly to any recommendations that come out of the review.

Sarah Newton: I am pleased to hear that my hon. Friend for that further intervention, and I am disappointed to hear that that was her constituent’s experience. As part of the hate crime action plan, further guidance was given. My colleagues in the Home Office work closely with law enforcement and the College of Policing to make sure frontline police officers have the tools and skills necessary. We hope that the HMIC inspection of the police response to hate crime will highlight good practice, which I am sure does exist around the country, but if there are areas for improvement, that will also be highlighted, and we will review the findings of that inspection with our colleagues in law enforcement to see whether there is anything further we need to do.

Sadly, it is not only MPs and candidates who are experiencing intimidation. The intimidation of voters during election campaigns is unacceptable and must also be addressed. Sir Eric Pickles’s review of electoral fraud made a range of recommendations for tightening up on the integrity of our electoral system, including by addressing the intimidation of voters. The review identified a number of areas in which the existing rules at elections could be tightened. In particular, it recommended that greater powers should be given to returning officers and the police to take action to address unwanted and inappropriate behaviour in and around polling stations—for example, by setting up cordons sanitaires.

In the Government’s response to Sir Eric’s report, we indicated that we are supportive of those proposed changes. Some will require primary legislation, and we look forward to bringing the provisions forward as soon as the opportunity arises. We will also consider with the Electoral Commission how existing guidance to returning officers and their staff must be strengthened.
In conclusion, I want to make it absolutely clear that the targeting of abusive, intimidating or harassing behaviours at any individual—whether an MP, a candidate, a member of their staff or family, or a member of the public—is utterly unacceptable. There is simply no place in our democracy for these behaviours.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): I have listened with keen interest to all that the Minister has said, and I cannot disagree with it, but I do want to make the point that a lot of female MPs on both sides of the House have been treated abominably in hundreds of thousands of texts and on that Facebook thing—I do not do it myself, but the Minister knows what I mean. It is just not acceptable to say that an MP can get thousands of these texts—whether from political opponents or, God help us, political friends. We need to take stronger action. We cannot have MPs feeling threatened when they have children and families. We heard from my hon. Friend the Member for Beckenham (Bob Stewart), the former colonel, about what happened in his son’s school. This is just the tip of the iceberg. Action has to be required in law; it cannot be voluntary. Does the Minister not agree?

Sarah Newton: I absolutely agree. We take this issue very seriously, and that is why the independent review was set up. I am sure Members on both sides of the House will contribute evidence to it. The Select Committees have also done some good work on this issue, and they have submitted reviews. I hope that no Members of Parliament feel intimidated or pressured not to come forward. It is essential that they share their personal experiences, which are often harrowing, as we have already heard, and, sadly, as I am sure we will hear further in the debate.

We cannot tolerate this behaviour. There should be no fear in this House. There should be no fear in our democracy. We will do absolutely everything we can to ensure that anybody who wants to serve their community and their country can stand for office without fear.

2.44 pm

Cat Smith (Lancaster and Fleetwood) (Lab): Today’s timely debate focuses on the important issue of the abuse and intimidation of candidates and the public in UK elections, but I would like to begin with a note of thanks to Mr Deputy Speaker for his support in ensuring my personal safety and that on colleagues on both sides of the House as we go about our business. I know that many of my colleagues will share my thanks and put them on record.

Let me clear: abusive behaviour has no place in our democracy. I must stress that Opposition Members condemn any action that seeks to undermine our tradition of free and fair elections. We welcome the Government’s decision to conduct an independent inquiry, and we look forward to working with them to tackle this issue, which affects candidates from all political parties. In that spirit, my hon. Friend the Member for Wansbeck (Ian Lavery) is giving evidence to the Committee on Standards in Public Life this afternoon on behalf of the Labour party.

Sadly, many colleagues on both sides of the House have experienced some form of abuse and intimidation as candidates or MPs, and many can talk about the experiences their party campaigners and volunteers have also had. Unfortunately, candidates and public office holders are vulnerable to abuse. The tragic murder of our parliamentary colleague and friend Jo Cox last year and the stabbing of my right hon. Friend the Member for East Ham (Stephen Timms) in 2010 remind us of the serious threats we face and of the longevity of this issue.

We would be doing a disservice to the democracy we all believe in if we did not recognise that this is an issue for all political parties. If we are going to have the honest and constructive debate we need to have on this subject, we must recognise that individuals claiming to be supporters of every political party represented in this Chamber have, either online or offline, abused candidates from other political parties. That is wrong and it will always be wrong, no matter which party the abuser claims to support.

Unfortunately, abuse and intimidation have taken place during previous elections too. Those who claim that this is a recent development are perhaps inadvertently covering up the real issue. This topic is not new to scrutiny. In 2013, the all-party parliamentary group against anti-Semitism, of which I am a member, published the findings of its inquiry into electoral conduct. The inquiry had a particular focus on racism and discrimination in campaigning, and it marked the first time that such matters had been analysed in a systematic way by Members of the House. The APPG published its final update in July, which showed that electoral misconduct was a challenge for all parties during elections.

Alex Chalk: The hon. Lady is making an important speech, but does she not acknowledge that the tempo and tone of what happened in the 2017 election was of a different order of magnitude from what had gone before? I am quite prepared to accept that what happened was cross-party and affected people on both sides of the House, but it was at a level that was particularly concerning.

Cat Smith: I will answer some of those points in my speech. I suspect that what happened was partly due to the increased use of social media sites, which have more users than at previous elections, but I will come to that.

The same inquiry and the Law Commission argue that the current legal system is not fit for purpose. They urged the Government to redraft electoral offences in a more simple and modern way, so that they can be readily understood and enforced by campaigners, the public and the police, and the Opposition would support that.

We must see some action on this issue. The Government’s domestic policy agenda cannot stop because of the Brexit negotiations. In response to a written parliamentary question last week, the Minister stated that the Government will respond to the Law Commission’s 2016 interim report in due course. Can he be a little more specific on the timeframe? The Institute for Jewish Policy Research findings published this week showed that one quarter of British people hold an anti-Semitic belief. Those findings make for sobering reading.

Given the high prevalence of this, it would be foolish and wrong for any party in this House to assume that it did not have members or activists who hold such beliefs. Labour Members recognise that political parties have a responsibility to stamp out any form of abusive behaviour.
To ensure that Labour Members comply with the high standards expected by our party, our internal procedures for dealing with abuse and intimidation were reviewed and improved following the Chakrabarti report on anti-Semitism. We have a detailed and publicly available social media policy, and we have employed more staff in our governance and legal unit to make sure that our members’ conduct is up to scratch.

However, social media platforms such as Twitter and Facebook must take their share of the responsibility for this issue and act faster to prevent and remove abusive behaviour online. As my hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq) pointed out in the Westminster Hall debate on this topic before the summer recess, Facebook was very quick to remove pictures of a woman breastfeeding, but when my hon. Friend reported a fake account that was set up in her name sending out intimidating messages, it took Facebook two weeks to respond.

Rosie Duffield (Canterbury) (Lab): I thank my hon. Friend for bringing up such an important and relevant topic as the racism and anti-Semitism that are going on. I would like to highlight the unacceptable level of vitriol and aggression directed towards female candidates, in particular, during the election. Does she agree that the Government need to do more to ensure that women are not unjustly dissuaded from campaigning, joining in and putting themselves forward as candidates?

Cat Smith: My hon. Friend raises a very important point. Only this week, there were reports in the press regarding some rape threats I reported to Facebook that I was told at first did not breach its community standards. It does appear that women MPs face a particular kind of intimidation—threats of rape. Those comments have now been taken down, but I sometimes wonder whether that would have been the case had I not been a Member of Parliament and received some of the press coverage that I did, which has now seen this issue resolved.

Women MPs have been speaking out about these problems with social media for years. MPs and campaigners involved with the women on banknotes campaign were subject to sustained campaigns of harassment in which some members of the public were arrested and charged. Can the Minister assure us that he is working with social media platforms to combat this issue?

There is also a need for better collection and analysis of election-related racism and discrimination data. In March, the Home Office confirmed in an answer to a question that the Government do not hold specific data relating to hate crimes during election campaigns. If the Government are committed to tackling this very important issue, when will they recognise that data on it must be collected and scrutinised? As a consequence of this failing, the monitoring and reporting of racism during elections has fallen to the third sector. New research by Amnesty International found that my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott), who joins me on the Front Bench this afternoon, and who was the first black woman MP in this House, received half of all the threatening tweets sent to women MPs between January and June this year. In fact, black and Asian women MPs received 35% more abusive tweets than white women MPs. As evidenced by the recent report, unacceptable behaviour towards candidates from all parties is disproportionately faced by women and those from black and minority ethnic backgrounds.

Vicky Ford: It is not just online that abuse is happening, and not just on the Labour side. The Conservative candidate in Ealing reported that two Asian activists on her side received much abuse to their faces. They were spat at, told that they should have their throats slit, threatened by being told they should die and told that their mothers should never have given birth to them. Their cars were also targeted. It is not just online and on social media—there are many face-to-face examples as well.

Cat Smith: The hon. Lady makes an important and correct point. This abuse is indeed faced by activists and volunteers from all political parties, and candidates and activists from black and minority ethnic backgrounds are indeed disproportionately more likely to face it, both online and offline. I will come to some of the offline comments in a moment.

Dr Rupa Huq (Ealing Central and Acton) (Lab): I heard the point that was made about Ealing. I am not sure whether it concerned the election in Ealing Central and Acton, where I was the winner, but I want to dissociate myself from those stories because they were nothing to do with the Labour party.

I was a candidate in Ealing Central and Acton in the 2015 general election, and there are pictures and footage of the fracas that ensued when I crossed paths with the Conservative canvass team, which included the former Mayor of London, the right hon. Member for Uxbridge and South Ruislip (Boris Johnson). It was reported on “Newsnight”, and the newspapers called what happened to me “manhandling”; I think a lawyer would call it assault. There are documented examples of such things, and I reject the accusation that this is anything to do with the Labour party.

Cat Smith: My hon. Friend raises an alarming example to add to the debate, and I thank her for her contribution.

We cannot allow abuse to act as a barrier to participation in public life. A recent survey revealed that the majority of women MPs have received online and verbal abuse from the public and a third have considered quitting as a result. The 2017 general election delivered the most diverse House of Commons in history, but a failure to tackle abuse and intimidation risks reversing that and rolling back the progress we have made in making our politics more representative.

Vicky Ford: I want to clarify that in my earlier intervention I did not accuse Labour activists of being responsible for actions against Conservative activists. My point was that Conservative activists, especially women and those from ethnic minorities, were also seriously targeted, face to face, on the streets of London in the 2017 general election.

Cat Smith: The point has been made again that activists and campaigners from all political parties receive abuse. I think that there is consensus on that in the House.
Although the debate is about the general election that has just passed, stalkers and trolls continue to blight the lives of candidates in local elections. Unlike parliamentary candidates, those who stand for local elections are required to have their home address printed on the ballot papers, some of which are sent to the homes of postal voters way ahead of the election. My hon. Friend the Member for Leigh (Jo Platt) is unable to take part in today’s debate, but she particularly wanted to raise this issue. When she was a councillor, she had her home address published on ballot papers and she was forced, in the end, to get CCTV there after receiving abuse and harassment. That is not an isolated case: I am aware of a councillor in Lancashire who, having previously been a victim of stalking, is incredibly uncomfortable with putting her address on the ballot paper. When will the Government review the inconsistency in the publishing of home addresses on ballot papers for candidates in local elections?

Alison Thewliss: I fully support the point that the hon. Lady is making. One of my colleagues found it quite frustrating that although they, as a parliamentary candidate, were able to exempt their address from publication, their partner, who happens to be a local government councillor, had to publish their address—thereby negating the whole point.

Cat Smith: The hon. Lady raises an alarming and pertinent point. It may leave many of us considering whether to encourage our partners to take part in democratic life, given the threats of abuse that we sometimes face.

We cannot ignore the funding pressures that local authorities are under, because they have an impact on the matter. According to a study by the University of East Anglia, electoral services were running 129% over budget in 2015-16. The Association of Electoral Administrators described the industry as “pushed to the absolute limit” and highlighted significant challenges that electoral officials face, as well as the rising number of administrators leaving the profession. How can we expect electoral officials to identify and deal with abusive behaviour during elections without the necessary resources?

I have been approached by Members of the House who reported online abuse to their local police but found that investigations were cut short because of a lack of police resources. We cannot ignore the growing crisis, which has been alluded to, in police resources for the investigation of these crimes. The Government have cut more than 20,000 police officers, and we have to say that cuts have consequences. The police forces are overstretched, and that leads to pressure to downgrade crimes or to investigate them less than fully. If we really want to tackle this abuse, we need to resource our police budgets properly and give the police the resources that they need to investigate this serious issue.

The bullying and intimidation that we see on social media and on the streets of this country do not happen in a vacuum. The decisions taken by the press and media outlets, and even by political parties, to target some politicians over others can lead trolls to see that as permission to take their racist and sexist abuse offline and, sadly, in some cases to act it out. Only this week, the former Chancellor told colleagues at the Evening Standard that he would not rest until the Prime Minister is “chopped up in bags in my freezer”.

Sir Hugo Swire: Will the hon. Lady give way?

Cat Smith: I will give way in a moment.

The former Chancellor has previously described the Prime Minister as a “dead woman walking...on death row”, and compared her with “the living dead in a second-rate horror film”.

I raise that because—

Sir Hugo Swire: On a point of order, Madam Deputy Speaker. Is it in order for the Opposition spokesman to make unfounded allegations against a former Member of this House, who is not here, without any warning and—to underscore what we are debating—to repeat unfounded allegations that she may or may not have read online or as reported in another paper?

Madam Deputy Speaker (Dame Rosie Winterton): I think the hon. Lady was referring to reports, but I also think she was just about to give way to the right hon. Gentleman.

Cat Smith: I clarify that I am referring to the press reports that I read in The Times this morning.

I raise that issue because violence against women is a huge problem in this country. Two women a week are killed by their partner or former partner, and rape continues to be a crime that is under-reported and for which it is very hard to achieve a successful prosecution. We as a House need to acknowledge that the problem we have in this country with violence against women is not helped when senior journalists, commentators or politicians use language such as that I have mentioned when referring to female Members of this House.

As well as the press, political parties and politicians have a responsibility to set an example by treating others with dignity and respect, including those with whom we strongly disagree. If we are to have a useful debate, we must be very honest in looking at the campaigns that our national parties run. I am referring to some of the social media advertising that ends up on voters’ Facebook timelines, often without their permission, highlighting and singling out particular Members of the House. I am referring specifically to the advertisements by the Conservative party that singled out my right hon. Friend the Member for Hackney North and Stoke Newington.

Mrs Latham: Will the hon. Lady distance herself from the “ditch the bitch” remarks made by the shadow Chancellor about one of our candidates, not at the last election but at the previous one?

Cat Smith: I associate myself with the remarks of my party leader, who has been very clear—indeed, he sent out such advice to Labour party candidates during the last election—that we should fight elections on the basis of policies, politics and the record of the Government, not play it personal. With that approach, we can have a debate in public that may influence the debate taking place on social media, and we may see a downturn in the levels of abuse highlighted by Members on both sides of the House.
This abuse does not take place in a vacuum. We must look at the campaign spearheaded by Lynton Crosby in the London mayoral election, which was even described by Baroness Warsi as “appalling”. That was because of the attacks on Sadiq Khan, which are widely understood to have been racist in nature.

**Alex Chalk:** I do not want to inflame this discussion, because the hon. Lady is making some fair points, but does she not agree that there is a duty on all of us to moderate our language in the public sphere? For example, it does not help to use language like the word “murderers” in the context of the Grenfell Tower atrocity, because it revs people up. Is there not a duty on all of us to be careful about what we say in the public domain?

**Cat Smith:** I agree that there is a duty on all Members of this House to be very considered in the language they use in all matters and to talk about policies and politics rather than personalities. Politics has been drifting towards a focus on personalities, and I think that is damaging.

The politics of hope will always win out over the politics of fear, and it played a role in the general election. It was positive that 2.5 million people voted who did not cast a vote in the previous general election, and that gives us a great sense of hope. If we want politics to be more representative, and if we want to encourage a diverse selection of candidates from all political parties to stand, we need to conduct our politics in the spirit of hope.

**Alex Burghart (Brentwood and Ongar) (Con):** Will the hon. Lady give way?

**Cat Smith:** I will in a moment.

The Leader of the Labour party has always said that he does not do personal, and he insisted that all Labour candidates ran positive campaigns based on our policies and the Government’s record, rather than peddling attacks on individuals. He tweeted about that in 2016 during my remarks. I recently came back from Rwanda, which is pretty shocking, because many African countries—not Rwanda, I have to say—suffer from a lot of abuse.

I want raise the issue of intimidation and abuse during the election on behalf of someone who no longer has a voice in this place because she was defeated in that election. I have followed parliamentary protocol and notified the hon. Member for Derby North (Chris Williamson) yesterday that I would mention him today in the Chamber. The Opposition spokesman should listen very carefully to what I have to say about him. It is pretty ironic that only last month the new Member for Derby North spoke out against such smears in an article in The Guardian:

“But I feel people have stopped listening to the smears and lies and dirty tricks...Jeremy’s overwhelming landslide victories in the leadership elections and the general election”—

I am not sure where the landslide victory comes in as regards the general election—“mean people have stopped listening to the smears”.

Well, no, they have not.

Some weeks before the election, a Facebook page calling itself “Unauthorised Amanda Solloway” appeared, giving all sorts of misinformation about her. The previous year, her husband’s business went bankrupt. He was one of, I think, three directors. As the wife of one of the directors, our former colleague was singled out for abuse on Facebook. The wives of the other directors were never mentioned, and neither were the other directors. She had no connection to her husband’s business, and bringing up her name in association was just a way to tarnish her reputation for no reason. Nobody in this House would expect to be deemed responsible for a relative’s business, but Amanda Solloway was—just because she ruffled feathers by winning a parliamentary seat two years earlier. We are all entitled to a family life outside this place and politics in general. Bringing family into any political debate is unreasonable, and the hon. Member for Derby North would not like it if I were to refer to his private life in this Chamber or anywhere else.

Of course, the Facebook page has now been removed, but we have screenshots of it. It included video statements made by Amanda Solloway’s opponent, the new Member for Derby North, about the unfair link to her husband’s business. That would suggest that the hon. Gentleman had direct involvement in the page’s overall strategy. If he did not, how were the videos made available?

This Facebook page not only says that Amanda Solloway must have been involved in her husband’s business and so was culpable for the number of people who lost money as a result of the bankruptcy, but showed pictures of her with her husband on a social occasion a long time ago, wearing evening dress to go to a dinner, implying they were wealthy. They are not. It also showed a photo of one of her daughters’ wedding day. That year, both their daughters were married; the page suggested that this was done on the proceeds from the unfortunate people who lost their money when the company went bankrupt. That was totally false. This was a targeted, personal and unfair campaign against our former colleague. In fact, I would say it was bullying.

**Dr Hug:** I remember the hon. Lady’s former colleague. We did an interview together when the election was announced, and I am sorry to hear of these tragic
things. Before I was elected in 2015, a fake Twitter account called “Dr Huq” was set up, which said I lied about the NHS and put out all sorts of vile messages. It was shut down only after I was elected. I wonder if the hon. Lady has had the same experience as me, in that social media platforms take these matters seriously from MPs, but the general public, former MPs or unsuccessful candidates are unable to do anything. There are double standards.

Mrs Latham: It is a very difficult situation. The Facebook page received many hits, because many people were searching for Amanda Solloway. Many people could have been influenced by this vile abuse on social media.

The final straw was when the current Member of Parliament asked people who had been affected by the bankruptcy to join him at a meeting to discuss how he would return their money. He said he would pay their expenses to attend the meeting, and the money was raised from donations through a YouCaring compassionate crowdfunding page. All this was done on the page by video. The new Member for Derby North asked for donations, so that he could meet at a venue in Derby those who had lost money—most of them were not from Derby—and presumably promise that he, and he alone, would stand up for them, and probably ask them to help his campaign. In fact, at the first business questions following the election, he tried to trick the Leader of the House into condemning Amanda and her husband’s company. He knows the ropes, because of course he had been an MP before Amanda Solloway won in 2015—something he has never come to terms with.

Amanda faced other problems. She was campaigning outside a very large mosque in Derby on a Friday following prayers; in the area, leaflets with the title “Operation Muslim Vote” had been delivered by the Muslim Public Affairs Committee UK. Amanda’s photo was on the leaflet. Next to a headline saying, “Their voting record” it stated:

“Voted against ending rough sleeping and causes of rising homelessness. Voted against accepting 3,000 unaccompanied refugee children. Visited Israel with Conservative Friends of Israel as a Tory candidate”.

Finally, in large capitals, it read:

“Voted for UK to support Saudis’ bombing of Yemen. Do you want this Tory MP to represent you...? You decide on June 8th”.

Obviously, this group is entitled to try to influence the election, but the leaflet in my view was bullying and intimidatory, and it was not even truthful. Amanda Solloway is a respected figure among Derby’s immigrant communities. Since leaving Parliament, she has been setting up a charity for those with mental health issues, and is involved in projects for the homeless. The swastika and abuse drawn on my posters, and the theft of dozens of them, are not in the same league as the campaign against Amanda. In my case, the police caught on camera a person who looked at the poster during the evening and returned at 3 am to deface it. He now has a caution, which will affect his ability to change jobs. I hope he has learned a lesson.

I fully expect, after I have exposed what happened to Amanda, to receive threats for speaking out on these issues, but they must be aired so that the public understand what we have to put up with. The behaviour of the Member for Derby North was the worst I have ever seen. I hope the sensible wing of the Labour party, not the extreme left-wingers who are clearly just like Militant used to be, will win the day and stop this kind of personalised campaigning. As the hon. Member for Lancaster and Fleetwood said, politics should be about the policies, not the people.

A political campaign should never be personal—as I have said, it should be about policies—but the Member for Derby North clearly overstepped the boundaries. Neil Kinnock, a former Member and leader of the Labour party, tried to remove this sort of extremism when he was party leader, and was successful for a time, but unfortunately we seem to have gone backwards. I appeal to the sensible Labour Members to show their colleague that his behaviour is totally unacceptable and will not be tolerated by them or anyone in the future.

3.14 pm

Patrick Grady (Glasgow North) (SNP): I warmly welcome the opportunity for this debate, which builds on the heavily subscribed debate in Westminster Hall on 12 July and makes up for the Chamber debate that was cancelled as a result of the general election and Dissolution.

Like Members and parties across the House, the Scottish National party is clear that abuse faced by political candidates, particularly women and those from black and minority ethnic and other minority groups, is intolerable, and that serious action must be taken to ensure that democratic participation is widened, not narrowed. Many candidates and aspiring candidates also face significant barriers to entering politics. Some of that was covered in yesterday’s Westminster Hall debate on women’s participation in politics. We have to take action now to stamp out hate and abuse, otherwise we risk dissuading or further disfranchising many who have been historically under-represented.

I pay tribute to Members who have already spoken out or will speak out about their experiences and to unsuccessful candidates and non-returning Members who have had to endure unacceptable abuse. The first and perhaps most important lesson for us all is that abuse must be identified and called out as such. I want to look at some of the recent challenges, some of which we have heard about before, make some reflections on behalf of the SNP in Scotland and set out some of the steps that we can take to remedy and improve the situation.

We live in turbulent times. Across the world, we are seeing a rise in extremism—particularly on the right, with the emergence of the so-called alt right—and indeed outright fascism. We have seen rising electoral support for the National Front in France, for Golden Dawn in Greece and for Alternative für Deutschland in Germany, and there is a risk that hate language and a policy of division are becoming normalised. That must be countered, not encouraged, by strong and determined political leadership. We must work together to build a better public discourse that allows robust debate, while remaining respectful.

Alison Thewliss: Does my hon. Friend agree that not only do politicians need to take responsibility in this area, but the tabloid and other forms of media, which call people traitors and use other inflammatory language, need to be challenged?
Patrick Grady: Yes, absolutely. We might even say that what is happening online is being replicated in some offline publications, or perhaps vice versa. The whole thing has to be toned down. As politicians, we have a role to play.

The sad reality is that the President of the United States won his election after a campaign built on playing to the worst side of people, playing up to Islamophobia, insulting the nation’s ethnic minorities and making totally unacceptable misogynistic comments, starting with but not limited to his opponent, the first woman ever to stand for President on a major-party ticket. Our first duty has to be to set an example for others, and that challenge is undoubtedly all the harder when the man supposed to be at the pinnacle of western democracy is acting as if he is at the nadir.

We have our own particular experiences in Scotland. In the 20 years since the devolution referendum, many of us have prided ourselves on being ahead of the curve, in terms of what the Scottish Parliament has achieved. It was a new Parliament with family-friendly hours, procedures far less impenetrable than we have in this place, innovations—at the time anyway—such as the public petitions committee, and of course election by proportional representation. All that helped to reinvigorate democracy and take it back to the people. The Scottish independence referendum, too, was an incredible exercise in popular political engagement. There were packed meeting halls, outdoor rallies and, yes, online debate. Some of that has been seen all over the world in recent years, and perhaps Scotland was part of it and helped to catalyse and inspire engagement elsewhere.

We have to accept, however, that there has been a downside. There has been abuse and harassment—particularly, but not limited to, online—of spokespersons, party leaders and high-profile campaigners. Many of the campaigners in the independence referendum were not traditional politicians, but were becoming politically active for the first time, and some of them have ended up Members of this House—and as of June, not all of them are on the SNP Benches. Many of them found the abuse and intimidation hurtful and difficult to deal with. Those who made it here are the ones who persevered, but undoubtedly many other campaigners did not, and that is a loss to our democracy.

While the debate that precedes a referendum is to a certain extent generalised, the debate that takes place during an election campaign focuses much more on individuals, leaders and candidates. It involves a level of personalisation, which means that policies and issues are sometimes obscured by the people and the personalities involved. It is a case of playing the man and not the ball, as the saying goes, although, of course, it is far too often a case of playing the woman and not the ball. The evidence we have heard so far today makes that very clear. During the general election campaign, I noticed snarky anonymous comments about me online, based largely on my political affiliation but occasionally on my lack of hair follicles, but that was nothing by comparison with what female candidates have had to go through; some have not been anywhere near as fortunate as me.

I pay particular tribute to my former colleague Tasmina Ahmed-Sheikh, who was my predecessor as the SNP board member of the Westminster Foundation for Democracy. She is a significant loss to the House, although I have no doubt that we shall see her again in some shape or form. Amnesty International produced a briefing for the debate containing testimonials that are incredibly powerful; I recommend it to all Members and, indeed, anyone who is watching the debate. In a contribution to that briefing, Tasmina spoke of her experiences. She said:

“When I was elected in 2015 and even during my election campaign, I found myself at the other end of horrific levels of abuse. And the question is: why might that be? Is everyone receiving the same levels of abuse? Is it women? Is it because I’m Black Asian Minority Ethnic?”

She cited examples of people tweeting her home address and postcode—we heard about home addresses earlier—which led to the police having to patrol outside her house. She was advised to set up a safe room in her house. Surely all our houses should be safe from abuse and intimidation.

Jo Swinson (East Dunbartonshire) (LD): I echo the hon. Gentleman’s comments about Tasmina Ahmed-Sheikh, what she did about this issue, and the horrific abuse that she had to put up with. I have experienced it myself, as a candidate and as a woman in the House of Commons. I also vividly recall going on television at the time of the EU referendum and disagreeing with Nigel Farage’s comments about whether voting for Brexit would mean women were more likely to be raped. Suddenly, on my Twitter timeline, I gained a horrifying insight into the Islamophobic abuse that other people receive. I sometimes thank my lucky stars that I receive abuse. And the question is: why might that be? Is everyone receiving the same levels of abuse? Is it women? Is it because I’m Black Asian Minority Ethnic?”

I think a consensus is emerging on that. My hon. Friend the Member for Glasgow Central (Alison Thewliss) drew attention to the anomaly whereby, although one of our colleagues was able to anonymise their address on the ballot, their partner was standing on the ballot paper, and I wonder whether we should consider introducing the same arrangement for elections to this place.

Patrick Grady: The hon. Lady is absolutely right. That is why it is important to call out abuse in such circumstances, and to have debates of this kind. I congratulate the Government again on making available the time for it.

Paul Masterton (East Renfrewshire) (Con): The hon. Gentleman mentioned the targeting of the homes of Tasmina Ahmed-Sheikh and others. I think I am right in saying that the addresses of candidates in elections to the Scottish Parliament do not appear on postal votes or on the ballot paper, and I wonder whether we should consider introducing the same arrangement for elections to this place.

Patrick Grady: I think a consensus is emerging on that. My hon. Friend the Member for Glasgow Central (Alison Thewliss) drew attention to the anomaly whereby, although one of our colleagues was able to anonymise their address on the ballot, their partner was standing for the council and therefore had to publish the address, which completely negated the arrangement.

Vicky Ford: Will the hon. Gentleman give way?

Patrick Grady: I am a little bit conscious of others wishing to speak, but I will.

Vicky Ford: I just wanted to say something about anonymising addresses, or not making them public. When I stood for election, I did not make my address public, partly because of threats that I had received during my time working on international gun laws—threats...
from people who have guns. The difficulty was, however, that those who make themselves anonymous can be accused, politically, of trying to be anonymous when others are not. I suggest to the Minister that there should be one rule for all, so that the council and the election officers know where people are, but need not make the information public.

Patrick Grady: As I have said, I think a degree of consensus is emerging on that point. Perhaps the Minister will address it when he sums up the debate.

I want to stress what Tasmina had to go through. She was subjected to language that I will not repeat in the Chamber because it would be unparliamentary, although it is not unparliamentary when it comes from the President of the United States; let us put it like that. It is simply unacceptable. Tasmina and others in this House have stood their ground and called out the abuse, and continue to fight for what they believe in. That is an example of courageous leadership for others to follow, but it still takes that leap of faith—that act of courage. For someone in the early stages of considering a political career, who is unsure, the possibility of that abuse and intimidation might prove one hurdle too high.

What can be done? We welcome the review being conducted by the Committee on Standards in Public Life; I am pretty certain we are making a contribution to it, and we look forward to its report. We have to, as others have said, make sure that the police and the regulatory bodies have the powers and resources they need properly to investigate abuse and bring those responsible for criminal wrongdoing to justice. I echo the calls for the social media companies to up their game; they must get better at monitoring and acting on reports, and weeding out abusers early on, as several Members have pointed out. I also echo the Minister’s points about education, especially in schools, and making sure that good habits are formed early, and that there is an understanding of active citizenship and positive engagement with democracy, so that a new generation can come forward.

We have touched on some of the practical issues to do with keeping people’s personal circumstances secure, and addresses on the ballot paper. Finally, I want to emphasise that we have to lead by example. We have to win the debate. We have to make sure that our conduct—in this place, in our constituencies, and especially online—is exemplary. Of course we should engage in robust debate, but we should do so with good humour and with respect for the opinions held by our opponents, no matter how much we might disagree with them.

That any of us are standing here today, no matter what party we are from, is in some way a victory for democratic values and the principles of freedom of speech, but we must use that victory, whatever side we are from, carefully and responsibly. We are all passing through this Chamber; one day, all of us will lose or retire, and someone else will take our place. If we want to make sure we are replaced by the brightest and the best—by people who truly represent the full spectrum of diversity in our society, and who will continue to champion democracy and freedom of speech—we must live up to the highest standards ourselves. Hopefully, by these actions, we can ensure that democracy endures, and that the haters and abusers are not allowed to win.

3.27 pm

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): I am delighted that we have secured this important debate in this House. I pay tribute to both Front Benchers. The hon. Member for Lancaster and Fleetwood (Cat Smith) made a very interesting comment about local councillors, but did not elaborate on it. We are able to have some recourse against the people we are talking about, but our local councillors have no recourse at all, regardless of whether they represent a unitary or district authority, or whatever—there is no recourse for them. I know it is right at the cusp of what our debate is about, but I want to discuss intimidation of our councillors and what they put up with in our name. They have no staff and no ability to come back at anybody, other than perhaps through their local newspapers. It is important that we cover this, so I am grateful to the hon. Lady for bringing it up.

It is important to say that this is all about how people are dealt with. I understand why people get very cross when they are put upon by others who know little about what is going on.

My focus today is not personal. I am not going to express any views about MPs or anyone else. I am old enough—and, I would say, probably ugly enough—to look after myself. Instead I want to concentrate on the intimidation that is being directed at voters and, in particular, councillors.

Intimidation is not always the work of musclebound thugs or brutal bigots, nor does it always mean threats and violence. There is another, much more subtle, way of spreading fear. The perpetrators might look like respectable people, but they deliver demands in a sinister style. They say their way is the only way. They smile coldly and promise the impossible. They want people to do exactly what they are told.

This has been happening in West Somerset ever since my neighbouring borough of Taunton Deane dreamed up a greedy plan to merge my little district council into a new municipal area. This is, in fact, nothing less than an intimidatory land grab. Taunton wants to reap the benefits of the Hinkley Point C nuclear power station, which is being built in the West Somerset area. There will understandably be rich rewards when the reactors eventually start running, and Taunton will stop at nothing to twist the electorate and badger the Government, along with my councillors, on this.

I will say openly that Taunton has been telling monstrous lies about its motives, its methods and its money. If we listen to the Taunton Deane team, it is all going to be absolutely fabulous, but it never tells us about the debts and the huge borrowing. It never points out that my constituents would end up with a tiny handful of councillors—only about 10 or 12 of them—who would be vastly outnumbered by those representing Taunton. The people I am talking about in Taunton Deane are loan sharks. They never talk about the fact that their predictions on efficiencies and savings are based on sloppy arithmetic and pathetic guesswork. The plan is the stuff of bad dreams, and nightmares can sometimes be as intimidating as a mindless brute with an iron bar. Democracy is in real danger from a smooth-talking rotten borough.

Members might think that we have got rid of rotten boroughs. We should have got rid of them in 1832—perhaps only Sir Peter Tapsell would remember that time. I shall
Mr Spock would probably have said, “It’s democracy, objection will be locked out. That is intimidation. As hear directly from the developers, but anyone with an

Today, Taunton is rotten to the core. The council is led by a megalomaniac who believes that getting his own way is an absolute birthright. The man is a bully, a builder and a brigand. His friends in the bricks and mortar trade have done very nicely under his leadership, and I say that openly.

Liz Twist (Blaydon) (Lab): I was interested to hear the hon. Gentleman’s opening comments about the effect on local councillors of having their address published. Does he agree that this is a really important issue for them, as it is for national politicians, and that it could have the effect of putting off women, in particular, from standing for local councils? I know of excellent would-be candidates who are afraid to put their names forward for fear of attack, of criticism and of people calling at their house. Does he agree that it is important for us to address that problem in the debate today and to bring forward proposals on it?

Mr Liddell-Grainger: I thank the hon. Lady for her thoughtful intervention. The Front Benchers made the views of the two main parties clear, and I am sure that the Scottish National party agrees that the intimidation of councillors on any level absolutely cannot be right. I agree with what she says. One problem in rural areas—possibly not so much in urban ones—is that a lot of the people who want to stand for local councils are retired. I think that puts an added pressure on women in rural areas. I am desperately trying to think of the breakdown of my two district councils, but I suspect that we are under-represented. She is absolutely right that her very good point needs to be considered in this regard. I am sure that the Minister who winds up agrees with what she says. One problem in rural areas—possibly not so much in urban ones—is that a lot of the councillors on any level absolutely cannot be right. I agree with what she says. 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Taunton in action. If one reads the County Gazette, the extremely good local Taunton paper, one will see that it is certainly not just me speaking. The good people of un-precepted Taunton are being lead over a cliff, and that must be stopped before the intimidation gets worse.

3.38 pm  

Martin Whitfield (East Lothian) (Lab): I am grateful for the opportunity to speak in this debate; it is a privilege to follow the previous speech. I want to put on record my appreciation for the comments made earlier about the House’s security services and the police in our constituencies who do an excellent and often difficult job in ensuring that candidates and, probably more importantly, their staff are safe.

Democracy and society demand that intimidation and abuse have no part in the process. Coupled with individual responsibility, it is well beyond time that social media platforms look to their responsibilities. The growing use of social media is well documented, as is the effect of its use as a tool of intimidation and abuse. Research into why it is used as a tool of intimidation is increasing. A Demos report from May 2017 states: “What is clear though, is that the anonymous and ‘safe distance’ nature of social media platforms allows such abuse to be handed out far less respectfully than it would usually be if delivered face-to-face.”

That highlights the conflict between the platform and the democratic and societal function we require of it, and indeed what social media platforms offer.

It is the removed nature of social media that creates an environment that is so conducive to abuse and intimidation—it is made so easy. In their November 2016 report, Lowry and Zhang said:

“Heavy social media use combined with anonymity facilitates the social learning process of cyber bullying in social media in a way that fosters cyber bullying.”

In other words, the very tool of intimidation and bullying facilitates and promotes the learning of that bullying. The addictive nature of such communication, which is so important to society, is now being corrupted as an addictive tool of abuse.

If anonymity were removed, an individual or group would need to think, “I will be held to account for what I am about to say.” The hon. Member for Edinburgh East (Tommy Sheppard) was kind enough to allow me to make a short intervention in the 12 July Westminster Hall debate on abuse in UK elections, which allowed me to raise questions about a code of conduct and anonymous social media accounts. Within hours of that debate—I—and, I expect, the hon. Gentleman—received social media abuse pointing to not just the stupidity of my idea, but my stupidity for raising it. I will take this opportunity to answer those people.

I agree that the anonymity of a dissident’s public-facing social media account is essential. However, I do not accept a user’s anonymity to the facilitator of their account. It is unacceptable for someone to intimidate and abuse an individual for whatever reason. Disagree and argue about the idea, but not about the individual characteristics of the advocate. Platforms should have a responsibility to react much quicker to such comments.

I fully accept that my experience after that debate is but a mere toe in the water compared with the vile abuse received by other right hon. and hon. Members, especially women. It must also be borne in mind that the intimidation and abuse of those who unsuccessfully stand for elected office, and of those who offer assistance—both paid and as volunteers—will surely make people question their future participation.

I raise that example because of the damage any such personalised abuse and intimidation does to the younger generation whom we watch on. As a teacher, I know the damage that social media abuse does to our young people when that abuse is started and spread by other young people. When such abuse is highlighted, society rightly points to it and says how wrong it is. When children share inappropriate photographs with each other, we highlight the damage to the victim, the danger and the criminality, but we also seek to educate and to point out why such sharing is wrong.

But the generation that follows us witnesses our actions, our behaviour and our choices, and those actions, behaviours and choices have as great an impact on their behaviour and choices as any face-to-face discussion after the event. Our younger generation—our future politicians, activists and leaders—witnessed appalling behaviour by adults during the general election. I speak beyond those who are a member of a political party, and beyond the staff and friends of independent candidates. I speak of the responsibility of those who affiliate, sympathise or associate with candidates, or who just use a candidate’s name. There is a duty to act respectfully and responsibly.

The Parliamentary Secretary, Cabinet Office, the hon. Member for Kingswood (Chris Skidmore) said in the Westminster Hall debate: “We owe it to our democracy to make clear that intimidation and abuse have no part in our society, not only for candidates who stood at the recent general election but for future generations of men and women who are considering entering public life and standing for election.”—[Official Report, 12 July 2017; Vol. 627, c. 168-69WH.]

I completely agree with those sentiments. Our future generations demand of us more respect for each other.

In summing up, I wish to make reference to principles for the protection and promotion of human rights. This has been quoted frequently before, but it can stand another quote: “Impunity arises from a failure by States to meet their obligations to investigate violations; to take appropriate measures in respect of the perpetrators...ensuring that those suspected of criminal responsibility are prosecuted, tried and duly punished; to provide victims with the effective remedies...and to take other necessary steps to prevent a recurrence of violations”.

Perhaps it is time for those who seek to act like states—the great social media platforms—to look to their responsibility not merely as a tool, but as a publisher and a major participant and facilitator of the modern-day social demos. We, as adults, need to look to the responsibility we have to future generations not only to take no part in intimidation and abuse, but not to stay silent when that occurs. Now is the time to end online tribalism—

Graham P. Jones (Hyndburn) (Lab): My hon. Friend is making a powerful speech and some powerful points. When these debates occur online, there needs to be some clarity, as there is a difference between free speech and abuse. The point he is alluding to is that abuse is often dressed up as free speech, but when there is such an intervention, we have to say that abuse is not free speech.
Martin Whitfield: Absolutely. I am extremely grateful for that intervention, which clarifies a point on which I think there is agreement across the Chamber.

Abuse of an individual for being an individual or because of their characteristics is wrong. The argument lies in the debate, the opinion and the party policy; it should not be against the individual. I therefore call for an end to this online tribalism and abuse from across the whole political spectrum.

3.46 pm

Kirstene Hair (Angus) (Con): I thank the hon. Member for East Lothian (Martin Whitfield) for his valuable contribution to this debate. I am particularly pleased to be speaking in it, having missed the opportunity to do so prior to the recess when it was postponed. It is crucial to bring such issues to the Floor of the House and not simply sweep them under the carpet. We all know that parliamentary candidates face tough questions when we make our case to our constituents and that is part of what makes our democracy robust: the willingness of parliamentarians to make their case on the doorstep. Equally, we all know that sometimes the robust debates of parliamentarians to make their case on the doorstep.

Even in my relatively short time in the public eye, what I have found most disturbing is the anonymity that seems to give permission for inexcusable abuse. I, along with many colleagues, enjoy taking advantage of the unprecedented levels of engagement that social media allows us to have with our constituents, but we have to acknowledge and tackle the dark side of technological advance. I hope that the establishment of a social media code of practice, brought in by the recent Digital Economy Act 2017, will go some way towards reducing the negatives of what should be tools to make being a candidate a better experience, not an avenue for abuse and intimidation.

I am especially privileged, because I not only represent my home constituency of Angus but have been elected to the Women and Equalities Committee. I hope during my time on the Committee to work on ways to ensure that women in particular are not put off from putting themselves forward for public office, because, quite simply, Parliament needs them.

The vast majority of people in this country engage positively in the democratic process and have thought-provoking discussions with their representatives. The disruptive minority who seek to block out alternative views offer nothing and conceal themselves behind anonymous screen names on Twitter and Facebook. We will lose nothing, and only gain better candidates and representatives, when we succeed in demonstrating that there is no place for such unacceptable behaviour in our society.

3.51 pm

Christine Jardine (Edinburgh West) (LD): I thank the hon. Member for Angus (Kirstene Hair) for her speech. I am particularly pleased that this debate is taking place, and to be able to take part in it, because for me it has a very personal resonance. During the most recent general election, I was one of the many who discovered just how easily an online platform can be used to spread hurtful or personally abusive untruths. My experience, which is far from the worst example—I did not face the racism or sexist abuse that some have faced—started as something I originally put down to a genuine mistake or misunderstanding, before I quickly realised that it was actually an attempt to gain political advantage, with no respect whatsoever for the personal impact or the truth.

During the break in campaigning that we had as a mark of respect following the Manchester attack, I was accused on social media, by a known activist from an opposing party, of ignoring the break and going out campaigning on one of those days. It was, in fact, the day that I had been at my husband’s funeral. I was surprised: my husband’s death had been widely reported—not least by the newspaper for which he had worked—but I realised his mistake, I replied and explained. From then, though, the abuse did not stop but actually escalated. That was when I realised that for many of those now ploughing in with comments, all that mattered was the opportunity to appear clever with sarcastic comments, to put someone else down or, sadly, in this case, to use intimidation to gain political advantage. What they had was a public forum where they could say whatever they
liked with impunity. As a politician, I accept that I put myself in the firing line. Criticism, political disagreement and the public spotlight are all part of the job. But not intimidation, and not abuse—often not of ourselves but of our family. On a day when I was coping with not just my own grief but that of my daughter, I had to put up with a mindless, vindictive attack. I raise this now not for sympathy—I had much of that at the time—but to illustrate a problem that we have faced not just in this general election, but in the referendum in Scotland before it. The most important thing I took from that experience was the extent to which the current online free-for-all leaves those who are far more vulnerable than I open to the sort of mindless bullying that can have devastating consequences.

Although I am concerned that it might discourage politically active women from becoming more involved, there is another issue that we must address. Mental health charities tell us that social media is often the only contact that some people have with the outside world; that for someone coping with depression an online communication may be their only relief from solitude; that in an otherwise isolated existence, it is their doorway to an outside world that they may not feel they have the strength to enter in any other way. It is somewhere they can express themselves and feel comfortable doing so; somewhere they can find acceptance and understanding for what they are going through; and somewhere they can begin to heal.

Those of us who have experience of mental health issues—whether ourselves or someone we love—know just how all-consuming, life-changing and exhausting it is. Let us imagine now what happens when that timeline turns into tormenter, throw online abuse into the mix of suffering, and replace comfort with the perpetual fear of what fresh abuse our phone or computer screen could bring—it could prompt anxiety, a panic attack or so much worse. The potential consequences are why it is time that those of us in this place who have the support network and the strength to resist that intimidation do something to protect those who do not. It is time that we acted; time that we came up with a regulatory framework that does not restrict freedom of speech, but does destroy the ability to abuse. We need some way of making it harder to do that, and if people are afraid of the consequences of their actions, they may be deterred from doing it in the first place. It is somewhere they can express themselves and feel comfortable doing so; somewhere they can find acceptance and understanding for what they are going through; and somewhere they can begin to heal.

3.57 pm

Sir Hugo Swire (East Devon) (Con): Something is rotten in the state of Britain. I underline that opening remark by highlighting and referring to what the hon. Member for Edinburgh West (Christine Jardine) has just said in a remarkably concise and powerful speech, in which I found nothing to disagree with. I stand here this afternoon as one who has fought six parliamentary elections, the first being in 1997.—It was that watershed year for the Scottish Tories—in Greenock and Inverclyde and then, more luckily, in East Devon, which I have represented since 2001. Although I know that some Members believe that the changed way of politics—this growing bullying, harassment and intimidation that we see on social media—has been growing over a period, I do not actually believe that. I think that there is absolutely no question at all. But the point goes beyond that. 2017 saw the highest levels of personal abuse that we have seen.

We need to put this into some form of context. As elected representatives, we are not above the law. We should be held to the highest standards, and we should put ourselves on a pedestal. We are not above criticism. Some of our constituents like to criticise us on a regular basis. It gives some of them enormous pleasure to berate us when they see us in our constituencies and tell us that we have not answered an email or a letter. If that gives them pleasure, that is part and parcel of the job as far as I see it. However, what we and our families should not be subject to is anonymous attacks. Granted, when I said that we should put this into context—I do not believe that we should be precious—we should look back at elections fought by our predecessors in the 17th and 18th centuries. Look at the cartoons around this House by Gillray, Rowlandson and Hogarth. They were much more physically intimidating. Street fights and candidates getting beaten up were a regular occasion. I am not suggesting for a minute that we should return to that rather uncivilised way of going about our business.

What I am saying is that there is a history of holding politicians to account during election campaigns.

I do not know what has happened. I look forward to the forthcoming review because that will better inform us. Perhaps it is the result of new people coming into politics for elections. The referendum in Scotland and the referendum over Europe were both very divisive; maybe that has engendered some rage that we had not hitherto been aware of or tapped into. Maybe it is because people no longer accept the democratic will of elections and feel that they have been cheated in some way.

My constituency is normally a very civilised place in which to go about one’s electoral business, but we have seen an increase in such activity. Our political opponents historically were the Liberal Democrats. We used to say that the Liberal Democrats were ripping down our posters and so forth but, amazingly, the Liberal Democrats lost their deposit in the last election. They were replaced by an independent candidate who hoovered up all the anti-Conservative vote. Regrettably, this candidate—or advertently or inadvertently—attracted a huge amount of people online who were very abusive towards me. That did not matter so much, but they were often abusive to those canvassing on my behalf. The candidate was backed up by independent councillors and a website that I will not dignify by naming. It is all part and parcel of a group of disaffected people who believe that personal abuse is the best way of attacking the sitting Member of Parliament. They are people for whom the glass is always half empty. If one target fails, they move on to another. That is not particularly healthy.

Earlier, I asked the Under-Secretary of State for the Home Department, my hon. Friend the Member for Truro and Falmouth (Sarah Newton), how many people had been prosecuted for such abuse and intimidation, and the answer was 15,000. I now ask the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Kingswood (Chris Skidmore), who in his place, how many people have actually been sentenced for this
vile behaviour. How many people have been given a custodial sentence? You see, I can take it; I do not mind this level of attack. I did point it out on election night—that did not go down particularly well with some of the propagators or with a local newspaper that supported them—but I can take it. However, the levels of racist abuse that some Members and candidates have had to put up with, and the levels of attack on women, are unfair and completely unacceptable.

We were talking only yesterday in Prime Minister’s questions about how many women there are in Parliament. It is something we can all celebrate. The Conservative party is enormously proud that we were the first party in the country to have a female Prime Minister. We now have a second female Conservative Prime Minister. I have daughters who may one day want to come into this House. Indeed, I very much hope that they will consider it, but why should they if they know they are going to be subjected to these vile, anonymous goings-on on the internet?

We need to look carefully at the existing legislation and protections and at how the police handle these things. It is almost tempting to say that the police have a lack of resources, but I think it goes much wider than that. During the recent general election campaign, a large number of my posters were regularly vandalised and disappeared. We reported that to the police but, frankly, they did not seem particularly interested—although, in all fairness, there is not much they can do if the poster has disappeared.

We want to attract people into this place. It should be full of short people, fat people, white people, black people, gay people and straight people—it does not matter. It is meant to be representative of the country. But people look at this place and see the levels of abuse to which we are subjected. They must think to themselves, “Do I really want to subject myself to that level of abuse? If I want to represent my community, is it worth subjecting me and my family to those levels of abuse?”

The answer must be no. We should be able to go about our business without fear or favour and without being hounded by anonymous bloggers or other people online. So we need the defamation and libel legislation that follows the newspapers to be mirrored online, and we need the sanctions to be the same.

As the hon. Member for Hyndburn (Graham P. Jones) said earlier, there is a very, very narrow balance. On the one side, there is the freedom of speech, and I think all of us in this House would fight to preserve people’s right to criticise us in good faith and with reason, of us in this House would fight to preserve people’s right to criticise us in good faith and with reason. Let us try not to be parti pris over this. Let us engage in a broad-minded and open debate when a volume of people insist on handing out personal abuse.

Sir Hugo Swire: The hon. Gentleman makes a good point. I do not want to be party political at this point, but I would just say this: it is also incumbent on us to say the right things and to behave in the right way, and it is regrettable when we have people such as Len McCluskey and the shadow Chancellor seeking to cherry-pick which laws of the country should be obeyed, and encouraging, at times, civil disturbance if they do not get their way. That, in turn, engenders a feeling that the people have been cheated of the electoral result that was their due and, again, creates a whirlwind of abuse online.

Graham P. Jones: I am simply not going to disagree with the point the right hon. Gentleman has just made.

Sir Hugo Swire: This is not really a political point, but I also feel tremendous sympathy for my friends on the Opposition Benches—and I do have friends of long standing on the Opposition Benches—who have come under horrendous criticism from the Momentum movement in their own party. Some of that has been absolutely vile, and I feel extremely sorry for them, having to operate with that going on as well.

Whether it is Momentum or people on the right criticising, let us try not to be parti pris over this. Let us get some regulations, and let us get some convictions of people who are making it extremely difficult, particularly for women and people from ethnic minorities, to come into this Chamber and to operate in this environment, because if they do not, Parliament and the country will be weaker.

Jim McMahon (Oldham West and Royton) (Lab/Co-op): First, let me congratulate the Members who brought this debate to the House. I was keen to take part, because I bring a specific perspective, having been a councillor for 13 years before arriving here and being a parliamentarian. I came in in a by-election, when Parliament was in a quite interesting place. We were obviously going through the referendum period, and I think that had a particular impact on how strongly people felt about voicing their concerns about politics.

We probably ought to be a bit careful not to present Parliament as a house of innocents who are somehow misunderstood by the public and who therefore get unfair criticism. Part of our democracy is that people can make contact and hold us to account, and sometimes that is robust. I would also say that I have heard the same things in this building that I have heard outside.

However, there is a line, and I cannot understand why it seems to be blurred in the eyes of organisations such as Facebook and Twitter. If people are inciting violence and racial hatred, or if they are being overtly sexist and calling for women to be raped, I cannot understand how anybody reviewing their posts would believe that they met the standard of fair and open speech. We need to be careful not to say that politics is the way it is and that it is uncomfortable at times, and not to allow that somehow to blur into something that is firmly over the line and that ought to be taken on by the organisations that are making a lot of money from these activities.
When they were established, Facebook and Twitter were meant to be, yes, social media but also publishing platforms. They were meant to be a way for everyday people to publish their views and thoughts, to interact and to share their ideas. It is fair to say that more often than not Facebook and Twitter are not publishing platforms—they are mind dumps where people just put stuff, and I am not entirely sure that they always think twice about what they put. Although I have experienced abuse, and perhaps I am slightly thin-skinned about some of it, it is in no way comparable to the level, in volume and tone, experienced by female Members of this place, and particularly BAME Members. There is a noticeable increase in the volume and tone of the vitriol that comes with that. We need to be honest about this, because if we are not honest about the problem, we cannot hope to find a solution.

When I was a local councillor, I had some interesting experiences that I want to relay, because they put into perspective how the public stray over the line, and how, as a politician, it can be difficult to navigate that situation and to know what is the best thing to do. Are we being too thin-skinned and there is a degree of challenge that we ought to accept, or should we be robust in defending our position all the time, because that is the way to clamp down on it? I do not think there is a book that tells us how to do this; if there is, I would like to see it. It is about judgment. I am very risk-averse with regard to challenging constituents in return. I am not comfortable with doing that. If a constituent is making threats of violence, I would expect the publishing platform to take action against that. If a constituent is setting up fake profiles in my name purporting to be me, I expect Twitter or Facebook to take action, not to ignore it and turn a blind eye.

Even worse in terms of trying to navigate the situation is the fact that when we send an email or press a button to report a racist or sexist tweet, or a tweet that is threatening violence, quite often we do not even get a response. We get absolutely no feedback unless we are the named victim. If somebody is saying, “Let’s rape all Labour women MPs”, who is the victim there? I report it because I have seen it, but I have no idea what action has been taken about it by Twitter in order to make a judgment on that.

Quite often in public life, we become the place where people lay their grievances. It is not fair. We have not done anything personally to deserve it, but we are in positions of power and authority, and people want to lay responsibility at the door of power and authority. As council leader I had a number of issues—in particular, a website that was designed to do nothing more than attack and try to damage people’s characters and reputations. It was very difficult to know what to do about some of that.

On the police response—I am being honest about this; I am a defender of the police force—I think that it goes deeper than resources and that there is a cultural problem. There is a view that says, “Well, that’s politics, isn’t it?” and people do not quite understand that there is a line of acceptable behaviour that crosses private and public life. Abuse is no more acceptable just because someone is a politician. At times, the police think it is something over there that is not for them to get involved in. I have seen candidates being followed and intimidated. I personally could not go to my local shopping precinct with my children on a Saturday without being harassed and abused by a political opponent. The police advice at that time was “Find somewhere else to shop.” There is a deeper cultural problem with regard to some of these issues.

Because we publish our addresses as local authority members, we have been the victims of direct action at our house. We had somebody who was clinically diagnosed as mentally ill waiting outside my son’s school and waiting outside the house—somebody who had made threats to take my children. I think people sometimes do not understand that behind the politician—the face, and the person on the ballot paper—is a network of family and friends, and that we have a personal relationship with our family and friends and a duty of care to them. Because I am fearful about the impact on them, I am always very protective of my family and careful of what I say about some of the things I see and hear. I should say that on the most serious occasion, the police and the council were very good.

To put my personal experience into perspective, the most shocking thing that I have come across was the experience of an Asian woman councillor in Oldham. She dared to be in her 30s and not married, and her political opponents used that against her in an election campaign. She was campaigned against by the opposition, but also, I have to say, by some registered members of the Labour party, even though she was a Labour candidate. The police, the authorities and political parties have a responsibility to set the bar high and to make sure that complaints are dealt with quickly in a way that is fair on the victims and fair on those who have been complained about. Allowing complaints to drag out for years on end is to nobody’s benefit.

The candidate I have just mentioned lost her seat as a result of that direct targeting. The worst part of the campaign against her were the people who came down the street outside the polling station in cars and shouted through megaphones, “It’s time to vote for a real man.” If her opponents believed that the candidate was weak and easily intimidated, they massively underestimated the person they were up against. She is one of the strongest people I know in politics. That situation still has not been resolved, and the people responsible have still not been held to account. I found that example the most shocking.

We need to look, in our politics—in this place as well as outside it—at the tone of our debates and what we say to each other, because people take their cue from that to some extent. Equally, we should be absolutely clear that there is a line that is continually crossed, and that the response from organisations such as, but not limited to, Twitter and Facebook is unacceptable on too many occasions.

Finally, I have heard a few times the comment, “People are different on social media, aren’t they? If you met them walking down the street, they would not dare to act in the way they act online.” I do not believe that for a second. I think that what we get on social media, from someone who is at their keyboard in their bedroom, is the real person. We see them without the veneer that they maintain outside because they are worried about being seen for who they are.

Sir Hugo Swire: I am listening carefully to the hon. Gentleman. Does he not agree that a lot of these people are intrinsically cowardly and that they would not do to
our faces what they think they can get away with when they are sitting in their little attic room typing out abuse in the middle of the night, knowing that we do not know who they are?

Jim McMahon: I am not sure that I would take entirely what the right hon. Gentleman says, because there is a danger, if we follow that train of thought, of assuming that the person who is committing that kind of abuse cannot be dangerous. My concern is that people who continually harass and oppress about public figures do have the capacity to take it further—we have seen that, of course, with the loss of one of our friends from this place—so I would be careful not to jump to that conclusion. But the right hon. Gentleman is right to say that, at heart, those people are cowards.

Some of my colleagues have gone through abuse at a level that I cannot comprehend. Regardless of colleagues’ political beliefs, regardless of how they have voted in this place and regardless of what they have said in the printed media, they have my absolute support and back-up. Whatever the House of Commons needs to do to tackle this, I guarantee my support for it.

4.18 pm

Matt Warman (Boston and Skegness) (Con): “Where’s my shotgun?” Those were the words I heard from the receptionist at a venue where I held a surgery a year to the day after the murder of Jo Cox. I should confess that my reaction was to think of it as just another example of the casual contempt with which many members of the public treat politicians in this day and age. Wrongly, I rather brushed off the comment, which in any other context would be treated as pretty obscene. I say that that was wrong partly because of the upset it caused to my staff, who were helping me with the surgery. They are by no means thin-skinned, and I do not think that I am either, but they see a continuum, as the hon. Member for Oldham West and Royton (Jim McMahon) has said, from the contempt—particularly online and very often in person—that starts as casual abuse but somewhere crosses a line and can become some form or other of very real abuse and pose a threat to people in real life.

In my judgment, I have never experienced any serious abuse on the scale of some of the extraordinary and quite moving examples we have heard today, and I do not want to pretend that I have experienced anything that equates to any of those examples. However, I want to talk about the continuing contempt with which the public—in small numbers, but often at great volume—treat politicians. I want to pose questions, to which I do not necessarily have any answers, about whether everyday contempt and abuse are to some extent the building blocks or enablers of greater levels of much more extreme abuse, as well as about the extent to which we can tackle it or should put up with it.

Several Members have talked about the role of social media companies, particularly Twitter and Facebook. It seems to me that, as has been mentioned a couple of times by the hon. Member for Hyndburn (Graham P. Jones), we need to tread a very careful line between reinining in free speech and setting the right parameters for debates that are rightly robust, given the gravity of the decisions we as politicians have all signed up to take.

Some Members have suggested that the way in which Facebook or Twitter deal with complaints of abuse are inadequate, and in some cases the evidence we have heard shows that that is clearly true. However, it strikes me that I do not want to live in a country where those who set the parameters of free speech are Facebook or Twitter. Whether or not we like it, it is down to us to set the parameters of free speech. I would like the Prime Minister and the Home Secretary to set out what constitutes free speech, not Mark Zuckerberg or the founders of Twitter, although I mean no disrespect to their remarkable achievements.

Graham P. Jones: I am enjoying the hon. Gentleman’s arguments. Does he share my view that free speech arises where a debate is able to reach a conclusion without being interrupted or stopped by abuse, and where such a democratic debate is based on discourse and an exchange of views?

Matt Warman: Absolutely. Although we would never seek to end the debate on Facebook, if the hon. Gentleman sees what I mean, we must acknowledge that some of those debates will ultimately end with a vote in this Chamber. That is the case that we as politicians must continually make.

I do not pretend for a moment that we will ever convince everyone to be nice or to agree with us on the internet—nor should we seek to do so—but we should realise that part of tackling the smaller building blocks enabling larger problems of abuse is relentless political engagement, whether that is in the form of the Education Centre a few hundred yards from the this Chamber or all of us continuing to hold our regular surgeries whatever a receptionist may say. We should not blame Facebook or Twitter for the abuse we face. Ultimately, we have to acknowledge, as the hon. Member for Oldham West and Royton said, that we are sometimes experiencing the unpalatable real face of views that are sincerely held by members of the public. If we find those views unpalatable, it is surely our role to have the debate we just talked about and try to change some of those minds, but that is harder than ever in the social media age. Whatever the size of a constituency, there will always be more constituents than Members of Parliament, so we cannot engage with every single individual, much as we wish we could.

As a number of speakers said, politics should be a debate about policy, but the fact is that in every election campaign we all make politics personal. We talk about our own characters and about why people should vote in a representative democracy for one representative rather than another. We should be careful about having our cake and eating it, and saying, “We should talk only about policy, but here on my leaflet is a picture of me and my family.” To tackle all of those things, we have to say that politicians ultimately set the boundaries of free speech and that, by working with social media companies, we will ensure that free speech is properly experienced in the real world.

Ultimately, we should acknowledge that there are hugely passionate debates online and in person, which we should protect, because of the gravity of the decisions we take in this place. We should be clear about where we draw the line between abuse and free speech. In recent years, thanks to social media, the line has become a lot blurrier and the area has become a lot greyer than we
might wish it to be. If politicians are to tackle the small building blocks of abuse, we have to address that issue much more clearly—I do not for a moment suggest that it is of the same order of magnitude as the extreme forms of abuse that we have heard about today, but if we are to tackle the social media side of the problem, which so many people have spoken about, we have to acknowledge that we hold the solution in our hands, and we cannot pass the buck to others.

There are extreme cases. Some people have mental health issues and pose a threat, but they are in a different category from the people who carry out volume abuse. During the general election, one of my constituents, who had problems, decided to post online that he was going to stab me in the chest multiple times. Of course, I reported it to the police. I did not personally feel under any threat, and it transpired that the person had a lot of issues and needed help. I was just the person they were targeting at the time; they could have targeted anybody.

Then there are people who just hand out abuse. We had a great MP in my constituency; the last MP was good, but I am talking about the MP before him, a Conservative, Ken Hargreaves. I had a lot of time for him, and I spoke to him about being an MP many times before he passed away. He used to say to me, “I would get a few letters on a Friday. I had a part-time member of staff, and I would answer three or four letters.” MPs today live in a completely different world from the one Ken lived in as MP for Hyndburn between 1983 and 1992. This House must address those issues and the different world we live in.

I come to the point that my hon. Friend the Member for Oldham West and Royton (Jim McMahon) made about people who carry out volume abuse at a very low level. My concern is that a lot of these people—I know them in my constituency—are handing out abuse to other people, too. They are doing it on the street. It is their nature and their character. I say to them, “You’re giving me abuse as though it is transactional—as though you would do this just to an MP—but it is not. It is a display of your character and of what you do to other people, not just me.” It is incumbent on us as Members to challenge these people, because they go on to do unpleasant things to other people. Members of Parliament are not the issue here. The real issue is those who are handing out abuse and how they conduct themselves in general, because some of them go on to do dreadful things to other people. We should reflect on the fact that if someone is handing out abuse, generally they have a problem, and generally that problem affects other people in society.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): During the election campaign, I called out abuse, as an LGBT candidate. I spoke to many young LGBT people in Plymouth who are scared of calling out abuse themselves, but to whom the example of calling it out gave strength. Does my hon. Friend agree that it is incumbent on us to call it out, even though it might be hard and difficult?

Graham P. Jones (Hyndburn) (Lab): I want to make a few points. We have to be defenders of free speech, and debates that do not end with a conclusion from both sides or are curtailed for whatever reason cannot be described as free speech. Debates are often curtailed because of abuse, and I believe that free speech is diminishing in this country because of the amount of abuse that is handed out—on social media, by and large. I will come to that point in a second.

Graham P. Jones: I think we are sometimes hesitant to call out abuse. Sometimes the volume can be so great that we walk away. I hope that the Government review will look into the cumulative impact of low-volume abuse, how we manage free speech, and how people, as my hon. Friend suggests, sometimes recoil from engaging. As he says, when Members who feel abused come together and make a strong point, it offers a deterrent to those who are being abusive. As a society, we must tackle the issue. On a small point, it would be nice if social media had “dislikes” as well as “likes”. Let us have a disapproval rating for some of these abusers—that would be very helpful.

Finally, the nadir of this issue. As my hon. Friend the Member for Oldham West and Roughton said, we have families. I would like to say for the first time something that I never say—I never put my family on leaflets; I keep them out of it—which is that I have an eight-year-old daughter at school. The abuse directed at me from my own side when the airstrikes vote took place affected my family. I look at that eight-year-old. She did not deserve the comments from some disgraceful people who call themselves Labour party members. They should be thrown out. We have families and they are affected. It is about time some people woke up to the fact that we are not robots and are not there to be abused. Also, there are people who are not on the ballot paper who are victims of this abuse.

Alex Burghart (Brentwood and Ongar) (Con): It is a real pleasure to speak in a debate in which there is so much to agree with on both sides of the House. Members are not always good enough at standing up for themselves and the importance of being a Member of Parliament. I have suffered my fair share of electoral abuse, not so much in my current seat but when I was churlish enough to be a Conservative candidate in Islington North. On a daily basis, my team were chased down the street, were accused of being paedophiles and had things thrown at them. I know that many other Members across the House have had similar experiences. This is not the sort of environment in which we wish to pursue our politics.

I would like to make three brief points. The first relates largely to social media and how we can do more to call out the abuse that some of us suffer. When abuse on Twitter takes place, our instinctive reaction is normally to report it, block it and move on. I suggest that we all take the time to capture the abuse before we block it and report it. We should retweet it and share it to name and shame, and to let our followers, colleagues and opponents know the Twitter identity of the people who are putting the stuff around.

We have heard very good contributions from my hon. Friend the Member for Cheltenham (Alex Chalk) and the hon. Member for East Lothian (Martin Whitfield) about how social media companies could do more, but I think we could do more as well. We could do more in a collegiate sense. If I saw a colleague or an opponent being abused online, I would want to block the abuser, too.
We could even get together and draw up banned lists of people on Twitter who are abusing MPs. I do not mean abuse in the sense of, “X party has got its figures wrong” or “Y party doesn’t know what it’s talking about”. I mean physical threats, racism, sexism, homophobia—things that we all agree are totally unacceptable in modern political discourse. We could easily have a system whereby we report Twitter users making abusive threats to the head of the 1922 committee on the Conservative side and the head of the parliamentary Labour party and swap notes weekly.

My third point is about the language that we MPs use. This is a place where language is important. The House does not need reminding that the word “parliament” comes from the French word “parler”—“to speak”; we are perhaps one of the great talking shops in history. The language we use, therefore, is absolutely essential, so when we fail to condemn the language of other Members, even Members on our own side, we let the House down. I am not making a political point against the Labour party or its traditions, but I do want to make a point about one MP who happens to sit on its Benches. When somebody comes out of a meeting in which another Member has suggested that a female Conservative MP should be lynched, the correct response is not, “I didn’t say that myself,” but “I condemn what they said. I’ve reported them to the authorities and I hope that disciplinary action is taken against them.”

Similarly, in being careful about the language we use, we have to stay away from phrases such as “day of rage”. Rage is the language of uncontrolled emotion. Perhaps I am being oversensitive—perhaps it is the language of the barricade and of romantic revolution, or perhaps just a little political Viagra to some doddery old militants—but it is also the language of the flick-knife, of the boot in the face, of the garrotte; it is the language of violence, and it does not belong in the mouths of Members of this Chamber.

4.37 pm

Chi Onwurah (Newcastle upon Tyne Central) (Lab): This has been a reasoned, somewhat sombre and, with a couple of notable exceptions, non-partisan debate in which Members from across the House have discussed the unacceptable abuse that candidates and the public experience during election campaigns. The hon. Member for Angus (Kirstene Hair) also emphasised the abuse suffered by our staff, to whom we are all always grateful. Members have shared their experiences, very distressingly in some cases, and the contribution from the hon. Member for Edinburgh West (Christine Jardine), in particular, highlighted that as well as politicians we are human beings. My hon. Friends the Members for Hyndburn (Graham P. Jones) and for Oldham West and Royton (Jim McMahon) also made those points.

I echo the words of many colleagues: abuse and intimidation have no place in our democracy or our party. This kind of behaviour must never be viewed as the price to be paid for political involvement. It is our duty as public office holders to protect the integrity of electoral processes and the safety of candidates standing in future elections. It is clear from listening to colleagues from across the House that this is an issue for all political parties. Although it is difficult to listen to so many horrific examples of abuse, this debate presents an opportunity for us to work together to find effective solutions, so will the Government commit to working with the Opposition, and with other political parties, to agree a joint code of conduct with a framework for reporting and assessing discrimination, racism and other forms of electoral abuse, and for disciplining those responsible?

The hon. Member for Bridgwater and West Somerset (Mr Liddell-Grainger) approved of the idea of removing addresses from ballot papers for council candidates, while the Under-Secretary of State for the Home Department, who opened the debate, suggested that there should be greater powers for returning officers and the police, as well as strengthened guidance.

We all know that candidates are often targeted because of their gender, sexuality, class and/or ethnicity. Labour Members condemn all acts of intimidation, including the death threats, rape threats, criminal damage, sexism, racism, homophobia and anti-Semitism of which we have heard today. The gendered nature of abuse directed at candidates is a reflection of wider sexism in our society. Women and girls face abuse and harassment every day. That is not unique to British society or politics. A survey carried out by the Inter-Parliamentary Union in 2016 found that 82% of women parliamentarians in 39 countries had experienced some form of psychological violence, and 44% had received threats of death, rape, beating or abduction.

Mrs Latham: Will the hon. Lady give way?

Chi Onwurah: I am afraid not. I am sorry, but we have very little time. However, I am sure the hon. Lady agrees with me that the safety of women is far too important for anyone to turn a blind eye. Will the Minister tell me what progress the Government have made on achieving the aims set out in their policy paper, “Strategy to end violence against women and girls: 2016 to 2020”, and whether, as part of that strategy, they will agree to review the abuse that women candidates face?

Abuse not only causes physical, psychological and emotional harm to its victims, but poses a significant barrier to participation in public life. One in six women MPs surveyed said that they would not have stood for Parliament in the first place if they had known what was to come. We cannot allow abuse to prevent women and ethnic minorities from entering politics. This Parliament is the most diverse in history: a record number of women, LGBT and ethnic minority MPs were elected this year. Although there is much more work to be done, that is a positive step. However, we cannot allow ourselves to move backwards, and failure to act risks reversing the progress made.

As has been observed, we as politicians are responsible for setting the tone of the national debate, not just at election times but in politics and discourse generally. When a politician is seen to legitimise hate speech or intolerance of any group in society, that politician must take ultimate responsibility for his or her words. The right hon. Member for East Devon (Sir Hugo Swire) posed the question whether we were a more divided nation following the two recent referendums. I hope he will accept that while we may disagree with each other, it is part of our role to help bring the country together, and I hope the Government will accept that political
and Intimidation

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parties have a responsibility to treat others with dignity and respect, including those with whom we strongly disagree.

Those who reject the idea that women and ethnic minorities are especially targeted should consider the level of abuse received by my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott), which, as was stated earlier, amounts to half of all online abuse received by MPs. They should also consider a study conducted by The Guardian that found that black, female and gay journalists were the most likely to be criticised.

The abuse that I have detailed, and of which we have heard today, would not be possible on this scale were it not for the growing use of social media platforms. That point has been made by many Members today. Twitter, for instance, states that it does not “tolerate behaviour...that harasses, intimidates, or uses fear to silence another user’s voice.”

However, this is exactly what is happening on Twitter, Facebook and other social media platforms.

The hon. Member for Glasgow Central (Alison Thewliss) rightly raised the role of the press in setting an example. My hon. Friends the Members for East Lothian (Martin Whitfield) and for Oldham West and Royton (Jim McMahon) emphasised the importance of social media, and that point was also made by the hon. Member for Brentwood and Ongar (Alex Burghart). Social media platforms have a responsibility to respect our human rights and ability to express ourselves freely and without fear, particularly as the rise of bots and networks allows others on social media to industrialise the abuse that politicians are experiencing. Will the Minister reassure us that he is working with social media platforms to combat these issues, especially the industrialisation of the abuse of target figures?

As the hon. Member for Glasgow North (Patrick Grady) emphasised, the toxic political culture surrounding President Trump has done little for British politics, with far-right US websites helping to drive abuse against Members of Parliament. Labour Members immediately condemned the President’s reckless and irresponsible rhetoric, while the Prime Minister was somewhat slower to do so. Does the Minister agree that we have a responsibility to oppose sexism, racism, homophobia and anti-Semitism in the strongest terms, both at home and abroad?

Many Members who report abuse to their local police find that investigations are cut short due to a lack of police resources. If we really want the police to tackle abuse, they need to be properly resourced. Will the Minister tell us how he will ensure that they have the resources they need? Jo Cox paid the ultimate price as an MP, and it is always an honour to stand in front of her memorial in the Chamber. As the hon. Member for Boston and Skegness (Matt Warman) said, we are not facing that kind of sacrifice, but we must see action on this issue, because the two things are related. The abuse and intimidation of candidates and the public have no place in our elections.

I want to end with some of my own experience, albeit slightly reluctantly because when I have raised the abuse of politicians in the past, I have been told, without irony, that I need to “grow a pair”. Last week, I wrote an article about the reprehensible crimes uncovered by Operation Sanctuary in my constituency. As a consequence, I have received thousands of abusive tweets threatening me and accusing me of unspeakable crimes. As well as being unpleasant in themselves, those tweets prevented me from seeing what my constituents had to say about the issue, and that is what concerns me most. The abuse that politicians and candidates often attract not only prevents the interaction between constituents and MPs, but puts constituents off becoming MPs. Everyone here has a duty to promote the House as being representative and as somewhere all can come to to represent their views, their cities and their constituencies. However, it is hard to see this place becoming more representative while Members of Parliament are subjected to such abuse, which is putting many people off aspiring to what is nevertheless the best job in the world.

4.49 pm

The Parliamentary Secretary, Cabinet Office (Chris Skidmore): I thank all Members from both sides of the House who have participated in this important debate: my hon. Friends the Members for Mid Derbyshire (Mrs Latham), for Brentwood and Ongar (Alex Burghart), for Bridgwater and West Somerset (Mr Liddell-Grainger), for Boston and Skegness (Matt Warman) and for Angus (Kirstene Hair), my right hon. Friend the Member for East Devon (Sir Hugo Swire), and the hon. Members for East Lothian (Martin Whitfield), for Edinburgh West (Christine Jardine), for Oldham West and Royton (Jim McMahon), for Glasgow North (Patrick Grady), for Hyndburn (Graham P. Jones) and for Newcastle upon Tyne Central (Chi Onwurah). I thank all of them for their considered and measured tones. This is one of those occasions when we come together as a House. We are, of course, members of separate political parties, but we are first and foremost Members of Parliament and we have a collective duty to future Members and to those who wish to stand as candidates for the best job in the world, as the hon. Member for Newcastle upon Tyne Central put it. We have a duty to safeguard our democracy and to ensure that such abuse has no place in it.

Once again, we have heard about the disturbing instances of abuse and intimidation suffered by Members on both sides of the House—they were similar to what was described in a vivid Westminster Hall debate on 12 July. Members and the Government take such instances seriously as a matter of great concern. The Government were determined to ensure that we had this second debate in the main Chamber to ensure that all Members who wanted to put on record their experiences of abuse and intimidation were able to do so. The descriptions of the abuse and intimidation suffered by hon. Members are worrying, but the fact that such behaviour seems to be on the rise is deeply concerning. The Prime Minister has said:

“Robust debate is a vital part of our democracy, but there can be no place for the shocking threats and abuse we have seen in recent months.”

No one in our open and tolerant society should have to suffer this vile treatment directed towards themselves, their staff, or their friends and family. The Government condemn such behaviour in the strongest terms.

Turning to the review being undertaken by the Committee on Standards in Public Life, the Government believe that it is fundamental to our democratic process that no
individual should feel unwilling to stand for office due to a fear of suffering abuse and intimidation. That would be a victory for the perpetrators of this heinous behaviour, which we cannot allow. That was why the Prime Minister asked the committee to conduct a review into the intimidation experienced by parliamentary candidates. The independent committee—it is vital that it is independent—is looking at the nature of the problem of intimidation and considering the current protections and measures in place for candidates. It aims to report back to the Prime Minister by the end of the year with recommendations to tackle the issue further.

The committee has already issued a call for written evidence—the consultation ended on 8 September—and is today holding oral evidence sessions with representatives from the police, the Crown Prosecution Service and the political parties. Parties have also submitted their own written evidence. The Government will look closely at the committee’s recommendations and conclusions, and that will be the appropriate time for the Government to take action—we should not prejudge or pre-empt the conclusions now.

In tackling online abuse, internet trolls, cyber-stalking and harassment, and the perpetrators of grossly offensive, obscene or menacing behaviour, the Government are determined to take forward measures to ensure that effective legislation is in place. That has included modifying relevant offences through the Criminal Justice and Courts Act 2015 to ensure that people who commit them are prosecuted and properly punished, including with sentences of up to two years.

The law is clear that what is illegal offline is also illegal online. Section 127 of the Communications Act 2003 creates an offence of sending, or causing to be sent “by means of a public electronic communications network a message or other matter that is grossly offensive or of an indecent, obscene or menacing character”.

Revised guidance on social media was published by the Crown Prosecution Service in August 2016 to incorporate new and emerging crimes that are being committed online, providing clear advice to help the prosecution of cyber-enabled crime. When launching the CPS’s hate crime awareness campaign in August 2017, I was pleased to hear the Director of Public Prosecutions commit the CPS to treating online hate crime as seriously as crimes committed face to face, which is an important step forward.

Social media, like all forms of public communication, comes with risks, and the Government are aware of concerns about content and inappropriate or upsetting behaviour on social media. The law does not differentiate criminal offences committed on social media or anywhere else—it is the action that is illegal. Again, what is illegal offline is illegal online.

Sir Hugo Swire: I asked earlier about the number of prosecutions and was told 15,000. I then asked about the number of custodial convictions, so I wonder whether the Minister has some idea of that figure.

Chris Skidmore: I was coming to that point. The figures mentioned earlier were for prosecutions for hate crime. There were 15,442 prosecutions in 2015-16, of which 12,846 were successful. I hope that deals with my right hon. Friend’s point.

The recent Digital Economy Act 2017 will help to ensure that online abuse is tackled by requiring a code of practice to be established. The code will set out guidance on what social media providers should do in relation to conduct on their platforms that involves the bullying or insulting of an individual, or other behaviour likely to intimidate or humiliate. That work will be part of the ongoing work on the digital charter, which was mentioned in the Queen’s Speech.

Additionally, an internet safety strategy Green Paper will be published shortly and will include a consultation, which we expect to be published in the autumn, on a variety of issues related to countering online harm and internet safety. In answer to the hon. Members for Lancaster and Fleetwood (Cat Smith) and for Newcastle upon Tyne Central, there will be, and have been, regular meetings with social media platforms as part of the internet safety strategy consultation.

The Government are determined that hate crime of any form will have no place in our society, and last summer the Home Secretary set out the steps the Government will take to prevent all forms of hate crime, to increase the reporting of offences and to support victims through the hate crime action plan. The plan focuses on five key strands, including preventing hate crime by challenging beliefs and behaviours and by building on the understanding of hate crime.

The Home Secretary has also commissioned Her Majesty’s inspectorate of constabulary to carry out an inspection on all five monitored hate crime strands—race, religion, sexual orientation, disability and transgender identity—including for online hate crime, to build a national picture of how effectively and efficiently police forces deal with hate crime. The Government will consider the findings of that review and how best to take them forward.

The hon. Member for Lancaster and Fleetwood asked about specific figures over the general election period. I note her concern that we do not have the reported figures for that period. I assure her that I will raise the issue in a meeting with the Electoral Commission and the National Police Chiefs Council. She is right that we can only go forward if we have increased transparency on the level of crimes committed during the election period.

As I have said, what is illegal offline is also illegal online. No one should ever be the victim of threatening or intimidating behaviour. Although the consultation of the Committee on Standards in Public Life has now closed, it should not preclude any Member with an example of abuse from going to their local police and, importantly, to the Metropolitan police parliamentary liaison investigations team. I am sure many Members will have seen the recent figures showing that the team has already dealt with 71 complaints of malicious communication. It is important that Members know that the Metropolitan police has this investigations unit.

Members on both sides of the House have mentioned the imprint and the current inconsistency between parliamentary elections and local elections, with councillors having to reveal their address. I entirely sympathise with those concerns. The Cabinet Office has begun to review and to look again at the imprint, and particularly at the issue of candidates’ addresses being put on ballot papers. My officials are already engaging with the
Electoral Commission and the Association of Electoral Administrators, and I assure the House that we are looking closely at how we can take action to sort that inconsistency.

Everyone in society should feel that they can participate in the democratic process. As our democracy is built on the foundation of inclusion and tolerance, no one should be deterred from standing for office. As the Under-Secretary of State for the Home Department, my hon. Friend the Member for Truro and Falmouth (Sarah Newton) said, this is a noble profession.

I thank Members for contributing to the debate. Although, as my hon. Friend said, the consultation is closed, as Members of Parliament we must stand up for ourselves and for anyone who stands in our democratic elections wherever we spot abuse and intimidation. We need to ensure that we safeguard our democratic processes.

Question put and agreed to.

Resolved,

That this House has considered the abuse and intimidation of candidates and the public during the General Election campaign.

PETITIONS

Corby Urgent Care Centre

4.59 pm

Tom Pursglove (Corby) (Con): I rise to present this petition on behalf of the people of Corby, east Northamptonshire and the surrounding areas, who rely on this fantastic facility to ensure their healthcare needs are met. I am pleased to be able to raise this matter again, after my Westminster Hall debate on the issue yesterday, and this petition is a reflection of the huge strength of local feeling about how important this facility is. The petition has collected 2,545 signatures and has been brilliantly organised by the Save Corby Urgent Care Centre group.

The petition states:
The petition of residents of the United Kingdom, Declares that the Corby Urgent Care Centre should receive proper funding.
The petitioners therefore request that the House of Commons urges the Government to compel Corby Clinical Commissioning Group to provide adequate funding to allow the Corby Urgent Care Centre to continue running.
And the petitioners remain, etc.

The Rohingya in Myanmar

5 pm

Eleanor Smith (Wolverhampton South West) (Lab): This petition is from the Muslim community in my constituency and is about the Rohingya Muslims in Myanmar.

The petition states:
The petition of residents of the UK, Declares that urgent action should be taken to stop the violence against Myanmar’s Muslim ethnic minority, the Rohingya i.e. genocide, ethnic cleansing, crimes against humanity… The petitioners therefore request that the House of Commons urges the Government to issue an urgent statement calling for an immediate end to all violence in Myanmar; and further calling for immediate entry of aid into Myanmar (which has been suspended).

Following is the full text of the petition:

[The petition of residents of the UK, Declares that urgent action should be taken to stop the violence against Myanmar’s Muslim ethnic minority, the Rohingya i.e. genocide, ethnic cleansing, crimes against humanity; further that the petitioners cannot continue to watch the beheading of babies and children, gang rapes, and the displacement of hundreds and thousands as a genocide unfolds; further to impose conditions or sanctions on trade with Myanmar; further that Aung San Suu Kyi be stripped of her Nobel Peace Prize; further to ensure the UK does not supply arms or military training to the military; further to bring the perpetrators to the international court of justice for crimes against humanity; further to send a UN peacekeeping force to Rakhine state (Myanmar); further to establish safe haven areas within Rakhine state to stop the mass forced exodus; further to stop any arms getting to Burma junta (arms embargo); further to implement the Rakhine commission recommendations chaired by ex UN secretary Kofi Annan; further to allow in UN observers, humanitarian aid charities (British and others) and journalists; further to send emergency aid to all victims and refugees in neighbouring countries, especially Bangladesh; further that it is time for the Foreign Minister to ensure that there is not a repeat of Srebrenica or Rwanda.

The petitioners therefore request that the House of Commons urges the Government to issue an urgent statement calling for an immediate end to all violence in Myanmar; and further calling for immediate entry of aid into Myanmar (which has been suspended).

And the petitioners remain, etc.]
Support for Witnesses of Terror Attacks Overseas

5.2 pm

Patrick Grady (Glasgow North) (SNP): I am very grateful to have this opportunity before the recess to raise the issue of support for witnesses of terror attacks overseas. I had originally hoped to bring this matter to the House as a Backbench Business debate, and I am grateful to the previous Backbench Business Committee and Members from across the House—and some former Members now—who had supported my bid, which unfortunately had to be cancelled as a result of Dissolution and the general election.

Let me start by paying tribute to all the victims of terror attacks in recent years, to their families, to all those affected and to all those who have provided support in times of need. Even in the short time I have been a Member of this House, the number of such attacks has only continued to grow—Tunisia, Nice, Stockholm, Paris and Barcelona, to name but a few in a very small part of the world. Of course in recent months there have been atrocities here at home, in Manchester, at London Bridge and here at Westminster. Again, I pay tribute to all those affected, and echo the thanks given and tributes already paid in this Chamber to the heroism of our late colleague, PC Keith Palmer.

That brief and by no means comprehensive reflection on recent attacks highlights the sad and stark reality that the number of terrorist incidents at home and overseas—and therefore the number of people who witness such attacks—is only going to grow. We must strive never to become complacent or inured to such atrocities, or somehow to accept them as “the new normal”. Terrorist atrocities are not normal; they are a perversion of ideology, and action must be taken at every level to tackle the root causes. At the same time, on every occasion there will be lessons to learn that can take us closer to preventing future attacks and lessons on how we respond and support those affected by an attack.

I wish to reflect on the experiences of constituents who were caught up in the attacks in Tunisia in June 2015 and the Stockholm attack in April this year and to ask the Government to consider what lessons can be learned from their experiences and what structures or policies can be put in place for the future. I commend my colleagues in the Foreign Office and the institutions of government in this country. Although the FCO organised meetings in various locations around the United Kingdom, a meeting in Scotland was organised, at short notice, only after pressure from survivors. Such meetings were then segregated and classified: some were open to those bereaved or injured, while additional meetings were open to “others” or “anyone”.

My constituent is not an “other” or an “anyone”—she is a survivor of and witness to one of the most horrific and violent attacks anywhere in the world in recent years, and her life will never be the same again. In her own words, she says:

“As I ran bullets pinged off the fence in front of me. I was millimetres from being injured. It wasn’t my choice not to be, and it wasn’t the choice of those who were, but those who were not injured were ignored and forgotten about as soon as the ink had dried on their police statements... I was denied access to information even though I was 20 feet away from the gunman when he started shooting. I deserve answers too. I have to live with watching someone die... I felt ignored and excluded from what was happening. It was like an awful game of Chinese whispers and relied on other folk who were involved via a Facebook group for information. From the outset I’ve had to fight to get anything from the FCO.”

When the memorial service was organised, my constituent and others in her situation had to specially request an invitation, and they were told that there would not be space for them at the reception afterwards. I appreciate that for the Foreign Office and relevant authorities this was complicated, and a traumatic experience for everyone involved. Nobody can be expected to get everything others from that day with whom she was in contact, felt they had been treated by the Foreign and Commonwealth Office and the institutions of government in this country.

Elizabeth will never forget her experiences on the day of the attack—on the beach only metres from the gunman, running for her life from the bullets, seeing other holiday-makers killed, hiding first in a drainpipe, then in a hotel, and being separated from her husband for more than three hours with neither of them knowing whether the other was dead or alive. I will never forget meeting Elizabeth for the first time and hearing her recount and relive this horrific experience.

In many ways, and by her own admission, Elizabeth was one of the fortunate ones: both she and her husband are alive and sustained no physical injuries. But that does not mean that they are unaffected. They will have to live with the memories and the trauma for the rest of their lives. When we might all have expected and hoped for them to have received support from the state, to help them come to terms with what they witnessed and readjust their lives to a new reality, instead they have experienced bureaucracy and confusion, and what has often felt like a lack of compassion.

In the aftermath of the attack, my constituent spent almost 11 hours providing statements to the UK police, first when she first arrived back in Manchester, then again when she spoke to four Scottish police detectives at her home in Glasgow. However, it was not until 19 months later, and two days before the official inquest began, that she was informed by letter whether her statements would be used in evidence. In the intervening period, she heard nothing at all.

Ahead of the inquest, bereaved families and those who had sustained injuries were quite rightly given access to evidence, maps and information about the events on the day, but Elizabeth and, she tells me, others who witnessed the attack at close range but were not bereaved or injured, were denied access to such information. When the memorial service was organised, my constituent was told that there would not be space for them at the reception afterwards. I appreciate that for the Foreign Office and relevant authorities this was complicated, and a traumatic experience for everyone involved. Nobody can be expected to get everything
right all the time, especially in the face of such atrocity with such far-reaching effects. But as time went on, it began to feel for my constituent like an increasingly deliberate exclusion, or a lack of awareness of, or willingness to adapt to, the reality of the experience of those caught up as witnesses.

I am grateful to the former FCO Minister, the Under-Secretary of State for Defence, the right hon. and gallant Member for Bournemouth East (Mr Ellwood), for the lengthy correspondence we have had on this matter and, indeed, for the time he took to meet me and discuss the specific concerns and experiences of my constituent. She needs and deserves a personalised response, as do all those in her situation. I believe there are a number of lessons to be learned from her experiences that can help the Government to be better prepared for any future incidents, which are sadly almost inevitable.

My belief that such preparations are necessary has only been enhanced by the experience of two other constituents who were caught up in the Stockholm attack last April. They approached my office just as I was preparing a bid to the Backbench Business Committee for a debate on this topic.

My constituents, who do not want to be named but whom I know are watching this debate, were sightseeing in the city and were not primary witnesses to the attack itself. Their hotel backed on to the street where the attack took place. They found themselves in a city in lockdown, stranded outside the security barrier and not knowing where to turn. When they phoned the UK embassy, there was no answer for more than an hour. Then they were directed by a voice message to call an emergency number in London. The advice from that call was to contact their travel insurers, but insurers very rarely provide cover for terrorist attacks.

At no point were their details recorded, so if family and friends attempted to call the embassy they would have been unable to verify their safety. When my constituents finally returned to their hotel, they witnessed the shocking aftermath of the attack from the window of their room. They saw body bags—even body parts—and other aspects of the police operation. This has been a traumatising experience, which requires psychological and emotional support, at the very least, and yet my constituents feel that there has not even been basic signposting to services or support organisations from the FCO or other Government Departments. They said:

“We are seriously concerned about the gap between expectations and reality when it comes to the support that the FCO…provides. Care, concern and understanding were not offered to us by the FCO when we tried to contact the embassy and then phone the emergency consular assistance number. We felt that we were completely abandoned, and that sense of abandonment could put other UK citizens at greater psychological risk because they are made to feel helpless…We felt betrayed when we read statements by the Foreign Office and the UK Government claiming that they were helping UK citizens in Stockholm because we knew that this was not true.”

Indeed, my constituent who was caught up in Tunisia is in close contact with several others who were involved in that attack, others in Paris, in Stockholm and even in the 7/7 London bombings. We have all reported very similar concerns about the support that they received. I have now lodged the motion that I proposed to the Backbench Business Committee as early-day motion 303. I am grateful to hon. Members who have already signed it, and I hope that, over recess, more will do so as a sign of solidarity and support with victims and witnesses of terrorist attacks overseas. That motion states that “the Government has a responsibility to provide specific and appropriate support to all UK citizens affected by terrorist attacks overseas; recognises that witnesses to terror attacks, whether or not they have been physically injured or bereaved, may live with trauma and mental health impacts as a result of what they have witnessed; and calls on the Government to learn lessons from its response to previous attacks, and to continually review its preparedness to respond and provide support for witnesses and survivors of any future incidents.”

What are the lessons that can be learned? First, there seems to be a significant gap between the expectations and reality of consular support in these situations. The experiences of my constituents in Stockholm are sadly not anomalous. In far less trying circumstances, I had significant difficulty getting through to the UK embassy in Berlin by phone when I arrived late for a visit, which was organised by the FCO itself.

I also want to take this opportunity to pay tribute to another constituent, Julie Love, who founded the Death Abroad, You are Not Alone organisation, after the tragic death of her son, Colin, and her struggle for answers and consular assistance. The FCO review in 2014-15 makes several promises to change operational policy and the culture within the FCO, including training to make staff more sensitive and compassionate in their communications with survivors. It would be helpful to hear from the Minister when we can expect updates on how those recommendations are being taken forward and what evidence he can provide that the changes promised are taking effect.

The FCO has a choice here: either it has significantly to up its game in terms of communications and expectation management, or—and perhaps this would be the better option—it could consider how it can actually provide the kind of information and support that UK citizens are looking for when they find themselves caught up in extreme and vulnerable situations overseas.

There are lessons to be learned about how people are supported on their return to the United Kingdom. Basic signposting to general service providers is simply not good enough. Many of the charitable organisations, such as Victim Support and the Samaritans, do outstanding work, but the needs of people traumatised by terror attacks require specialist advice and support.

As part of my preparations for this debate, I visited the Tim Parry Johnathan Ball peace centre, established in Warrington in memory of the two young people killed by an IRA bomb in 1993. I had the privilege of meeting Colin Parry, who helped to found the centre in memory of his son. I pay tribute to the work of the chief executive, Nick Taylor, and his team, who have created an oasis of peace and support out of that atrocity. They do incredible work bringing people from divided communities together to promote understanding and reconciliation.
The centre runs a specialist Survivors Assistance Network, which provides advice and support to any victim, survivor, witness or person affected by terrorism, political violence or some aspects of war. Its aim is to help those people to cope, recover and establish a new normality in their lives. But the Ministry of Justice will only provide funding to cover support for people in England and Wales. The centre has to raise funds to make up an annual budget shortfall. I sincerely hope that the UK and Scottish Governments can work together to ensure that specialist support, such as that offered by SAN, is readily available to all who need it.

There is a question of financial compensation. Even without physical injuries, witnesses of attacks need time off work to adjust, and there can be costs associated with access to counselling or support services. There are various schemes in existence, but the Government must ensure that they are applicable to the circumstances we find ourselves in and the nature of modern terrorism and that they are accessible and straightforward to apply to.

I mentioned that it took several months between the attack and my constituent first approaching my office. That contact was on her own initiative. None of the advice or information provided to her suggested that she might want to make contact with her local elected representatives. Likewise, I had no idea that constituents from Glasgow North had been caught up in the attack. I am not suggesting for a minute that the Government disclose confidential information or personal details about constituents to MPs without permission, but I do wonder whether it would have been totally impossible to alert MPs to the fact that constituents generically had been affected. Likewise, perhaps it would have been possible to make those constituents aware that their MP is in a position to make representations on their behalf. If any good can come from this debate—if the Minister can undertake to learn some of the lessons and take forward some of the suggestions proposed—the credit lies entirely with the initiative and, indeed, bravery of my constituents who have chosen to come forward.

The events here in Westminster on 22 March this year meant that the vast majority of people who work on this estate are now witnesses to and survivors of a terrorist attack. Like many Members, I was locked down in the Chamber—in many ways, shielded from the goings-on elsewhere on the estate—but I am aware of members of staff who have been severely affected and traumatised by the events of that day. Quite rightly, support and advice are being put in place and plans are being made should such a situation ever occur again. That day will stay with us all for the rest of our lives, and it gives us at least some share in what the experiences must be like for those caught up in random violent attacks overseas, often far from home.

I have raised the experiences of constituents brave enough to come forward. I do not know how many other people in Glasgow North will be in a similar situation but I can guess, from the number of members who were willing to support my Backbench Business Committee bid, that these experiences are not unique. Indeed, they may only be the tip of the iceberg. Many of the lessons about providing adequate support, and clear, effective and frequent communication will also apply to situations of terror attacks here in the United Kingdom.
was the Stockholm attack. In that case, there were clearly significant problems with the telephone lines—with actually being able to take the information from the British citizen—and with our ability to get back to that citizen to check that they were okay after they had contacted us.

In the case of the terrible event in Sousse, in Tunisia, where the hon. Gentleman’s constituent witnessed the horror directly, the situation went further. It was about the British Government ensuring that what matters is not simply whether someone is a victim of the attack. Inherent in terrorism is the impact on the witness, and the trauma experienced by the witness can even be as extreme and long lasting as that of the individual who was subject to the attack.

I would like to take it even further, because there is a broader lesson. In my own experience in Iraq, not only the people who witnessed the attack, but even people who were slightly away from it—who may have been locked in a windowless room taking shelter—and who did not physically act as category 1 witnesses, can continue to feel a sense of guilt, helplessness and trauma for months, or even years, after.

The question, then, is, how do the British Government respond to that? We have taken a number of measures, and I am going to give a list of them. They are going to sound quite bureaucratic, but it is in the nature of a Government that the way in which we address things is sound quite bureaucratic, but it is in the nature of a Government that the way in which we address things is put by systems in place; otherwise, we have nothing that endures—a particular Minister or a particular official can be moved on. We have to try to put systems in place to make sure that things work better in the future.

So what have we done? In relation to Sousse, we set up the Sousse joint officials unit. We brought together nine different Departments, ranging from the Foreign Office right the way through to the Home Office to try to jointly learn the lessons of how we deal with the aftermath of what was the worst single terrorist attack experienced by British citizens overseas—30 people killed, and 600 families affected. Coming out of that, we set up a bespoke mental health programme specifically for victims of terrorism, run by the Maudsley Trust.

We then began to amend—this was a question asked by the hon. Gentleman—the victims of overseas terrorism compensation scheme. The scheme was set up for victims of overseas terrorism, but we have now expanded it—I am sure the hon. Gentleman will communicate this to his constituent—so that witnesses of terrorism are also eligible to compensation.

We have transformed the training in the Foreign and Commonwealth Office, and that is not only for our consular staff. Before heads of mission go out, they are now subject to training in crisis response. We have improved our systems; they are now better at gathering data. Now, for example, if someone was to ring a British consular office, they would have the full police missing persons form to run through to retrieve any data.

We also have much better IT. It is possible now for a police officer to access the Foreign Office system and for a post thousands of miles away to access the Foreign Office system in real time to get information. We have better follow-up procedures, and we have now put procedures in place so that if something of this nature happens again, the Foreign Office would, hopefully, feel that it was a question not simply of logging the information, but of calling again and following up to check the individual was okay. We have created partnerships. For example, we fund the non-governmental organisation Victim Support. Through the Ministry of Justice, we work with the Tim Parry Johnathan Ball Foundation for Peace. We have set up new bodies. In relation to the very good work done by Julie Love and DAYNA—Death Abroad You’re Not Alone—we have set up the murder and manslaughter unit, which works specifically within the Foreign and Commonwealth Office on dealing with issues of bereavement through murder. We have established a victims of terrorism unit—a bespoke unit set up within the Home Office which has its own Minister. The Under-Secretary of State, my hon. Friend the Member for Truro and Falmouth (Sarah Newton), is now the Minister for victims of terrorism. We have set up surge capacity. We have set up an ability, if there is a huge attack somewhere in the world that overstretches our resources, to draw in people from other parts of the Foreign and Commonwealth Office and other Departments and reach out to specialists outside Government to enhance the response.

However, none of the systems that we put in place is ever going to be an alternative to what is really required in a situation like this. These situations are inherently bewildering, chaotic, uncertain and violent, and often take place in very remote locations. Our own staff may be unable to access these people; we may have a very small embassy on the ground; and the information may be changing very quickly. The qualities required are therefore human qualities of empathy, imagination and compassion. Our obligation, as the Foreign and Commonwealth Office, is to make sure that our staff have the proper resources in place to enable them to act as humans. We owe a huge debt of gratitude to our consular staff for the work they do. We have to make sure that they have the time, the systems and the resources so that they really can do this very difficult job, often feeling very powerless themselves, with not as much information as they would like, in patiently dealing with victims, with families and with an array of other people—other Governments, police forces, the army—and keeping the patient engagement that is absolutely central.

In the end, a victim who witnesses terrorism—who has experienced that mental trauma—is dealing with something that is fundamentally connected with the mind, but the mind in the most desperate, horrifying sense. The only way of dealing with that is personal. It has to take into account the context and the origin, and it requires the patient, constant reaction, extending potentially over years, that can bring health, settlement and fulfilment back to a family. We owe a huge debt of gratitude to the hon. Gentleman for bringing this extremely important matter to the House, and we owe a huge debt of gratitude to the consular staff for the work they do with British citizens in some of the most vulnerable and terrifying situations on earth.
Westminster Hall

Tuesday 5 September 2017

[GRAHAM STRINGER in the Chair]

Venezuela: Political Situation

9.30 am

Graham Jones (Hyndburn) (Lab): I beg to move,

That this House has considered the political situation in Venezuela.

It is a pleasure to serve under your chairmanship, Mr Stringer, and I am grateful for this timely debate. I do not often speak about Latin America, but it is registered in the “Dod’s” directory as one of my interests. I am a long-standing member of the all-party parliamentary British-Latin America group, as well as chairman of the newly formed APPG on Venezuela.

As I said, I am grateful for this opportunity to speak on the situation in Venezuela. Latin America is an area of the world where Britain has a myopic view—partly due to the continent’s Spanish and Portuguese colonial past, and partly due to its own sense of history in relation to those two European nations and, of course, the Vatican. It is in British interests that there is a change of outlook on South America, Latin America and Venezuela, particularly given our exit from the European Union and the need to build new international bridges. Latin America is an important part of the planet that we should be mindful of in protecting the wellbeing of this fragile place that we all inhabit. I appreciate that our South American relationships have been somewhat skewed—rightly so, in my opinion—in terms of protecting the UK sovereignty of the Falkland Islands.

Although the issue of Venezuela has been a concern for a while, it landed on my constituency doorstep when constituent Andrea Adamson came to see me in June. Her son, Adam Cowell, of Oswaldtwistle, died of cocaine poisoning due to its purity. That unnecessary death in Hyndburn recently led the local coroner, Michael Singleton, to say:

“I can tell you from the inquests that I have recently conducted, and those that are going to be conducted by me within the next few weeks, that this is reaching epidemic proportions.”

He said:

“I am becoming increasingly concerned with the number of young people who are dying from cocaine toxicity.”

In relation to Adam’s case, the pathologist said:

“At the time of post mortem there was 8.4 micrograms of cocaine per millilitre of blood.

That is very high, anything over one is potentially fatal.”

The coroner said:

“I have been doing this job for 25 years and this has reached phenomenal levels.”

Mr Singleton went on to make a searing criticism of the UK’s failure to tackle the cocaine epidemic. His comments are online.

This so-called party drug has been responsible for the deaths of at least 17 young people in the Lancashire district in the last nine months. I promised Andrea that I would raise the issue of cocaine dealing, trafficking and production locally, nationally and internationally, for they are all part of one deadly supply chain.

This was a Daily Telegraph headline as long ago as June 2008: “President Hugo Chávez’s Venezuela has become the key trafficking route for most of the cocaine sold on Britain’s streets”. The report stated:

“Anti-drugs officials estimate that more than 50 per cent of all the cocaine consumed in Britain has been trafficked through Venezuela—under the ‘revolutionary’ regime of Mr Chávez. The figure could be as high as two thirds.”

In 1998, the last year before Mr Chávez came to office, Venezuela’s security forces made 11,581 drug-related arrests. By 2005, that had plummeted to just over 1,000, and the figure remains low to this day. That journalistic piece highlighted the Venezuelan gateway for cocaine into Europe and the United Kingdom. It alleged that Mr Chávez’s Administration had

“a longstanding relationship with Marxist rebels from the Revolutionary Armed Forces of Colombia (FARC). These guerrillas fund their insurgency by smuggling drugs”.

Back in 2008, The Guardian reported from FARC sources in Colombia

“that powerful elements within the Venezuelan state apparatus have forged a strong working relationship with FARC” and

“that Farc and Venezuelan state officials operated actively together on the ground, where military and drug-trafficking activities coincide.”

The allegations were that the Chávez regime, alongside the Venezuelan military, supported the FARC rebels with military equipment in exchange for cocaine.

In 2012, The New York Times used radar information—when we look at the radar maps of flights out of Venezuela, we see that it is remarkable where they go—to show that Venezuela was “one of the world’s busiest transit hubs for the movement of cocaine”, with FARC Colombian guerrilla rebels able to operate “with…impunity.” The drug is coming from Venezuelan airports, not from inside Colombia. The flights by and large go to Honduras; it is going to the Caribbean and on to the United Kingdom.

In 2014, Reuters reported that the “Venezuela drug trade rings alarm bells”. It reported on a major French seizure:

“Hidden in a large ochre-colored container, the 1.4 tonnes of cocaine got past two dozen army checkpoints during a 500-mile journey from the Colombian border to the Venezuelan capital.”

The drugs were stored for several days at the Simon Bolivar International Airport outside Caracas, then placed in 31 suitcases with false name-tags and put on an Air France flight to Paris on Sept. 10, 2013.

Ten days later, French police announced the biggest cocaine haul in their history—the shipment was worth about $270 million—after a meticulous operation involving French, British, Spanish and Dutch authorities.

The foreign agents kept Venezuelan authorities in the dark.”

The problem for the Minister and the Government is that the flow of drugs from Venezuela into this country continues unabated to this day. Only recently, during our general election, Spanish police seized more than 2 metric tonnes of cocaine—£1 billion-worth—from a ship with a Venezuelan flag in the Atlantic ocean.

There are ample stories of cocaine seizures, but the UK and EU Governments seem to have little success in stemming drug trafficking from South America and Venezuela in particular and to be unable to take firm
action against a corrupt narco regime. The UK Government have had enough signals. Mr Chávez halted co-operation with the United States Drug Enforcement Administration way back in 2005.

Last year, the United Nations Office on Drugs and Crime—UNODC—stated that Venezuela has become more important in recent years as trafficking organisations move Colombian cocaine overland across a porous border and take advantage of the busy maritime traffic between the coast and the islands of the Caribbean and Europe.

In the UK, we have seen rising purity levels for cocaine, along with ease of supply and vibrant demand. My constituents and their families are bearing the brunt of that. Our own National Crime Agency identifies Venezuela as a producer country and a major transit country for cocaine coming to this country.

Early last month, The Times ran a warning headline: “Pure cocaine fuels rise in drug deaths”. Deaths linked to cocaine jumped by 16% between 2015 and 2016 to a record high of 6.4 deaths per million. That sharp rise was widely reported across all media. The Office for National Statistics report said:

“The National Crime Agency reports that there was a significant increase in both crack and powder cocaine purity at all levels in 2016, including user-level, which may partly explain the increase in deaths relating to cocaine.”

A decade on, little seems to have changed. The Chavistas continue, through the new President, Nicolás Maduro, to facilitate and funnel cocaine to the west. Last November, two of Nicolás Maduro’s nephews were convicted in a New York court of attempting to smuggle 815 kg—about £350 million-worth—of cocaine into the United States. Throughout that trial, details emerged suggesting that high-level Venezuelan officials had serious involvement in the drug trade. The court heard that the President’s nephews intended to use the presidential aeroplane hangar at Caracas’ international airport to move the drugs. It also heard that “government executives” and the Cartel of the Suns were the “only ones who worked” in drug trafficking in Venezuela, and that they were “in charge of fumigating [eliminating] anyone who tried” to get involved in the drugs trade in Venezuela.

Venezuela is a narco-state and the UK cannot have a policy of “do nothing”. The US Administration have acted. They have imposed sanctions on Venezuelan Vice-President Tareck El Aissami for facilitating shipments of narcotics on board planes leaving a Venezuelan airbase, as well as controlling drug routes through Venezuelan ports. Since appointing Mr El Aissami to the post, Mr Maduro has granted him expanded powers, including over the economy and expropriating businesses.

The Guardian reported:

“Venezuela’s top convicted drug trafficker, Walid Makled...said he paid bribes through El Aissami’s brother to officials so they could turn a blind eye to cocaine shipments that proliferated in Venezuela over the past two decades of—the so-called “socialist rule.” In March, the US Administration also announced sanctions against eight corrupt Venezuelan Supreme Court justices for stripping the opposition-controlled legislature of its powers.

Mr El Aissami joins a long list of senior Venezuelan Government officials who have been sanctioned or indicted by US law enforcement for complicity in drug trafficking to the United States. That includes Minister Néstor Reverol; the former head of military intelligence, Hugo Carvajal; sitting Governor, Henry Rangel Silva; former Interior and Justice Minister, Ramón Rodríguez Chacín; and several others. It also includes Diosdado Cabello, vice-president of the United Socialist Party of Venezuela—Maduro’s party—and an alleged member of the Cartel of the Suns.

Before briefly turning to the economic turmoil, which has been widely reported and I am sure colleagues want to speak about, I ask the Minister why it has been left to the US Administration to take action against this rogue regime, which has been operating with impunity for many years. When will the UK Government look into this issue in the interests of my constituents and UK citizens, and publish their findings? What measures can the UK Government take independently, as well as with the EU, on implementing individual sanctions? Finally, will the Foreign and Commonwealth Office facilitate a much-needed parliamentary visit to the United Nations Office on Drugs and Crime?

Victoria Atkins (Louth and Horncastle) (Con): I thank the hon. Gentleman for eloquently setting out the woeful conditions in Venezuela and the very human impact that that regime has on people’s lives not only in Venezuela but in this country as well. In my previous life I prosecuted serious organised crime gangs, including drug traffickers. Will he join me in wishing that all Members of Parliament, including his leader, would condemn the Venezuelan regime and spread the message that anyone buying cocaine in this country is supporting organised crime?

Graham Stringer (in the Chair): Order. As it is the first day back, may I just remind Members that interventions should be brief? A large number of people wish to speak in this debate and there is limited time, so I ask people to observe that rule.

Graham Jones: I am grateful for the hon. Lady’s intervention. I say to her that it is the Government—her party—who are in power, and I am asking the current Government to tackle the situation on the streets of the United Kingdom. I can speak for myself and I condemn the regime, as I have done.

I want to turn briefly to the economic and political situation. I asked the House of Commons Library to update Members of the House and am grateful that it will do a marvellous job and we should all thank it for that.

Venezuela is an economic basket case. Despite more than $1 trillion of oil revenues and billions of dollars from narco-trafficking and remittances, it is possibly the most mismanaged economy in modern history.

John Spellar (Warley) (Lab): My hon. Friend describes Venezuela as a socialist state. It is in fact yet another failed communist state, and shows the inability of a command economy to run the economy properly or, indeed, to feed its people. We should note that as well as huge revenues, it has the world’s largest oil reserves; but oil production is going down because of failed management.

Graham Jones: My right hon. Friend is absolutely right. It is a failed authoritarian communist state, but are not all communist states authoritarian in their outlook? It is certainly a basket case.
I do not need to elaborate on the stories from Venezuela that we have all witnessed over the summer and before. Recent political events have been condemned by all—the UN, the EU, the Inter-Parliamentary Union, the South American trading bloc Mercosur and Venezuela’s neighbouring countries. Importantly for Opposition Members, and coming to my right hon. Friend’s point, Socialist International has also condemned the Chavista regime, and we stand alongside our sister socialist parties in opposition to the Venezuelan regime.

John Grogan (Keighley) (Lab): On that point, does my hon. Friend agree that in politics there is sometimes a clear right and wrong? When any President in effect abolishes a Parliament that opposes him and replaces it with a lapdog Assembly, there is only one side—whatever President Trump or anybody else does—for democrats and those in this House who believe in human rights to be on regarding that issue: condemning that action of abolishing the Parliament.

Graham Jones: I, and Members of this House, do condemn the actions of the Maduro Government. My hon. Friend alludes to the point that we must not conflate power and the powerless. These are the decisions of those in power, not of those who are powerless—the protestors—and it is the regime that we should condemn, not the people of Venezuela.

Ms Nusrat Ghani (Wealden) (Con): I thank the hon. Gentleman for bringing such an important issue forward for debate today. He talks about condemning, and over the summer he suggested himself that the Leader of the Opposition would condemn the human rights abuses in Venezuela “in his own time”. Is the hon. Gentleman satisfied with his leader’s response to date?

Graham Jones: The response from the Labour party Front-Bench Members has been a condemnation, and I am pleased with the words put forward by them in condemning this. I reiterate that this is the Government’s responsibility. They won an election; it is now for them to resolve this issue and for us, as Opposition Members, to put pressure on them. Let us not conflate the two.

The humanitarian situation in Venezuela is calamitous. The scarcity and shortage of food and medicines are making Venezuelans’ daily lives a nightmare. Record high inflation and the systematic destruction of the commercial and industrial sectors are only making things worse. Criminality and political violence are the norm.

Mark Menzies (Fylde) (Con): Will the hon. Gentleman give way?

Graham Jones: I will give way to my Lancashire neighbour.

Mark Menzies: As chairman of the British-Latin America APPG, I am absolutely delighted in the hon. Gentleman’s debate. May I urge him to look at the misery of people trafficking and the record numbers of displaced persons who are now living in Bolivia, Brazil and Colombia? In fact, we now have more people displaced from Venezuela than from Syria. That is a shocking statistic.

Graham Jones: The hon. Gentleman raises a very important point. I cannot cover all aspects of the issue in this debate, but the misery of those who have had to flee Venezuela to neighbouring countries is considerable. I think we underestimate the numbers involved and are not fully aware of the scale of the problem of those refugees who have had to flee for their own safety into neighbouring countries and the pressure that puts on those countries. The hon. Gentleman raises a very good point.

John Spellar: My hon. Friend and the hon. Member for Fylde (Mark Menzies) rightly identify those who are poor, dispossessed and being forced to flee, but is not the additional tragedy of Venezuela that many with university educations and technical skills are also fleeing because of the breakdown of civil society inside Venezuela? That is a long-term tragedy for that country, which, because of its natural resources, should be a very prosperous state.

Graham Jones: My right hon. Friend is absolutely right; it is probably the most mismanaged country in the world. As a result, it is experiencing a brain drain: those who are educated are leaving Venezuela, because the regime is strangling intellectuals’ careers and the economy, and because their human rights are being undermined and they are being persecuted for taking part in demonstrations. Many of them are taking the decision to leave, which is having an adverse effect on Venezuela.

Venezuelan cities are the most violent in the world. Gangland violence, political brutality and drugs have taken hold as the economy collapses. The motorbike militia are quite frightening, and seem to operate hand in hand with the Maduro Administration to oppress the people of Venezuela. Inflation is at 720%, according to the International Monetary Fund, and is expected to surpass 2,000%. Rather than cutting budgets and raising taxes, the Chavista Government have borrowed from their communist allies Russia and China at high prices, and have resorted to printing money. The value of the Venezuelan bolivar has plummeted 99% against the US dollar since Hugo Chávez came to power.

The crunch will come later this year when Venezuela’s debt repayments come due. According to the World Bank, Venezuela has run a budget deficit in 15 of the last 17 years, and over the last four years, that deficit has averaged about 15% and climbing. Most of Venezuela’s reserves—what little it has—are in the form of gold, so in order to make debt repayments this year, Venezuela shipped gold bars to Switzerland. China has bailed out Venezuela by loaning it an eye-watering $60 billion, but now, according to analysts, even it is reluctant to give its Latin American ally more credit. Despite all this borrowing and huge receipts from legal and illegal exports, the country remains in dire straits. Food prices are soaring and hospitals are broken. If Members want further information, there are some good illustrative examples in the House of Commons paper provided for the debate.

Transparency International consistently ranks Venezuela as one of the most corrupt countries in the world. The House of Commons Library briefing paper states that former president Hugo Chávez “inherited a weak economy which deteriorated further under the initial phase of his Presidency”, with an average fall of 5.1% in economic performance, which was finally offset only by significant increases in world oil prices. Its modest rises in GDP between 2004
and 2008 were financed solely by rising oil prices. Oil accounts for 98% of total exports and 59% of official fiscal revenues.

Economic problems were exacerbated from 2005 onwards, when so-called unproductive land was nationalised, along with strategic industries including electricity, steel, cement, tourism, telecommunications, agriculture, oil services, and food distribution. By 2013, the World Bank ranked Venezuela 160th out of 185 nations for electricity availability, and 185th out of 185 for paying taxes.

We must question how Chávez’s daughter, Maria Chávez, has amassed a personal fortune of $4.2 billion. The Bolivarian revolution has spawned many “bolígarcs”; the presidential palace, according to elected opposition members, costs more than $3.6 million a day to run. Such profligacy extends to the state oil company, whose US subsidiary, as reported in April by The Guardian, donated $500,000 to Donald Trump’s inauguration. All overseas trade is currency-controlled. Since 2003, the Chavista Government have controlled currency. The real currency rate is now thought to be 700 Venezuelan bolívares to the dollar, but those needing dollars require a Government permit.

As the economic situation deteriorates, the dollar is becoming the de facto currency, yet poor people cannot access it, which means they cannot access many basic goods that must be imported. The four Government rates, including what can only be described as mates’ rates, are just another means by which the Chavista elite can gain material advantage. Corruption and incompetence have been endemic throughout the Chavista regime. According to Transparency International, when the state oil company, PDVSA, took over a programme to buy food in 2007-08, more than “1 million tons of food were bought for US $2.24 billion, but only a little more than 25% of the food was received. And of this figure, only 14% of the food was distributed to those in need. At one port alone, 3,257 containers with a total of 122,000 tons of rotten food were found.”

The United Nations says that President Maduro, the country’s leader, is responsible for “widespread and systemic” human rights abuses. The UN has said that blame for the oppression there lies “at the highest level of the Venezuelan Government” and slammed Maduro’s use of excessive force. More than 5,051 protesters were detained and 1,000 are still in custody after months of clashes, according to Foro Penal. Some 600 cases of torture have been referred to the International Criminal Court; according to the Casla Institute, 70% of torture cases involve sexual assault. There are 620 political prisoners in Venezuela, according to the Organization of American States, and 73 people have been killed by security forces during protests, according to UN High Commission for Refugees. The UN states that violations include house raids, torture and ill-treatment.

Before I conclude, it is worth briefly mentioning democracy in Venezuela. Although elections take place, the Government spend most of their time manipulating the law—either breaking it or changing it—with the sole intention of undermining the opposition. That has gone on for a considerable time. The line dividing state and the ruling party spending has been erased. Citizens and organisations loyal to the Government get most state jobs, contracts and subsidies, while overt opponents get nothing or are locked up. Proportional representation has been manipulated and mayors sacked to favour the PSUV.

I would like to ask the Minister about UK nationals caught up in Venezuela. My constituent Judith Tregartha-Clegg is worried that political turbulence could leave her daughter stuck in the country. She states: “A few airlines have been cancelling flights out of Caracas because of the trouble and some just won’t fly there anymore.” She expressed her worry and her daughter’s about the journey to the airport. She has received no support from the Foreign and Commonwealth Office so far. What support have the UK Government given to UK nationals living in Venezuela? Do they have a plan to evacuate all UK nationals from Venezuela if the situation deteriorates?

Judith has described to me the dire situation. Her daughter now lives in the town, as their home was taken over by squatters following 2006 legislation allowing for requisitioning of property. It is not safe outside urban areas. Schools do not have teachers, because they have not been paid.

In summary, condemnation is not enough. The UK Government must show resolve through tangible actions that will put pressure on President Maduro and his allies to respect democracy, human rights and the rule of law. The UK Government should lead on targeted sanctions against individuals in the Venezuelan Government responsible for drug trafficking, human rights violations and breaches of democracy. Those sanctions should include: freezing any UK assets belonging to those individuals; preventing UK individuals and companies from doing business with them; enforcing a travel ban against them; enforcing a ban on exporting weapons or any equipment that might be used for internal repression in Venezuela. I note that we give Venezuela export licences for military equipment. Surely that must stop.

Those are not economic sanctions against Venezuela. It is important that the UK targets the regime and not its citizens. Can the Minister update the House on what progress he has made in introducing sanctions, and when we are likely to see some? Many thanks for your patience, Mr Stringer; I look forward to the rest of the debate and to the Minister’s reply.

Graham Stringer (in the Chair): There are four Members wishing to speak and I intend to call the Front-Bench spokespeople in 30 minutes, so the arithmetic is straightforward.

9.59 am

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): I congratulate the hon. Member for Hyndburn (Graham Jones) on securing today’s debate, which is as timely as it is important.

We work in the shadow of George Canning, whose statue stands in Parliament Square and who gave moral and material aid to the nations of Latin America as they emerged from the wreckage of the Spanish empire. Since then, Great Britain has always taken an active interest in the continent’s affairs. There has been so much progress in recent years: Latin America is more prosperous and more free than at any time in history, and nations such as Colombia and Chile stand as shining examples of what the continent can and should be.
In Venezuela, however, chaos reigns. The gross economic mismanagement that the hon. Gentleman referred to means that inflation is running at more than 1,000% this year and is forecast at more than 2,000% next year. That kind of inflation guts an economy and a society. It brings with it the incalculable miseries that we have already heard discussed today. Some 82% of Venezuelans live in poverty. Businesses have been ruined. There is not enough food for 90% of the population, and there are shortages of basic medicines.

According to the Venezuelan Government's own data, infant mortality rose by 30% last year, maternal mortality rose by 65% and malaria jumped by 76%. The people, understandably, are desperate for change, but they face naked political oppression. The utterly illegitimate Constituent Assembly has sidelined the opposition-led National Assembly. The Supreme Court has been expanded and packed with Government supporters. Just since April, at least 73 people have died at the hands of the security forces and pro-Government groups, and a further 51 deaths are unaccounted for. Opposition leaders have been arrested and dragged off in the dead of night. Dissenting TV and radio stations have been censored and shut down. We should be in no doubt that this is a tyranny.

With that in mind, will the Minister inform us what pressure the Foreign Office is exercising on the Venezuelan Government to reinstate basic democratic norms? What dialogue has he held with neighbouring Governments in Latin America to promote and co-ordinate regional pressure on Maduro? What further steps will we take at the United Nations following the report issued by its Human Rights Office on 30 August that calls for the regime to release demonstrators who have been arbitrarily detained and to end the use of military courts to try civilians? Finally, can British influence be brought to play on President Putin and the Russian Government not to bail out Maduro as the calamitous consequences of his rule bring his regime to its knees?

Closer to home, I am clear that we in Westminster have our part to play. I hope that colleagues will join me in utter condemnation of the Venezuelan Government's actions and in deploring the likes of early-day motion 1278 of 17 April 2013, which "congratulates...Maduro for his victory in Venezuela's...Presidential elections", praises his continuation of "Chavez's Socialist revolution" and urges the then Prime Minister "to extend an invitation for...President...Maduro, to visit this country at the earliest opportunity."

There were just 13 signatories to this nonsense—unlucky for some. Among them were the current Leader of the Opposition, the current shadow Chancellor and the current chair of the Labour party, the hon. Member for Wansbeck (Ian Lavery).

For some historical context, allow me to read the assessment of Venezuela made by Human Rights Watch just one month before that early-day motion:

"the concentration of power and erosion of human rights protections had given the government free rein to intimidate, censor, and prosecute Venezuelans who criticized the president or thwarted his political agenda."

Lenin used to gloat about useful idiots to his cause. I call it grotesque. Either the signatories are blind to the point of crippling naivety about the ruin that Chávez and Maduro have unleashed on their country or they are complicit in actively misrepresenting the regime to the world as some kind of socialist paradise. That matters because the right hon. Members for Islington North (Jeremy Corbyn), and for Hayes and Harlington (John McDonnell) head the alternative Government of our country. The signals that they send out by their failure to condemn the terror, murder and totally avoidable economic ruin are powerful ones, and are wholly unacceptable.

Ms Ghani: My hon. Friend is making a powerful speech. He mentioned some statistics about deaths. I am informed by the Library that there have been 124 deaths during clashes between police and protesters. The crisis in Venezuela is not just economic but political, and it is entirely self-made. Democratic institutions are being torn apart and there are violent clashes on the street. Does he share my disappointment that the Leader of the Opposition holds up Venezuela as a different and better way of doing things?

Mr Clarke: I completely share my hon. Friend's condemnation of the regime. I would not have thought it so difficult for the advocate of a "kinder, gentler politics" to condemn state violence and murder.

John Spellar: I think my cold war credentials are fairly clear, but I recognise that the hon. Gentleman and some other Members who have made interventions are fairly new to the House. Do they recognise that one can make a greater advance by uniting across party lines on issues of common agreement than by trying to score cheap political points? The points speak for themselves, but what we need is a united attitude from the British Government and the British Parliament on this issue. He is not getting the balance right.

Mr Clarke: I am afraid I totally disagree. The Leader of the Opposition speaks for the right hon. Gentleman's party, and he is absolutely and totally mealy-mouthed in refusing to condemn violence by the regime. He talks about condemning violence by all sides. What does that mean to the victims of this monstrous tyranny?

Graham Jones: Will the hon. Gentleman give way?

Mr Clarke: No, I will not.

Victoria Atkins: Let me try to bridge the gap between the right hon. Member for Warley (John Spellar) and Conservative Members. Is there not, indeed, a great deal of agreement in this Chamber about the woeful conditions in Venezuela? Is not my hon. Friend the Member for Middlesbrough South and East Cleveland (Mr Clarke) simply saying that it would be nice if the Leader of Her Majesty's Opposition joined us in condemning Venezuela and the way in which it is treating its people?

Mr Clarke: That is absolutely right. We all share horror and repugnance at what is going on in Venezuela. The right hon. Gentleman who purports to be the
To the hon. Member for Middlesbrough South and his other representatives are listening to this debate. So I gently remind the community a fortnight ago and many of its members that the moral lead set by the Opposition—

Mr Clarke: On this issue, the splinter in the eye of the right hon. Member for Islington North is a large one. However, I am perfectly happy to look at practical steps that could be taken to bring the regime to some form of account. I see the Magnitsky Act in Russia as an encouraging precedent that we should seek to follow. We need to hold those at the very top of the regime to account for their actions, but it is also important that the moral lead set by the Opposition—

Graham Jones: I have a simple question. Perhaps I am repeating what my colleagues have asked, but will the hon. Gentleman tell me what actions the current Government have taken against the Venezuelan regime?

Mr Clarke: I am asking the Minister for an update on precisely those issues: the steps that the Government are taking to hold Venezuela to account. However, at least we on the Conservative Benches are absolutely crystal clear that what the regime is doing in the name of democracy and socialism is profoundly wrong.

I close my remarks with a message of heartfelt solidarity with those who are fighting to keep the flickering flame of democracy alive in Venezuela; with an utter condemnation of President Maduro and his associates; and with a call to the leadership of the Opposition to show some belated moral clarity about the true nature of the regime that they have supported for far too long.

Stella Creasy (Walthamstow) (Lab/Co-op): The hon. Gentleman is making a powerful case for the importance of standing up to these people. Will he therefore join Labour Members in calling for the Government to do what the American Government have done and introduce a travel ban? Perhaps they could come up with some practical suggestions for sending a strong message that this House universally condemns human rights abuses, and then actually act on those suggestions. The need to take the plank out of one’s own eye before looking at the splinter in somebody else’s is a wise thing to remember in this place.

Siobhain McDonagh (Mitcham and Morden) (Lab): I never thought that I would speak in a debate on Venezuela, although I am interested in what is going on. The international issues that I become involved in are normally determined by the concerns of my constituents, whether the Tamils of Sri Lanka or the Ahmadiyya Muslims.

I became involved in the issues of human rights and the terrible economic conditions in Venezuela through football—not the wonderful Latin American game, but the league one game. Ivor Heller, the commercial director of my team, AFC Wimbledon, contacted me to ask what could be done to help his partner Lisa, her Venezuelan family and the great Venezuelan community in south London. I had the opportunity to meet members of that community a fortnight ago and many of its representatives are listening to this debate. So I gently say to the hon. Member for Middlesbrough South and East Cleveland (Mr Clarke) that their anxieties and distress about the starvation and murder of their families is much greater than our own inter-parliamentary and party disputes.

I would like to give a few pen portraits of the people I met, and of their families. I would like to tell you about my constituent and neighbour, Marifel. Her brother is a surgeon in a Venezuelan hospital and he faces complications beyond anything we can imagine in our healthcare system. Marifel showed me a photo of him holding a torch to carry out an operation due to the regular blackouts in the hospital. And that is just the beginning. In her own words:

"Patients need to bring everything with them, from bed sheets to surgical gloves and antibiotics. The x-ray machines are not working and nor is simple equipment to take blood pressure. You may think we are talking about a hospital in a war zone".

Those deplorable facilities face the country’s worst healthcare challenges in decades. Diphtheria has come back after previously being eradicated, malaria has multiplied tenfold since 1999 and maternal mortality has increased by 67% in the last year alone—I could go on.

Jennifer tells me that her grandmother had a severe stroke three months ago and that she feared the worst. Fortunately, she is still with us, but the doctors treating her told her that the medicines she needed were no longer available. Jennifer has resorted to reaching out to friends in Spain, Chile and Colombia to locate, purchase and transport the medicines that her grandmother needs to survive. Similarly, Erika, who has joined us here to watch the debate, spends every night praying that her mother will be able to obtain the blood pressure pills she needs to survive.

Those terribly sad stories are the real-life examples behind the 87% shortage of food and medicine in the country. Last year, three quarters of the Venezuelan population lost an average of 19 lb because there is so little food. The annual inflation rate is expected to rise to 1,100% by the end of 2017 and the family food basket currently costs almost five times the monthly salary of the majority, leaving 82% of the population in poverty.

Leana contacted me with her story behind the shocking statistics. Her mother sends a monthly care package and money to her family in Venezuela, as they cannot afford to live on their salaries. The prices of the items they can actually find in the supermarkets are too high, and those who cannot afford food are eating out of rubbish bins. Day-to-day survival is their primary focus. Militza’s nephew and niece missed 60 days of school last year because of the street protests; they live in fear and desperation, yet many of their peers do not even reach school age. It is estimated that 54% of children suffer from malnutrition, and infant mortality has risen by 30% since 2012.

Compounding the extraordinary levels of poverty are world record levels of murder across the country, with a staggering 78 homicides per day. Thamará contacted me to tell me that her brother was kidnapped by a violent gang but luckily managed to escape. Unfortunately, the younger brother of María, who also wrote to me, was murdered. No investigation has been conducted and no justice served.

Without doubt, Venezuela is in a state of humanitarian and economic crisis that we simply cannot ignore. Democracy has been breached through the illegitimate
Constituent Assembly, and the regime should be condemned loud and clear. I have not all the answers, or perhaps any of the answers, but I know that there are 5,000 British-Venezuelan citizens in our country who look to us, our Parliament, our parties and our MPs to show leadership and concern for them and for their families. I hope we can show that today.

10.14 am

Tom Tugendhat (Tonbridge and Malling) (Con): Hon. Members have made absolutely evident the problem we face regarding Venezuela, so they will forgive me if I do not repeat the claims and statements that have been so clearly pronounced. Members on both sides of the House have rightly condemned the brutality of the regime and have called for the UK Government to do more, and I welcome the opportunity to hear the Minister’s views on that. I also look forward to hearing how he is working with our European partners—as they still are—on getting joint action, particularly on the sanctions and prosecutions.

If I may be permitted one small reminder: the hon. Member for Mitcham and Morden (Siobhain McDonagh) focused on her constituents and she is, of course, right that that is what we are here to do, but it is also right that we remember that these distant places are not so distant. The drugs that the hon. Member for Hyndburn (Graham Jones) spoke about kill people in our country. The drug money that goes back into the FARC pays to kill people in our country.

So today, we should perhaps remember some of the names that deserve to be mentioned, not the ones that should be forgotten. We should remember names such as that of Leopoldo López, who has done so much for the cause of democracy in Venezuela, and that of his wife, Lilian Tintori, who has been refused permission to attend the cause of democracy in Venezuela, and that of his wife, Lilian Tintori, who has been refused permission to attend the cause of democracy in Venezuela.

The drug money that goes back into the FARC pays to kill people in our country.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Hyndburn (Graham Jones) on bringing the debate to the House, thereby giving us all the opportunity to be involved. We are not here to point the finger; we are here to look at the situation in Venezuela and, for me, the focus, as the hon. Member for Mitcham and Morden (Siobhain McDonagh) mentioned, is on poverty and human rights.

I have an interest in the issue because the political situation in Venezuela is clearly precarious, and it is my belief that there is a sincere need for intervention from this House, to help where possible—the Minister will tell us about that shortly. Regarding human rights and poverty, the statistics that were sent to many of us highlight the dire straits that innocent people living in the country face daily. There is 80% poverty—it was 40% when Chávez came to power and the oil price was only $9 a barrel. As the parliamentary briefing states, hunger is rife, with 12.1% of the population eating fewer than three meals a day—I wonder how many of us could deal with that every day of our lives—and the Bongoa Foundation for Food and Nutrition estimates that 30% of school-aged children are malnourished. We need to look at what we can do to assist the children—either through the Government or by bypassing them—in whatever way we can.

In its May 2017 report, Caritas, a Catholic non-profit organisation working in Venezuela, found that, in the four states it surveyed, 11.4% of children under five were suffering from either moderate or severe acute malnutrition—a serious issue for families. Human Rights Watch’s 2016 report stated that infant and maternal mortality rates were rising sharply. Some 85% of medicines are running low, and Venezuelans face shortages in everything, from vaccines to rice and bread. Diphtheria had been eradicated, or at least they thought it had gone, but it is back. The incidence of malaria is up by 79% and the number of cases of the Zika virus is rising. It cannot be denied that there are acute health issues.

The International Monetary Fund estimated Venezuela’s budget deficit to be 15% of GDP in 2016, and the Government have monetised the deficit by printing money—my goodness me, how silly and completely out of control—which has led to soaring inflation. Official figures have not been released since 2015, but the IMF estimates that the annual inflation rate was 25% in 2016 and, as has been mentioned, that it will rise to 1,100% by the end of 2017. After more than $1 trillion in oil revenue, the country has tripled its international debt and there are real concerns about its ability to meet its obligations on that international front. GDP has fallen by a third in the four years since 2013 and unemployment stands at 25%. To many people those are just statistics, but it is real, cold life for those in Venezuela. Many jobs have been destroyed and most of the population works in the informal economy. People are going hungry every day; many are forced to rummage through rubbish bins to find food. The country was once one of the richest in middle America. It has fallen so far down the league of economic stability that it is in dire straits. The UN has just published a report stating human rights have been violated extensively in Venezuela—I want to speak about that in the short time I have. The Independent reports that Venezuelan security forces have wielded excessive force to suppress protests. They have killed dozens of people and have arbitrarily detained 5,000 since April, including 1,000 still in custody. Instead of easing off, they are getting stronger. If ever there was a time to have a debate on Venezuela, it is now. As the UN report further shows, more than 100 lives have been lost in the struggle for democracy, with 4,000 people wounded, 5,000 detained illegally and some brought to military tribunals, often in inhumane conditions, and in some cases tortured. That should not happen in this day and age.

The UN has investigated 124 deaths in connection with demonstrations against President Maduro’s Government. It found 46 deaths attributable to security
forces and 27 to pro-Government armed groups. These are armed militias—terrorist groups—doing the Government’s work under the table, behind closed doors or with balaclavas on, or however we want to describe it. It is clear that action must be taken.

Reports state that the Attorney General had to flee the country, leaving in flux one of the major stabilising effects of the rule of law and justice. He had to flee, which shows the level to which law and order has fallen.

Mark Menzies: The hon. Gentleman talks about the loss of life. Some is state-sponsored, but much of it is a result of the breakdown in law and order. I want to bring to the House’s attention the numbers of people losing their lives as victims of people trafficking, which is off the scale. These are some of the most vicious people-trafficking gangs anywhere in the world. They have no intention of trafficking people: they take their money and kill them.

Jim Shannon: I thank the hon. Gentleman for his intervention; he has clearly illustrated the issue of people trafficking. It is one of the most wicked, depraved, violent and evil activities that takes place. Taking people’s money with the sole aim of killing them, as he described, illustrates the extent to which law and order has broken down and how much the Government have lost control.

When we look further afield, we see that the US and Mexico have frozen the assets of 22 top Government officials, including President Maduro. It has been reported that while previous records indicate the absence of any major assets, several now show millions of dollars stored in foreign banks. We are all entitled to our wages, but that is nothing short of theft and literally taking food out of the mouths of children in that country. That money could and should be used to supply the food and medications that are needed for children and families and to try to restore law and order in that country. I ask the Minister the same question that I suspect others have, although perhaps in a slightly different way. What steps can we take to freeze the assets of those with bank accounts in this country and then use them for the welfare of others?

One case brought to my attention is that of a 23-year-old violinist, Wuilly Arteaga, who played the national anthem on the violin during street protests. Wuilly was arrested and put in jail. His crime was instigating violence and having an incendiary substance in his possession. Since when was a violin considered an incendiary substance? That clearly tells us that the Government there look upon any kind of protest as something they simply cannot take. He was tortured in prison. Amnesty International was alerted and secured his release after 19 days of wrongful imprisonment. Again, that illustrates the type of thing taking place.

It is abundantly clear that this situation is a time bomb. We have an obligation to act and not simply provide aid, which I believe we must do. We need to provide aid and get it to the people who need it, irrespective of Government, but also ensure that it reaches the proper destination and makes a difference to the children who are malnourished. We must also get medication to those who need it—for example, the blood pressure tablets that the hon. Member for Mitcham and Morden mentioned. We must also seek to support the cause of democracy—we all believe in democracy, freedom and liberty—and exert any pressure that we can to see a real democracy in operation. The fact that the President of Venezuela has asked the UN for help to address the crisis must allow us a door to hopefully bring about change. Let us use it. Let us hear what the Minister, our Government and our allies—the United States of America or Mexico—are doing to bring about change. I ask the FCO what steps we are taking to help Venezuela at this time of great need.

10.25 am

Martin Docherty-Hughes (West Dunbartonshire) (SNP): It is nice to see you in the Chair, Mr Stringer. I congratulate the hon. Member for Hyndburn (Graham Jones) on securing this debate, which is of personal interest to me and some very close friends. The recent political history of Venezuela has not often been the subject of debate in this place. There has been too much subtlety when there should be clarity, and strong opinions when it is obvious that there are many complicated and intractable historical issues at play: issues not only in Venezuela, but across the South American continent, as it seeks—I paraphrase Linz and Stepan—to overcome the problems of democratic transition and consolidation in the post-colonial and cold war era.

The violence of the summer has been troubling. The deaths of many, thousands injured and the brutal Government crackdown, including the arrests of thousands of mainly peaceful opponents and demonstrators, as well as members of the Venezuelan National Assembly, can lead to no other conclusion than that the Venezuelan Government, their military and police forces have lost any democratic mandate they were seeking in July.

Let me be clear on behalf of the Scottish National party: we call urgently for an end to the violence. Venezuelans and the political parties that represent them have a right to protest, but the democratic process must be put back on track. I am sure we all hope that the United Kingdom Government and the Minister here today can work with the European Union and other allies to find a peaceful solution to the ongoing crisis. Those of us who have taken a keen interest in Venezuela over many years will have found something sadly inevitable about the recent events we have seen there, as a democratic deficit, economic mismanagement, and human rights abuses have combined to create a crisis that we have not seen in the Americas for more than a decade.

There is also something inevitable about the way that many in this place have used and continue to use Venezuela to prove narrow political points. I know from speaking to enough left-wing opponents of the late President Chávez and also Maduro that ideology is not the principal driver in this crisis. I will say something about the right in a moment, but the leadership of the Opposition can be criticised for the way in which they have ignored legitimate critiques of the Venezuelan regime and continued to lend it their support until long after it was credible for them to do so. Unlike many of the Chávez fanboys, from whom we would expect this sort of thing, they should have a good enough grasp of Spanish not to fall for the dismal, knee-jerk anti-Yankee propaganda that the regime of Maduro and the late Chávez put forward. But let us not fall either for the nonsense put forward by those on the right, which...
somehow derives from the tragedy the belief that social radicalism is doomed always to fail. The example of one south American country that I personally know best, Brazil, shows that right-wing parties seeking to take the left to task on corruption often find themselves equally as culpable.

The examples of Chile and Bolivia, while not themselves perfect, show that progressive Government and the responsible stewardship of national resources mean that the problems we see in the Bolivarian Republic are not inevitable. Venezuela, as does the continent of south America, carries the scars—on its landscape, in its cities, and in the hearts of its people—of a legacy of nearly five centuries of colonial exploitation. The United States, at least in the 20th and 21st centuries, must carry much responsibility for that, but it is wishful thinking on a grand scale to think that they are the only villain in this piece. The elites, both political and economic, must face up to their repeated failures and impoverishment of the Venezuelan people. That President Evo Morales of Bolivia is the only indigenous leader of a South American state shows that there are much deeper issues at play in most of the continent. Although the Morales regime has its own problems, it has demonstrated how putting people in charge of their own resources can have positive results for the economic and social whole of a country.

Graham Jones: Is the hon. Gentleman aware that the Venezuelan Government have run deficits in 15 of the last 17 years? Evo Morales and the Bolivian Government have run surpluses in virtually all those years. There are two distinct, different economic answers in those countries.

Martin Docherty-Hughes: I completely agree with the hon. Gentleman. Morales shows a model of economic stability that I think many in south America would hope for in their own countries.

Venezuela deserves peace in its fractured and divided society. It will have none while the left and the right fight over the bones of the cold war. In summing up, the society. It will have none while the left and the right hope for in their own countries.

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hon. Gentleman. Morales shows a model of economic

We must, most of all, stand up for peace in Venezuela,

we must, most of all, stand up for peace in Venezuela,

for all Venezuelans. I hope the Government will play

their part.

10.30 am

HeLEN Goodman (Bishop Auckland) (Lab): What a pleasure it is to see you in the Chair this morning, Mr Stringer. I congratulate my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) spoke eloquently about the humanitarian crisis. She has constituents with relatives

who are suffering some horrendous experiences. We

have all been reading about the issues over the summer in the newspapers. Her Majesty’s Opposition entirely share the concerns that have been expressed by Members on both sides of the House about the deteriorating and serious humanitarian and political crisis in Venezuela.

We mourn all those who have been killed and injured in recent months on either side of the sham election in August. We believe that the bloodshed must end without delay. While that means that all sides must put down their arms, there is a special responsibility on the so-called forces of law and order to live up to their name.

We condemn the closure of the Parliament, which was established in 1999 under a constitution supported in a referendum by 88% of the Venezuelan people. We are also deeply concerned about President Maduro’s sacking of his independent-minded Attorney General. When we see police and security personnel assaulting civilians in the streets, using military tactics and weaponry against unarmed protestors and snatching political opponents from their homes at dead of night, it is obvious that they stand for neither the rule of law nor the restoration of order. Those actions must stop.

The Government of Venezuela must recognise their duty to protect human rights, free speech and truly democratic elections, rather than undermining them. They must stop the ever-escalating cycle of repression, division and violence for which they have been responsible.

Of course, in making that demand, we are not blind to the historical and economic context in which today’s tragic situation occurs. The hon. Member for Tonbridge and Malling (Tom Tugendhat) pointed out that the recycling of drug moneys into Europe predates 1998, but everybody—particularly the Minister, who was an oil trader in a former life—must understand the significant impact that the collapse of the oil price was bound to have, and undoubtedly has had, on the Venezuelan economy.

In 2012, Venezuela was selling its oil at $103 a barrel. By 2016, the price had collapsed to $35 a barrel. That is bound to be a problem for a country when 90% of its export earnings are from oil exports, which raises another issue. Why has there not been greater diversification over time to build up other parts of the Venezuelan economy? That debate is not confined to Venezuela: Nigeria suffers similarly. When the oil price is high and the exchange rate is pushed up artificially, it can be difficult to get other sectors of the economy to become competitive and effective—indeed, such criticisms were made of this country in the 1980s. It is clear that the Venezuelans have not diversified in an intelligent and strategic way.

Notwithstanding the economic difficulties, the Maduro Government have no excuses for the political crisis that now faces the country, to which they have contributed. The Government must take responsibility for the crisis and respond to the legitimate concerns, expressed on both sides of this House and throughout the international community, about the increasingly dangerous direction the country has taken over the last five years, and particularly since the beginning of 2017. If they believe that those concerns are misplaced, it is not enough to ignore or dismiss them. They must take the necessary actions to prove them wrong.

One of the major long-term problems is that millions upon millions of ordinary Venezuelan people now regard themselves as “ni gobierno, ni oposición”. They are not
for the Government or for the Opposition. They regard Maduro’s current Administration as a long way distant from the aims, methods and achievements of the original Chavista movement, but they have no faith in the official Opposition to do anything but return to the pre-Chávez norm of serving the elites and ignoring the masses.

As the hon. Member for West Dunbartonshire (Martin Docherty-Hughes) said, there can be no political or economic solution in Venezuela until the needs of those disenfranchised citizens are met. If the rest of the world treats the dispute simply as a binary one between the PSUV and the MUD—the Mesa de la Unidad Democrática—that will not help. I hope that the Minister will reflect that in his remarks.

Martin Docherty-Hughes: Does the hon. Lady agree that, in terms of elite transition, there is a requirement for civic society—every Venezuelan—to be included in the debate about how Venezuela moves forward?

Helen Goodman: The basic foundation for a flourishing civic society must be respect for human rights. We need that before we can build the democratic institutions.

The destruction of the popular democratic institutions in that country is unhelpful, extremely concerning and straightforwardly wrong.

Hon. Members have asked the Minister a number of questions, and I will add a number on the Government’s policy towards Venezuela. In addition to asking about the Government’s policy on limiting the drugs trade, I want to ask about the funding programme. The Government previously committed to improving the operation of the National Assembly via the Magna Carta fund. I shall be grateful if the Minister brings us up to date on how that money will now be used. What are the Government proposing to do to build civic and democratic institutions in Venezuela, or will they abandon that plank of Government policy? The need to fund the promotion of human rights is obviously greater than ever, but there will be concerns about how to guarantee that any future funds are spent appropriately in the country when its institutions are so weak. We would like an update.

Secondly, I should like to ask the Minister about arms sales. Given the legal requirement for UK Ministers not to authorise arms sales to regimes that might use those arms for internal repression, will he explain why £80,000-worth of such sales to Venezuela were authorised in the past year alone? In light of the Maduro Government’s refusal to co-operate with the ongoing UN-led investigation into human rights abuses, will the Government suspend any further arms sales until those concerns are resolved?

Thirdly, as my hon. Friend the Member for Mitcham and Morden mentioned, will the Minister tell us how the Government are supporting UK nationals affected by the crisis in Venezuela? How many requests for consular assistance has the Foreign Office received? What assistance has the embassy in Caracas been able to provide? What fees have been charged to individuals for that assistance?

Fourthly, as I am sure the Minister will spell out, what initiatives are the Government supporting to put pressure on the Maduro Government and bring about peace in Venezuela, including the mediation offered by the Vatican? On the issue of sanctions, a good case has been made by some hon. Members for individual, targeted sanctions against those involved in serious and organised crime and drug trafficking, but what assessment have the Government made of the American Secretary of State’s proposals to implement all sanctions? Is the Minister not slightly concerned about possible conflicts of interest in the American Administration, given that the Secretary of State, before he took up his post, received a payment of $180 million on leaving Exxon? Will the Minister explain whether he believes that further reducing Venezuelans’ export earnings would be helpful? Will he also make it clear that one plan the UK will definitely not support—and that we will actively oppose should it be put on the international table—is Donald Trump’s threat of military action against Venezuela?

In closing, I have one more important point to make. When we face a situation such as that in Venezuela, with demands for an immediate end to bloodshed and hardship, and the full restoration of human rights, it does this House proud that we are united in such calls, as we have been today. It is also important that we are consistent, and that we avoid anything that could be construed as double standards. If we are prepared to speak out with one voice on the issue of Venezuela—rightly—then, by contrast, people will not understand any equivocation about other countries with serious human rights records, such as Saudi Arabia and Bahrain. We must not allow anyone to claim that this House discovers its conscience and its voice only when there is an argument to be had in domestic politics. We must be consistent. I hope that the Minister will give us the assurance that the Government are wholehearted in their condemnation and addressing of the human rights problems in Venezuela, as across the globe.

Graham Stringer (in the Chair): Before I call the Minister, I point out that we are not pressed for time, even though the debate was well attended, and I ask him to leave two or three minutes at the end for the proposer of the motion to respond to the debate.

10.44 am

The Minister for Europe and the Americas (Sir Alan Duncan): It is a pleasure to serve under your chairmanship, Mr Stringer.

I thank the hon. Member for Hyndburn (Graham Jones) for initiating the debate, and I congratulate him on becoming chair of the newly formed all-party parliamentary group for Venezuela. I was, however, rather disappointed by his recent letter to my right hon. Friend the Foreign Secretary, which accused the Government of silence on Venezuela. I will therefore take the opportunity to prove that that accusation is totally unfounded, as I will explain in a moment. It is indeed high time that this entire place spoke up on the situation in Venezuela, and it is vital that we do so with a single, united parliamentary voice, without making any excuses for the Government there.

Let me go straight in to answer some of the points made in the debate. The hon. Member for Hyndburn, despite his letter to the Foreign Office understandably focusing on all the political developments in Venezuela—that, too, is what I will primarily develop my thinking on in the debate—focused on cocaine. Most of the cocaine on the UK’s streets, however, is produced in
Peru and Colombia, although that is aided and abetted by the nature of the Government in Venezuela. There is a lack of effective government control in porous border areas, in particular on the border with Colombia, where Venezuela both suffers from and colludes with illegal armed and criminal groups involved in drug production and trafficking, kidnap and extortion.

That is exactly why the Government have added Venezuela to our long-running serious and organised crime programme, which already covers Colombia and Peru. The NCA and its predecessor worked with Venezuela on counter-narcotics for 15 years and that work continues. As I am sure the hon. Gentleman appreciates, however, drug policy is primarily the responsibility of the Home Office, rather than the Foreign Office, so detailed questions should be addressed to that Department.

On consular matters, our travel advice is reviewed and updated regularly. Currently, we advise against all but essential travel to Venezuela. We have received no requests for consular assistance from British nationals in Venezuela, but were we to do so we would follow them up in the usual way, with the diligence and assiduous attention that I like to think we always offer to someone abroad who asks for our assistance. We did however take dependants out of our embassy when the Constituent Assembly vote was taking place, because we were concerned about reprisals against our diplomatic staff. The situation has been alleviated since then, but at the time we took that sensible precaution.

The UK does not have its own domestic sanctions regime. We will have once we have left the European Union and passed a sanctions Act, in preparation for which something will come before the House soon. In the meantime, we are working with the international community and international organisations to implement EU sanctions. We will continue to work with EU member states and, crucially, regional powers to consider a wide range of options, including sanctions and the freezing of assets in respect of Venezuela, should a consensus emerge.

On export controls, therefore, we assure the House that the Government take their export control responsibilities very seriously and operate one of the most robust defence export control regimes in the world. We rigorously examine every application case by case against consolidated EU and national arms export licensing criteria.

To be clear and to get to the fundamental point of the debate, the problem is that democracy is being dismantled piece by piece. Human rights and the rule of law are being systematically flouted. People are struggling to get hold of even the most basic essentials in what should be one of the most prosperous countries of the region. A local think-tank reports that a basket of basic food for a family of five costs more than the minimum wages for 14 people. That economic disaster would have implications for regional stability if it were to become a humanitarian crisis. Tens of thousands have already fled to neighbouring countries, and those flows are continuing.

It is clear what has caused that appalling situation. It is the result of a catalogue of deliberate attempts to undermine democracy, culminating in a highly dubious election in July to create a Constituent Assembly that is designed to usurp established democratic authority. That body has created something that it calls a truth commission, supposedly, as it says itself, to “resolve violence”. It has already removed powers from the democratically elected National Assembly—it is like having a Parliament above this Parliament to neuter it—and stripped an MP of his parliamentary immunity, thus setting a very dangerous precedent.

As well as undermining democracy, the Venezuelan Government are failing to respect and defend human rights. Venezuela was identified in 2016 as one of the Foreign and Commonwealth Office’s 30 human rights priority countries. Opposition politicians have been arrested, protesters have been tried in military courts and demonstrators have been subjected to heavy-handed treatment by security forces, leading to more than 120 deaths since protests began in March. I am sure that everyone in this House considers that totally unacceptable. Baroness Anelay expressed our serious concern when she met members of the Venezuelan Government in Caracas in May. She urged all her interlocutors to respect the human rights of all Venezuelan citizens.

Since the start of the crisis, the UK has made its views very clear to both the Venezuelan Government and the opposition. We condemned the violence earlier this year and called on all sides to resolve their differences through dialogue. The Foreign Secretary issued a statement criticising the imposition of the Constituent Assembly, which does not represent the wishes of the Venezuelan people, and called on the Venezuelan Government to reduce tensions.

We have spoken in support of the integrity and autonomy of the National Assembly to both the Venezuelan Government and members of the Assembly itself, many of whom I met in March, and we condemned the dismissal of the independent prosecutor general. We made it clear that those steps constituted a direct attack on Venezuela’s democracy and its legitimate democratic institutions. I say to the hon. Member for Hyndburn that, far from doing nothing, I have been personally criticised by the Venezuelan Government for having been critical of them.

We believe strongly that the only solution to the crisis is for the Venezuelan Government to restart talks with the opposition. We encourage them to do that without causing further suffering to ordinary Venezuelans. We are working with our EU partners on a tangible response to encourage the two sides to find a solution that respects the will of all Venezuelans.

On Thursday, my right hon. Friend the Prime Minister and I will discuss the UK’s approach with Julio Borges, the President of the National Assembly, at a meeting in Downing Street. We had hoped also to meet Lilian Tintori, who is a human rights activist and the wife of opposition leader Leopoldo López, who is currently under house arrest. However, she has been prevented from leaving Venezuela, which is yet another example of how democracy and human rights are being so heinously undermined in that country.

One helpful development is the strong regional response. That is crucial, because any solution must come from the region. The Lima Group, a new gathering of a dozen or so countries from across the Americas that, as the name suggests, is led by Peru, strongly condemned “the rupture of the democratic order” and “the systematic violation of human rights and fundamental freedoms, violence, repression and political persecution”.
Importantly, it refused to recognise the Constituent Assembly. The condemnation of the Constituent Assembly by that regional gathering of neighbouring countries is a crucial development. I have worked closely with Peru’s Foreign Minister, Ricardo Luna. Indeed, I last spoke to him on 18 August, at length, to acknowledge and support Peru’s regional leadership and to offer UK backing.

Jim Shannon: I thank the Minister for his comprehensive response. I and others have asked how we can get food aid and medicines to children and families. Is it possible to do so through that organisation?

Sir Alan Duncan: I will write to the hon. Gentleman with more detail, but I believe that I am right in saying that the Venezuelan Government have declined to accept any assistance of that sort, which once again illustrates the total lack of concern that they have for their own people—a people whose need is growing. The poorest are always hurt hardest. The politicians in Latin America who talk most about the poor are often the ones who do them most harm.

The US has imposed sanctions on several Venezuelan Government officials, including high-ranking military officers and the managers of the state oil company, and it recently announced new sanctions targeting Venezuela’s financial sector and the issuing of debt. The Constituent Assembly’s determination to prosecute for treason people who support US sanctions is indicative of its total disregard for the rule of law.

As the Foreign Secretary said in his July statement, Venezuela stands on the brink of disaster. The Venezuelan Government must pull it back from the brink. They must engage in good faith with the opposition, restore democracy to the country and respect the human rights of all its citizens. Together with our international partners, we will continue to press the Government to do all those things and to restore the security and stability that all Venezuelans so desperately need.

10.56 am

Graham Jones: I thank everyone who attended the debate, which has been helpful and is timely, given the situation that developed over the summer and the events that led up to it. As I mentioned, it is important, not just for the global interest but for our constituents, that the United Kingdom takes a greater interest in Latin America.

I asked the Minister about the drugs epidemic on our streets, including in my constituency. I reiterate my question: what are the Government doing to tackle that issue? The purity of drugs has reached alarming new levels. I asked him about the UK’s input into the United Nations Office on Drugs and Crime and whether it would be possible for his office to facilitate dialogue between parliamentarians and that UN office.

Turning to the economic and political situation, condemnation is not enough. It is simply unacceptable for us just to sit by and condemn while people suffer. Many Members spoke about the suffering and hardship in Venezuela. I do not think that the situation has been exaggerated; it is probably far more dire than it has been painted in this debate. I urge the Government to move from condemnation to action. The United States is taking action. Although large parts of our policy reside with the European Union, it is for the United Kingdom, while we are a member of the European Union, to advocate sanctions. It is for the United Kingdom to be the lead nation in the EU in showing the world that we stand up against human rights abuses and for democracy and the rule of law. We should not simply be on the sidelines condemning the Maduro Government.

I urge the Minister to look at what actions he can take to address the questions that he was asked during the debate, and to respond to those questions. We have oligarchs and an authoritarian communist regime that do not want to give up power. The idea that simple dialogue will bring about a transition to a peaceful Venezuela seems a long way off. Those people are making huge amounts. They are also concerned about what would happen in a transition. Would they be arrested? Would they be taken to the United States to face charges for various acts that they have committed? Where would they stand legally? They have entrenched to protect their position, which seems secure as long as Venezuela is a militaristic state.

I ask the Minister to make more effort to bring about action on Venezuela and, as he suggested, to work with the countries that are opposed to the current regime in Venezuela and with our partners around the globe to improve the situation for all Venezuelans and for the rest of the world.

Motion lapsed (Standing Order No. 10(6)).
Coventry City of Culture

[SIR DAVID AMESS in the Chair]

11 am

Mr Jim Cunningham (Coventry South) (Lab): I beg to move.

That this House has considered the matter of Coventry’s bid to be the 2021 City of Culture.

Thank you, Sir David. I am sure that you will chair the debate in your usual fair-minded manner. We have known each other a long time, but I would not expect any favouritism from you. It is a great honour and privilege to be here today to talk about the wonderful city of Coventry and its bid to be the city of culture for 2021. Coventry is often overlooked in favour of larger neighbours such as Birmingham, but that does not mean that Coventry is any less great. It is a welcoming city, with rich traditions and fantastic people. It is a city with a long history of culture and innovation. It was once celebrated for its mystery plays, which attracted travellers from far and wide. Some historians even believe that one such visitor was William Shakespeare. Coventry also has a proud history of fighting injustice. The legend goes that Lady Godiva rode through the city on horseback naked to protest against the high taxes levied on city folk.

Moving forward in history, we see that Coventry has always been an industrial city with an important place in the British economy. As far back as the 14th century, Coventry was an important centre for the cloth and linen trade. Since then, Coventry has developed into a thriving city for manufacturing—first for the manufacture of bicycles and, more recently, as the centre of the country’s motor car industry, with world leader Jaguar Land Rover based in the city. It continues to be at the forefront of industry, with the London Taxi Company beginning to develop and manufacture electric taxis in its Coventry factories.

Coventry has also been, and continues to be, a strong trade union city, with the development of the labour and trade union movement and the shop stewards movement. The likes of Thomas Mann and Jack Jones were heavily involved in organising a union presence in the city.

During the second world war, Coventry was one of the hardest hit cities in the country. In just one night in November 1940, 568 people were killed, 4,330 homes were destroyed and thousands more were damaged. Seventy-five per cent of Coventry’s factories were damaged, and the city’s cathedral, built in the late 14th century, was also badly damaged in the bombings. Today, the old cathedral stands as an important reminder of the fortitude and resilience of the great city and people of Coventry. It is also a monument to reconciliation and international development.

During the war, Coventry became the first city in the world to twin with another, offering the hand of friendship to the people of Stalingrad, who had faced similar hardships, only on a larger scale. After the war, it was twinned with the city of Dresden in a further symbol of international reconciliation and peace. That tradition continues today, with Coventry enjoying the friendship of 26 cities around the world.

That heritage is proudly remembered and continues to inform the city’s character. It has shaped Coventry into a city that should be celebrated. Coventry is not just an industrial city but a city of academic excellence.

Craig Tracey (North Warwickshire) (Con): The hon. Gentleman is making a brilliant case, which I support, for Coventry being the city of culture. Does he agree that the bid gives an opportunity to not just Coventry but the wider local area to show what it is all about, including places such as Bedworth and Keresley in my constituency?

Mr Cunningham: I welcome the hon. Gentleman’s intervention and cannot disagree. It is a great opportunity not only for Coventry but for the west midlands in particular and, in a way, for Warwickshire, which is part of the west midlands to an extent.

Coventry has two world-class universities in the form of Coventry University and the University of Warwick. Those universities attract students from all over the country, as well as from across the rest of the world.

As with the mystery plays in the middle ages, culture continues to be an important part of the city’s life. The city pioneered theatre in education and it is now a vibrant centre for theatre and performing arts. It was the birthplace of 2 Tone music, a hybrid music that reflected the city’s diversity. Today, Coventry boasts the Godiva festival, the largest free festival in Europe.

The regeneration of areas such as Far Gosford Street and the Friargate project have attracted people from all over the country. There is also a proud sporting tradition in the city—I am not referring to the football club at the moment—with several sports teams maintaining strong and passionate fan bases. It is a city fiercely proud of its achievements, and rightly so.

People who come to Coventry are constantly surprised by the city and all that it has to offer. It is a vibrant, bustling city, surrounded by a beautiful protected green belt. The people of Coventry are proud and passionate about their city, and rightly so. It is a city that deserves recognition. I can think of no better way of celebrating Coventry than by making it our next city of culture, and I strongly urge Members to back its bid.

Mark Pawsey (Rugby) (Con): I very much recognise what the hon. Gentleman says. He may have concluded his remarks, but I want to congratulate him on bringing forward this important debate to put Coventry’s bid for city of culture on the map. From his remarks I have learnt a great deal about the city closest to where I live. Does he agree that the award would add to the resurgence of the city that we have seen in recent years, and particularly the welcome resurgence of manufacturing?

With this bid, we will ensure that more and more people get to see the great virtues of the city of Coventry.

Mr Cunningham: I certainly agree. We are virtually next-door neighbours, and anything that benefits Coventry also benefits Rugby and the rest of the west midlands, as I indicated earlier. With that, I urge Members to back the bid.

11.8 am

Dame Caroline Spelman (Meriden) (Con): I congratulate the hon. Member for Coventry South (Mr Cunningham) on securing this debate. It is exciting for all of us to
know that Coventry has made the shortlist and is now in a five-way race to win this title. I declare my interest in that part of my constituency is covered by the diocese of Coventry, so I have many reasons to visit the city on a regular basis.

As the hon. Gentleman said, it is the indomitable character of the city, which rebuilt itself after terrible destruction in the second world war, that means it is a very strong contender for the designation of city of culture. As he said, the city has not just one but two outstanding universities in Warwick and Coventry, which are very much at the cutting edge of pushing the frontiers of science and technology in some of the industrial sectors in which our country leads globally. Most notably, the pursuit of driverless cars is building on the city’s great traditions in the motor industry for our country.

In my role as Second Church Estates Commissioner, I have witnessed the excellent work that Coventry cathedral undertakes. It is one of the world’s oldest religious centres. The terrible destruction of the cathedral in 1940 was a turning point in its history. Provost Howard stood in the ruins, which can be seen today, and made a Christmas day broadcast in which he pledged to make reconciliation for peace the focus of the cathedral’s work. He spoke in that broadcast about building a kinder, more Christ-like world. There could hardly be a more poignant moment to argue the case for designating as city of culture one that has such a focus on the work of reconciliation and peace. We live at the moment in such a troubled, unstable world, and Coventry has a particular mission. As the hon. Member for Coventry South mentioned, it has 200 active partners around the world, in more than 40 countries, which are committed to sharing that ministry of reconciliation.

The cathedral church itself also offers great support to the bid for the accolade of city of culture. I mean not only the ruins that remain following the second world war but the new cathedral, which is an iconic building in its own right and which hosts many cultural events, not least the concerts of our own Parliament choir. I sing with the choir, and every other year we join with St Michael’s singers from the cathedral to give a big concert. A great highlight that I will never forget was singing Mendelssohn’s “Elijah”, with Sir Thomas Allen. The cathedral, at the heart of the city, offers some of the best examples of what our country has to offer culturally. However, it is also used for other events that have nothing to do with music. I took part in a national conference about the threats that the environment faces, entitled “Reconciling a Wounded Planet”, which drew people from all over the country to come and talk about what we can do about the deleterious effects of climate change.

Coventry is a city at the heart of the country, and incredibly well connected. It is easy to get to, and it is focused on human connectedness. I think that that makes it an incredibly strong contender to be made the city of culture.

11.15 am

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (John Glen): May I say for the first time from the Front Bench what a pleasure it is to serve under your chairmanship, Sir David? I congratulate the hon. Member for Coventry South (Mr Cunningham) on securing this important debate about Coventry’s bid to become UK city of culture in 2021, and all the right hon. and hon. Members who have contributed—particularly the hon. Member for Coventry North East (Colleen Fletcher), but also my right hon. Friend the Member for Meriden (Dame Caroline Spelman) and my hon. Friends the Members for North Warwickshire (Craig Tracey) and for Rugby (Mark Pussey).

The hon. Member for Coventry South is a passionate advocate of the city, and this is clearly an exciting time for Coventry and the four other towns and cities shortlisted to be the next holders of the transformative and prestigious title in question. The UK city of culture programme is one of our nation’s crown jewels. The winning area must build a high-quality arts and cultural programme that reaches a wide variety of audiences and participants. The title of city of culture acts as a catalyst that can regenerate and transform a place, enabling it to attract external visitors and investment while engaging and inspiring local communities and institutions, including universities, schools, health trusts and businesses. I note the point made by my hon. Friend the Member for North Warwickshire about its value in the wider area.

Dame Caroline Spelman: In the presence of my hon. Friend the Member for Torbay (Kevin Foster), who was a member of Coventry City Council, I would point out...
that Coventry lost out under the structure of Advantage West Midlands. The Minister has spoken about investment; does he agree that the absolute commitment of the new Mayor of the West Midlands to back the bid, and for the region to get behind Coventry’s case, should help us to win?

**John Glen:** My right hon. Friend’s point is, as always, well made, and she is right. It is useful to have the widest possible base of support across the whole region.

This year, 11 places made an application to become the UK city of culture in 2021 and, following a recommendation from the independent panel chaired by the excellent Phil Redmond, I recently agreed a shortlist of five. It was not an easy decision, as all the bids had real merit. However, I am delighted that the shortlist contains cities representing England, Scotland and Wales, each of which makes a strong case. I have been impressed by the full engagement of all the places making bids. It is even more gratifying to see that making a bid has become a valuable process in itself. It has proved transformational in raising a city’s profile and developing a clear set of cultural aspirations for the future. Feedback from the places that did not make the shortlist—Hereford, Perth, Portsmouth, St Davids, Warrington and Wells—confirms that.

Now, along with Coventry, the other shortlisted places—Paisley, Stoke-on-Trent, Sunderland and Swansea—are embarking on the final stages of the process. I shall announce the winner by the end of this year. There is clearly much to be gained by the winning city. Taking part in the arts can improve self-esteem and confidence. It makes people feel good about where they live and about themselves, raising aspiration and bringing communities together. The arts and culture, through their ability to engage, inspire and challenge us, are instrumental in helping to break down barriers to participation and engagement across race, disability, age, gender, sexual orientation and socio-economic disadvantage. The economic and social importance of culture to place making has never been more understood and acknowledged. That is underlined by the culture White Paper and is evident in emerging data and evidence coming from Hull—the incumbent UK city of culture.

Before I address Coventry’s bid, it may be helpful to set the potential benefits that the city of culture title brings against what has happened in Hull this year. As recently as 2013, *The Economist*, which really should know better, suggested that declining northern cities should be abandoned. However, only three years later and still not even into its official year as city of culture, Hull became the only UK city to make Rough Guides’ top 10 cities in the world to visit, alongside Vancouver, Reykjavik and Amsterdam. That seemingly remarkable transformation is now backed up by the data emerging from the evaluation of the first three months of this year, including hotel occupancy being up almost 14%, a 17% increase in rail passengers and 37% of local businesses reporting an increase in turnover.

Of course, it is not only about economic regeneration. It is extremely heartening to learn that, in the first three months of 2017, nine out of 10 people living in Hull took part in a cultural activity, and that Hull 2017’s volunteers had spontaneously taken more than 25,000 volunteer hours. Those are amazing achievements for which Hull City Council and the Hull UK City of Culture 2017 company can be hugely proud.

On Coventry’s bid to become UK city of culture 2021, I acknowledge that the city has much to be proud of. Its contribution to UK culture is already impressive, from Lady Godiva to The Specials and 2 Tone, and it is also home to some of our most important medieval and post-war architecture. Throughout the bidding process, it has sought to highlight its cultural diversity and its rich heritage. Coventry hopes to use the power of culture to cross boundaries, create understanding, nurture respect and embrace humanity. As a city of invention and reinvention—as we have heard from various colleagues—it wants to create a digitally connected and international place, to reimagine the place of culture in a diverse, modern Britain.

**Mr Geoffrey Robinson** (Coventry North West) (Lab): I am sorry for intervening so late in the debate, Sir David, but I knew I could count on your indulgence, for which I am very grateful, and, indeed, on the Minister’s. I shall say a few words along the lines of exactly what the Minister was saying about Coventry. It is all of the things he said, but it is also a city of youth—that is our appeal. On the grounds that Scotland and the north-east have a city of culture, and Londonderry in Northern Ireland was the city of culture, if there is any sort of turn to be taken or regional coverage to progress, it is clearly time for the Midlands to have one. Coventry is at the centre of the Midlands, which is at the centre of our bid, and we can assure the House and the country of a very fine series of great, exciting and innovative events, in line with the long tradition of innovation in Coventry.

**John Glen:** I thank the hon. Gentleman; I will reference him later in my remarks. His point about the engagement with youth and the value of the wider application of this title to the area was well made.

Coventry has a rich architectural heritage, with St Mary’s Guildhall, the Charterhouse and, of course—as we heard from my right hon. Friend the Member for Meriden—the magnificent cathedral, which is one of the city’s most important assets and, as a living architectural symbol of the UK’s post-war reconstruction and hope, perhaps one of the most important modern buildings in the UK. The city is also home to two universities, which both contribute to the cultural assets of the city and the UK. Coventry University has developed a strong reputation for the quality of its arts and media courses and for its work as an incubator of the next generation of young talent in the cultural and creative industries. I believe we have at least one of its alumni here today.

Some of Coventry’s other great cultural assets include the Belgrade theatre—the main building-based producing theatre in Coventry—and Warwick arts centre, on the University of Warwick campus, which is one of the largest multi-art form venues in the UK, delivering an extensive programme of performing and visual arts and film. There is also the highly respected Coventry transport museum, which houses the largest publicly owned collection of British vehicles in the world and tells the story of Coventry and its people through the development of the automotive industry. The museum will no doubt hold many memories for the hon. Member for Coventry North West (Mr Robinson), who was involved in the motor industry there for many years. The city’s arts and exhibition space, the Herbert art gallery and museum, hosts major touring exhibitions and permanent galleries chronicling the history of the city.
Coventry is also home to a number of exciting contemporary arts organisations and individuals, and has shown how it can deliver exciting, large-scale events. For example, the Godiva festival is an annual free festival that attracts more than 140,000 visitors. It has a genuinely diverse family audience, drawing from a wide range of communities and across the age spectrum. There is also the Festival of Imagineers, run by Imagineer Productions, which is a week-long festival celebrating innovation linking art, design and engineering, and acting as a catalyst for new creative work at the intersection of art and engineering.

On funding, significant cultural investment has been made in those and other projects and programmes in Coventry over the years. In the 21 years since the Heritage Lottery Fund was created, more than £30 million has been invested in 125 separate projects, including more than £12 million on historic buildings and monuments and more than £4 million on parks. Over the past seven years, Arts Council England has invested more than £21 million, supporting a range of arts organisations and excellent, innovative projects.

In June, ACE announced future funding for 2018-22 to its national portfolio of organisations in Coventry of £8.3 million. That is an increase of almost a third, from £1.5 million a year during the current period to more than £2 million a year for the 2018-22 period. That four years of confirmed funding gives those organisations the ability to plan ahead and develop strategic partnerships, which in turn bring more cultural product and funding into towns and cities.

The cumulative impact of that investment has helped to drive the ongoing development of this historic city. I know there are many more plans in the pipeline, including for Drapers’ Hall, which has received £1 million from the Government, to develop as a venue for music performance and education. Most recently, Coventry has been awarded just under £1.5 million from the Arts Council and Heritage Lottery Fund’s Great Place scheme to stage a programme of events celebrating the heritage and communities of Coventry. The award builds on the city’s new 10-year cultural strategy, its cultural destinations award and its bid to be UK city of culture.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): The Minister is certainly making an impressive case for Coventry. I have no doubt that Coventry would hold the city of culture title with distinction, and that Coventry 2021 would be a huge success. However, with the bigger emphasis on regeneration in this year’s competition, does he agree that Paisley, with its economic and social needs, allied with its many cultural delights, has a strong chance of winning?

John Glen: I will not be drawn on the likelihood of that. It is abundantly clear from all that we have heard this morning that, in common with the other shortlisted areas, including Paisley, Coventry has the ambition, the heritage and the cultural infrastructure to be the next city of culture. I think it is apt to finish with some thoughts from a Coventry-based company of artists, Talking Birds, who specialise in acts of transformation. They talk about Coventry as a city rich in possibility, and even though its inhabitants like to think that they are not too attached to the place, the truth is that they are. They enjoy the city’s contradictions and believe in its potential. I wish Coventry the best of luck in its bid. We do not have many more weeks to wait until the outcome.

Question put and agreed to.
New Housing Design

11.29 am

Neil Parish (Tiverton and Honiton) (Con): I beg to move,

That this House has considered new housing design.

Good morning, Sir David. It is great to serve under your chairmanship. Britain needs more homes; I think we all agree on that. Rising house prices have made building more houses a social and economic imperative, so it is vital that we get the design and quality of these new homes right. I will make two points in my speech. I will argue that the majority of new homes should be built in a high-quality traditional design, so that they are popular with the public. Secondly, I will call for the creation of a new homes ombudsman, to give homebuyers redress for any problems with their new homes, to ensure the highest possible standards.

There was one policy in the Conservative election manifesto that I dare say I was delighted to recommend to everyone, unlike one or two others in the manifesto. We committed to building “better houses, to match the quality of those we have inherited from previous generations. That means supporting high-quality, high-density housing like mansion blocks, mews houses and terraced streets.” That commitment really stood out to me.

As someone who was a member of a planning committee for nearly 12 years, I know just how terrified some communities are of new development—not necessarily because people are nimbys but because they have seen how developments in the last 50 years have left communities with homes that are totally unsuitable for their area. That is backed by hard evidence. A recent survey of 2,000 British adults showed that a whopping 81% are unenthused about living in new build housing developments. What is more, 60% feel there are too many unattractive, poorly built new builds popping up across the country. Older properties and streetscapes in a traditional design are, on the whole, much more popular.

Andrew Selous (South West Bedfordshire) (Con): I agree with every word that my hon. Friend has said so far. Does he agree that it is possible to have attractive houses that have no net energy bills during the course of the year? That is not fantasy. The Building Research Establishment has proved that such houses can be built, and it has examples of them. Does he agree that we should go further down that route, to have not only attractive houses but houses that do not have energy bills?

Neil Parish: My hon. Friend makes a really interesting point. Houses need to be attractive not only architecturally; they are very attractive to live in if people will not have energy bills. That also, of course, reduces our commitment to produce energy as a country, so it makes our power stations and gas supply go a lot further. He makes a really good point that I very much endorse.

The survey showed that over two fifths of people feel that new build homes lack character and are an eyesore in the local community. Those are shocking statistics. We will never build support for new homes when people fear new housing designs. The latest research from the Department for Communities and Local Government shows that over half of households would be less opposed to new house building if they had more say over the design and layout of developments.

A separate poll for Ipsos MORI shows that design clearly influences public support for new build homes. When people were asked about their local area, housing designs in traditional form and style commanded about 75% support. Less traditional development styles commanded very low support, from about a fifth to a third of those polled. The message is clear: people want and are happy to accept new housing if it has the right design, and if developers take local people with them when producing new designs.

We cannot go back to the mistakes of the ’60s and ’70s, when ugly modernist designs were imposed on communities, damaging trust in new housing for a generation. Of course, some of those properties proved not really fit for purpose, and some have actually had to come down. I say to the Minister that this is a once-in-a-generation opportunity, and we only have one chance to get it right. We must build new housing in the right way, with designs and forms sympathetic to local areas.

Rebecca Pow (Taunton Deane) (Con): My hon. Friend is making a really strong case for something that is terribly important. Does he agree that it is right to cater for all types of people? New homes are quite often very much built for young families, but in Somerset, the number of people over 75 will double within a decade. Is it not right that we should consider purpose-built, well-designed developments for them—low-level houses, with sliding doors, that look attractive, are perhaps modular and fit in with the vernacular? Is it not essential to put that into the whole planning process?

Neil Parish: My hon. Friend makes a really good point. We can still have a reasonably traditional design and regional design that also fits into the new type of living we want. Older people may well need wheelchair access, wider doors and all sorts of things in these properties, and those can be fitted in. Our housing almost fits into categories—affordable homes, homes for young people or homes for the elderly—but it should be a complete mix. When we have a complete mix within the design, we can then get it right. Traditionally, we would not have had one type of housing all put together; my hon. Friend makes a good point.

We must build new housing in the right way, with designs and forms sympathetic to local areas. Ruth Davidson hit the nail on the head when she recently wrote:

“The biggest ally we have in increasing housing supply is beauty—if new houses complement the local environment and avoid the disastrous design choices of the past we can help build sustainable local support for extra construction.”

David Linden (Glasgow East) (SNP): I must say, as a Scottish MP, that I found it rather ironic last week when Ruth Davidson talked about investment in housing and was looking to see if she might be getting the polish out for her brass neck; the Conservative party has left a massive social housing crisis in Scotland as a result of the disastrous right to buy. That has only been helped by the abolition of right to buy by the Scottish National party Government in Scotland.
Neil Parish: I have not had enough direct experience of what the hon. Gentleman is talking about in Scotland, so I do not intend to answer his question. As far as I am concerned, Ruth Davidson does a very good job—but he would expect me to say that, would he not? She is right: good-quality design will boost support for development and then encourage further growth. I would like to give a special mention to the social enterprise Create Streets. It has done fantastic work in the past three years to encourage the development of quality town and city homes. Its focus is on terraced streets of housing and apartments, rather than complex multi-storey buildings. We know that these designs are popular with the public.

So how do we achieve this? The key is strong community engagement. The tools are already there in the form of neighbourhood plans and design codes, but we need to ensure that neighbourhood plans are not then overruled by local district councils and others who decide that they still know best. I want to ensure that local people get a real input into the design. A design code is a set of drawn design rules that instruct and advise on the physical development of an area. Used well, they create certainty about what should be built, but they are not enough used. Local people should be given the encouragement and resources to create neighbourhood plans with their own design codes, and then, like I said, to actually put the plan in place. They could then plan the sort of development they want in their local area. This would have two main benefits: it would improve the quality of our housing stock and give local communities a stake and a sense of civic pride in the new development. They would be buying into the new development, and we need that to happen more.

Shelter recently published a report, “New Civic Housebuilding: A better way to build the homes we need”, with practical solutions for building high-quality, popular and affordable homes. It recommended a strong master planning process so that local groups, landowners and residents could influence the design of new housing in the area, which in turn will build public support.

The Royal Institute of British Architects has also recommended that every neighbourhood forum or parish council should have the funding to develop a design code for their area. This is a good idea. The village of Membury in my constituency has drawn up its own local plan; the problem is that the local district council is trying to overrule it. That is where the Government’s ideas are right. We must make sure that Membury can get its way because it had a local referendum and has done all the right things, but its plan is still being scuppered by the local district council. Imagine how this idea could stimulate interest in local design of housing and really boost support for new housing in towns and cities in England and across the country.

Zac Goldsmith (Richmond Park) (Con): I thank my hon. Friend for securing this important debate. Does he agree that if we want local people to engage properly in the manner he is describing, which is absolutely right, it is critical that their decisions, guidance and local plans are not overruled by remote bodies over which they have very little control?

Neil Parish: I thank my hon. Friend for his intervention. A developer may put an exciting design on the table but then, further along the line, may decide that due to economic or other circumstance they cannot build to that specification; or they may suddenly drop a water park that was in the specification. That is when people become cynical, which is why, when things are put forward and local people have an input, we need to build what they decided on, not something that is foisted upon them.

Developers need certainty about the standards they must hit instead of the current race to the bottom. Local people must have confidence that developers will build to their plans. A new town, Sherford, is being built in Devon, and in Cullompton a proposed garden village will have a water park and a lot of green open space. What I have seen so far is very exciting, but I want to make sure that the developers do what they say they will do, because it is a great example of how design should be done with a design code and proper consultation. However, the developers have now applied to change the town code to mere guidelines. That would be a retrograde step and must not be allowed to happen around the UK.

When communities come together to influence local housing design, they must know that the plans will be implemented. The local authority should amend them only in exceptional circumstances, not because they do not suit its plans for the future. Designs should not be railroaded by big house builders chasing extra profit and deciding that the economics have changed. I have a clear question for the Minister: how are the Government working to meet their manifesto commitment to support high-quality, high-density housing like mansion blocks, mews houses and terraced streets? How are they helping communities to shape design of houses in their local area?

The second part of my speech calls for a new homes ombudsman. The concept is simple: a new ombudsman focusing on complaints about new build homes. I suspect that no Member in the Chamber has not received complaints from constituents about new build. An ombudsman would give new homebuyers redress for any dispute with house builders or warranty providers. I am sure that every Member here today could reel off examples from their own constituency.

In Axminster and particularly Cullompton, in my constituency, there has been a problem with new homes. I name Barratt Homes and its offshoot, David Wilson Homes, not because there have been problems with their houses, but because they have not redressed those problems. They have been reticent to be contacted and difficult to get hold of. They take ages to make repairs, such as to roofs that are not sealed properly, and to wet rendering that is supposed to be damp proof, but is not. There have been all sorts of problems that they do not sort out quickly enough. That is where the new homes ombudsman could have a good effect.

Mary Glindon (North Tyneside) (Lab): In my constituency, Bellway Homes has been negligent to my constituents. Does the hon. Gentleman agree with my constituents, Mr and Mrs Maine, that “whilst numerous consumer groups have redressed to an independent ombudsman consumers who have bought defective homes have no parity of redress and are therefore being discriminated against by the Government”?

Neil Parish: I thank the hon. Lady for her intervention. I do not know about the individual case, but I suspect it is similar to those we all get when redress is not available.
An ombudsman could intervene directly to get the builder to rectify the situation quickly. That is what the issue is about. Builders often rectify problems eventually, if they have not warranties against poor houses, and there are other weezes to make sure they do not carry out improvements and repairs. If someone buys a new house, they should be able to get quality, and redress if there is a problem. We must accept that when a new home is built, there can be problems with it. I accept that, but there must be proper redress.

Before this debate, I asked members of the public on the House of Commons Facebook page to give examples of problems they have had with their new homes. There was a very strong response. They reported leaky pipes, faulty front doors, abandoned rubble and necessary re-rendering. A whole host of new build problems were raised. The anecdotes were depressing and are backed up by hard evidence. The national new homes customer satisfaction survey showed that an overwhelming 98% of new home buyers had reported snags or defects to the building after moving in. Over four in 10 reported more than 10 faults. That is shocking in a new property.

Mary Robinson (Cheadle) (Con): A new homes ombudsman would provide a great opportunity to look again at the system of warranties and perhaps assurances. As my hon. Friend will know, modern methods of construction offsite would require an assurance rather than a warranty. Is there an opportunity to look at assurances and warranties again in the meantime or to give consumers the powers that they need to get decent homes and the good build that they require?

Neil Parish: I thank my hon. Friend for her intervention. That quality of assurance rather than a warranty would work much better. The National House Building Council can act, but once a builder has started repairs, it can do no more. If the builder takes a long time to instigate repairs, there is no real redress. That is where there is a role for an ombudsman and an assurance scheme so that building is delivered to a high standard and builders are held accountable. I value that point.

If a customer buys goods in a shop, there is an automatic power of redress, but if someone spends their life savings on a new home, they may struggle for years to get what they paid for. If we make the mistake of erecting millions of poor-quality homes in the next decade, the public will never forgive us. We are building to higher standards, including insulation standards, but we must make sure that houses are designed to fit in with the local area, with regional variations so that one does not see exactly the same designs all over the country, whether in the north of England, Devon, Wales or Scotland. One could almost say, “Well, we’ll have an off-the-peg development,” and all the homes would look the same. I have explained what I want to see in the future, and the cost will not be that much greater if we use a little more imagination as we build.

As things stand, the National House Building Council cannot step in if the builders claim that they are dealing with the problems, and there seems to be no time limit on how long a builder can spend dealing with problems. There is no new homes ombudsman could step in to close the loophole. That would give a wake-up call to all house builders—many are good, but many are not—to sharpen up their act and build to the design standards and quality that they promised. Builders would know that they could not cut corners, as redress would be swift and exacting.

The all-party parliamentary group for excellence in the built environment, chaired in the last Parliament by my then hon. Friend Oliver Colville, published a report last year on the quality and workmanship of new housing. Its No. 1 recommendation was for a new homes ombudsman. I think that the screw is beginning to turn on this issue. We need to take action. This country is going to embark on a big house-building drive. Those properties are needed, but we must ensure that they are built in the right way. Let us seize the opportunity and give people the sort of housing designs that they want. I am talking about quality, popular designs, with community backing, and all backed up by a powerful new housing ombudsman. I look forward to the Minister’s response.

Several hon. Members rose—

Sir David Amess (in the Chair): Order. It is clear that a number of colleagues wish to speak. The winding-up speeches will start at 12.30 pm. I hope that everyone will bear that in mind and make speeches of four to five minutes at the most.

11.51 am

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on raising this issue. It is a really big issue in my city. Those of us who know Cambridgeshire know that the view for people coming across the fens used to be just King’s College chapel and the university library—two different examples of architectural styles—but now they see cranes everywhere. The city is being rebuilt around us. Whether we are building homes that people can afford or repositories of value is perhaps a debate for another day. Today, I want to raise two particular issues, which have already been addressed.

A few weeks ago, I was taken to see a new house in Cambridge. Inevitably it was a very expensive new home. There was a line of houses, and one looked like a building site because the people who had moved in had found so many problems that it had literally needed to be torn apart from the inside—I had never seen anything like it. After they had done it once, they went back in and there were yet more problems, so it has been done twice. Those people have not been able to be in their new home for more than a year; their lives have been wrecked and ruined, and I suspect that the same issues exist elsewhere. I will not name the house builder today, because I live in hope that it may be encouraged to do the decent thing. Exactly as has been suggested, if people get a defective product in any other walk of life, they are given the opportunity to have their money back and go elsewhere. That is what the house builder should have provided in this case, and it should still do that in my view. That is not the case, as we have heard. I have had others in my constituency, but that one was particularly shocking. I think that this is partly a matter of the attitude from the house builders and how they treat their customers.

If there is an individual problem, there is also a collective problem, because—as has been said—communities feel that they have been disempowered.
There has been much talk lately of taking back control. From Cambridge’s perspective, the people in Brussels are pussycats compared with the house builders and developers who, in many people’s view, have not kept their side of the deal. If people come to Cambridge, they will see the new station development. Many promises were made many years ago, but as it goes down the line, things are taken out. Promises were made, and the local council does its best, but it is up against the power of the developers, who are, in many people’s view, letting people down. Right at the end was a delightful Victorian terrace. It would not have been much to ask of the developer to leave that for the people of Cambridge, but no, it had to go as well.

When I asked the former Secretary of State in the Lobby—there are of course many Cambridge people in this place—he shrugged and said, “Well, there’s not much I can do, either.” Talk about no control—the Secretary of State cannot do anything about it. The community cannot do anything about it, and in Cambridge there is no lack of engagement; it is a very engaged community. However, there is an imbalance of power.

The news is not all bad. There are some very good developments that have worked in Cambridge. On Saturday I am joining others to celebrate the opening of a very big new development in north-west Cambridge that has been developed with the University of Cambridge—Eddington. It will be a fantastic new development, particularly for post-doctorates, but I suspect that it has worked partly because the University of Cambridge is also a powerful player and has been able to deal with some of these issues, whereas the local community does not always have the same power.

On the issue of fighting back, I congratulate organisations such as BIMBY—“Not in my back yard” has been rejected by Beauty-In-My-Back-Yard. Organisations such as the Local Government Association and the National Trust are supporting that.

This is not just about engagement, but about the balance of power. That has to be addressed. There needs to be a new settlement between developers and house builders, and their customers and their communities.

11.55 am

Mrs Maria Miller (Basingstoke) (Con): It is a pleasure to speak in this debate under your chairmanship, Sir David. I congratulate my hon. Friend the Member for Tiverton and Honiton (Neil Parish) on calling the debate and giving so many people the opportunity to share their thoughts and concerns about this matter. I commend also my hon. Friend the Minister for coming today and the work of the Government in trying to innovate in the housing market. I am talking particularly about things such as self-build projects, which the Government have been so good at getting behind. My hon. Friend the Member for South Norfolk (Mr Bacon) spearheaded a lot of the work in that respect. My constituency will be one of the pilot areas for that, and I am excited to look at the innovative thinking.

There has been a fundamental change in the house building market in this country, but that has not been reflected in any fundamental changes to the way the market is regulated. Most homes in this country are now built by just a handful of house builders—about five or six—and now, more than ever, buyers rely on the Government to ensure that their well-designed homes are also built well. I hope that the Minister can update the House today on the work that he is doing to update building regulations, because it is hugely important that they reflect the almost monopolistic market in which we operate.

It is sad to hear that more than half of homebuyers have experienced major problems with their new homes. That was in a YouGov report earlier this year. I would like to reflect briefly on four issues. First, we have to ensure that new design actually works. My hon. Friend the Member for Tiverton and Honiton mentioned the report by the all-party parliamentary group for excellence in the built environment, which I have co-chaired. It talked about having in place an ombudsman to ensure that any problems that are experienced—problems are widespread, as we have heard—are mediated and resolved swiftly. Like many other hon. Members present, I have a number of ongoing cases in which major house builders are, frankly, dragging their feet over dealing with major problems with my constituents’ homes, and making their lives hell. That is not good enough.

Mr Richard Bacon (South Norfolk) (Con): I am listening with interest to my right hon. Friend’s contribution. Last year, I spoke at the Federation of Master Builders’ annual conference, where the technical guru from the National House Building Council put up some slides of really shoddy workmanship. Interestingly, the largest number of examples of shoddy workmanship came from the largest house builders—the biggest of the top three. Does my right hon. Friend not find that surprising, as those are plainly the businesses that could do more about it if they chose, and is it not now time for the Government to stop the warm words and actually grip this issue?

Mrs Miller: My hon. Friend is absolutely right. That is why an ombudsman would be so important—so that people could get redress. The house builders would know that there was someone holding their feet to the fire and now is the time to act.

My second issue is also about the warranties that house builders give. I think that most people do not realise that not all home warranties are the same. A Premier Guarantee is not the same as one from the NHBC. Consumers do not understand that, and I think that consumers are potentially being misled.

The Minister may know from looking through his in-tray from his predecessor that I campaigned very hard for a change in building control performance standards, because of the problems of inspections of houses on-site being carried out in a shoddy way. New performance standards came in on 1 April this year to reflect that. Will he update the House on how the implementation of those new performance design control standards is going, and in particular the improved role of the inspector?

New houses should promote wellbeing in our community; they should not promote disharmony and concern. As part of that review of building control standards, will the Minister look at a particular issue that has been raised by one of my councillors, Councillor Onnalee Cubitt, about sound insulation in houses? I have written...
to the Minister about the fact that many new homes have poor sound insulation with plasterboard walls. That is not good design; it is not groundbreaking design. Should he not look at amending part E2 of the building regulations, which sets the standards for sound transmission in homes? I think that those standards currently fall short of what people need in order to have good mental health when living in new homes.

Finally, will the Minister indicate when the Government might respond to the Women and Equalities Committee report on the availability of housing to disabled people? Our report made a number of important recommendations about the availability of housing for disabled people. In particular, as people get old they perhaps get more disabled, as my hon. Friend the Member for Taunton Deane (Rebecca Pow) mentioned in her intervention. When will he give me a response on that important set of recommendations?

12.1 pm

**Helen Hayes** (Dulwich and West Norwood) (Lab): It is a pleasure to serve under your chairmanship, Sir David. I congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on securing this debate.

This country faces a housing crisis that is unprecedented since the second world war and getting worse. By the Government’s own admission, the housing market is broken and failing to deliver anything close to the 300,000 homes a year we need to address housing need in the UK. The broken nature of the UK housing market and the Government’s failure to tackle it are stifling the number of new homes being built, but also damaging the quality of those homes that are being built.

Last year the all-party parliamentary group for excellence in the built environment, of which I was vice-chair jointly with the right hon. Member for Basingstoke (Mrs Miller), undertook an inquiry into the quality of new build homes entitled “More homes, fewer complaints”. The inquiry was undertaken in response to an increase in complaints from people who had purchased a brand new home—the most expensive item that they had ever bought—only to find when they moved in that there was something seriously wrong with it, such as rising damp, faulty electrics, the drains not being properly connected, or poor quality fixtures and fittings, and the very great difficulty that many people faced when they tried to seek redress. Research by Which? found that under this Government more than half of new homes have serious defects, indicating that this is a widespread and serious problem. Such situations are deeply distressing and completely unacceptable. Not only is the brand new home that someone eagerly anticipated moving into flawed, but the flaws can seriously undermine the quality of day-to-day life and physical and mental health, and can take months or even years to resolve.

The APPG made several recommendations to address the quality of new build homes, including changes to the building control inspection regime, with a defined minimum number of inspections, and the setting up of a new homes ombudsman. The new homes ombudsman must be properly resourced, have teeth and be able to react quickly to right the wrongs that it identifies. It and its compensation scheme should of course be funded by the development industry, providing an important incentive to get new homes right first time and not to compromise quality standards in the rush to increase profits. I fully support the recommendation on the basis of the struggles that my constituents have had to access redress, but I would also like to focus this morning on some of the underlying reasons why the quality of so many homes in the UK is so unacceptably poor.

The first is the structure of the land market in the UK. It allows far too much speculation, driving up land prices and artificially inflating the amount of money many developers believe that they have to make as profit before they will build a scheme. This results in a structural focus across the UK development industry on the bottom line, and therefore on cutting costs. Since staff costs for development are relatively fixed, it is the cost of materials that is pared back to the minimum. On so many housing schemes, any generosity of design that was intended in the original plans is cost engineered out by using cheaper materials, meaner proportions, or cutting corners on the build itself. This is simply not an adequate basis for a housing market that needs to deliver so much so quickly, and it is not acceptable that short-term profits are being achieved at the expense of long-term quality and the health and wellbeing of residents.

The second is the systematic reduction since 2010 of the resource and regulation underpinning the design quality of homes in the UK. The coalition Government simplified planning policy in the national planning policy framework. There was no disagreement about the need for simplification, but they went too far and one of the casualties of that process was any real emphasis on design quality in national planning policy. There are just 12 short paragraphs on design quality in the NPPF, two of which relate to advertising hoardings.

Under the previous Labour Government, the Commission for Architecture and the Built Environment, supported by a network of regional architecture centres, advised and reviewed the quality of many planning applications and masterplans for new homes, and published a huge body of work on design quality. CABE is now an independent organisation with a much-diminished resource, and since its services are no longer funded by Government, the number of local authorities that can afford design review services and choose to take them up is much reduced. There has been no comprehensive or systematic review of the quality of design of new homes being built across the UK for more than ten years, and there is no systematic post-occupancy evaluation of the quality of new homes.

Good design is about more than just the appearance of a new home; it is also about its sustainability, energy efficiency, durability, robustness and flexibility to the changing requirements of its residents. Since 2010, the Government have removed many of the policy requirements that had previously helped to drive up the quality of design, including the zero-carbon homes programme and the lifetime homes standard, which increased the number of homes being built to a fully accessible standard for disabled people. The Government have also refused to incorporate the nationally described space standards into building control regulations, resulting in a situation where the number of homes built below the standards more than trebled from 2013 to 2016, and some homes are being built in London at just 16 square metres. The house building industry is very responsive to the policy and legislative environment that it is in and will adapt to
meet new quality standards. Standards matter because many parts of the sector will only deliver the bare minimum the Government require. Leadership from the Government in this area is sadly lacking, and a clear and rapid change of approach is needed to set the standards UK residents require from their new homes.

Finally, the lack of direct Government funding for genuinely affordable social housing—a problem in itself in addressing the housing crisis—also contributes directly to the issue of poor design quality. The number of social homes built with Government funding since the start of the coalition Government in 2010 has dropped by a staggering 95%, and the Government have not increased the borrowing cap for councils. This means that the delivery of affordable housing—often not affordable at all if it is built to this Government’s definition of affordability—is increasingly dependent on cross-subsidy from private sales, which also creates an incentive to maximise the number of homes at the expense of design quality, to minimise the cost of materials and to lower the specification. The Government must now do what the Labour party has pledged to do, and restore the building of genuinely affordable social homes and a civic purpose to the building of new homes.

We face such a huge challenge in the UK to build the number of homes that we need, but at the same time the Government must ensure that those that are built are high-quality homes that are energy efficient, have generous space standards, have high-quality open space, have good storage for refuse, recycling and bicycles and are pleasant places to live that can stand the test of time and become communities of the future. Ensuring that new homes built in the UK are consistently of a high quality requires structural change in the land market and reform of the deeply flawed and unacceptable viability assessments that are used to justify cutting costs. It requires a Government commitment to fund genuinely affordable new homes, built for a social and civic purpose, to meet our desperate need for housing, rather than for profit. That commitment is currently sadly lacking. It also requires properly resourced planning departments with access to good practice in design, and a policy and regulatory framework that raises the bar, in particular on environmental sustainability and accessibility in new homes.

12.8 pm

John Penrose: My hon. Friend and near neighbour in Somerset makes a tremendously important point. The advantage of building up, not out—if I may paraphrase the manifesto commitment to higher-density living—is precisely that it can preserve, and in some cases enhance, available green space. We could increase the density of existing urban centres—not necessarily city centres; they could be the centres of market towns or seaside towns such as Weston-super-Mare, which I represent—while working within existing street plans and plots.

Many of our town centres are an average of two or three storeys tall. Walking down the main streets of most towns and looking up, one can see large amounts of fresh air, which could be incredibly economically valuable if only it were developed, providing that it were developed in a modern style—not necessarily a modernist style, but with modern materials—in keeping with the local style. Many of the problems mentioned by the hon. Member for Dulwich and West Norwood (Helen Hayes), who immediately preceded me—problems to do with value engineering and the difficulty of ensuring economic value—would go away.

If there is an existing plot on which a couple of extra storeys can be put, taking it from two storeys to four or five, there is no need to trip over the problems with high-rise living that my hon. Friend the Member for Tiverton and Honiton (Neil Parish) on organising this important and timely debate. He nearly put me off my breakfast this morning as I woke up to his dulcet tones on Radio 4, but he made some very important points, in particular about the commitment in the Conservative party manifesto to higher-density urban housing—mews houses, mansion blocks and the like.

I join him in emphasising the importance of this matter. I thought his speech rather neatly summarised the slightly schizophrenic approach that we have in this country—it does not matter where on the political spectrum or what part of the country someone is in—to taller buildings, if I can put it that way. If high-rise living is mentioned, people automatically picture some sort of brutalist, 1960s tower block and their hackles start to rise. They get concerned about the quality and design of the build and the impact not only on the people living in that particular development, but on the surrounding public realm, which is influenced because everyone can see it from a good distance around.

But mention mansion blocks, terraced streets or mews houses, built altogether on a more human scale—four, five or six storeys tall, the sort of thing that can be seen in many long-established city centres such as London, Bath, Bristol and the prosperous Victorian cities of the midlands and the north—and people take a different approach. They are much more welcoming, because those designs have stood the test of time. My hon. Friend’s comments about ensuring local buy-in are particularly important. There may be a local vernacular style, often using local materials, but such houses can be built using modern building techniques to a high modern building standard, allowing them to deliver at the same time one of the other things mentioned by colleagues in interventions, such as greener buildings, energy efficiency and so on.

Rebecca Pow: My hon. Friend is making a good point about higher density, but is it not right that green spaces must be included, if not in properties—not everyone needs a garden—then nearby? Royal Horticultural Society surveys indicate a direct link between our health and wellbeing and green space.

John Penrose: If there is an existing plot on which a couple of extra storeys can be put, taking it from two storeys to four or five, there is no need to trip over the problems with high-rise living that my hon. Friend discussed. People will accept it. We need only walk through town centres, such as the ones near where we are standing now, to see that people will accept it. It is extraordinary to consider that Kensington and Chelsea and Westminster, where we are currently debating this issue, have some of the highest-density housing developments in the entire country, and they are hardly bywords for inner-city and urban decay. They are good examples of designs and systems of living that have stood the test of time.
I want to sing a hymn of praise to building up, not out. It attracts new investment into our existing towns and city centres, helping urban regeneration. It also reduces urban sprawl, helping to preserve green spaces by increasing the density of existing urban spaces and reducing the need to build out on the fringes, eating into green belts. As we heard from my right hon. Friend the Member for Basingstoke (Mrs Miller), it also breaks the stranglehold of the established housing developers, who are often not keen on building on small plots in town centres. Small local developers and builders are much more keen to do so. That is greener. It cuts commuting times, as people can live closer to work, and allows building to be done in an energy-efficient fashion.

My query to the Minister is, how can we make the manifesto commitment—to build up, not out; to increase urban density—move much faster? He will be aware, I am sure, that I made a submission after the White Paper for permitted development to allow people to build up, not out. I hope that he will take it seriously. Will he also consider whether we can increase the level of credit that local authorities, in making their local plans, get for local development orders so that people can build up in the middle of towns? Housing inspectors, when considering whether local plans are acceptable, should give credit for extra building that might happen. They do not currently accept as part of the assessment of local housing need whether plans will provide the necessary local incentives to local communities so that people will want to build beauty in their back yards.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I commend the hon. Member for Tiverton and Honiton (Neil Parish) on securing this debate. Before I was elected, I worked for a consultancy advising people how to build controversial buildings, from skyscrapers to new housing developments, so I know a bit about the issue. I think we all recognise that more housing is needed, and I recognise the Create Streets agenda, which the hon. Gentleman mentioned, as powerful not only in big cities such as Manchester and London but in places such as Plymouth, which I represent. However, we must ensure that the quality of the housing that we build makes it not only attractive on the outside but usable and sustainable on the inside as well. That is why we must consider not only the environmental sustainability of those homes but the fact that people might live in them for a lifetime. That is essential to building in quality of life.

I am concerned that in the push to address the real and pressing housing crisis, poor-quality housing is being built. We have heard a bit about housing bought on the open market, but I am also concerned about affordable housing built by developers and then transferred either to local councils or to housing associations. The affordable housing built in the Mount Wise development in my constituency lacks the sound insulation mentioned earlier by the right hon. Member for Basingstoke (Mrs Miller), creating negative social impacts for the people who live in those properties. Not enough sound insulation was installed when the houses were originally built, and it is difficult to retrofit it once they have been built.

A quality product does not need to be expensive; we need to ensure that that is at the heart of the housing strategy from now on. However, that is not always the case. I experienced new builds in Plymouth. Plymouth is experiencing a housing boom, but in student accommodation. In the city centre, new student blocks are being built left, right and centre. Some of them are being retrofitted mid-build—in the light of what happened at Grenfell tower, the cladding is being removed and replaced to ensure that it is safe—but too many of those student blocks look poor-quality from the outside as well as inside. I am concerned that they are being built quickly and cheaply, with the intention that they will last for 20 years and then be knocked down again. That may look good on an accountant’s spreadsheet, but when it comes to the practicalities of it in 20 years’ time, those buildings will still be there, and will exist for another 20 years.

We must also be clear about where blocks should be built. Too many student blocks with poor-quality design inside and out are being built in the wrong place, such as the Royal Eye Infirmary development, which people going into Plymouth station can see on the right-hand side. It has been built in the wrong place. Local people objected to it and the local council rejected it, but sadly the Government planning inspector approved it in the end. That does not seem like localism in action.

There are superb examples of housing being built. To single out one example in Plymouth, the Nelson self-build project is creating 24 affordable homes in Millbay. The project is being run by veterans, the Devon community, DCH and Interserve. The homes are being built by veterans who were previously homeless. Not only are they building their own homes, which will be ready shortly; they are gaining skills that will help every veteran who has worked on the project to secure a job in the construction industry on other sites. In terms of learning from good-quality design, although that project is only 24 units and we need many more, the idea is scalable. I encourage the Minister to look at what is happening at the Nelson project and to encourage self-build by veterans, as a way of helping homeless veterans in particular to build skills and a home of their own. In our haste to build, let us ensure that we build well.

Sir David Amess (in the Chair): The remaining speakers have four minutes each.

Robert Courts (Witney) (Con): It is an honour to serve under your chairmanship, Sir David. I join the chorus of congratulations to my hon. Friend the Member for Tiverton and Honiton (Neil Parish) on securing this essential debate. I have been interested in the topic ever since childhood, when my father, who worked for a house building company—I declare an interest—took me to see Poundbury, the village in Dorset designed under the auspices of the Prince of Wales. It is a model village, and the whole point of it is that the houses are built to look individual, with detail and architectural merit.

I draw attention to that project because it seems to me that, as many Members will have seen in the objections of members of the public to planning applications in their constituencies, people object, broadly, on two grounds. The first is practical: how can I get to work? Will the doctor’s surgery be able to cope? Sir David, you will forgive me if I do not address that in any detail...
during my limited time, given the topic of this debate. The second is: will it wreck the nature of the place that I love and call home? Housing design is critical to that second aspect, but the issue is how we square the circle.

Most people’s attitudes to development are entirely reasonable. They do not want to see all the fields near them concreted over, but they understand that there is a need for housing because our young people need somewhere to live. That is the challenge we face in housing: we need to ensure that numbers are not unsustainable, but it is critical that as politicians we do not develop an obsession with the numbers. It is to that issue that I wish to address my brief comments.

I urge all members of the public and all Members, when walking down the streets of any market town—particularly those around London, but we all have examples of such towns in our constituencies—to look up. If they do, they will see all sorts of features that used to be commonplace in the days of Victorian or Georgian housing and that are still built abroad today. There is no reason why we cannot continue to create such features: Flemish brickwork, work on chimneys, crown mouldings or details, guttering that has design merit, door surrounds—there are so many possibilities.

Developers will always say that the cost implications are prohibitive, but that is simply not the case. CABE, which has already been mentioned, has produced a report that states that cost implications do not necessarily increase. Taking this approach means that a new development is not about vast amounts of numbers being put on the outside of an attractive village and fundamentally changing its nature. In my constituency, for instance, Cotswold stone and slate roofs are particularly important. Ensuring that buildings complement their area is one of the ways to get public consent for the buildings we need. Unless people are satisfied that they will be able to get to work, but that the nature of their village and their homes will not change, we will not have public consent for the housing that is required.

The planning process is particularly important. The local planning process is essential, as my constituents realise, because it is one of the ways to combat speculative development. Developers who come in, impose housing on a village that may not want it in that form, and then leave, are part of the problem. Part of the solution is to use local small builders, of which there are some superb examples in my constituency. Someone who was born locally, who works locally, whose company builds houses locally and whose children go to the local school and have weathered into the environment will ensure that their housing and their development complements the area instead of blighting it. That is critical, as is self-build, which has been referred to; I wholeheartedly agree with it, but given time constraints I will not go into it in detail.

My last point is about cost. Timber frame is used in many other countries, but for many years it was absolutely forbidden in this country. Happily, that taboo is starting to be lifted. Timber frame offers speed of construction, lower cost and environmental benefits—again, I have outstanding examples in my constituency—and we should look into using it a great deal more. The same is true of prefabrication, which was used after the war. It seems to have a dirty name, but it should not, because outstanding examples that have all those benefits are available.

In conclusion, the White Paper on housing, to which I made a detailed submission, was an excellent start, but I ask that it be the start of the conversation, not the end. I welcome its focus on local communities having a local say and on design quality and architectural merit. When we are building houses, we must have public support and we must not be obsessed purely with numbers. We need the infrastructure, but the built environment is crucial. We are building houses, not houses. We must always remember that we are building places, not just filling spaces in our countryside.

12.23 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on securing this debate on new housing design, a very important issue in my constituency. I declare an interest as chair of the all-party group on healthy homes and buildings.

I would like to concentrate on health as well as design. The ramifications of poorly designed and constructed buildings are felt by my constituents and by constituents throughout the United Kingdom of Great Britain and Northern Ireland. I believe it is incumbent on us to act to deliver a built environment that is healthy and safe. Everyone loves moving into a new home, whether it has been freshly built or is just new to the owner, but it is important that we live in safe and healthy homes. The all-party group was established to highlight the health and cost benefits that can be achieved by constructing our buildings and homes to the highest quality and standards.

Given that we spend 90% of our time indoors, it is important that we look at these issues clearly. Our homes should be fit for purpose and should not exacerbate or cause ill health. The costs to our health services of poorly constructed homes and buildings are monumental. Perhaps some figures will illustrate why it is important to get it right: the Building Research Establishment estimates that poor housing throughout the UK costs the health service £2.5 billion every year. Getting the homes right will address some of the issues associated with ill health and its costs. Poor insulation, poor indoor air quality, damp, and poor light quality have all been proven to cause or exacerbate a variety of health problems, including respiratory ailments, child and adolescent development problems and mental health problems. These are the issues that failure to design homes to a safe standard leads to.

I encourage all hon. Members to read the all-party group’s green paper, “Building our Future: Laying the Foundations for Healthy Homes and Buildings”, which was recently put out to consultation. If the Minister and the hon. Member for Tiverton and Honiton do not yet have a copy, I will make sure that they get one. The green paper makes a number of key recommendations to ensure that our homes are built to promote good health and wellbeing.

First, leadership on health and housing issues has been disjointed, with responsibilities spread across multiple Departments. This undermines the Government’s ability to tackle the problem. We want a cross-departmental
committee for health and buildings to champion change in the sector; recognising the interaction between buildings, health, education and the economy.

Secondly, we ask that the Government continue to support and expand projects such as NHS England’s “Healthy New Towns”, which promise to rethink how health and housing services are delivered, as well as building a solid evidence base for the dynamic between health and housing provision. It is quite clear that the two have to work together.

Thirdly, a recent report by the UK Green Building Council estimates that four out of five homes that will be occupied in 2050 have already been built, so it is insufficient to talk only in terms of new housing design. The retrofitting and renovation of existing homes to acceptable health standards must be a Government priority. My constituency of Strangford in Northern Ireland has a lot of small construction firms of the kind that have been referred to by other Members. They build lots of individual houses, but also do lots of development. We in Northern Ireland have invested in training and upskilling in our construction industry. That must be one of the first steps in moving forward. It is not simply about training our young people in new methods of building but about engaging, upskilling and retraining older members of the construction industry.

I am conscious that you are giving me the eye, Sir David, so I will conclude. We have had various initiatives in Northern Ireland, such as the warm home scheme, which funded insulation and part-funded new safe boiler heating systems. These schemes really made a difference to the quality of homes, but it is surprising how many homes in Northern Ireland did not have a 10-year warranty. There has been a lack of insulation, among other things, which shows that not every home has been built even to the bare minimum standard. More needs to be done, and I do not believe that it can be achieved merely through regulation. We must also look at skills training, for the safety and benefit of families throughout the UK.

12.27 pm

Emma Dent Coad (Kensington) (Lab): I am very happy to have the opportunity to talk about a subject that I have been writing about for most of my career. I concur 100% with my hon. Friends on the issues that they covered.

I must challenge the hon. Member for Tiverton and Honiton (Neil Parish) on his view of modern design as ugly. It is not ugly to everybody; it is a question of personal taste. We should remember that the ’60s gave us some rotten buildings, but they also gave us some amazing estates such as Trellick Tower, which is very solid, Cressingham Gardens, Golden Lane, Pepler House and of course Grenfell Tower, which amazingly is still standing despite what happened there. The structure is still there; it was very solidly built. Some of those buildings could continue for ever.

Mr Bacon: I have visited Poundbury several times and have seen some good construction quality. Can the hon. Lady say who is talking about poor quality? Poor quality has not been my experience when I have visited.

Emma Dent Coad: An esteemed architectural journal who has written widely about it in the press told me about it. I have not visited myself.

Mr Bacon: I am sorry to trouble the hon. Lady, but on that point will she give way again very briefly?

Emma Dent Coad: Yes, I will.

Mr Bacon: Is the hon. Lady aware that there are many architects among what one might call the ancien régime of the architectural establishment who, despite the fact that lots of people who live there love it and think it is great, hate Poundbury and campaign against it?

Emma Dent Coad: I am talking about the construction quality, not the design. If I may continue, we were talking about what we can and cannot do with the new homes ombudsman. In theory, it is a good idea, but there should be another whole level of monitoring way before we get to that stage because planning officers will shake their heads on odd points of design that may or may not have been dealt with correctly yet there is no proper enforcement in terms of quality at that level. There really should be a level at which building enforcement officers can come in before a building or a ceiling actually collapses and look at its quality. All of that is to do, of course, with local government funding, the funding formulas for how buildings are put together and the cost savings that have to be made, as we have heard recently—but that is for another day. We really must review the whole way in which design and build has diminished the quality of the buildings that are delivered.

12.31 pm

David Linden (Glasgow East) (SNP): It is a pleasure to serve under your chairmanship, Ms Ryan. I congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on securing this debate on an important and timely subject. I certainly always welcome the opportunity to debate housing and house building, and I will try to focus more in my remarks on social housing and affordable housing, which is something I am glad to see the Labour party doing as well, in some respects.

The most important thing about housing policy is ensuring that we have an adequate supply of safe housing, which is what the Scottish National party-led Scottish Government are doing. As the MP for Glasgow’s east
end, I am particularly proud to follow in the footsteps of the late great John Wheatley, who served my constituency as the MP for Glasgow Shettleston from 1922 to 1930. On being appointed Health Minister by Prime Minister Ramsay MacDonald, John Wheatley introduced legislation to tackle the social housing crisis at the time. The Act famously became known as the Wheatley Housing Act and allowed the Government to provide subsidies to build public housing. As a result of Wheatley’s Act, more than 500,000 council homes had been built in the UK by 1933. Wheatley’s housing legacy lives on today, and I am delighted that Parkhead Housing Association in my constituency will, as it celebrates its 40th anniversary this year, once again host the John Wheatley lecture. I will be proud to introduce the lecture, which will be delivered by Dame Elish Angiolini QC.

I have mentioned that the debate is timely, and I touched on this matter in my intervention on the hon. Member for Tiverton and Honiton. Last week, the leader of the Scottish Conservative and Unionist party, Ruth Davidson, suggested that the Scottish Government should build more new towns and council houses in Scotland to ease the country’s housing shortage. I am afraid I was not alone in being taken aback by the sheer rank hypocrisy of a Conservative politician lecturing us on the need to invest more in social housing, not least because it was a Conservative Government under the stewardship of Margaret Thatcher who sold off vast swathes of social housing. Worse still, the housing stock was not replaced, which has left generation Y struggling to get into social housing and being squeezed into the hands of the private sector.

Before I move on to the substance of today’s debate, it would be remiss of me not to highlight the excellent work undertaken by the Scottish Government to build good quality affordable housing in our communities. I mentioned the mismanagement of our housing stock by the Government of the 1980s, and I am afraid that the initial delivery of devolution did not vastly improve housing under the first Labour-Lib Dem Administration. Since 2007, and under the SNP, the Scottish Parliament has focused on providing new homes, which is based in my constituency and provided the kit homes we saw built in the Dalmarnock area of Glasgow for the Commonwealth games. Some 700 homes were put together in a year or two. So while the Conservatives and Ruth Davidson sit polishing their brass necks and giving us lectures on investment in housing and building new communities, we will get on with the actual job of building communities and homes for the people of Scotland.

I want briefly to touch on housing design. I am mindful that the focus of the debate is policy, which is a devolved competence, so I seek only to introduce a different dimension, namely what we are doing north of the border. I commend to the House—and will place a copy of it in the Library—the document entitled “Places, People and Planning: A consultation of the future of the Scottish Planning System”, which the Scottish Government published in June of this year. I know that colleagues in the Scottish Parliament will today announce why I am keen that housing associations should be able to take through the whole process of building new developments.

To sum up, the point made by the hon. Member for Tiverton and Honiton about a new homes ombudsman is pertinent. Last night, before catching the sleeper train down to London, I attended a public meeting in my constituency. The hon. Member for Kensington (Emma Dent Coad) made a point about Bellway. Too often, we see house builders come along and make promises to communities for which they are not held accountable—Broomhouse and Eastfields are just two communities in my constituency where that has happened—which is why I am keen that housing associations should be able to take through the whole process of building new developments. I am, therefore, keen to pursue the idea of a new homes ombudsman.
We have heard excellent speeches from the hon. Member for Cambridge (Daniel Zeichner) and the right hon. Member for Basingstoke (Mrs Miller). I agree particularly with the points made by the hon. Member for Dulwich and West Norwood (Helen Hayes). It is good to see a focus on tackling the housing crisis by way of investing in social housing and affordable housing. The hon. Member for Weston-super-Mare (John Penrose) talked about people’s perceptions of homes. Before I came along to the debate, I was in the Tea Room, chatting about perceptions with some of my colleagues. If you ask kids to draw a house, they all draw a little detached building that looks like a bungalow—there is a point there.

The point about building up and not out is absolutely worth considering. As a new Member, I am looking to move into a flat in London, and as I have gone around various parts of the city I have been interested to see more developments that go up than go out, which is not necessarily the case in my constituency. The hon. Member for Witney (Robert Courts) spoke about looking up, and I encourage him to come to Glasgow because we are a city that is renowned as a place where people look up to the architecture. I pay tribute to the work of the hon. Member for Strangford (Jim Shannon) in the all-party parliamentary group on healthy homes and buildings.

I started by talking about the legacy of John Wheatley. I am confident that in Scotland we are working towards tackling the legacy of a lack of investment in housing, but I will finish with a word of advice for colleagues here in England. We need to look at abolishing the right to buy. I know it is not popular in this Parliament. We need to look at abolishing the right to buy. I know it is not popular in this Parliament. We abolished it in Scotland, where it is bearing fruit. It is abolished in Scotland, where it is bearing fruit. It is to build more homes and get people into social housing when we sell off such housing. That is a conversation that colleagues need to have. Ultimately, we need to identify a new John Wheatley.

12.40 pm

Tony Lloyd (Rochdale) (Lab): I congratulate the hon. Member for Tiverton and Honiton (Neil Parish) on securing this important debate. Much of what he said would create a consensus across this Chamber and, indeed, across these nations of ours. There have been creditable contributions all round and a wealth of experience from the Members who spoke. I will not run through every constituency at this stage, but serious points were made for the Minister to take on board.

No serious debate can begin without our recognising that we are in a bad place at the moment. Every Member who spoke has illustrated the fact that things are not going in the way they should be. It is important to recognise that, because we look to the Government to institutionalise significant change. Houses are not simply bricks and mortar, as Members have said. They are homes and parts of the communities in which people make their lives, and we must do better than we are doing now.

I will add some words of caution. First, it is worth recalling that almost everything that has been said, past and present, is about the impact of homes and noise insulation and so on, applies just as much to the existing built stock. The bulk of homes that will be around in 20 years’ time are already in existence. Probably some 80% of them already exist. We have got to do something about retrofitting to improve existing homes. Even if we are to see the building boom that we await—I hope the Government’s ambitions are brought into reality—there will be some real impacts, one of which we have seen in the past: when there is a housing boom, unfortunately the quality of the build does not always keep pace with the scale.

One issue in the construction industry that the Government are not addressing is the ageing workforce and the lack of adequate training places for young and not so young people coming into the construction industry. We must deal with that if we are to have construction workers to deliver quality homes of the future and retrofit the homes of the past.

I join my hon. Friend the Member for Kensington (Emma Dent Coad) in saying that unless we have adequate funding for our local authorities, including the funding of building control and planning, which have been cut across our nations because of the austerity budgets, we will not see the type of ongoing control that we need to guarantee that the build of the future avoids the mistakes of the past. To make an obvious point—bearing in mind the experience of Grenfell Tower—we have first class and second class housing in this country. Social tenants’ housing must be of exactly the same quality of design and build as we would expect for anybody else. So that is the background to the debate.

The Government face real challenges. On issues of design and high quality homes, clearly the Government have a central responsibility to assess standards and provide a framework. Good design is aesthetically pleasing. I agree with the hon. Member for Weston-super-Mare (John Penrose) that there is nothing intrinsically wrong with building up, although, like everything, it is a question of whether the design is of an acceptable standard. My hon. Friend the Member for Kensington is right: let us not be so concerned with replicating the past that we fail to take advantage of what the future can offer. Amazing buildings are going up all around this country because new building technologies allow more experimental and more interesting buildings than some of those in the past.

John Penrose: I think the hon. Gentleman is saying we should not allow awful tragedies such as Grenfell Tower to sway us against the advantages of greater density and building a little higher, provided it is done in a sensible way and with the right standards and design.

Tony Lloyd: Indeed. If I can repeat the point, we already have a building stock of homes in the sky. I am old enough to remember when we were told we were going to build vertical streets. I give away my age when I say that. People live in vertical streets. Whether built in the future or existing stock, we have to make sure they are fit and proper homes. Let us agree on that.

We have to face the challenges of new builds. I was involved when Greater Manchester was looking at the spatial framework for the future. There were a lot of objections, some inevitable. There was some nimbymism in people’s objections, but people have legitimate objections if they see that a new development is not accompanied by the kind of infrastructure investment that is fundamental to making communities work. It is not simply about the
new community that is being built, but whether it is compatible with the existing community. Transport links, local schools and local medical facilities, and access to the world of work are legitimate concerns because such things make real communities work properly.

Along with local infrastructure, people need to be able to move homes as their lives change. The right hon. Member for Basingstoke (Mrs Miller) made the point about people’s circumstances changing with age. Sometimes an ageing couple have an issue with disability. It is not impossible to adapt existing homes, but nor is it impossible to keep people within their own community where they may prefer to make a move. So it is sensible to design communities around people’s progressive needs.

An issue raised already is the question of space. The Government have a real challenge. When the former Brent Council building is now seeing homeless single persons offered 16 square metres of floor space, we have a real issue. That is way below the national space standards for housing design, which the Government introduced. I say to the Minister it is time those space standards were implemented nationally and made mandatory, because they are an acceptable minimum. In any case, there is always the capacity to use adequate design as a reason for eroding that standard, but that should be firmly lodged with the local planning authority as the guarantor of the safeguard, so we do not see developers overreaching themselves.

Often when space standards have been eroded, it is consistent with offices and retail premises being converted into homes. The Minister needs to look hard at blocking such loopholes if we are to prevent ridiculously small homes being built.

On section 106, I was bemused rather than amused to see an advert by a company called Section 106, which tells would-be developers about affordable housing. It talks about its own performance and references a development in Gloucester Place in London where an affordable housing contribution of £646,000 demanded by Westminster Council was reduced to a nil contribution. It goes on to tell would-be developers that they can go on a holiday with the money they have saved. That is simply not a responsible use of section 106; it is not what it is there to provide. The Minister must look again at making the section 106 process transparent, so there can be public tests, and enforceable by local authorities. If we are to have the homes for the future that the hon. Member for Tiverton and Honiton is demanding—and he and other colleagues are right to demand them—our local authorities must have the capacity to say to developers that developments must be of an acceptable standard, and that they have the power to control the rogue builders and developers.

Joan Ryan (in the Chair): Before I call the Minister, I remind him that he may wish to leave time at the end for the mover of the motion to wind up.

12.50 pm

The Minister of State, Department for Communities and Local Government (Alok Sharma): Thank you, Ms Ryan. It is a pleasure to serve under your chairmanship, I think for the first time in this Parliament. I start by congratulating my hon. Friend the Member for Tiverton and Honiton (Neil Parish) on securing this debate on new housing design. He is a long-standing advocate of high-quality development and his passion about the subject has come through clearly today and in the media as well, indeed, all Members who have spoken today have spoken with passion about why design is important.

We all acknowledge that it is critical that we build more homes. Our housing White Paper, published earlier this year, set out how we intend to tackle that challenge. Just as important as building more homes is the need to ensure that they are of good quality, are well designed and respond positively to the local context.

Around the country, there have been some fantastic examples of good design in new house building and a number of colleagues have pointed to examples in their own constituencies. However, we can also all point to soulless developments that ultimately destroy the character of a local area. That is something we must change.

The Government have put in place a robust framework that promotes and supports high-quality design. Both the national planning policy framework and our planning guidance emphasise the importance of good design and provide advice on planning processes and tools, which local planning authorities can use to help achieve that aim. Over the months ahead, the Government will engage with the housing industry to showcase good practice and develop new policies that support that ambition, but we know we must do more.

The housing White Paper contains proposals to improve the quality and character of new development. We want to strengthen the national planning policy framework to introduce an expectation that local and neighbourhood plans in development plan documents should set out clear design expectations. That will provide greater certainty for applicants about what types of designs are acceptable in a local area.

We also want to use national planning policy to strengthen the importance of early, pre-application discussions, as a means to encourage more valued discussion of the design of new homes between communities, developers and local authorities. The Government also have a longer-term ambition to support the development of digital platforms on design.

My hon. Friend the Member for Cambridge (Daniel Zeichner) talked about a number of surveys. He concluded that people would support the building of homes if they are well-designed and in keeping with their local area. It is important that local authorities and developers work with communities to ensure that they get the quality of new housing development that they want. A range of tools is in place to engage the local community, both when preparing plans and at planning application stage, yet I know community engagement is far too inconsistent. Far too often local people hear about new housing schemes late in the day, after a planning application has been submitted.

There are of course good examples of where engagement works. The hon. Member for Cambridge (Daniel Zeichner) talked about the Beauty-In-My-Back-Yard toolkit; there are of course others. Our housing White Paper proposals will go a step further to help make sure that local communities are not left behind.

A number of colleagues have mentioned neighbourhood planning. I see plans driven by local people with a vested interest in the quality of design for the place they...
live in as an incredibly valuable tool to achieve good design and local engagement. Since 2012, more than 2,200 groups have started the neighbourhood planning process in areas covering nearly 13 million people. In some areas, neighbourhood planning groups are keen to ensure that good design does happen in practice. For example, the plan for Bristol Old Market Quarter sets out design principles for the development of key sites to ensure that new buildings make a valuable contribution to the character of the neighbourhood. The Government recognise the significant effort neighbourhood planning groups make and that is why we are supporting them with funding. The housing White Paper sets out our commitment to further funding for neighbourhood planning groups starting this year, which will open up opportunities to support and provide design resources to neighbourhood planning groups.

Turning to the issue of a new housing ombudsman, we have already published proposals to tackle unfair lease practices, including banning the sale of new leasehold houses, but it is the case that, according to the latest Home Builders Federation survey, 84% of new home buyers would recommend their builder to a friend. That figure has fallen steadily from 90% over the last four years, and means that 16% of new home buyers would not recommend their builder. In any other market, that would spell the end of the most poorly performing companies. I am having a set of discussions with developers; I also make the point to them about the need to improve quality and design.

Mr Bacon: Is the Minister aware of the survey conducted by Ipsos MORI for the Home Builders Federation, the trade body for the largest volume house builders? It said that 67% of buyers would prefer not to, or are unlikely to, buy the product of volume house builders.

Alok Sharma: My hon. Friend makes the point perfectly. It shows that customer satisfaction is absolutely key. House builders need to step up to the plate.

The housing White Paper sets out the Government’s plan to diversify the housing market, which will play a part in helping to improve quality. My hon. Friend the Member for Witney (Robert Courts) and the hon. Members for Strangford (Jim Shannon) and for Plymouth, Sutton and Devonport (Luke Pollard) talked about custom building and the importance of small and medium-sized builders as well.

Of course mechanisms are in place for redress, such as the consumer code for home builders, which a number of colleagues have talked about. I have been encouraged by the industry’s response to last year’s report by the all-party parliamentary group for excellence in the built environment, “More homes, fewer complaints”. A working group was set up by the Home Builders Federation and has commissioned an independent report into consumer redress. We expect that to come forward in the next few weeks. I will review the report in detail and I will consider the call from my hon. Friend the Member for Tiverton and Honiton for a new homes ombudsman.

My right hon. Friend the Member for Basingstoke (Mrs Miller) talked about the Women and Equalities Committee’s report. We expect to respond next month. Colleagues also raised the issue of space. As the hon. Members for Dulwich and West Norwood (Helen Hayes) and for Rochdale (Tony Lloyd) will know, we have committed in the White Paper to reviewing the nationally described space standards, because of feedback from the sector.

My hon. Friend the Member for Weston-super-Mare (John Penrose) talked about building out. We will amend the national planning policy framework to address the scope for higher density housing in urban locations.

The Government will continue to work with industry, local communities, developers and all those with an interest in the quality of new homes to drive up standards and create the type of places that people want to live in. It is clear that Members and their constituents want that to happen, and I want that to happen too.

Tony Lloyd: Before the Minister sits down, will he give way?

Alok Sharma: Of course.

Tony Lloyd: May I press the Minister on this point? He said that the Government’s intention is to review the national space standards. That is welcome, but the suspicion is that the review will reduce the standards rather than enforce them. Will part of the review be about making them obligatory across the length and breadth of the appropriate domain?

Alok Sharma: Let me be clear: we are not talking about a race to the bottom. We want new development to be well designed, but that does not mean that current space standards are sacrosanct.

12.58 pm

Neil Parish: I thank the Minister very much for his comments, particularly on the fact that he will consider a homeowners ombudsman. It would be a really good idea to bring that forward and I would very much welcome it.

The Minister also talked about redress for those who can get it. There are many good builders out there, but it would be good if the Government could highlight those who are not, as that would put pressure on them and make sure that people had choice.

I thank all hon. Members for their contributions—I cannot mention them all by name as I am short of time. It is interesting that when it comes to architecture, beauty is very much in the eye of the beholder, but if we can take local people with us, we have a greater chance that they will support development and we could take out a lot of the objections to further development. We need quality homes—we have talked again about the need for good insulation, good building standards, and building quality homes for the future. I believe we can do that and I very much welcome the Minister’s remarks.

Question put and agreed to.

Resolved,

That this House has considered new housing design.
Northamptonshire: Combined Fire and Police Service

I pm

Mr Philip Hollobone (Kettering) (Con): I beg to move,

That this House has considered the matter of a combined fire and police service in Northamptonshire.

I welcome you to the Chair, Ms Ryan, and I welcome the Minister to his place. I thank Mr Speaker for giving me the honour of having this debate on an important issue for my constituents in Kettering and for everyone across the county of Northamptonshire.

The title of the debate is not very accurate, which is probably my fault, because we are actually talking not about a combined fire and police service but about the combined governance of the fire and police services in Northamptonshire. In my more optimistic moments, however, I hope that one day we will have a fully combined fire and police service, and I urge the Minister to consider that.

To set the context for any constituents who in a weak moment might have tuned into today’s proceedings, Northamptonshire is a county of more than 720,000 people, with a single police force and a single fire and rescue service, which have coterminous boundaries—that in itself is helpful when thinking about joining the two together. The picture for policing and for fire and rescue is changing, and has changed rapidly in the past decade.

For fire and rescue, demand for fire-related emergencies has reduced by 50% in Northamptonshire, compared with a national decline of some 40%. Fire and rescue has had to diversify into more proactive activities and now provides a first response and co-response service to medical emergencies with East Midlands ambulance service. On a recent visit to the fire and rescue service in Northamptonshire, I was amazed and pleasantly surprised to learn that 60% of its calls are now for medical emergencies, so the emphasis is very much on rescue as opposed to fire.

I ought to say that the reason I attended the fire and rescue service is that I have taken part in the fire service parliamentary scheme. I spent one year with the London fire brigade, and the second year with the Northamptonshire fire and rescue service. I also completed two years with the police service parliamentary scheme—with the Northamptonshire police force some years ago—and I have also been a special constable with British Transport police. I placed a great deal of emphasis on talking to individual police officers and fire and rescue officers to find out what life is really like for them at an operational level.

I want to place on record my thanks to all the wonderful police and fire and rescue staff we have in Northamptonshire. We are truly blessed as a county to have so many individuals of such dedication, resolution and resolve, who day in, day out and week in, week out are prepared to serve the local public as best they can.

The Northamptonshire police force has a budget of £116 million, 1,242 officers, 95 police community support officers, 860 police staff, 488 specials and 84 volunteers, and operates off 38 sites. Northamptonshire fire and rescue service has a budget of £24 million, 242 whole-time firefighters, 254 retained firefighters and 74 support staff, and operates off 24 sites. In terms of the scale of the operations, they are therefore quite different, but police officers and firefighters attend many of the same incidents.

In southern Northamptonshire, indeed, we now have two rural intervention vehicles, or RIVs, which on one side are badged with the Northamptonshire police livery of blue, yellow and white, and on the other side are badged with the fire and rescue service livery of yellow, red and white. On one side of the vehicle is a police officer and on the other a firefighter. They go around the rural parts of the county in response to call-outs. It is an incredibly efficient way to manage policing and firefighting resources. That is evidence of something I know the Minister will appreciate—the boys and girls in the service getting on with mixing up their operations to increase local efficiency, regardless of what happens with governance at the senior level. On the ground, individual police officers and firefighters are already operating jointly in many cases.

I back 100% the business case presented to the Minister by Stephen Mold, the police and crime commissioner for Northamptonshire, for him to become the police, fire and crime commissioner for Northamptonshire.

Amanda Milling (Cannock Chase) (Con): I am very pleased that the Northamptonshire police and crime commissioner has taken the opportunity to look at the governance model and to consider becoming a police, fire and crime commissioner. Will my hon. Friend join me in welcoming the news that that is happening in Staffordshire too? The consultation has recently been completed. The police and crime commissioner taking the fire authority into his role would enable greater collaboration and joint working.

Mr Hollobone: I am delighted to hear that positive news from Staffordshire. My hon. Friend is developing a well-deserved reputation for being thoroughly on top of local issues in her constituency. I join her in welcoming the news from Staffordshire. I believe that seven police and crime commissioners are now actively consulting on taking over fire service responsibilities. I very much hope that they all succeed. I would like Northamptonshire, Staffordshire and the five others to be successful role models for authorities around the country, because it makes huge sense to me that delivery of emergency services should be as joined up as possible.

My understanding is that under the Police and Crime Act 2017, which my hon. Friend the Member for Cannock Chase (Amanda Milling), the Minister and I supported, four options were given to police and crime commissioners and the local fire and rescue authorities. Option 1 was a duty to collaborate, but with no change in governance; option 2 was for the police and crime commissioner to take a place on the fire and rescue authority; option 3 was for the police and crime commissioner to become the fire commissioner as well; and option 4 was to combine the services.

Ultimately, I hope that option 4 is delivered in Northamptonshire, but I fully recognise that option 3 is the right place to be at the moment. Operationally, the police service and the fire and rescue service will be two different organisations, but the police, fire and crime commissioner will be the head of both. Although structurally separate organisations below the commissioner, on the ground police officers and firefighters are increasingly...
working together already. Indeed, I think there are now three fire/police/ambulance stations in Northamptonshire. At Rushden, in the constituency of my hon. Friend the Member for Wellingborough (Mr Bone), there is certainly an all-singing, all-dancing police, fire and ambulance station with all three services together. I think the same is true at Thrapston.

I do not see why we should not be really ambitious. Ultimately, I would like to see a Northamptonshire-wide police, fire and ambulance service dedicated to Northamptonshire. I do not see why East Midlands ambulance service needs to provide ambulance services to Northamptonshire; the police, fire and crime commissioner would be well able to run ambulance services locally. I invite the Minister to come to Northamptonshire if he ever would like to pilot such an initiative, because I think we could persuade the police and crime commissioner that that might be a good idea, especially since 60% of calls to the fire service are already for medical emergencies.

Both services will remain operationally distinct, but joint working is increasing. That does not mean that police officers will put out fires, and it does not mean that firefighters will have the power of arrest; it just means that they will work sensibly together. This is not a police takeover of the fire service or a merger of the two; it is just a shared governance structure that should lead to sensible joint decisions. If this move is approved by the Minister, it will accelerate collaboration and lead to sensible joint decisions. If this move is approved by the Minister, it will accelerate collaboration and lead to sensible joint decisions. If this move is approved by the Minister, it will accelerate collaboration and lead to sensible joint decisions. If this move is approved by the Minister, it will accelerate collaboration and lead to sensible joint decisions. If this move is approved by the Minister, it will accelerate collaboration and lead to sensible joint decisions.

Amanda Milling: I am grateful for the opportunity to intervene again. Does my hon. Friend agree that having a police, fire and crime commissioner would improve the democratic accountability of the fire service? Councillors are appointed to the fire authority, but they are not electorally accountable to the public.

Mr Hollobone: My hon. Friend demonstrates once again that she has a wise head on young shoulders. That is the same as the argument in favour of police commissioners. Who knew who the members of the local police authority were? No one did. Sometimes, even members of the police authority did not know who the other members were. The same is true of the fire and rescue authority. Accountability and transparency, along with more funding security and certainty, are big drivers behind the proposal.

I am pleased that people in Northamptonshire basically agree. Some 1,200 people responded to the police commissioner’s consultation. Some 61% of them, and 92% of people working in the fire and rescue service, are in favour of the proposals, which they know will deliver efficiency, effectiveness, economy and improvements in public safety because of increased funding certainty. Those are impressive results—they certainly impressed me, and I hope that they will impress the Minister.

The business case is now on the Minister’s desk; it requires his signature for the proposals to be moved forward. If it gets his signature, in his distinguished hand, the change could come into effect from April 2018. I urge him to study the case and approve it. Northamptonshire has demonstrated that police officers and firefighters are getting together on the ground to deliver sensible joint working, and the governance structure is now catching up with that. If we can get Home Office approval, we can move on over time—not too long. I hope—to stage 4, which is combining the services. Crucially, the proposed change should not lead to increased costs for the taxpayer, because the money that is now given to the county council to fund the fire and rescue service will be given to the police, fire and crime commissioner, but there will be a separate line on people’s council tax bills for the fire authority precept, which will improve transparency and accountability.

Thank you for your patience with me, Ms Ryan. I hope that I have outlined my 100% support for these proposals. The Minister is diligent, assiduous and very much on top of his game, and I know that he will take the proposals seriously. If he agrees with the police and crime commissioner and approves the business case, we in Northamptonshire are up for the challenge of delivering the country’s best combined police and fire service.

1.14 pm

The Minister for Policing and the Fire Service (Mr Nick Hurd): It is a great pleasure to serve under your chairmanship, Ms Ryan, I think for the first time, and to respond to this welcome and timely debate, which my hon. Friend the Member for Kettering (Mr Hollobone) secured. We came into the House in the same year—back in 2005—and since then he has been a tireless champion of the interests of the people of Kettering. I was therefore delighted to hear him express his 100% support for police and crime commissioner Mold’s proposals, and I heard him urging me to go even further in terms of ambition. It is typical of him that, to get insight into the operating reality of the people serving his constituents, he invested time in the parliamentary fire and police schemes and was himself a special constable, and I congratulate him on that.

I note the presence of my hon. Friend the Member for Northampton South (Andrew Lewer), who is presumably here to support my hon. Friend the Member for Kettering in registering what appears to be a consensus across Northamptonshire and clear popular support for this initiative, which, to some degree, as he noted, reflects the reality on the ground. Northamptonshire is well known to be in the vanguard of collaboration between the emergency services, and I place on the record my congratulations and respect for everyone involved in the leadership that has been shown there. The debate is very welcome.

I can give my hon. Friend the Member for Kettering immediate reassurance about the Government’s support for the principle of enabling police and crime commissioners to have greater involvement in fire governance. That goes beyond words: we have already approved the first proposal, from Roger Hirst in Essex. We are encouraged to see that about a dozen areas, including Staffordshire—I very much welcome the intervention from my hon. Friend the Member for Cannock Chase (Amanda Milling)—have responded to the legislation that enables that greater involvement and are actively developing proposals to take on governance for fire and rescue. As I said, I am particularly pleased to see areas such as Northamptonshire leading the way.
As we MPs all know, the reality is that our public services—particularly our emergency services, which do an incredible job—responded impressively to pressure to control costs and find savings. Many of them have embraced collaboration, which is easy to talk about but quite difficult to do in practice. We are keen to encourage leadership to go even further in that direction, not just in the interests of using taxpayers’ money better and finding efficiencies, but to deliver a better service to the people we serve.

In that context, I pay tribute to police and crime commissioner Mold and his team for the hard work that they put into developing the proposal that gave rise to this debate. Indeed, they worked at such pace that they have already submitted the proposal. I must correct something that my hon. Friend the Member for Kettering said: the proposal is not actually sitting on my desk; it is sitting in the bowels of the Home Office being processed by officials, because it has only just come in. It will come to me, I will take a view, and it will go to the Home Secretary. That is the process. That means that I am a bit restricted in what I can say about the detailed business case, because I have not seen it. However, I will see it and we will test it robustly, not least because my hon. Friend wants the reassurance that I want that it is sensibly rooted in good economics, will result in a better service for his constituents and will leave Northamptonshire County Council with a solid financial base. The statute requires us to make various tests of the business case, which is in the system and will be processed as quickly as possible. I am a bit restricted in what I can say, but I absolutely note his message to get on with it.

Mr Hollobone: I am sure the Minister will welcome the fact that Northamptonshire County Council, unlike some county authorities, supports the case. We are all singing from the same hymn sheet in Northamptonshire, if that gives him any encouragement.

Mr Hurd: I am particularly grateful to my hon. Friend for that intervention, because he makes an important point. As I have said, this is easy to talk about, but difficult to do. In particular, some of the work, which he talked about, that the county council has to do with the police and crime commissioner on data is complicated. He is quite right that some county councils have set their face against these changes, so I place on record my respect and thanks to Northamptonshire County Council for the leadership it has shown in fully co-operating with this complex task.

By way of conclusion, I would like to draw out a couple of key themes. First, I join my hon. Friend in placing on record my personal thanks and the Government’s thanks for the hard work and the service that the police and fire officers in Northamptonshire and across the country perform on our behalf. He is right that there are operational aspects to emergency response that are common to police, fire and ambulance, so it must make sense to explore where those services can be more effectively joined up to maximise capability, resilience and everything he talked about in his remarks. There are some fantastic examples of collaboration out there, including joint control rooms, multi-agency intervention teams and joint prevention and support capability.

The Government have invested more than £88 million since 2013 in local blue light collaboration projects. We are not just sitting here, saying, “Get on with it.” We are actively trying to provide support, such as initiatives in Northamptonshire that include £4.5 million for police innovation and £3 million for fire transformation.

Mr Hollobone: I get the sense that we are perhaps not in danger of going over the time limit, so I want to intervene again and say that we are blessed in Northamptonshire with two outstanding senior officers. The chief constable of Northamptonshire, Simon Edens, is fantastic. He is down-to-earth and hands-on, and he knows all his officers. Likewise, the chief fire officer, Darren Dovey, has years of experience and knows all the boys and girls in the fire service. The two are determined to work together operationally to make things work, whatever the governance structure will be. The changes to the governance structure will help them to do what they are already doing.

Mr Hurd: I am sure that my hon. Friend’s intervention will be noted by both those officers. In this place, we perhaps do not do enough to celebrate and recognise individuals who do outstanding work in public service. In the course of my process of engaging with police officers, I have spoken to the police chief on the phone, and I very much look forward to visiting Northamptonshire and meeting him and the fire chief in person, not least because it is clear that Northamptonshire has been at the forefront of many collaboration initiatives, including estates co-location, interoperability and joint community prevention work, as my hon. Friend brought to life in his speech. Frankly, I am very encouraged that PCC Mold has made collaboration and emergency services integration a running theme in his police and crime plan, for which he is accountable. His conviction about the benefits of service transformation is evident and encouraging.

While we know that good work is going on in some local areas, it is fair to say that nationally the picture remains a bit patchy, as my hon. Friend alluded to, and more can be done. In some ways, the pace and ambition with which policing has been transformed since 2010—it is much to the credit of police leadership across the country—can serve as a model for the changes we want to see in fire. With the Home Office now responsible for the governance reforms to introduce much greater transparency and accountability, not least around funding streams into fire services, which the public we serve are obviously going to be increasingly interested in post-Grenfell.

To support the fire service along this journey, we are establishing an independent inspection regime for fire and rescue to be delivered by Her Majesty’s inspectorate of constabulary and fire and rescue services. There is consensus about the need for that. We are also making progress in setting up a professional standards body for fire. However, we want the bulk of the fire reform programme to be owned and delivered by the service itself.
For example, we want the fire service to get better deals when buying equipment. There is still a lot of scope to improve that area, and we believe that a true commercial transformation and radical improvement to procurement processes are needed. We also want the service to look at workforce reform, increasing diversity and more flexibility in terms and conditions.

My hon. Friend the Member for Kettering made a very good point about how the police and crime commissioners have developed in the consciousness of the public. The system we had before was sub-optimal in terms of public accountability. Police and crime commissioners were a bold reform that is beginning to develop momentum, thanks not least to the individuals involved, such as PCC Mold, who has shown great leadership since his election. That includes action on cyber-security, domestic violence and children and young people’s safety. Such examples convince us that PCCs are ideally placed to support emergency services collaboration and the fire reform agenda. In bringing together local police and fire under a single leadership, we hope to see PCCs driving through transformation that truly delivers for local people. We expect to see improved visibility and transparency, direct accountability to the electorate and a renewed impulse to police and fire collaboration, which my hon. Friend is calling for. That is why we want PCCs to explore the opportunity.

A transfer of fire and rescue governance is not the only option for involving PCCs. As my hon. Friend mentioned, they can request a seat on their local fire and rescue authority, which can come with full voting rights, subject to local agreement. There are options, but I am clear that where PCCs are up for the governance option, are convinced that they have a strong business case, feel that they have the public on their side and, ideally, have the local authority on their side as well, they will have our support, subject to the rigour and robustness of the business case. It is up to local areas to decide what arrangements will work best for them. That is why the Government chose not to mandate the involvement of PCCs in fire governance.

Successful transformation has to involve local people and key stakeholders, and that is exactly what has happened in Northamptonshire. We want everyone to get behind the changes and what they hope to achieve, so that we can really see the benefits of improved accountability and greater collaboration. That is why we have encouraged early dialogue with local communities, local leaders and fire and rescue staff about the future they see for their fire and rescue services. Northamptonshire has shown that a constructive dialogue between PCCs and partners, including the county council, is possible, and I strongly urge other areas to follow that model and leadership.

Mr Hollobone: I am grateful to the Minister for his response, but I am going to press him into an area that is a little off-piste and where he might be a little uncomfortable. Would he welcome innovative proposals that came forward from a county, such as Northamptonshire, to go for the full Monty: to combine fire, police and ambulance in some kind of sensible, county-wide emergency provision? That would enjoy huge popular support. I know it is very early days, but if someone were to produce a sensible plan, would the Home Office look at it?

Mr Hurd: I thank my hon. Friend, not least for the heads-up that he is encouraging me to go off-piste. We are operating in tough conditions. The situation requires outstanding leadership and for authorities, the system, the Home Office and the Government to be open to new proposals, because this is an environment in which we need to innovate. My instinct is always to be open to new ideas, and I will always ask, “Is there local support for this? Is there a business case and an evidence base to support this?” We feel strongly that there is an opportunity to go further with the governance of emergency services and police and fire in particular, which is why we enabled that through legislation. I am absolutely delighted that Northamptonshire is in the vanguard in responding to that opportunity, as I would expect. I can assure my hon. Friend that when the business case is released from the bowels of the Home Office and on to my desk, I will process it as quickly as possible. In the meantime, I congratulate him on securing this debate and thank him for his approval.

Question put and agreed to.
Blacklisting

1.30 pm

Mr Charles Walker (in the Chair): This is a one-hour debate. As colleagues know, there will be five minutes for the two Opposition leads and 10 minutes for the Minister. If the contributions of Back Benchers were to end a little earlier, I would be inclined to allow six minutes to the hon. Members for Glasgow South West (Chris Stephens) and for Birmingham, Erdington (Jack Dromey), but it may be just five.

Chuka Umunna (Streatham) (Lab): I beg to move, That this House has considered blacklisting.

I should say at the outset that I am pleased that the Minister for corporate responsibility will respond to the debate, because, as she responded to the debate that I held in the previous Parliament earlier this year, she will be familiar with the issues.

For the benefit of the record in this Parliament, I want to recap what we are talking about. Imagine a person who has spent years acquiring the skills to work on construction sites around the country. No one ever complained about the quality of their work or their work ethic. They happen to be an active member of their trade union, keen to ensure that they and their colleagues have a safe and pleasant working environment—nothing out of the ordinary. Then, on one occasion, they raise a serious health and safety concern—no small matter, given that an average of 39 construction workers are killed at work every year in the UK—and ever since they have not been able to get work. That is what happened to thousands of construction workers for decades. They were blacklisted, and no one has ever been brought properly to book for it.

Gloria De Piero (Ashfield) (Lab): Does my hon. Friend agree that there is now a strong case for making blacklisting a criminal offence with strong sanctions, including big fines and possible imprisonment in the worst cases?

Chuka Umunna: Absolutely—I could not agree more. I will outline some of the things people have done and matters on which they have campaigned for justice. Blacklisting is the shady, underhand practice of sharing information on workers without their knowledge and then systematically denying them employment on the basis of that information. The practice first hit the headlines in 2009, when the Information Commissioner’s Office raided the premises of a disreputable organisation called the Consulting Association. When it raided that association, it found a blacklist of more than 3,000 construction workers. The association was funded and used for years by more than 40 of the country’s biggest construction firms to vet employees.

The association, set up in 1993, was the successor to the blacklisting association’s list. If they were on it, they were usually refused work—they were denied the ability to do their job and provide for their family.

Essentially, the system facilitated systematic victimisation and denial of work simply because workers had raised legitimate health and safety concerns in the past or because they were a member of a trade union or a political party. It was, and still is, an outrage. The nature of some of the information held about people on the list—their religion, national insurance number, car registrations and so on—strongly suggests that the data were collected with the collusion of the police and/or security services. That is why it is entirely fitting that the Blacklist Support Group members, many of whom are here, have been granted core participant status in the Pitchford inquiry into undercover policing.

Those who suffered and are victims now have three principle routes of redress. The Employment Relations Act 1999 (Blacklists) Regulations 2010 now outlaw blacklisting, but they came into force too late for those who suffered at the hands of the Consulting Association.

The Trade Union and Labour Relations (Consolidation) Act 1992 stops people being discriminated against on the basis of being a member of a union, and the Data Protection Act 1998 can be used against those who misuse people’s personal data. The late Ian Kerr, who was chief officer of the Consulting Association, was fined a paltry £5,000 after the ICO’s raid because only later were fines levied under that Act substantially increased.

John Grogan (Keighley) (Lab): My constituent Sandy Macpherson of Ilkley was one of the plaintiffs in the recent case. Does my hon. Friend agree that there is now a strong case for making blacklisting a criminal offence with strong sanctions, including big fines and possible imprisonment in the worst cases?

Chuka Umunna: I wholeheartedly agree. My hon. Friend talks about litigation, and in July 2014 Balfour Beatty, Carillion, Costain, Kier, Laing O’Rourke, Sir Robert McAlpine, Skanska UK and VINCI plc, which were all involved in blacklisting and in funding the Consulting Association, established a compensation scheme for individual workers affected by blacklisting and made an apology for what happened. However, their scheme was established unilaterally without agreement on the terms with the trade unions representing workers. Other firms that were part of the hall of shame involved with the association such as the Amec Group, Amey, BAM Construction, Morgan Sindall and Taylor Woodrow did not sign up to the scheme.

Ellie Reeves (Lewisham West and Penge) (Lab): As my hon. Friend knows, this is an important issue to me as I represented blacklisted members of the Union of Construction, Allied Trades and Technicians in the High Court. Does he agree that no firm involved in historical blacklisting should be given a public contract until it demonstrates regret for its actions by supporting a public inquiry, offering retraining to victims and demonstrating that its recruitment processes are transparent and fair?

Chuka Umunna: I completely agree, and I commend my hon. Friend and the huge team of people who have worked on all the litigation we have seen in the High Court brought by a number of unions including UCATT—
Tears were apparently shed last month over the fact that we will not hear Big Ben’s bongs for several years. We should be far more concerned about the fact that Sir Robert McAlpine, a firm implicated in all of this, appears to have bagged a multi-million pound contract for the work that is to be carried out on Big Ben tower to fix those bongs.

Let us be clear about the role that the company Sir Robert McAlpine played. Cullum McAlpine, a director of Sir Robert McAlpine, was chairman of the Consulting Association when it was formed in 1993. Later, David Cochrane, the head of HR at that firm, succeeded him as chair of the association. During a hearing of the Scottish Affairs Committee’s inquiry into all of this in 2012, the late Ian Kerr, who died that year, admitted that his £5,000 fine for breaches of the Data Protection Act was met by Sir Robert McAlpine “on the basis that I had put myself on the front and took the flak, if you like, for it all, so they wouldn’t be drawn into all of this. They would remain hidden.”

How, in the light of that, can we parliamentarians sit here and say to the victims—many of whom are watching here and say to the victims—many of whom are watching the debate in the Public Gallery—“It is an outrage”, while we stand by as Sir Robert McAlpine is awarded the contract to do the work on the parliamentary estate? There must be consequences when those who bid for public contracts are found to be involved in such practices. Will the Minister explain why on earth, given its disgraceful role in blacklisting, we are giving Sir Robert McAlpine the contract to fix the bongs of Big Ben, which so many parliamentarians have shed tears over?

I took up the blacklisting issue originally as a constituency issue, having been alerted to the scandal by my good friends at Unite; I took an even stronger interest when I was shadow Business Secretary, and I instigated the first full debate on the topic on the Floor of the House in 2013. As I have said, I instigated another debate on it earlier this year, because we must have a proper public inquiry into blacklisting, and the victims are continually denied it.

David Hanson (Delyn) (Lab): One of my constituents, Alan Wainwright, is a victim of blacklisting, and was party to exposing it—he was a whistleblower. He has submitted a file of evidence to the Minister’s office on the very point about the public inquiry. Does my hon. Friend agree that the Minister should examine it seriously and in detail as part of the inquiry?

Chuka Umunna: I completely agree: I have met my right hon. Friend’s constituent. In the end, we need the inquiry because we need to know who knew what was going on. It was happening not just in the private sector but in the public sector. There are allegations that it was going on at the Olympic sites, Portcullis House and Ministry of Defence sites. Who knew it was going on? Did the permanent secretaries or the Ministers at the time know? Were the Departments that commissioned construction projects complicit in it? We do not know. Does the law need to be changed or tightened? To what extent is it still going on?

Each time we have debated the issue here the coalition and subsequent Conservative Governments have specifically refused to set up a public inquiry, saying that there is little evidence that blacklisting still goes on. Today I will present compelling evidence showing that the practice is definitely still going on, and that it is happening on one of the biggest construction sites in Europe—Crossrail, a publicly funded project that I have visited. Let us not forget that a construction worker died after being crushed by falling wet concrete, in March 2014, and that two other men were seriously injured in separate incidents in January 2015, working on Crossrail tunnels around the Fisher Street area in central London. In July this year the contractors concerned, BAM, Ferrovial, Keir—the BFK consortium—pleaded guilty to three offences following an investigation by the Health and Safety Executive, and were fined more than £1 million. The HSE said that had simple measures such as properly implemented exclusion zones in high-hazard areas been taken, all three incidents could have been prevented. That shows why it is so important that construction workers should feel free to raise health and safety issues without fear of retribution.

Christian Matheson (City of Chester) (Lab): My hon. Friend outlines the human cost to the blacklisted workers and their families, which is almost the point that I want to make; but is there not also a sinister reason—intimidation of those engaged in legitimate trade union activity, to boost profits, often at the cost of the lives of a company’s own workers?

Chuka Umunna: My hon. Friend makes a good point: to what extent is profit being put before safety? Why is there such paranoia when employees and workers raise such issues? I find that hard to fathom, given the fatalities that occur in the construction sector.

The first case that I want to mention concerns surveillance of workers that took place at a peaceful demonstration at a Crossrail site in 2016. I have seen and read emails that passed and were circulated between contractors and the employee relations department at Crossrail, which detail questionable surveillance practices. The surveillance operations involved named individuals who were implicated in and involved with the activities of the Consulting Association. The evidence that I will supply to the Minister after the debate shows that a number of construction workers were being closely watched there, and that sensitive personal information was being collected in relation to them. It is not clear where those data were subsequently posted or by precisely whom, but those collecting information on the workers had to fill in a form, which was definitely filed somewhere.

Two of the workers who were subject to that surveillance have since sought to obtain further employment on Crossrail through employment agencies advertising positions. In each case they approached the job agency...
about the vacancy, and had the required skills to fill it. However, as soon as they relayed their names there was a delay; they were subsequently given an excuse as to why the positions had been filled. Unite does not believe that what happened to the two workers is coincidental, and it has already informed the Information Commissioner’s Office of its concerns about the case. Clearly, subcontractors were explicitly discouraged from employing certain known trade union members. One subcontractor has actually told Unite that the consequences of his employing a Unite member would be the refusal of future work. For obvious reasons, the subcontractor does not wish to disclose their identity.

The Information Commissioner’s Office, having been contacted about this, has stated that the evidence “raises the possibility that surveillance is being undertaken without appropriate checks and balances being in place” and that the “collection of this type of data is potentially excessive” under the law.

The second case that I want to highlight is that of an electrician who has been trying to obtain work in the construction industry since raising a grievance while working on Crossrail. He has since applied for hundreds of job vacancies, almost always being turned down. He never received any criticism about the quality of his work. He is an intelligent young guy, who is conscientious about his work and who takes his health and safety duties to himself and his colleagues particularly seriously. He is not particularly political: he is a construction worker and his focus is his work. He served Crossrail with a subject access request that compelled it to provide him with the information it held on him. I have been passed the documents and had a chance to read them. They reveal that Crossrail and three of its contractors exchanged personal data, and sensitive personal data, concerning the individual’s previous employment and the issues and grievances that he had raised there. On the face of it, the data appear to have been processed for the purpose of determining the individual’s suitability for employment related to his trade union activities. The very strong inference from the documents is that some kind of vetting operation was in operation between Crossrail, its contractors and the agencies involved. Again, I will pass the information and the documents to the Minister after the debate.

Those are just two examples, but clearly they show that blacklisting is still going on. I do not think that it is being carried out in the way that it was before, with a centralised system collectively funded by the construction companies, not least because for those caught under the data protection legislation there is a much bigger fine, and the blacklisting regulations are also in force, of course. However, clearly it is still being done, but in a more covert way, making it a lot harder to identify.

The ICO has said it will put out a call for evidence about ongoing blacklisting next year. It should really get on and put out the call for evidence now, without further delay; but it is no substitute for the public inquiry that we seek. The ultimate way to get to the bottom of what happened and is still happening is a proper investigation of that kind. The law clearly needs to be reviewed, even though the Minister told me earlier in the year that that was not necessary. I would like workers to be given a positive right not to be blacklisted.

The suggestion of my hon. Friend the Member for Keighley (John Grogan) that it should be made a criminal offence was well made. I would also like protection against blacklisting to be extended to include trade union-related activities, as opposed to the current definition, “trade union activities”.

Stephanie Peacock (Barnsley East) (Lab): Does my hon. Friend agree that we should commend the work of trade unions on the issue? The GMB, for example, has already secured £630,000 in my region of Yorkshire, but it is clear that there is more to do.

Chuka Umunna: That is absolutely right. All Members who have spoken or undertaken any activity on this issue would have found it much harder to do what we have done without the trade unions providing support and information and uncovering what happened.

I have to say to the Minister that I just do not understand why the Government and her Department are so resistant to having a public inquiry. What are they so afraid of? At the end of the 2010-15 Parliament, I made it very clear to her Department, which I was hoping to run after the 2015 general election, that, if Labour won that election, I would be giving instructions to the ICO that it should be made a criminal offence to blacklist a trade union member, as opposed to the current definition, union-related activities, because the same companies keep coming up? is to say that they have not actually continued those activities, because the same companies keep coming up? is to say that they have not actually continued those activities, because the same companies keep coming up? is to say that they have not actually continued those activities, because the same companies keep coming up? is to say that they have not actually continued those activities, because the same companies keep coming up? is to say that they have not actually continued those activities, because the same companies keep coming up? is to say that they have not actually continued those activities, because the same companies keep coming up? is to say that they have not actually continued those activities, because the same companies keep coming up? is to say that they have not actually continued those activities, because the same companies keep coming up?

Blacklisting happens to all sorts of people. I think there is a view among some of the more naive MPs that this is perhaps something to do with extreme militants battling away. Let me tell hon. Members about one extreme militant who was on the Economic League blacklist and was refused a job because of it: me. I probably do not fit the normal view of an extreme militant. Some would say I am far from it; I will leave
colleagues to make their own judgment on that. However, when I was given a job in Manchester by Ciba-Geigy in the 1970s, it was withdrawn, which was a bit of a surprise. I asked them why, and I said, “You’ve given me a job and now you’ve taken it away.” They said, “You’re on some list, and we’re afraid”—they were very apologetic—“we can’t give you it.”

Then, by some coincidence, someone got hold of that list, and it was made public. I remember very vividly a meeting at the University of London Union. I think Ricky Gervais was the events officer there at the time. I went in this student room and there were desks there. I thought I would go and see—nosey in; have a look—and I went through and looked under “M” and I found my name there. I have no idea why I was on the Economic League blacklist, and I do not know who put me on it or why. Frankly, it has not affected me, because I was not bothered about the job, unlike some people, whose lives and income and those of their families have been blighted ever since.

I could not have known I was on that list if the person who told me had not apologetically pointed it out to me. They could easily have not said a word, or said, “No, we haven’t got the money. There is no job there. Sorry. No contract has been signed.” I also would not have known if I had not read that the list was being shown—I read it somewhere; I do not know where—and thought that I would stick my nose in and have a look at the list, as you do, curiously. It was a bit of a shock when I found my name on that list. I wondered who it was who put it on there. I can tell hon. Members who it was, because I did some research in some good publications from the time. There were a lot of names of people in the Economic League, and some of those people were working for Tory MPs here, and there were Tory MPs in the middle of it.

Let us have a public inquiry and have everything revealed. Let us go all the way back through the 1970s and 1980s for those who have not gotten justice—I am not bothered about me; I will be all right—such as those from 40 years ago or for workers today, even if blacklisting has stopped, its effects—the poverty, the shame and, frankly, the humiliation—are still there for decent, hard-working, skilled men and women who have been denied that livelihood and have been suffering the economic consequences ever since. The effects, the human consequences and, above all, the sense of injustice are still with us.

We cannot turn our back on that sense of injustice, whether for the families of Des Warren and Ricky Tomlinson in my constituency 40 years ago—it was not my constituency then, but I will still lay claim to it—or for the other men and women who have suffered perhaps thousands and thousands of pounds of financial loss and heaven knows what kind of human and psychological damage and who are still living with the consequences of that today. Even if blacklisting is not taking place—I am minded to agree with my hon. Friend the Member for Streatham that it is—the consequences are. I believe the Government have a responsibility to address those current consequences.
In the construction industry, where people turn up for account given by the hon. Member for Bassetlaw (John and the health and safety of their fellow workers. The business of maximising profits for shareholders by power.

Sector contracts is a shameful act and an abuse of right to work and provide for your family—by the same well. Denial of the most basic of human rights—their trade union activity but their family members as dreadful effect that blacklisting has on people’s lives practice, but what is not difficult to understand is the levels of denial and secrecy surrounding this odious practice, but what is not difficult to understand is the dreadful effect that blacklisting has on people’s lives and the suffering of not just the workers targeted for their trade union activity but their family members as well. Denial of the most basic of human rights—the right to work and provide for your family—by the same companies that have grown rich on lucrative public sector contracts is a shameful act and an abuse of power.

Make no mistake: blacklisting is a deliberate decision taken by company directors and managers who are in the business of maximising profits for shareholders by punishing those who seek to stand up for their rights and the health and safety of their fellow workers. The account given by the hon. Member for Bassetlaw (John Mann) of his personal circumstances is commonplace in the construction industry, where people turn up for work and within a day or two are told that there is no longer a position for them, because companies have been looking at the blacklist.

The Scottish National party is clear that blacklisting in any form is unacceptable and will not be tolerated. Despite employment law being a reserved matter—which is unfortunate, given the consensus in Scotland that it should be devolved—the Scottish Government have introduced legislation: the Public Contracts (Scotland) Regulations 2015 and the Procurement (Scotland) Regulations 2016, which came into effect in April last year. Those changes will ensure that any company in Scotland found to be involved in the practice of blacklisting will be excluded from bidding for public sector contracts. The general secretary of the Scottish Trades Union Congress, Grahame Smith, has welcomed that action and said that any company applying for new public contracts where blacklisting has taken place in the past must make an apology to the affected workers, issue a statement on future conduct and prove compliance with any tribunal ruling made against it in relation to blacklisting.

I share the concerns of the hon. Member for Streatham about the delays to 2018, flagged up by Unite the union. That is more pathetic, Brexit-induced stalling, and yet another kick in the teeth to those who want not just justice for past wrongs but security for present and future workers.

Some of the context for the move towards greater transparency has come through action through the High Court. In an attempt to body-scrive liability, a number of construction companies attempted to almost name and shame themselves, including Laing O’Rourke, Costain, Kier and Sir Robert McAlpine, which I will come on to later. Let us make a mental note of the last company named there. One of its directors, Cullum McAlpine, who has already been mentioned, was interviewed under oath by the Scottish Affairs Committee when it conducted its inquiry into blacklisting. As an important aside, I hope that the Scottish Affairs Committee now goes back to that inquiry, which was chaired by my predecessor, Ian Davidson. The three interim reports all made clear that there is a case for a full public inquiry, which is essential if we are ever to expose the true extent of the practice and take measures to stop it.

I return to Sir Robert McAlpine, which was a founding member of the Consulting Association. Cullum McAlpine refused to answer many of the questions put to him by the Scottish Affairs Committee members and relied heavily on his lawyer for advice throughout the session. Despite that, he was forced to admit that the company had used the blacklist to vet workers on the Olympic stadium. In the light of that, it is most shocking, as the hon. Member for Streatham rightly said, that the company has been awarded a £20 million contract to refurbish Big Ben—one of the most iconic buildings in the country, symbolising the seat of power and London as a global destination.

I am calling today for McAlpine to be stripped of that contract. It is an absolute disgrace and scandal that it was awarded the contract in the first place and that none of the actions taken in Scotland are happening here in Westminster. The Government should look at what the devolved Administrations have done about companies in the public sector that have engaged in blacklisting. It signals bad faith that one of the main
perpetrators of this conspiracy—and blacklisting is a conspiracy—is accessing public money to boost its profits.

I support the hon. Member for Streatham in relation to a public inquiry. I hope that the Government will announce a public inquiry into blacklisting, because there are many, many unanswered questions. I congratulate him once again and all those who have spoken so far. They have the support of the SNP for a public inquiry into blacklisting.

Mr Charles Walker (in the Chair): Mr Dromey, you have until exactly quarter past 2.

2.7 pm

Jack Dromey (Birmingham, Erdington) (Lab): Thank you very much, Mr Walker. May I first congratulate my hon. Friend the Member for Streatham (Chuka Umunna) on his outstanding advocacy of a noble cause?

Trade unions are a force for good. To be denied work because you are a trade unionist is an affront to democracy. Blacklisting is not history; it is a scandal that has never gone away. Forty years ago, when I came out of the Grunwick strike, I was blacklisted by the Economic League. I was one of the 30,000 subversives, as they defined us at the time. I was out of work for a matter of months and then became an officer of the Transport and General Workers’ Union, but tens of thousands of others paid a very heavy price, some of them for decades. I then worked with The Guardian to expose the Economic League, leading ultimately to its demise, but it is absolutely scandalous that it was then reincarnated as another organisation, with the same practices.

It is absolutely scandalous that two generations on from the 1970s, we still have an industry—the construction industry—that has not learned the lessons of history and has not recognised that, as Keith Ewing, professor of public law at King’s College London has said, blacklisting is “the worst human rights abuse in relation to workers” in Britain in half a century.

Blacklisting has been outlawed, but the law is simply not strong enough. There has been some compensation for some of the victims of blacklisting, but it is not good enough, and that cynical manoeuvre was about companies trying to protect themselves from public scrutiny and escape their crimes being made public. No user company has been punished for blacklisting. No director has ended up in the dock, and that is completely wrong.

The scale of blacklisting over the years is tens of thousands of workers. There is a long history of Government, the police and construction firms acting in collusion and, as we have heard from my hon. Friend the Member for Streatham, blacklisting is happening right now by major and allegedly reputable companies that enjoy enormous public contracts such as Crossrail and Big Ben. It is important to reflect on the human consequences of continuous blacklisting and we have heard powerful testimony of that today.

Workers take a pride in their work and define themselves through their job. The issue is self-worth and identity. To be out of work for years not quite knowing why and then discovering it was because they did nothing else but ask for a safe workplace is a scandal.

Stephen Timms (East Ham) (Lab): My constituent, Danny Regan was an electrician until he was blacklisted. He is not an electrician anymore and he still cannot work in that field because of the history of blacklisting. In supporting the call today for a public inquiry, does my hon. Friend agree that it should address the legacy of the impact of what happened in the past?

Jack Dromey: Without hesitation, I agree with my right hon. Friend. And I will come to that.

Over the years, hundreds of individuals have been blacklisted and I will give one example today. Dave Smith, joint secretary of the Blacklist Support Group, became virtually unemployable as a consequence of his file, which was first held by the Economic League and then by the Consulting Association. It was 36 pages long and stretched from 1992 to 2007, from his very first job with Balfour Beatty all the way through successive employment. His sin with Balfour Beatty was to take part in a dispute about unpaid wages. His file included personal information, including address and national insurance number, but also details of his wife and brother. That is an affront to democracy and the rights of working people, and demands further action. Members today were absolutely right when they said we need first and foremost a public inquiry into blacklisting, its use in the past, its current use, steps going forward to eradicate blacklisting, the role of the special demonstration squad, the role of the Consulting Association, and examination of evidence of blacklisting in publicly procured contracts. The truth needs finally to be fully told.

Secondly, we must strengthen legislation to stop the continuing practice of blacklisting and criminalise it. We must also ensure that the law is not limited to employment relationships because, by definition, if a worker is blacklisted he or she does not have an employment relationship. As Unite has argued, we must also tackle patterns of work generally in construction, such as bogus self-employment. The argument is that 10 million workers are in insecure employment where employers can abuse without fear, and blacklisting very often follows.

Thirdly, we need strong rules covering Government contracts awarded to firms complicit in blacklisting. There must be consequences for blacklisting. It is a scandal that the Big Ben contract has gone to McAlpine, one of the first blacklisting offenders. I suspect that we here do not give a damn about the Big Ben bong, but we give a damn that that firm, which blacklisted workers and treated them shamefully, has an iconic contract just yards from where we are.

We need effective action, including at local authority level. I particularly praise Liverpool for its social value charter, which refers to respect for all individuals and does not engage in any form of discrimination or blacklisting practices—in other words, an unmistakable message must be sent and enforced that a company suspected of blacklisting does not get public contracts.

Fourthly, we must make sure that specific laws banning blacklisting and data protection are retained after we leave the European Union.

In conclusion, as we have heard today, blacklisting is not history. We must learn from the lessons of history and ultimately confine blacklisting to history. That is why we need a public inquiry, strengthening of the law
and absolute clarity that companies do not get public contracts if they blacklist. The time has come to blacklist the blacklists.

Mr Charles Walker (in the Chair): Before I call the Minister, may I ask her to leave a minute or two at the end for Mr Umunna to sum up?

2.15 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Margot James): It is a pleasure to serve under your chairmanship, Mr Walker. I congratulate the hon. Member for Streatham (Chuka Umunna) on securing this important debate and on his opening remarks, which I listened to intently.

I am pleased to have the opportunity to respond to this debate and I want to make it clear that the Government take blacklisting extremely seriously. We hope and trust that blacklisting has already become and will remain a thing of the past, but we are not complacent, and I am even less complacent, having heard from the hon. Gentleman who introduced the debate about evidence that he wishes to put before me afterwards. I was shocked by what I heard and I share his view and that of other Members that blacklisting of trade union members and activists is completely unacceptable. It has absolutely no part to play in modern employment relations.

As hon. Members have noted, we have in place regulations targeted specifically at trade union blacklists and I believe they are both proportionate and robust enough to prevent abuse from occurring. I accept the point that has been made that the horrendous abuse of the past, which was overt, organised and clearly in breach of the law as it stands today, may have been replaced by a more covert approach. That must be borne in mind, but the Employment Relations Act 1999 (Blacklists) Regulations 2010 made it unlawful for an individual or organisation to compile, sell or make use of a blacklist of trade union members or those who have taken part in trade union activities.

Since the introduction of those regulations, no evidence has been presented to the Government or the Information Commissioner that these practices are recurring. If that is no longer the case, naturally I want to know about it. Any individual or trade union who believes they have been the victim of blacklisting practices has the right to take action. They do not have to wait for an independent investigation. They can enforce their rights under the regulations through an employment tribunal or the county court. Anyone who believes they have been affected has the right to pursue justice through these means and we would encourage them to do so.

The measures in the 2010 blacklisting regulations are reinforced by powers in the Data Protection Act 1998, which protect the use of personal data—that was very much needed in the examples we have heard this afternoon. I emphasise that this includes information on trade union membership and sensitive personal data. The Government take the protection of personal data very seriously.

The Information Commissioner’s Office is the regulatory body and was set up to investigate breaches of the Data Protection Act 1998. It has power to take enforcement action, including searching premises, issuing enforcement notices and imposing fines of up to £500,000 for serious breaches. The Government continue to bear down on those who seek to exploit personal data. We have published a statement of intent in relation to the proposed data protection Bill that was announced in the Queen’s Speech. The Bill will implement the general data protection regulation into UK law and will give us one of the most robust and dynamic sets of data laws in the world. It will give people more control over their data, require a higher standard of consent for its use, and prepare Britain for exiting the European Union.

As a result of the general data protection regulation, the Information Commissioner’s fining powers will increase substantially from 25 May 2018, to 4% of an organisation’s annual global turnover or €20 million, whichever is greater.

It is clear that data collection and data analytics in the workplace are gaining in importance. In the light of that and the strengthened framework that the general data protection regulation will create, the Information Commissioner’s Office intends to open a call for evidence, to which hon. Members have alluded, on the implications of modern employment practices in recruitment and selection, and the obligations of employers. The hon. Member for Streatham says that that should happen sooner rather than later. I agree with him. I believe that the call for evidence is scheduled for next year. I will talk to the Information Commissioner’s Office to see whether it can be brought forward.

The call for evidence is an important step in trying to establish not only the true picture of the level of blacklisting that may or may not take place in practice now, but how growth in digital services has created potential new risks for employers and how those may be addressed.

Sandy Martin (Ipswich) (Lab): In my previous capacity on Suffolk County Council, when the council decided to outsource its highways to Kier, we took a motion to council calling for it to ensure that there was no blacklisting in relation to employees of Kier working for Suffolk County Council. That motion was passed unanimously, because Conservative members of Suffolk County Council—like, I am sure, Conservative Members of this Parliament—were vocally opposed to blacklisting. However, nothing was done to find out whether blacklisting was actually taking place. The Minister is talking to us about a search for evidence, but without a public inquiry to find out what has actually taken place, surely there is no way we will get to the bottom of this.

Margot James: I thank the hon. Gentleman for his intervention. I can reassure him. If people in his borough have any evidence, the best thing they can do at the moment is to take it to the Information Commissioner, who will investigate it. In fact, the Information Commissioner does not need particular examples even. If they are seeing allegations made against a particular employer or within a sector, they will commit to investigating the issues that his constituents have raised.

Chris Stephens: The hon. Member for Ipswich (Sandy Martin), who made the previous intervention, mentioned procurement. Will the Minister tell us what steps the
Government are taking on procurement to ensure that companies that blacklist workers do not get public sector contracts?

**Margot James:** I will write to the hon. Gentleman on that matter. We expect high standards of corporate governance for major contracts awarded by the Government. If there is evidence of companies acting in the present day in not only a disreputable but a potentially illegal manner, that will be taken into consideration.

**Jack Dromey:** To press the Minister further on that point, we have heard powerful evidence today in relation to both Crossrail and Big Ben. Does she agree that if there is evidence of complicity in blacklisting, the companies concerned should not get public contracts until such time as they have remedied the bad practices of the past and, indeed, the present?

**Margot James:** The shadow Minister makes a very reasonable point, which I will consider further. I think there is nothing to disagree with in what he has said.

We want to build on the work already undertaken by the Information Commissioner’s Office looking at profiling and big data analytics. The Information Commissioner’s call for evidence, once complete, will be the most recent and authoritative source of data that we have. I can assure hon. Members that the Government will consider the evidence collected and the report on it very carefully indeed.

I want to acknowledge the request from the right hon. Member for Delyn (David Hanson). I have indeed received correspondence from Mr Alan Wainwright. I have looked at it briefly and will examine it thoroughly. The right hon. Gentleman also asked me to look again at the situation with regard to the Shrewsbury 24, and I will write to him on that subject as well.

The Government will continue to take a very close interest in this matter. If the Information Commissioner finds any evidence of current blacklisting, perpetrators can expect to feel the full force of the law, and I am sure—to go back to the shadow Minister’s intervention—that that would have implications for contracting as well. In the meantime, in the absence of clear, strong and compelling evidence to the effect that blacklisting is widespread, we remain of the view that the blacklisting regulations, alongside the proposed changes to the data protection rules, are appropriate and robust tools—the increased fines and accountability are further disincentives—to counter this abhorrent and illegal practice.

I urge all hon. Members to talk to their constituents who raise these matters with them and to the trade unionists in their constituency who have been affected, and to use the call for evidence as a means of exposing any current practice that might be continuing, so that we can eradicate this appalling abuse of people’s human rights at work once and for all.

2.26 pm

**Chuka Umunna:** I am very grateful to all hon. Members who have contributed to the debate, and for the powerful testimony that several have given. I will just say three things.

First, I welcome the Minister’s saying that she will press the Information Commissioner to do the call for evidence this year, not next year. I also welcome her saying—if I heard her correctly—that the Government will consider taking into account whether people were or are involved in blacklisting in relation to public procurement decisions going forward. That is most welcome.

Secondly, there are clearly good and bad sides to this industry. I have seen some of the good sides in my constituency during the past couple of weeks while visiting big construction sites, on Streatham High Road and the Clapham Park estate, that will make a positive difference to my community. However, this scandal exposes the ugly underbelly of the sector, which continues to go unaddressed.

I will wrap up by saying this to the Minister. She accepts that this practice is an outrage and has said that the Government take it seriously and are not complacent about it. I still fail to understand why she was not able to come here today and commit to a public inquiry. I do not understand what the Government are so afraid of. If it exposes embarrassing things for people politically that happened in the past, so what? Surely justice is the key here. That is how we prove that this Parliament is relevant. For all the bad press that this place gets, and given how disillusioned people are with the political process, at least with this we can illustrate that we deliver the goods and care about people, so I ask the Minister to please think again about doing a public inquiry. Do not be scared; just announce that you are going to do it.

**Question put and agreed to.**

**Resolved,**

That this House has considered blacklisting.

2.28 pm

**Sitting adjourned.**
Letting Agent Fees (Tenants)

9.30 am

Kevin Hollinrake (Thirsk and Malton) (Con): I beg to move.

That this House has considered the proposed ban on letting agent fees to tenants.

It is a pleasure to serve under your chairmanship once again, Mr Owen. I must first draw the House’s attention to my entry in the Register of Members’ Financial Interests. I worked in the property sector for 30 years prior to joining this House. I started my business in the property sector 25 years ago. It has grown into a national business, which I am still involved in as non-executive chair and a principal shareholder. Like many in this sector, my business and its revenue would, on the face of it, be significantly affected by the proposed changes; nevertheless, for reasons I will outline, I am in favour of the ban on lettings fees, but it needs to come with effective enforcement, and we need to cater for unintended consequences, in particular for those whom we are most trying to help in this House: tenants on low incomes.

Why am I in favour? I have declared my interest in this sector, but think that all Members with any outside interests should leave them in the Members’ cloakroom when they join this House. We should first look to ensure that we represent our constituents’ interests. Of course, our constituents include letting agents, landlords and tenants. For me, in business, as in politics, the consumer has to be put first. The free market is ultimately the free market, where supply is limited, does for first-time buyers and people on low incomes who have to resort to the private sector?

Siobhain McDonagh (Mitcham and Morden) (Lab): May I ask the hon. Gentleman what an unfettered free market, where supply is limited, does for first-time buyers and people on low incomes who have to resort to the private sector?

Kevin Hollinrake: The first-time buyer difficulty is huge. We are not debating that today—we are talking about tenants—but as I stated, we need to consider the plight of those on low incomes, and I will do that shortly.

The point is that tenants do not have a choice. This is not a free market for tenants in terms of levying fees on them. Landlords choose agents; tenants choose properties. When a tenant has chosen a property, the agent can charge them whatever they feel is the right fee. It is a completely closed market at that point. Most agents take a very responsible view of that and provide their services at fair rates, but from the research done in the consultation by the Department for Communities and Local Government, we know that there is huge variation in those charges. DCLG suggests that the average tenant fee is £318; the industry says that it is much lower. One thing that we would all agree on is that there is huge variation. DCLG says that tenant fees are between £120 and £747.

I was recently at a roundtable of letting agents discussing this issue. A high-profile London agent said that they charge a £400 tenant fee, which they justified on the basis that they provide viewings for tenants. To me, that is clearly a service they provide for their landlords. Another leading figure in the estate agency industry talked to me about his daughter, who went to college in Manchester. She rented a house with four fellow students, and they were charged £500 each as a tenant fee. That is simply unfair.

Some agents exploit this opportunity. They use it as a way to compete unfairly in the marketplace, which is not good for people who operate a fair system of charges. They use it to lower their charges to landlords, so that they attract more of them, and transfer that cost to the tenant. That cannot be right. Others use it simply to maximise profits. There is a loophole, and I welcome the Government’s action in looking to close it. I think that tenants should welcome that, as well as housing charities and Members across this House.

However, it is right that we consider the potential impacts of this change, and there are impacts and unintended consequences. First, there is the issue of rent increases. All rules and regulations have a price tag. A similar ban was introduced in Scotland in 2012. It was a kind of secondary ban, because a ban was put in place some years earlier that had not been totally effective. Having talked to agents in Scotland, I know that they had to make more efficiencies after the ban. They cut jobs and transferred some of the costs and charges to landlords, which is bound to result in higher rents. In terms of landlords and the private rented sector, the lettings market is an effective free market, and those markets do not lead to excessive profits if there is sufficient competition, which there is. Research by LSL Property Services—a property company that looked at the Scottish situation—said that there was a 4.3% increase in rents in 2013, compared with a nil increase in 2012.

The likelihood is that there will be a rise in rents, and that will disproportionately affect some tenants. Tenants who move more frequently will probably be better off; tenants who stay in properties for longer—usually tenants on lower incomes—would potentially be worse off if the fees go into rents. Overall, in their consultation, the Government recognise that this is a potential, if not desirable, outcome. The housing charity Shelter, which has been campaigning on this matter, also sees it as a potential outcome. On the forum that we held on Money Saving Expert, we asked tenants about that, and they said that the transparency of that is better than the lack of transparency and the closed market regarding tenant fees.

I see in the Gallery a number of people who are involved in the industry. The industry is very concerned about the impact on jobs and businesses. The industry position is that we should have a cap, rather than a ban, on fees. I understand that, and at one point argued for it, but the trouble with a cap is that it is a contrived device. Putting a cap in place potentially allows for a
race to the top. It does not afford the opportunities of a free market, which I see as the best regulator. What charges would we allow and where would those be capped? That was one of the issues with the original Scottish scheme that was supposed to ban fees. It created a loophole that allowed other types of charges. The Government’s position is clear, and the reality is that the direction of travel is towards a complete ban.

We must consider businesses, which are hugely important. Their investment in our economy and the jobs and wealth that are created are very welcome, and we should do whatever we can to ensure that we create a fair, level playing field for business. According to Companies House, the number of letting agents in Scotland has increased since 2012, so some of the worries about businesses seeing difficulties are probably overblown. One of the leading lettings-only agents in Scotland has had no office closures since 2012.

As somebody who believes in competition, I see market failure and closed markets as protecting weak companies that do not compete on a level playing field, and that do not really work, in terms of their services and in terms of efficiencies, which businesses are so good at.

Julian Knight (Solihull) (Con): My hon. Friend is making an excellent and balanced speech. He mentioned that there has been no decline in the number of letting agents in Scotland since the new regime. How does he account for that? What is the key reason why the industry has continued to prosper?

Kevin Hollinrake: I like to think, although I have no definitive evidence, that a dynamic market has been created. New entrants have come into the market that are willing to work harder and provide different, more efficient services. Some agents will find it difficult and there will have to be job losses, but hopefully those jobs will be transferred to new businesses that come into the market and compete. We should see this as a definite challenge, but also as an opportunity within the sector.

One of the biggest concerns is the unintended consequences, particularly for tenants on low incomes. Agents are allowed to charge tenants for very important services such as references and inventories, but in future they will not be, so the costs will be borne by the letting agent. When faced with a tenant whom we might call borderline—somebody who is on a lower income, who might fail a credit check or who is on housing benefit—the letting agent may not want to carry out a reference check, if they will not get paid for if the tenant fails it, so they may plump for a safer bet. This may result in some tenants being unable to rent the properties they seek.

Dr Rupa Huq (Ealing Central and Acton) (Lab): I draw the hon. Gentleman’s attention to a quotation from an article in The Daily Telegraph on 27 August. This touches on the point that my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) made about young people. Does he agree with this?

“If you are under 35, it’s likely there is little chance of you ever owning your own home. No doubt you are also fed up of living in overpriced rented accommodation, often of a standard that can best be described as a dump.”

Is this not part of a wider malaise? Our leader would be proud of that article, since a lot of it seems to be pilfered from the 2015 Labour manifesto.

Kevin Hollinrake: Well, nobody has a monopoly on the best ideas. The Government absolutely believe in the power of market forces and want to ensure that they apply universally. However, I do not recognise the hon. Lady’s description of the private rented sector. There are 4 million properties in that sector in the UK, of which about 1 million—a significant number, but a minority—are considered substandard. I will move on later in my speech to how we might deal with properties of substandard quality and condition, but I do not recognise them as characteristic of the industry, of landlords or of agents.

Dr Huq: I neglected to say that the article I mentioned was written by the Minister’s former colleague Rob Wilson, the former MP for Reading East who was defeated at the last general election. He writes that the Conservatives should get a grip on housing if they are ever to win again.

Kevin Hollinrake: That is exactly the purpose of this legislation. I will move on shortly to how we tackle substandard properties, but the point is that they are a minority. The hon. Lady characterises rented properties as universally substandard; I do not accept that at all. When I started in the industry 30 years ago, the only homes for rent in the middle of York were shabby, damp, dark terraced houses. There was very little choice in the private rented sector. Since then, the private sector has delivered excellent accommodation throughout the country. Yes, there are difficulties, including rogue landlords and rogue agents, and we need to deal with them. The Government have legislated and are legislating on that basis.

Sandy Martin (Ipswich) (Lab): Will the hon. Gentleman give way?

Kevin Hollinrake: One last time, but after that I had better make some progress.

Sandy Martin: The hon. Gentleman talks about the delivery of rented sector housing in the free market. Does he accept that there is a big difference between a normal market and the housing market—a market for a service of primary importance to the continuation of human life, with a massive gap between demand and supply? That has put the tenants in an impossible position vis-à-vis the agents. In any normal market, such as groceries, demand meets supply. Someone who goes into a supermarket does not get charged its advertising and transport costs on top of the price of the groceries. The customer knows what they are paying, and we need the same in the lettings market.

Albert Owen (in the Chair): Order. Interventions need to be slightly shorter.

Kevin Hollinrake: The hon. Gentleman makes some good points. In the main I support them, though I do not agree with them all. I have made it clear that there is an issue here that we need to deal with.
I have a couple of further points on unintended consequences. It is welcome that holding deposits will remain, and that if a tenant offers false documentation, the letting agent can retain it. I wonder who adjudicates on whether that process is fair; I think it is part of the redress schemes that apply to letting agents. There are also exemptions for tenants’ actions, so that tenants can be charged if they lose keys or break a contract. Again, I believe that that is fair.

The consultation suggests limiting security deposits to one month’s rent. The difficulty with that is that a number of tenants will try to use their security deposit as their last month’s rent. We know that around 50% of tenancies end with condition issues and work required. Limiting the security deposit to only a month’s rent raises the possibility of leaving the landlord out of pocket, because it is very difficult to chase a tenant for a debt once they have left. One month may be too short a limit; we need to look at that.

We really need to consider enforcement. The consultation proposes that local authorities enforce and oversee the regulations, but we know that most local authorities simply do not have the time to do that effectively. We need proper enforcement to ensure that we deliver a level playing field for all companies, in which rogue agents cannot continue to charge while good agents do not. In a recent survey, 45% of local authorities said that they took a “reactive only” approach to regulation in the sector.

The rules will also apply to landlords who let directly to tenants. England is the only part of the UK that does not have a central register of landlords. Who will monitor landlords to ensure that letting agent fees are not simply being transferred to direct charges from landlords? Who will regulate that area? There is a chance that more landlords will self-let after the changes.

There is a simple solution: extending the redress schemes, which have been very effective in raising standards, to landlords, so that tenants who rent directly from landlords have somewhere to press a claim for unfair treatment, rather than going to their local authority. That would be a light-touch way of regulating the sector. It would also have the benefit of improving rental standards, to which the hon. Member for Ealing Central and Acton (Dr Huq) referred. Redress schemes could apply a national rental standard and oversee it to ensure that we raise standards. The Government have been proactive in raising standards, having introduced measures on smoke alarms, carbon monoxide detectors, electrical checks and client money protection.

Siobhain McDonagh: Will the hon. Gentleman give way on that point?

Kevin Hollinrake: For the final time.

Siobhain McDonagh: The hon. Gentleman is very generous in giving way. We can have what laws we like; if local authorities do not have the funds to do works in default if a landlord does not do them, the laws are pointless. In the last year, only 19 of the 33 London boroughs have done any works in default.

Kevin Hollinrake: I accept that point; I made it earlier. A far more effective way to regulate this would be to have a redress scheme, backed up by a lead enforcement agency for prosecutions and higher fines. At the moment, the fines are £5,000, which is insufficient. Fines for rogue agents should be up to £30,000, as in the Housing and Planning Act 2016, and we should also allow for the possibility of banning orders for rogue landlords and agents. Again, that would potentially provide a funding stream for local authorities and the lead enforcement agency.

In conclusion, the way forward is to make sure that we deal with unintended consequences and deliver a considered and strategic solution, using a combination of regulations, which would lead not only to a level and fair business playing field but—crucially—a fair deal for tenants.
Despite the Consumer Rights Act 2015 making it mandatory for letting agents to publish their fees in full, 12% of them still do not do so. One in five tenants expect to have to pay an average of £80 to renew their tenancy, with letting agents preferring short tenancies, so that they can impose fresh extortionate fees on a new tenant. Since the proposed ban on letting fees, one agent has even introduced an additional fee, named a “legal document charge”, as compensation in the short term before the proposed ban hits. Capping those fees would not limit the number of different charges that a tenant might face and I agree with the hon. Member for Thirsk and Malton that they should be banned once and for all.

However, a ban on letting fees will not solve the country’s housing crisis; it would not even solve the crisis in the private rented sector. Since 2010, the cost of private rents has risen by 22%, making tenants increasingly reliant on support from the state. In fact, the amount of private rents has risen by 22%, making tenants increasingly reliant on support from the state. Similarly, the average cost of a deposit in London is a staggering £1,760.30. A ban on letting fees will not solve those spiralling financial issues.

Renters are lost in our housing crisis. They are unable to afford their own home but are unlikely to qualify for social housing. They face paying rents that on average take 41% of their household income, compared with homeowners, who pay 19% of their income on mortgage payments. How can a private renter ever be expected to afford their own home? Exortionate costs have left almost two-thirds of private renters without savings or investment, them precariously close to homelessness if rents continue to rise. It is no wonder that private renters are now the biggest group being made homeless, with one in three homeless cases involving a tenant at the end of their tenancy.

I hold my advice surgery every Friday and the biggest group of people who come to me because they are threatened with homelessness are mature families with three or four children, and they have lived in their private rented home for 10 or 15 years and never miss their rent. They have done nothing; they come to me because of the fact that their landlords can receive higher rents by renting to people who are not even partially on housing benefit. When my mum and dad came to London, they regularly saw signs in the windows saying, “No blacks, no Irish, no dogs”. Today the equivalent signs say, “No one on housing benefit or universal credit”.

Considering the extraordinary costs, it is unforgivable that almost a third of private rented homes in England fail basic health and safety standards. In fact, a private landlord is more than twice as likely as a social landlord to be renting out a property containing a serious safety hazard. But tenants are petrified of voicing their concerns, with 820 renters per day in 2014 being threatened with eviction for highlighting poor conditions in their home. Councils have the power to fine failing landlords but are strapped for cash themselves and simply cannot afford to enforce the regulations. Next month, the Government’s register of rogue landlords will become active, but unless tenants can access the register it will be worthless to them.

After hearing these statistics, few will be surprised to hear that the level of home ownership in Britain is at its lowest since 1985. When I became an MP in 1997, homeowners could expect to pay just over three and a half times their annual earnings to buy a house, now, it is over nine times. Newly built houses are out of reach for 83% of working private renting families and the vast majority of those families are simply unable to afford a home of their own.

Dr Huq: Does my hon. Friend also agree that this problem is also an outer London problem? It used to be the kind of thing that was associated with inner cities. In my constituency of Ealing Central and Acton, 34.4% of people are in private rented properties, compared with 16% nationally. We have a landlord register, which is a good idea. Does she agree?

Siobhain McDonagh: I totally agree with my hon. Friend. We both represent outer London constituencies and we are seeing rents that are completely unimaginable. I was looking for a home for a constituent who had to leave her previous home in shocking circumstances. We spoke to a very good local landlord, who told me that a one-bedroom flat in the street I was born and brought up in and where my 93-year-old mother still lives would cost £1,250 per calendar month. My constituent is a young woman who has a good job as a civil servant—she works very close to where we are now—but there is no prospect of her having access to such a home.

For those who cannot afford private rents, nearly 76,000 households are now in temporary accommodation, while not a single starter home has been built since the Government announced their flagship programme three years ago. Our housing market is broken. The lack of housing supply is at the heart of our housing problems, from homelessness to falling home ownership and soaring house prices.

Kevin Hollinrake: The hon. Lady has highlighted serious abuses of the private rented sector, particularly in terms of some of the conditions and charges that she referred to. Does she accept that there is life outside London? The property market in the rest of the country can be completely different to the one she describes. Does she also accept that the vast majority of landlords and agents do a very good job in their provision of the private rented sector and making sure tenants get a fair deal?

Siobhain McDonagh: First, I accept the hon. Gentleman’s point about London. Our problem is that London is such an important driver for the country’s entire economy and London is getting bigger. Merton is no longer an outer London borough; it has become inner London because London is becoming Reading or Milton Keynes. The pricing out of the people who do the important jobs that we need to be done from ever having an opportunity to live in our city is an important issue for the whole country.

Vera Hobhouse (Bath) (LD): Does the hon. Lady accept that the issue is not only a London problem? I represent Bath and the problem spreads around the country from London, so it is not just a London problem.
Siobhain McDonagh: I appreciate what the hon. Lady says. I imagine Bath is becoming part of Greater London as well as people make ever further attempts to be able to afford the sort of home in which they want to bring up their children. I accept that most private landlords and letting agents are good people simply doing a job, but that does not solve our housing crisis. Buying to let causes problems for young people in good jobs who simply want the opportunity that many of us had to own a home, and we have to do something about that. The problem is not bad motives on the part of people, but the fact that buy to let has an implication for the wider housing market, our wider economy and our wider society.

A homeless family turning up in Merton today will be placed in temporary accommodation in Birmingham or Burnley, away from their wider family and away from their support and their children’s schools. That cannot be right for anybody. Let us ban letting fees, but let us not believe that that will help us to resolve our housing difficulties.

Albert Owen (in the Chair): I do not want to impose an official time limit, but I will call the Front Benchers at half past. Those who wish to speak have about four minutes.

10.2 am

Mr Charles Walker (Broxbourne) (Con): I congratulate my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on securing this debate this morning.

There are many good landlords, but it is clear that there are some pretty shocking ones as well. It is in the interests of good landlords to get a grip and ensure that the bad landlords and letting agents are pushed or driven out of the market. It is perfectly reasonable for landlords to fund searches and referencing. I do not think that is a problem; it is a price that landlords should pay.

There is a competition out there among letting agencies for those with properties to let. So if someone goes along to a landlord and says, “We will let your property, but we will charge you £1,000 for referencing,” they will probably get short shrift. However, if they say, “This is a market. We do thorough and good referencing that will cost you £250,” the landlord is probably more likely to use that agency. Landlords will do their research, look online and see an agency has positive endorsements, but with the great internet it is possible to find the agency out there that will let their property to tenants.

I think we need to go a little further because check-in and check-out can cause problems. It is hugely important that check-in and check-out is done by an independent person. My hon. Friend mentioned that 57% of properties are self-let, which creates a problem when the owner—the landlord—checks the tenant in and checks them out. That is not an independent check-in and check-out. It is possible that some landlords allow self-interest to interfere with what is fair and just. I want to see independent check-in and check-out so that when a property is let there is certainty that the person looking at the inventory does not have a stake in the game. It would be reasonable for the landlord to fund that.

Julian Knight: I take my hon. Friend’s point entirely; I am greatly in sympathy with him. However, in the case of an independent landlord doing the checking in and checking out, if it is not done properly and agreed with the tenant at the time, under the tenant deposit scheme any withdrawal of money or holding back of the deposit means it becomes null and void, so there is an onus on the landlord to ensure the tenant agrees with the check-in and check-out process.

Mr Walker: That is a very important point. At the time, the tenant may agree with the landlord that something was damaged before they moved in, but there is no guarantee that the landlord will fix it and then in 12 or 24 months’ time—this is particularly prevalent in student accommodation at universities—try to charge the tenants again for it. Of course, the landlord is often in an economically stronger position. I welcome the fact that there is a third-party deposit scheme, but it only works properly where a letting agent is used. If the landlord is self-letting, they are not obliged to lodge the money with a third party. They keep the money, but are required to insure it with a third party. So at the end of the tenancy, the landlord still has the cash, can hold back what he or she wants and can then say, “If you want to contest it, go and contest it with my deposit.”

I have spoken to Mr Hooker, the chief executive of MyDeposits, and we have a meeting coming up. He sees the flaw in the system. If someone is self-letting, they keep the cash and simply insure against it if there is a claim against them. A lot of tenants have not got the time, the wherewithal or the understanding to challenge the deductions. We particularly see that in student accommodation. I welcome what we are doing, but we need to do more.

10.7 am

Helen Hayes (Dulwich and West Norwood) (Lab): It is a pleasure to serve under your chairmanship, Mr Owen. I commend the hon. Member for Thirsk and Malton (Kevin Hollinrake) for securing this debate and welcome his support for the ban, drawing on his extensive experience in the industry.

The UK has a housing crisis that is unprecedented since the end of the second world war. By the Government’s own admission, the housing market is broken and they are failing to repair it. The number of new homes being built in the UK is well below the 300,000 homes a year that need to be built to address the shortfall, and the number of genuinely affordable social homes being built with Government funding has atrophied, dropping by a staggering 95% since 2010.

The crisis is manifest in the thousands of people on the waiting list for a secure social tenancy and the thousands who are unable to afford to purchase a home. The number of people renting privately while they wait for a secure social tenancy or try to save to purchase a home has grown enormously in recent years, and increasing numbers of people are living in the private rented sector for the medium to long term, including 1.5 million households with children—three times the number of a decade ago.

We have a private rented sector that is entirely unfit for purpose, in which tenants pay above the odds for lower levels of security and often lower quality accommodation. Private renters spend a higher proportion of their income on rent—41% on average, compared
with 19% on average for people with a mortgage—leaving many unable to save and struggling to make ends meet. The ending of a private tenancy is now the single biggest cause of new cases of homelessness. Both my local councils, Lambeth and Southwark, tell me that the number of residents seeking help from the council because their tenancy has come to an end or they face an impossible increase in their rent has gone up by hundreds of cases every year, and I see struggling tenants living in impossible circumstances in my surgeries every week.

The situation is made much worse by the introduction by the coalition Government of the local housing allowance cap, which increasingly means that almost no private sector housing is affordable to people on low-to-average incomes in central London boroughs. The pernicious right-to-rent regulations are increasing prejudice and discrimination in the private rented sector. Councils in London are now seeing people who in the past would never have needed to ask the council for help with their housing being threatened with homelessness as a result of a combination of high rents, the coalition Government’s local housing allowance cap and insecure tenancies.

We urgently need wholesale reform of the private rented sector. We need longer, more secure forms of tenure; intervention to curb spiralling rents; new requirements on the standard of accommodation to make every home fit for human habitation; and an end to the iniquitous practice of section 21 no-fault evictions. Tenants, of course, have contractual obligations to pay rent and keep their rental property in good order, but the balance of power between landlords and tenants in the UK is completely unjust. It needs to be reformed to provide security and stability for the many thousands of residents who are forced to rely on it.

In the context of the need for radical reform, the proposal to ban letting agents from charging fees to tenants is a vital first step. Those fees are presently completely unregulated, and the letting agents are chosen and appointed by landlords. The majority of the services they provide are on behalf of landlords. In the purchase of a home, tenants’ agents—often the same agents who provide lettings services—charge only the vendor. Many tenants move every six to 12 months, so fees are not a one-off cost as they are when buying a home, but a recurring and unaffordable burden. A situation where tenants are spending more than 40% of their income on rent makes it very difficult to save, and paying hefty fees to letting agents on a regular basis is simply another blow that prevents many people from adding to their savings either for a deposit or to create a bit more financial breathing space to cope with unexpected bills.

Some concerns have been voiced by letting agents, but I am not convinced that they are supported by the evidence. The first thing to say is that there are letting agents, including at least one in my constituency, that already do not charge fees to tenants, so it is clear that a successful business model for letting agents can be achieved without the need to charge tenants. The regulation of fees should, in fact, benefit responsible and professional agents, since it is often the least scrupulous agents who charge the highest fees. Some have argued that tenants will face higher rents as landlords seek to pass any increased costs on to them. I agree with Shelter on that point, which states that predictability beats up-front costs. Although it is to be hoped that landlords would not pass on additional costs to tenants who already pay high levels of rent, an increase of a few pounds a month is clearly preferable to having a small amount of savings obliterated every six to 12 months.

Concerns have been raised that some agents would refuse to check references, resulting in an increase in the number of tenants facing discrimination. Discrimination is already common in the private rented sector. Again, I agree with Shelter: there are better methods, most notably a tenant passport scheme, that would allow checks to be undertaken in an efficient manner and refreshed periodically—rather than taken from scratch at the start of every tenancy—and that would safeguard the interests of both tenant and landlord, while enabling letting agents to operate more efficiently. Any passporting scheme should also apply to tenants’ deposits, which should be transferable from one tenancy to the next, to reduce further the burden of up-front costs.

The Government must act urgently to address the housing crisis, to invest directly in genuinely affordable social housing and to bring forward low-cost homes for first-time buyers. For as long as they fail to do so, more and more people will be living in the private rented sector. We need urgent comprehensive reform of the private rented sector to make it fit for purpose and to address the impact of housing insecurity and homelessness on families across the country. The proposed ban on letting agents’ fees is the minimum first step in that process. I urge the Government to follow through on their commitment.

Albert Owen (in the Chair): I ask Members to be a bit more disciplined. I call Derek Thomas.

10.13 am

Derek Thomas (St Ives) (Con): Thank you, Mr Owen. I am grateful for the opportunity to speak, and I commend my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on securing this important debate.

I welcome the Government’s action. When I first became a Member of Parliament in 2015, I was amazed at the number of prospective tenants who came to see me about this issue. We surveyed all the letting agencies and my office was surprised by the sheer scale and variation of charges, so I completely welcome the opportunity to get rid of charges altogether. I have three points to raise for consideration and clarification, and I hope, Mr Owen, that they will not take too long.

First, is there the potential or a plan to cap the deposit? The deposit is often set at a month’s rent. The difficulty of finding the deposit is often the greatest barrier people face in looking for a home. However, rents vary dramatically from region to region. As a result, a deposit that relates to rent can be thousands of pounds in London and a few hundred elsewhere. If the Government plan to cap the amount of deposit that can be charged, will the Minister indicate how the figure will be established? In my view, the deposit should reflect what would be a reasonable amount to bring a property back to its former condition, rather than a typical month’s rent.
I have spoken with letting agents and tenants about how changes are made during a tenancy and who pays for them. If a tenant requires a change during a tenancy, such as removing a name from a tenancy agreement, that will inevitably incur a cost. Tenants need to feel that changes to their agreement can be made easily and when necessary. We must be careful not to create further barriers for tenants and, when bringing in legislation, we need to be careful that we understand clearly who will cover the cost of changes to a tenancy.

I again commend my hon. Friend the Member for Thirsk and Malton for securing this debate. I am grateful for your patience, Mr Owen, and I look forward to the Minister’s response on how deposits will be capped and on who pays for changes during a tenancy when those changes are in the interest of the tenant.

Albert Owen (in the Chair): I am grateful to the hon. Member for Thirsk and Malton (Kevin Hollinrake) on securing this debate. Although it is clearly about England and Wales, there is a Northern Ireland perspective. The concerns that Members have expressed are concerns that I have as well. There are people on the waiting list who will never be housed, and that is the reason that the housing benefit system for people who need help to live independently is available for private rental households. The difference between renting from the Northern Ireland Housing Executive and a private landlord is not only the protection that is offered, but the cost.

Since the Government’s decision to pay tenants housing benefit instead of paying it directly to landlords, many more landlords have made the decision to work through letting agencies in order to have less hassle. However, that also means that tenants are swallowing the cost increase.

I thank the Library for the evidence in the background information, which notes that 93% of local authorities have failed to issue a single penalty for non-compliance by letting agents. Only three penalty notices have been issued and only one has resulted in the full costs being repaid. We can see clearly where the issues are.

The fact is that when the Government bring in legislation to give protection, the cost ends up resting mostly with the tenants, many of whom cannot afford it. Although a £25 per month increase may not seem much to many people, it would be very hard for a constituent of mine who works 16 hours, lives with her young daughter and has had no help from her husband, who left her, to pay an extra £25, upwards to £100. It would not be paid by housing benefit; it would be paid by her. Although we need more protection, we also need to ensure that the cost is accepted by those it was intended for.

Single parent families are struggling. They are receiving less tax credits, face having their housing benefit reduced depending on the number of rooms in the house, and are unable to work full-time hours and still be a loving single parent. I hate the thought that we are not protecting that type of family unit to the extent that we can and should be.

I again thank the Library for its background briefing, and I make a brief comment on the Northern Ireland perspective. Housing Rights carried out a mystery shopping exercise and went to 40 different letting agents, looking at administration costs, credit checks, tenancy renewal fees and inventory charges. The need for tighter regulation of letting agents’ fees was also raised by several Assembly Members in a debate in June 2016. Housing Rights called for greater regulation of letting agents’ practices, including a requirement for letting agencies to present all fees on their websites, advertisements and promotional material. In Northern Ireland, we recognise the need for that.

I read a guide to the changes, which referred to the mandatory inventory fee, the tenancy fee, the renewal fee and the agencies’ own administration fee. The average tenant pays £233 in fees, and some people pay a huge £700. Some hon. Members referred to the figure of £500, but it can be as much as £700. Citizens Advice found that 42% of renters have to borrow money just to pay the fees, which is not acceptable.

I will finish on this point. It is clear that, although landlords need to cover their costs and many are still paying for the mortgage on their property, we need to ensure that a pricing increase is not met with an increase to the tenant. How does the Minister believe that can most effectively be carried out?

10.20 am

Sir Henry Bellingham (North West Norfolk) (Con): I congratulate my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on securing this debate. Hon. Members have given very good examples of the ways in which various agents exploit tenants. The hon. Members for Mitcham and Morden (Siobhain McDonagh) and for Dulwich and West Norwood (Helen Hayes) raised some dreadful examples. I do not doubt that there is a problem in some parts of the country—particularly London and the south-east—but no tenants have complained to me or other Norfolk MPs about letting fees in Norfolk, where we have a strong private rented market. Furthermore, contrary to what the hon. Member for Dulwich and West Norwood suggested is happening in London, since 2010 there have been 600 registered housing association starts in my constituency. A significant number of new housing association houses are coming on stream, which is due to the local council being very proactive.

I have had the chance to talk to a number of local agents, who are extremely responsible, care deeply about the work they do and take great pride in the houses they let. The average application fee in my constituency is £325, and the average renewal fee is £75. That is the
situation in Norfolk. I visited a firm of estate agents in King's Lynn called Brittons, which made it clear that the ban would have an impact on its business model and would undoubtedly lead to a loss of income and jobs. It believes that the ban would have a number of unintended consequences.

We should look at the amount of work that goes into referencing. I am told that, on average, it takes up to five hours to prepare for a tenancy, as agents have to look at all the different documentation, go through the reference requests, check the credit history and liaise with external referencing companies. I had a session with a couple of the agents in Brittons, and they told me about all the work that has to be done. They pointed out that the ban is a blunt instrument, and that it is being proposed to deal with a problem in one part of the country that is not a problem in East Anglia. I therefore ask the Minister, are there no other ways forward that could be looked at? Would a cap on fees not solve the problem? What about taking referencing fees outside the scope of the action the Government are taking?

My hon. Friend the Member for Broxbourne (Mr Walker) said that the landlord should pay the fees, but the potential tenant forms a relationship and signs a contract with the agent, who then carries out the referencing work on the tenant. The tenant then has the opportunity, through the agent, of bidding for various properties. I therefore suggest that, if the onus is put on the landlord, rents will go up, so there will be unintended consequences.

I am very concerned indeed that there could be a particular problem for tenants on low incomes—for example, those who have a particularly poor credit rating or a complex credit history. If an agent takes on the task of the referencing, it takes the onus off the tenant to some extent. If the tenant clears those hurdles, they will be in the position to have their name put forward for a property.

I entirely accept that there is a problem, and the Government are right to deal with it. They are responding to a great deal of pressure from the non-governmental organisation sector and people representing tenants and other organisations, but I believe they have to be very careful indeed that they do not do something that has unintended consequences. In parts of the country with a solid, well-performing market, they must not make changes that may disrupt the market and cause major problems for small businesses, such as the ones in my constituency.

Albert Owen (in the Chair): If Mr Knight and Mr Stewart can share the remaining eight minutes between them, that would be very helpful. I will then call the Scottish National party spokesperson.

10.24 am

Julian Knight (Solihull) (Con): I refer the House to my entry in the Register of Members' Financial Interests. I am both a landlord and, like many in this House, a tenant. I rent out my family home, and I rent a home in my constituency.

I have scribbled out part of my speech, not just because of the time limit but because of the excellence of the speech by my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake). I agree with nearly everything he said. He took a balanced view and, drawing on his wide experience, made some very important points, which I echo.

We have all heard horror stories about letting agents' fees. I concur with what other hon. Members said; I have experienced that in my surgery and seen the advertising when I have been looking for property, particularly in the south-east of England. Some practices are, frankly, unacceptable, but we have to remember certain things about the fees. If we transfer referencing fees on to landlords, what happens if a tenant comes back with very poor references? That means that the landlord would have multiple fees to pay. That is one unintended consequence.

There is also the unintended consequence of rents going up. My hon. Friend said that there has been an increase of 4.3% in Scotland. That is not a few pounds, as the hon. Member for Dulwich and West Norwood (Helen Hayes) and Shelter said. On a rent of £1,200 a month, 4.3% is approximately £40 a month. That is a substantial sum of money, and would affect most of all those who are in the property for the long term, rather than those who shift between properties. We have to think about that.

I agree that letting agencies can shift their models and become more innovative in the services they provide and in levying charges for things such as broken keys. There is also the potential to sell insurance and products to landlords. That is an underutilised sector, which could be expanded and could bring greater guarantees to the sector, given time.

We should not be too damnning of landlords. We hear a lot of propaganda about private landlords, but the environment for landlords has become much more difficult. Small landlords who own only one, two or three properties have a less favourable tax regime than they did. Perhaps it would have been better if we had targeted interest-only mortgages, rather than all landlords who have mortgages. Perhaps a higher up-front stamp duty would have been a better, more income-generating way of producing the same result.

Landlords have had a difficult time in many respects. Quite rightly, they have had to meet new higher standards, but without landlords we would end up in a bipolar world with just social housing and large faceless corporate landlords or large property owners. That would not be ideal, and could impact the property market and the most vulnerable of tenants.

10.28 am

Iain Stewart (Milton Keynes South) (Con): I congratulate my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on securing this important debate. Many of the points I wished to make were eloquently made by my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham), so I will not repeat them all.

My interest in speaking in this debate was borne from a meeting I had during the recess with the Milton Keynes Private Landlords Association, which talked through the legitimate costs it incurs. Very often, it incurs a loss on the checks it has to do for landlords, which is passed on indirectly in higher rental costs to the tenants.
Although there is a genuine problem, and there are some rogue landlords out there, I am worried about the unintended consequences that a blanket ban would have. I agree that it could lead to higher rents. Particularly for people in long-term rentals, that extra monthly cost would significantly exceed the one-off cost they may have to pay in letting fees. I also worry that it will exclude more difficult tenants—those on lower incomes and non-EU nationals—from the market.

There is a wider issue to do with housing. Now is not the time—not in 30 seconds—but I have my own proposals for expanding shared ownership to deal with the balance of buy to let and property owning.

What is needed is better transparency. If we are to have a blanket ban on letting fees, the danger is that the cost gets passed on to the landlord and then passed on in higher rents. I am interested in exploring the tenant passport model, which could be based on the mortgage-in-principle situation—people could have what is almost a “right to rent” done in advance, with the costs taken from both the landlord and the agency. The market could deliver a very cost-effective such product, which would increase transparency and the ease with which people could rent.

Although I would like to expand on that, I am out of time. I hope it has been helpful.

10.30 am

Angela Crawley (Lanark and Hamilton East) (SNP): It is a pleasure to serve under your chairmanship, Mr Owen.

I congratulate the hon. Member for Thirsk and Malton (Kevin Hollinrake) on securing the debate, and I give credit where credit is due, because this issue affects so many people’s lives and raising it in this place is absolutely necessary. I also congratulate the Government on taking a positive step for people in rented accommodation.

The policy will bring England into line with Scotland, where the ban on tenant fees has helped to make the private rental sector fairer and easier to access. In Scotland, it is illegal for letting agencies to apply conditional charges to renters. For example, they cannot charge for registration or providing a list of properties, and they cannot ask for a deposit before having found a property for the renter. Any charges beyond the deposit and rent are unlawful, including for administrative work or credit checks.

Such measures have made the private rented sector in Scotland more transparent and fairer for tenants. However, I take the opportunity to recognise the comments of the hon. Member for Thirsk and Malton about outcomes and possible unintended consequences, and there are of course nuances in this debate. The hon. Member for Mitcham and Morden (Siobhain McDonagh) highlighted the alarming statistics and the huge impact on individuals’ lives, including the taking out of loans and people having to cut back in order to afford the cost of letting fees. Other hon. Members spoke about deposit schemes, the broken housing market and how it has affected vulnerable families and those on low incomes.

Any charges beyond the deposit are unlawful in Scotland. An estimated 4.8 million renting households in England are expected to benefit from the proposals for the tenants fees Bill, saving them between £200 and £700 per household per move. Letting agents in England are at present able to charge for things such as tenancy reference checks, mandatory inventory fees, renewal fees and administrative fees.

Those costs come on top of a security deposit and the rent, and can therefore be difficult to cover. Research by Citizens Advice found that 42% of renters had to borrow money just to pay fees on entering new accommodation. If the new policy is able to help people avoid needlessly increasing their debt, it is a good one. It will make private renting fairer for low-income families, who are often priced out of the sector by excessive hidden fees. Members will recognise that the policy has the potential to help their constituents who are struggling with social housing lists. By widening access to the private rented sector, it might become easier for many constituents to find accommodation suitable to their circumstances and budgets more easily.

The policy is to be welcomed, but we must ensure that no loopholes allow costs to be passed on to tenants in an underhand manner. A fear covered by many Members in the debate is that landlords and letting agents will increase rents as a result of the ban on tenant fees in order to recoup the lost fees. However, research by Shelter in Scotland in 2013 found that only 2% of landlords increased rents because of the fee ban, so while such a policy can work in tenants’ favour, we must be vigilant about rent prices.

The Government’s statement on the policy reads that it will stop “tenants having to pay fees through the back door by other routes.”

How will the Minister ensure that fees are absorbed by agencies rather than being passed on to tenants, especially in urban areas such as London and other parts of England where the private rental market is already competitive? Will the Government commit to ensuring that the policy puts tenants first?

10.34 am

Melanie Onn (Great Grimsby) (Lab): It is a pleasure to serve under your chairmanship, Mr Owen.

I thank all hon. Members who have contributed to this important debate, which was secured by the hon. Member for Thirsk and Malton (Kevin Hollinrake). It is worth recognising the points made by my hon. Friends the Members for Dulwich and West Norwood (Helen Hayes) and for Mitcham and Morden (Siobhain McDonagh) about the specific issues faced by people in London, where supply lies at the heart of many of the challenges in the rental sector, as well as population growth and the expansion of London as a defined area. The perspective of those in the rest of the country, however, is very different, and they have a different set of challenges. In my constituency, that would be to do with security of tenancy and the quality of properties available.

Over the past few decades, the number of people renting privately has increased hugely as home ownership has declined and social housing has been sold. The 4.5 million households who rent their home privately spend far more of their income on housing than either home owners or social housing tenants, with close to half of household income on average going towards rent payments. In addition, over recent years people’s incomes have stagnated, but rents have continued to...
rise. Private renters also enjoy the least secure tenancies, often moving home after a year or even less. That is not the stability that is needed for bringing up a family, but 1.5 million of households in the private rented sector include children.

There are also the increasingly large numbers of people who cannot afford to buy but are not eligible for a council house. Whether we want to label them as “just about managing” or the “squeezed middle”, they are long overdue a break. As my hon. Friend the Member for Ealing Central and Acton (Dr Huq) mentioned, that is why Labour has been arguing for years that we need to ban letting agent fees. I am therefore pleased that the Government are now following our lead.

Tenants are charged hundreds of pounds a year for any of a variety of fees when renting a property. Before moving in, they can be charged for a holding deposit, a registration fee, an administration fee and a fee for a reference check. Another issue—highlighted by the hon. Member for St Ives (Derek Thomas)—arises when tenants wish to stay in their property beyond the initial length of the contract, because they can be charged a fee for renewing the tenancy. In practice, that might involve as simple a change as the date on the contract, but it can set tenants back by as much as £150. If private renters wish to move, they may have to pay an exit fee, and some even have to pay the letting agent to provide a reference for their new landlord.

For an average cost of £400 per household, private renters are receiving a service for which their landlord has already paid the letting agent. The fees charged by different letting agents vary hugely, which shows that those fees bear little or no relation to the service they supposedly buy. If one letting agent can charge only £6 for a reference check, how can other agents justify charging £300?

Letting agent fees are not only unfair, but distributed unfairly, with those on low incomes paying more than private renters on higher incomes, according to housing charity Shelter. A Shelter survey also revealed that one in four renters had to borrow or use a loan to pay the fees, while one in six was forced to spend less on heating or food.

The issue is not new, and the coalition Government legislated in 2014 to make the system more transparent. Since the requirement to publish details of the fees was introduced under the Consumer Rights Act 2015, however, 33% of letting agents have increased their fees, while only 19% have decreased them. According to Citizens Advice, agency fees have increased by 60% in the past five years—that is an enormous amount of money.

The reason that the reform made no difference was simply because it was tackling the wrong issue. The problem is not one of information asymmetry; everyone knows that the fees are bogus. The problem is that tenants are being charged for services for which landlords have already paid and, in an uncompetitive market, there is not a lot that renters can do to avoid paying.

The hon. Member for Thirsk and Malton expressed concerns discussed widely in the agency sector about what would happen were the fees to be banned. One fear is that the costs will be passed on, from agents to landlords and from landlords through to tenants, which will result in higher rents. Another possibility mentioned was that job losses could occur in the agency sector, but I simply do not believe that to be true. If we look at the examples in Scotland, where letting agent fees were banned five years ago, we see that really has not happened. Rents there have increased by 5% since 2012, but in England rents have gone up by 9%. There is no direct relation between banning letting agents’ fees and rents increasing. It is also worth mentioning that it is easy for landlords to shop around for agents, and when letting agents were to attempt to get away with charging landlords an extra £300 for reference checks, I suspect they would quickly lose an awful lot of business.

We welcome the Government finally coming around to Labour’s policy of banning letting agency fees. Had they realised in 2014 the strain that those fees put on tenants, they might not have voted to reject the amendment to the Consumer Rights Bill proposed by my hon. Friend the Member for Walthamstow (Stella Creasy) to ban letting agency fees. The average renting household has paid an extra £400 for the past three years as a result of the coalition blocking that amendment.

When the Chancellor announced the ban in his autumn statement last year, I had hoped that the Government were seeking to right the wrong urgently. Why was the Bill to ban letting fees announced in the Queen’s Speech only a draft Bill? It has been Government policy for almost a year. The Government said in the autumn statement that the ban would be implemented “as soon as possible”, following the consultation. The consultation has been completed and the policy was part of the Conservatives’ manifesto in the general election, so why the cautious step of just a draft Bill? Will the Minister at least tell us when the Government’s response to the consultation is due and when they plan to move ahead with this?

Will the Minister also explain why there is no action to encourage longer term tenancies in the draft Bill? The Conservatives’ manifesto in this year’s general election said:

“We will also improve protections for those who rent, including by looking at how we increase security for good tenants and encouraging landlords to offer longer tenancies as standard.”

However, there was no mention of that in the Queen’s Speech, when seemingly it could have been easily rolled into the Bill on letting agent fees. Has that commitment gone the way of the dementia tax, workers on company boards, the energy price cap, scrapping free school lunches, cuts to the winter fuel allowance, and the reintroduction of grammar schools and fox hunting, or do the Government remain committed to addressing the scourge of short-term tenancies?

Labour has been clear. We recognise that this is a major issue for private renters. As well as banning letting fees, we would legislate to make three-year tenancies the norm, so that private renters are no longer ripped off but able to put down roots and become a part of their local community.

Albert Owen (in the Chair): Order. I call the Minister to respond to the debate, and I remind him that, if time allows, the mover of the motion may have a few minutes to conclude.

10.42 am

The Minister of State, Department for Communities and Local Government (Alok Sharma): It is a pleasure to serve under your chairmanship, Mr Owen. I start by
declaring an interest: my wife is the owner of a property that is rented out. I congratulate my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on securing this timely and important debate. It is clear that he has huge knowledge of the sector from many years spent working in it. I think we have had a good and balanced debate in which many colleagues contributed.

A number of colleagues raised the issue of the housing market, and I agree—it is acknowledged in the housing White Paper—that it is broken. It is one of the greatest barriers to progress in Britain, and particularly to social mobility. However, we are making progress. The housing White Paper set out many of the challenges and what we plan to do, and we are moving forward with that. In terms of net additions, there has been growth—perhaps not at the rate that we would like—and we are also supporting expansion of the build to rent sector.

Fundamentally, I think we all agree that building more homes, particularly in the places where people want to live, is incredibly important. Building those homes, however, will take time. In the White Paper we set out important measures to support people with the help they need right now. Helping people now is what we are trying to address in today’s debate. The hon. Member for Thirsk and Malton (Angela Onn) talked about putting tenants first, and I believe that the draft Bill will be about that.

As colleagues have noted, the private rented sector now accounts for 4.5 million households in England. The Government want to see all tenants receiving a good and affordable service from their landlord and letting agents, and transparency about the true cost of renting. The hon. Member for Great Grimsby (Melanie Onn) talked about the fees being charged and increases by agents. We are aware of that, which is why we intend to ban letting fees paid by tenants in England. We believe that a ban will help to deliver a more competitive, more affordable and more transparent lettings market. As we have heard, a ban has not had the negative consequences in Scotland that some suggested it might.

Good letting agents provide a valuable service in ensuring that properties are safe, compliant and professionally managed. The problem is that the letting agent is chosen by the landlord, so tenants can be charged unfair or excessive fees with limited ability to negotiate or opt out. Evidence shows—colleagues have referred to this—that that is a problem right across England. By banning tenant fees, we will enable tenants to see what a given property will cost them in the advertised rent levels without any hidden costs. We believe that a ban will help to deliver a more competitive, more affordable and more transparent lettings market. As we have heard, a ban has not had the negative consequences in Scotland that some suggested it might.

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Under our proposals, tenants will no longer have to pay letting fees, whether they rent through an agent or directly from a landlord. It is important that all tenants be treated equally under the ban. A number of colleagues asked whether rents may rise. Understandably, a key concern is that letting agents will simply revert their fees to landlords, who in turn will pass the cost on to tenants. The Government do not accept that rent levels will necessarily rise as a result of the fee ban, as there is evidence that some agents are charging excessive fees. Indeed, studies have been done on the potential impact on rents, and all of them show that while there may be increases in rents, they would be significantly smaller than the fees tenants are currently being charged. We will keep the impact on rents under review. All agents will need to be up front and clear about their landlord fees to secure business. As a result, the fees charged should be a fairer and more transparent reflection of the services provided.

A number of colleagues raised the issue of capping, which has been suggested as a more proportionate measure. I simply do not believe that a cap would be effective. A series of caps on different types of fees would be harder to understand and enforce.

On credit and reference checks, as raised by my hon. Friend the Member for Thirsk and Malton, I understand that many landlords and agents believe that the cost of a reference check should be met, or partially met, by the tenant. As with other fees, it is the landlord who chooses to engage the services of a referencing agency; that is essential to them being able to operate as a landlord. We believe that the landlord is better placed to negotiate and pay reference fees than tenants. I recognise that some agents and landlords are concerned that they will be at risk if a tenant withdraws from a property despite reference checks having been undertaken. To address that, we propose that holding deposits be exempt from the ban. That will also act as a deterrent to tenants from registering in multiple or unsuitable properties.

Trading standards do an important job of enforcing current regulations in the private rented sector, which can help keep tenants safe and protect them from poor practice. With their local knowledge of the industry, they are the clear choice when it comes to enforcing the ban on letting fees.

I understand the concern about the resources available to trading standards, and the Government are keen to ensure that they are well supported. In the consultation document, we proposed the creation of a lead enforcement authority in the lettings sector, similar to the one that exists in the estate agent sector, to provide guidance and support to enforcement authorities. I should point out that one of the advantages of banning fees outright is that it makes it easier for tenants to understand and enforce the ban themselves.

A number of colleagues have talked about looking at the sector more widely. The ban on tenant fees will be considered in the context of a strategic approach to the private rented sector, and there is scope to introduce wider regulation of letting agents and landlords. However, at present there is not a clear consensus on what kind of regulation is needed. I am interested in considering the various options and ideas put forward by colleagues and friends in the sector, including the proposals of my hon. Friend the Member for Thirsk and Malton. It is worth pointing out—he talked about this—that we
The draft Bill process, which I hope will result in legislation that as well as being workable will make a difference to tenants’ lives. We believe that the proposed ban on letting fees for tenants is the right approach, and we shall publish the tenant fee Bill in draft form in due course.

10.55 am

Kevin Hollinrake: Thank you for your excellent chairing of the debate, Mr Owen. I also thank the Minister for his comments; he has a clear understanding of the issues. He has had many challenges in his short time as a Housing Minister, and I understand that publishing a draft Bill will allow proper consultation and debate, but I felt that it would be useful to seek today’s debate at an early stage, so that views from across the House could be considered. I thank Members on both sides for their contributions, which have helped to further the debate. It is refreshing to hear Members on both sides accepting that, in the main, landlords and agents do a professional job and are part of the solution, not the problem.

One of the phrases heard most commonly in the debate has been “the law of unintended consequences”. That law applies far more prolifically than any that we could pass in the House. We have considered issues such as the potential for rent increases, which is debatable, and for job losses, which we must of course take into account. My hon. Friend the Member for Broxbourne (Mr Walker) talked about landlords who enter into direct relationships with tenants, how we supervise that and whether the relationship is fair. My hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) talked about issues relating to rural agents, and I think that was relevant. I agree with the sentiments of my hon. Friend the Member for Solihull (Julian Knight) about ensuring that the future of the private rented sector will be about not just institutional investors but small and medium-sized enterprise landlords, who provide much of the diversity in the location and type of private rented accommodation. Not everyone wants to live in a two-bedroom flat at a high rent in the middle of Manchester, which is what institutional landlords would tend to prefer over properties in more rural areas, which are also important. My hon. Friend the Member for St Ives (Derek Thomas) spoke about the level of deposits, and I share his concern.

The debate was constructive. We are looking for a considered, strategic solution that is fair to landlords and agents, who put their hard-earned money into investing in the private rented sector, but principally, of course, to the consumers. We want something that provides a fair deal for tenants.

Question put and agreed to.

Resolved,

That this House has considered the proposed ban on letting agent fees to tenants.
Solar Panels: Residential Properties

10.58 am

John Stevenson (Carlisle) (Con): I beg to move.

That this House has considered solar panels on residential properties.

It is a pleasure to serve under your chairmanship, Mr Owen. I am delighted that the House has the opportunity to debate solar panels and their potential benefits to consumers and the wider community.

Quite simply, energy matters. It heats and lights our homes. It drives industry and commerce and, of course, is central to transportation. Therefore, energy policy also really does matter. The Government have recently taken the initiative with their proposed industrial strategy, which is a potentially welcome development. However, central to any industrial strategy must be an energy policy—and an effective energy policy, at that.

It is obvious that in any industrial strategy we would want to see the plentiful supply of energy and the security of such supply, and competitive prices for the industrial, residential and private sectors. Our energy policy must seek to achieve those goals. Part of achieving those goals will undoubtedly be the energy mix. From the Government’s perspective, it is entirely logical that we want to have a healthy base-load to ensure the supply, particularly through the busy periods of demand or times when some renewables will be less able to generate energy. Such an energy mix will be made up of carbon, which I think we all accept is declining—indeed, I think there was acknowledgment recently that, for the first time ever, we had not used coal—and, of course, nuclear and renewables.

As an aside, it is interesting from my perspective in Carlisle that my county of Cumbria can be very much at the centre of our energy policy, because of the nuclear on the west coast and the proposed new build there, and also because there are a large number of renewables in Cumbria, particularly wind. There are opportunities with tidal power and technology with regard to rivers. Cumbria has a real opportunity to be very much part of any future energy policy and of the energy mix.

Any energy policy must allow for innovation—new ideas, new concepts and new systems. That can take many forms, but one clear example right now is battery technology. I think it is accepted that battery technology has the potential to transform not only the renewables industry but the whole energy industry, including the transport sector. An emphasis on battery technology and the research that needs to go into it must be a priority of our energy policy. It must be accepted that promoting innovation is central to any energy policy and industrial strategy.

The questions that then arise are: how are we to achieve that laudable aim; should this be centrally planned; should Government take the lead; and should the taxpayer be the key investor? Some undoubtedly would argue that it is the Government’s job to drive this potential change and that it is the responsibility of the taxpayer to be central to the investment required. I accept, as I think most people would, that there has to be Government involvement: that is required, particularly regarding regulation and standards. However, my view is that the market can provide the solution to many of these issues. The Government need to take an active role to create an environment in which the market can provide many of the solutions.

Alex Chalk (Cheltenham) (Con): Does my hon. Friend accept that it was the intervention of the Government, particularly in subsidising the rates that could be received for the use of solar panels, that kick-started the industry, and that Government intervention can be expected to do the same for battery technology, ultimately securing an industry that might not have prospered but for Government intervention?

John Stevenson: To a certain extent, I agree with my hon. Friend. Clearly, where Government intervention is channelled properly, it is worth while. Sometimes, subsidy and Government funding are required. I just think we have to be a little bit careful about getting the balance right, and there are times when Government involvement in the regulation or standards can create as great a benefit as subsidy. I will come to that point in a minute.

Through simple regulation, the Government can create an environment that will allow for much-needed competition and certainty for the market. Businesses, as we all know, lack a degree of certainty, and creating a market that has certainty would be beneficial. Regulations can also create innovation, with new ideas and products coming to the market. They can avoid, where possible, the need for subsidy by the taxpayer. They can create a market that is sufficiently large to entice new businesses to enter it and, indeed, encourage existing businesses to expand and invest in it.

I come to the issue of solar panels and residential properties. Solar is now, as my hon. Friend the Member for Cheltenham (Alex Chalk) highlighted, an accepted and established form of renewable energy. Indeed, I believe that somewhere in the region of 850,000 houses up and down the country have solar panels on their roofs. The UK turnover for the solar industry was estimated at £3.2 billion in 2015. The number of full-time employees involved in the industry is estimated at more than 16,000, and the amount of energy created by solar was around 15% of that created by renewables generally. The industry has enormous potential to grow much further and become a far greater part of the energy mix in this country.

We build more than 150,000 new properties per year. As we all know, there is a requirement to build many, many more houses, probably towards 300,000 a year. Housing, as we recognise, is a major issue for this country. It is also a huge industry. By bringing together a variety of issues, with a simple change to building regulations, we can create a market for solar panels that will be enormously beneficial and not require any taxpayer subsidy.

Alex Chalk: Is it not important to recognise how far we have come? The fact is that cloudy Britain generates more energy from solar panels than sunny Italy. Does that not say something about what has been achieved in this country, in this vital sector?
John Stevenson: Yes, I agree wholeheartedly. Indeed, that demonstrates the importance of technology and innovation. We are a cloudy country, particularly in Cumbria at times, but if we have the right technology, we can maximise the benefit of sunlight, which can have a huge benefit for the energy sector.

We already use building regulations as a vehicle to ensure high-quality windows, high-quality boilers and other aspects of construction. It is an accepted fact that building regulations are a critical part of the construction industry and have the ability to drive up standards and change. I hope the Minister will comment on that. I believe a review of building regulations will go on very shortly, so I will be interested to hear what he has to say on that point.

My suggestion is that we make it compulsory that all new residential properties built from some point in the future have solar panels and appropriate connections. I accept that the date would have to be two, three or maybe more years hence, so that the industry has enough time to prepare and adjust, to allow businesses already in the industry to either expand or invest, and to allow new entrants to come into it. That would give the building industry enough time to prepare to have solar panels and appropriate connections in each and every property.

What are the benefits? As I have said, there is a market of 150,000–plus new units every year, and it could be up to 300,000. Therefore demand for the product would not be an issue; there is a ready-made market. The sheer size of the market will drive down prices. The market and the volume involved will, without a shadow of a doubt, lead to innovation. It will lead to cheaper and more attractive panels. I think we all agree that some of the solar panels on top of roofs are not particularly attractive, and the opportunity for aesthetic innovation and new ideas is undoubtedly there. In many respects, solar tiles would become the norm, rather than solar panels. Without a doubt, we would see more efficient panels as well. My hon. Friend the Member for Cheltenham touched upon that. We have lots of grey skies, but with more efficient panels, we could still generate plenty of electricity.

This proposal would help in other ways. The large solar panel market would have consequences for other parts of the sector, such as the battery industry, which I have touched on. I was contacted by the Hot Water Association, of all things, which indicated that with improved solar panels and a bigger market there would be improvements in boilers. There is a connection between solar panels, boilers and so on.

There would be no need for Government subsidy. I accept that initially there may be a slightly higher price for properties, but the time to put in solar panels is when the property is being built, the scaffolding is up and workmen are on site. That drives down costs and, more importantly, in the long run there will be a saving in electricity bills. Changing building regulations would create and achieve many worthwhile objectives: sustainable energy, help with battery technology, lower energy prices for households, a contribution to the national grid and an undoubted boost for UK industry through jobs, research and development. We could create a market in this country and I would like to see British industry and British business at the forefront of this technology.

We must not forget the second-hand market. Some 850,000 houses have solar panels. If the price drops and there is innovation, the second-hand market would seize the opportunity. When properties are being re-roofed, I like to think that in five years, well over 1 million houses would have benefited from this simple change. There would be other opportunities for the Government to consider: commercial property, which I have not even touched on, and Government properties such as schools and hospitals. In time, policy could be adapted to incorporate such buildings.

I acknowledge that the Minister is not about to congratulate me and announce a policy change with immediate effect, but I suggest that sometimes in life, a simple adjustment to policy can bring the greatest benefit. Opening up a market creates new commercial opportunities, innovation and benefits for our society. I believe this policy would benefit thousands of homeowners up and down the country. It would be good for the environment and it would be good for the country. It would be a win, win, win situation.

Will the Minister consider this policy initiative and ask his Department to consider the implications and benefits that would flow from it? It should seek the views of the solar panel and renewables industry and, of course, the construction and building sector. Will the Minister report to the House the Government’s conclusion and, if the proposal proves to be realistic, which I believe it will, confirm that they will introduce the appropriate changes to regulations to enable this to happen? I look forward to the Minister’s comments.

11.13 am

The Minister of State, Department for Communities and Local Government (Alok Sharma): It is a great pleasure, Mr Owen, to serve again under your chairmanship this morning. I thank my hon. Friend the Member for Carlisle (John Stevenson) for bringing forward this debate. During his time in Parliament, he has shown an incredibly keen interest in the energy sector, and he has done so again in this debate.

It is clear that all of us in the Chamber share the common goals of wanting new homes to be energy efficient and their occupants to have low energy bills. I recognise that there is a desire among homeowners and the wider public to contribute to sustainable development and to generate their own green energy. As my hon. Friend will be aware, the Government have just helped to secure new investment in solar panels to produce electricity for affordable homes across England and Wales.

John Stevenson: The Minister is making an interesting point and he is absolutely right. It is interesting and bizarre that in a mixed build of social and private sector housing in Carlisle, the social housing ended up with solar panels on the roof, but the private sector housing did not. That seems to be an anomaly. Why was it not done for both?

Alok Sharma: I will address my hon. Friend’s point about whether we should mandate a particular technology, but in an announcement last weekend, the Minister for Trade Policy, my right hon. Friend the Member for Chelsea and Fulham (Greg Hands), welcomed £160 million
of capital investment in UK renewable energy, backed by Dutch investors. This first step is a £1 billion programme to give 800,000 lower-income households access to cheaper solar electricity.

My hon. Friend talked about building regulations. Our building regulations and planning reforms encourage the use of renewables without mandating any particular technology. In the previous Parliament, we twice strengthened the energy requirements in building regulations, introducing tough but fair minimum standards. Home builders are now required to deliver highly energy-efficient homes that typically reduce energy bills by £200 a year, compared with homes built before 2010.

The energy requirements do not prescribe the technologies, materials or fuels to be used. That allows builders the flexibility to innovate and select the most practical and cost-effective solutions in the circumstances. Those solutions could indeed include solar panels—my hon. Friend talked about the example from his constituency—but they may not be appropriate for some types of building or location. For example, the use of solar panels is more limited on high-rise blocks, because there is of course proportionately less roof space available per apartment in the block.

The Government are carrying out a review of energy standards for new homes. We are examining the costs of making energy improvements and the benefits in fuel bill and carbon savings. That will allow us to consider the impact on housing supply, as more costly regulatory requirements may make housing development less viable in some areas.

My hon. Friend talked about building regulations more widely. The recent tragic event at Grenfell Tower shocked us all deeply, and we want to ensure that such an event never happens again in our country, but we also need to learn any broader lessons that may emerge. That is why an independent review of building regulations and fire safety is being carried out by Dame Judith Hackitt. We are waiting to see the outcome of that.

Planning reforms are also contributing to more deployment of solar panels on rooftops. In April 2015, we introduced new planning measures that allow for a twentyfold increase in the amount of solar that can go on to the roofs of non-domestic buildings without a full planning application having to be submitted, through the exercise of permitted development rights.

Of course, regulation and planning are not the only ways to increase the installation of renewable systems; incentives play an important part. My hon. Friend the Member for Cheltenham (Alex Chalk) talked about how the solar sector has been assisted during the past few years through Government incentives. The feed-in tariff scheme is a Government programme designed to promote the uptake of a range of small-scale renewable systems, including solar panels. Homeowners who install solar panels receive payments for the electricity generated, use that to save money on their bills, and sell any surplus electricity not used back to their supplier. Similarly, homeowners can be paid under the renewable heat incentive scheme for hot water provided by solar thermal panels. Feed-in tariffs have proved highly popular with homeowners. The scheme was introduced in 2010, and there are now close to 1 million solar panel installations on homes. The economy of scale has helped to reduce the cost of a typical domestic solar panel installation from about £20,000 to £7,000.

Smart meters will offer a range of increased functionality, including the ability accurately to measure exported electricity from solar panels. The Government are committed to ensuring that every home and small business in the country is offered a smart meter by the end of 2020. More than 1 million smart meters were installed in the first quarter of 2017, and almost 7 million smart meters are now in operation across the country.

As our energy system and the way we interact with it changes, installing storage technologies such as batteries, to which my hon. Friend the Member for Carlisle referred, as well as solar panels can help consumers to use energy when it is cheapest, and they can be rewarded with smart tariffs for being flexible about when they use energy. As hon. Members may be aware, in July my right hon. Friend the Secretary of State for Business, Energy and Industrial Strategy announced a plan to give homes and businesses more control over their energy use and to support the development of innovative battery technologies.

The Government recognise the important contribution that solar panels on buildings are making in creating a low-carbon future, and we have a range of current and planned policies to promote their uptake further. However—I hope that my hon. Friend the Member for Carlisle will not be too disappointed when I say this—ultimately we do not want to mandate the use of specific technologies. The decision on the use of renewable technologies needs to be determined by what is most practical and cost-effective in the circumstances in which builders find themselves.
International Day of Democracy

[Mr Clive Betts in the Chair]

2.30 pm
Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I beg to move,

That this House has considered the International Day of Democracy.

It is a pleasure, as ever, to serve under your chairmanship, Mr Betts. In 2007, the UN General Assembly resolved to observe 15 September as the International Day of Democracy. The aim of the day is the promoting of and recommitting to the principles of democracy. Member states are invited to mark the day as one for celebrating our achievements in democratisation, but also for recognising the shared challenges in nurturing democracy at home and abroad. While we are not quite yet at 15 September, I do not believe there is any harm in kicking off the celebrations early.

I turn first to article 21(3) of the universal declaration of human rights, which states:

“The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.”

That simple but powerful principle, expressed as a human right, seems common sense to us all here today, but for most of our history it was quite the opposite, and it remains disputed by too many regimes across the world. I hope the debate will be outward looking in considering the challenges facing democracy across the globe and what we, both as a state and as parliamentarians, can do to support democracy abroad. However, the debate should also be self-reflective, as we look at the steps we need to take here to help democracy flourish.

This year, the theme of the International Day of Democracy is democracy and conflict prevention, focusing on the need to strengthen democracy not only as a good thing in itself, but also so that we can manage and reduce the risk of violence and conflict. That can be seen at all levels of polity, whether we look at the global level, across our European continent or within these islands. Even the briefest of surveys suggests that, where democracy, rights and civil society are disregarded—often for short-term gain—peace and stability are undermined in the long term and conflict ensues.

The link between democracy and peaceful societies is recognised by goal 16 of the sustainable development goals, which seeks to:

“Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.”

Such institutions play a vital role in preventing the spread of violence, which can have destructive and disastrous impacts on a country’s development. In the context of war and violence, it becomes virtually impossible for a country to combat challenges such as extreme poverty, lack of access to education or gender inequalities, for example. Goal 16 and the prevention of violence are therefore fundamentally important to achieving the ambitions and the ambitions agenda set out by all 17 global goals for sustainable development. I am sure the Minister will be eager to update us on the UK’s progress in achieving those goals—goal 16, in particular—both internationally and at home.

It is appropriate to turn to what the UK is doing to support democracy abroad and on conflict prevention, and to ask where there is still room for progress. In 2016, the House of Lords International Relations Committee published a report on co-operation between the UK and UN, and outlined priorities for the UN’s new Secretary-General. It concluded that:

“The UN needs to invest more in conflict prevention. Member states should consider awarding more financial resources, intelligence and analytical capacity to support the ‘good offices’ of the Secretary-General. The UK should take the lead in this field.”

It would be helpful to hear from the Minister what progress has been made in that regard.

The report identified a number of ways in which the UK could further assist UN peacekeeping operations, including by increasing our contribution and stepping up support for the training of other forces. It also suggested that:

“The UK might provide ‘greater and more systematic general and specialist training, which could be expanded to special training’ to address the issue of sexual exploitation and abuse by UN peacekeepers.”

Similarly, it would be useful to hear from the Minister about what work is under way to take forward that recommendation.

Another significant development in the past few years is, of course, the conflict, stability and security fund, which is overseen by the National Security Council. In terms of budget, it is potentially now one of the world’s largest mechanisms for addressing conflict and instability. I think there are questions over the accountability of that fund, and it is early to say how effective it has been and whether its role is defined appropriately, but we should recognise some of its important contributions. Over the past couple of years, it has funded a doubling of the UK’s troop contribution to peacekeeping through two new deployments: providing essential logistical support for the African Union mission combating al-Shabaab, and providing 370 UK military personnel to give engineering and medical support to the UN mission in South Sudan. I pay tribute to the personnel undertaking that work. Again, it would be helpful to hear more from the Minister about how the CSSF will aim to support democracy and conflict resolution in the years ahead.

Another way in which the UK can play its part is in promoting democratic values through its participation in the Community of Democracies, which is an international organisation founded in 2000 that aims to strengthen democratic norms and values around the globe by combining the expertise of Governments, civil society and the private sector. The next Community of Democracies conference is scheduled for later this month in Washington DC. However, I understand that there are concerns that the meeting will not take place as President Trump is still to commit to hosting the event. As a member of the governing council, I hope the UK Government will make representations to ensure that the conference takes place. I will be grateful if the Minister will comment on whether that is under way.

It is also important to remember the great strides taken by the UK’s devolved nations in promoting peace and security around the world. Aside from playing its role in welcoming refugees fleeing violence in Syria, and providing funding to aid agencies in that region, Scotland will be working with the UN to host an international women’s summit in Edinburgh. That will support Syrian
women by providing training in communication, negotiation and post-conflict planning, to help ensure that women play a key role in building a lasting peace in the region when the opportunity arises.

Alison Thewliss (Glasgow Central) (SNP): My hon. Friend rightly mentions the role of women in making peace. The Finnish Crisis Management Initiative found that, since 2000, fewer than 2% of peace agreements were signed by women and fewer than 9% of peace negotiators were women. Does he agree that a whole lot more needs to be done to bring women into that process, to bring a lasting peace that works for everybody in society?

Stuart C. McDonald: I absolutely agree with my hon. Friend. I very much hope that the Scottish Government’s work with the United Nations will at least set that ball rolling in the context of the crisis in Syria and the middle east. That work certainly has to be done on a far greater scale in relation to conflicts around the world.

As well as asking questions of our Government, I will turn to the work of individual parliamentarians and what we can do to support peace and stability through strengthening democracies abroad. I freely confess that, until the debate, that is probably not something I had given enough thought to, never mind participated in, so what follows will really be a tribute to the work of colleagues across all parties who are taking action where I have merely made speeches. By way of a very immediate example, Iraqi Kurdistan will hold an independence referendum on 25 September. The Scottish National Party will share its experience of holding a peaceful, democratic referendum, and members will attend as observers.

The SNP’s Westminster Foundation for Democracy project liaises directly with the Kurdish regional Government and the three main political parties there. Each of them has agreed to a cross-party delegation to Scotland and London in 2018, to review and learn from the processes of the UK and Scottish Parliaments. The main objective is to strengthen the case for resuming the normal parliamentary processes of the Kurdish Parliament, which was disrupted following violence in 2015. I pay tribute to my colleagues—and former colleagues from the previous Parliament—who have already been in Kurdistan, met politicians there and worked to strengthen the understanding of the operations of our Parliaments here. I know that other parties have had similar experiences with their own projects, and it is right that we take the time today to reflect on what we, as a Parliament, can offer to people elsewhere, by means of training and capacity building, as they seek to enhance or even restore democratic rule.

The International Day of Democracy is not only about what we can do to support democracy elsewhere, but is a chance to look at where we are going wrong here. Indeed, it undermines our arguments for there being democracy elsewhere if we are not seen to pursue best practice at home. I had the privilege of meeting Maina Kiai, the former UN special rapporteur on the rights to freedom of peaceful assembly and of association, on his last official visit to the UK. He said in his report on that visit:

“It is imperative that the same standards that the UK calls for internationally...are implemented domestically.”

Building democracy must be an ongoing process of renewal, not just an historic roll-call of celebrated achievements along the road to where we are today.

Everyone here today will have their own ideas about what more can be done. My party will continue to advocate for the abolition of the House of Lords. In Scotland, we implemented votes for 16-year-olds and put in place the Community Empowerment (Scotland) Act 2015. We also opposed the Trade Union Act 2016 in Westminster because of its attack on the democratic right of freedom of assembly and association, and we stood against the oversized powers of the Investigatory Powers Act 2016 because of their invasion of privacy. Ultimately, my colleagues and I would argue that our goal of independence is about enhancing democracy and the accountability of political decision-making in Scotland.

Putting all that to one side, today I want to focus briefly on another piece of legislation. My party has repeatedly voiced concerns about the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, having heard about some of its impact on genuine charities that are trying to inform debate. Everyone in the House can appreciate that there is a difference between charities working to fight injustice and a commercial lobbying firm seeking to shape a debate in their client’s favour. Treating lobbying firms and charities as the same seems to be entirely the wrong way to go about it. Registered charities are regulated in a different manner than lobbying firms, so the elision that occurs in their treatment under this Act seems very much to be a backwards step. We know from various reviews that it caused serious problems for charities at both the 2015 and 2017 elections. I therefore ask the Minister, who might not know himself, but can raise it with colleagues, when will the Government respond to Lord Hodgson’s report on the Act? How do they plan to implement its recommendations and what is their timeframe for doing so?

In concluding, I am grateful as a parliamentarian to have had the opportunity offered by the International Day for Democracy to reflect on what we can do to support democracy abroad and nourish it at home. It is a human right that we should never take for granted, and I look forward to hearing the contributions from other Members today.

2.40 pm

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): Thank you for your chairmanship today, Mr Betts. I also thank the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) for introducing the debate.

Clement Attlee said:

“Democracy means government by discussion, but it is only effective if you can stop people talking.”

It is a sentiment that we in this House might do well to heed from time to time.

Over the summer I was lucky enough to spend a few days in Honduras through the Westminster Foundation for Democracy, at a conference of young political leaders drawn from around Latin America. It was, I have to say, inspirational and incredibly humbling. In a part of the world where the threats of communism and military dictatorship are all too real, these young leaders, who were all aged between 18 and 30, shamed me and would shame many of us here today with their confidence, passion and enthusiasm for democracy and the rule of law. I was taken aback by how, out there, so many still...
Andrew Bowie:

Look to this place as a source of hope and inspiration. More than once people out there described this place as still the mother of Parliaments. To them, freedom and liberty are not abstract notions or taglines for the next Marvel Avengers film; they are genuine, live and emotive topics, and so too is democracy.

If we look around the world today, we see far too many countries where the right of individuals to choose freely, without let or hindrance, those who govern them—the ability to hold their Government effectively to account—simply does not exist. In the west, and in Europe and North America in particular, where the idea of getting a say, having a voice and choosing to vote has been the norm in some form or another for centuries, we take democratic freedom too much for granted.

One of the most common refrains in the past two or three years in Scotland in particular is that we have had too many elections and too many referendums—in fact, too much democracy—and that people are getting fed up of voting. I think that that is highly depressing. In modern parlance, what a first-world problem to have. Although I am no fan of referendums, I have recently become a huge convert to unexpected general elections; but imagine telling the oppressed peoples of the world that one of the problems in our country is that we have to vote far too often.

David Linden (Glasgow East) (SNP): The hon. Gentleman mentions being a convert to snap general elections. May I push him a bit further and ask whether he would join us in being a convert to the concept of elections? May I push him a bit further and ask whether he would join us in being a convert to snap general elections, simply does not exist. In the west, and in Europe and North America in particular, where the idea of getting a say, having a voice and choosing to vote has been the norm in some form or another for centuries, we take democratic freedom too much for granted.

One of the most common refrains in the past two or three years in Scotland in particular is that we have had too many elections and too many referendums—in fact, too much democracy—and that people are getting fed up of voting. I think that that is highly depressing. In modern parlance, what a first-world problem to have. Although I am no fan of referendums, I have recently become a huge convert to unexpected general elections; but imagine telling the oppressed peoples of the world that one of the problems in our country is that we have to vote far too often.

Andrew Bowie: I absolutely will. I have gone on the record in the past saying that I would welcome votes at 16, and I am willing to stand by that again today. I also think that it is very important in a democracy that we learn to respect the results of referendums and elections—something that the hon. Gentleman's party might do well to remember.

I am for more democracy, and would argue that we could start with directly elected provosts or police and crime commissioners in Scotland following the UK Government's excellent example. I am not sure that I expect cross-party support for those, however. I am very proud of this country's role in helping to strengthen and spread democracy around the world. The UN and Inter-Parliamentary Union International Day of Democracy, which we debate today, does great work in attempting to drive positive democratic change through political dialogue and action. I believe that it is our duty as democratically elected representatives to champion, defend and encourage the spread of participation in government, through initiatives such as this one and others, to ensure that, in Abraham Lincoln's words, "government of the people, by the people, for the people, shall not perish from the earth."

2.44 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) on presenting this debate. It is just a pity that we did not have more contributions. We are all here because we are democrats, we believe in democracy, freedom and liberty, and we were elected—that is the democratic process. The fact that the numbers are not great does not take away from the importance of this debate and of the issues that the hon. Gentleman and the hon. Member for West Aberdeenshire and Kincardine (Andrew Bowie) have presented.

The theme of this year's International Day of Democracy, on 15 September 2017, is democracy and conflict prevention. If someone were to do a quick check of the contributions that I have made in Westminster Hall and the Chamber, they would see that a surprising amount of them refer to democracy. That is because I believe it is so important, and that is why I am here to speak and support the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East. It is a principle that is dear to my heart, and the very heart of this place. This is the world's greatest seat of democracy, and it is an honour to be a servant of that democracy as the Member of Parliament for Strangford.

One of my great heroes—I quote him often in this House, and the girls in my office say that I am becoming more and more like him, but I hope not in a facial and visual sense—is Winston Churchill. As he so famously said, "democracy is the worst form of Government except for all those other forms that have been tried from time to time."

We have got the best system, though it is not ideal. It is in no way perfect—indeed, it is inherently imperfect because we as individuals are imperfect—yet I am proud of the democracy at work in this great nation of the United Kingdom of Great Britain and Northern Ireland. I am proud that no matter how the media have spun Brexit, the underlying fact is that we are in a democracy; the majority of people exercised their democratic vote to vote out, and that is something that we and the media must respect. Many of those who had a different opinion from me have accepted that and moved on, but some have not. That is how democracy works: we will not agree on every decision, but it is incumbent on all elected representatives to carry out the work that democracy dictates.

I can remember, at the time of the Belfast agreement, being fundamentally opposed to prisoners being excused for their terrorist activities, and voting against the agreement. I can even remember wearing a badge afterwards that said, "Don't blame me, I voted No". At the same time, democracy dictated that I went into government with those people, who had a mandate, and I worked within the parameters of the Belfast agreement despite my heart-held view. That is the democratic process at work. We accept the will of our constituents and of democracy and move forward. That is the position that all remainers find themselves in today. I understand that the International Day of Democracy is a fact—I will shortly turn my eyes externally—but even when we do not agree, we must accept democracy and work hard to achieve the best we can within its parameters.

In my role as chair of the all-party parliamentary group on international freedom of religion or belief, I see so many countries around the world where there is what may loosely be labelled a democracy, yet where there is no freedom, which is something that we completely take for granted here. We have a right to speak out on things that we believe in or disagree with, as long as we do so in a safe and respectful manner. Hopefully all
debates in this House will be held in a safe and respectful manner. There are too many who do not have that protection, and on the international day of freedom, it is only right and proper that we give thanks for our freedoms and democratic rights. We also need to ask ourselves—in this House and this debate, and outside—whether we are doing all that we can to see those same rights preserved in other countries.

I will reiterate some facts that illustrate what we have here and what others do not have. I have already highlighted some of these in the Chamber, but they are worth repeating in this debate. Many of these are from countries with a nominal democracy, yet if we see that no freedom exists, we can rightly question the presence of real democracy. In more than 100 countries around the globe, more than 215 million Christians continue to face intimidation, imprisonment, forced conversion or assault. The so-called Islamic State’s attempts to eradicate the Christian communities in Iraq and Syria have nearly succeeded. The Christian population has plummeted from more than 1 million to less than 200,000 in Iraq, and from 1.25 million to half a million in Syria. Many of those people remain displaced and face discrimination that prevents them from gaining equal access to food, shelter, education, employment and the ownership of houses and property—just normal life for the rest of us.

In Eritrea, 122 Christians, including entire families and disabled people, were rounded up from their homes in May and detained. The escalation in the crackdown on Christians coincides with the Orthodox Archbishop’s 10th year under incommunicado house arrest.

In Russia, the Supreme Court issued a decision in April that declared a Christian sect, the Jehovah’s Witnesses, an extremist organisation. It banned its headquarters and all 395 local organisations from operating, and ordered that its property be seized by the state. These are countries that say that they have a democratic process, but clearly their definition of democracy is different from ours in this House.

It is not just Christian groups that are targeted because of their religious identity. Other groups deemed a threat are often targeted as well. I have already raised in the House the fact that a few months ago in Pakistan a Shi’ite man, Taimoor Raza, was charged with blasphemy and handed the death sentence for his comments on social media—the first time that has ever happened in the history of Pakistan.

In Myanmar, which we debated in this House just yesterday, almost 170,000 Rohingya Muslims have fled the country since 2012. They are fleeing attacks by the military that include the burning of homes and the rape of women. We have seen illustrations on television over the last few weeks of the height to which Myanmar’s problems have escalated. There have been fires in forests, villages have been burned and people have been displaced. Yesterday, in the main Chamber, we had the opportunity to question the Minister on behalf of the Rohingya Muslim people in the province of Rakhine. Myanmar masquerades as a democracy, but it is quite clear that its definition is different from ours. People have walked for days up the bay of Bengal, and some have been smugled in boats to Malaysia and even Australia. Bangladesh has almost 90,000 of those displaced people.

It is clear that the democratic rights that we enjoy do not exist worldwide. That is why the International Day of Democracy is so important, as the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East said. We believe in it wholeheartedly, and we need to instil that belief in others so that they, too, understand what it means. It is also clear that we can and must do something to help by using our connections and our ability to grant aid and promote international development. The Government should be proud of what they do through the Department for International Development; I support wholeheartedly their contributions to the betterment of people in so many places in the world. We always hope that people will not only see the practical benefits, but look to us for an example of how the democratic process can work. As well as granting aid and promoting international development, we must use our embassies and ambassadors.

We also have a role to play ourselves. I look forward to the reply from the Minister and his Department, which is always fruitful and helpful, but I have three questions not just for him to ask himself, but for all of us to ask ourselves. First, is the promotion of democracy important to me? Secondly, what have I done to help the democratic process? The hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East has helped it today by introducing the debate, and so have others who have contributed or who have to come to support it. Thirdly, what more can I do? We all have a role, and we can all do more.

I truly treasure democracy—even when it works against me, as I said. I am proud to take my seat in this seat of democracy, and I urge everybody to support democracy all over the world. On the International Day of Democracy, I pledge again to play whatever role I can to achieve that goal.

2.53 pm

Tommy Sheppard (Edinburgh East) (SNP): It is a pleasure to serve under your chairship, Mr Betts—for the first time, I think. I fear we may have scheduled more time for this debate than we require.

My brief as a spokesperson for the third party—the Scottish National party—relates to the Cabinet Office and the constitution, rather than to international development. However, I have been asked to speak in this debate on the UN International Day of Democracy because we see it as an opportunity not to exhort others to catch up with us, but to reflect on how we can improve our own democracy within this Parliament and on these islands. That is what my comments will address, but I appreciate that the Minister may be unable or unlikely to respond to them all.

Over the summer, I was privileged to be asked to give the Thomas Muir memorial lecture. Thomas Muir was a radical Scottish lawyer in the late 18th century who formed an organisation called the Friends of the People. He was an associate of Thomas Paine, Wolfe Tone and many other radicals of the time. He argued for universal adult male suffrage, as well as for annually elected Parliaments—an idea that some hon. Members may not like. He was accused of sedition, sentenced, and transported to the colonies for 14 years. Such was life in the 18th century; they do not do that to us today.

I thought I would reflect on what Thomas Muir might make, if he were alive today, of the imperfect democracy we have achieved in the several hundred years since his death. I think he would be surprised by some aspects of our democracy in the United Kingdom.
in 2017. First, given that he argued for elected Parliaments, he would be very surprised that the majority of parliamentarians in the United Kingdom are not elected by anyone. The House of Lords is an affront to democrats. It has more than 800 Members, and apparently its numbers are set to be increased with no upper limit. It is now the second-largest legislature in the world, after the National People's Congress in the People’s Republic of China. Nobody has any say over who the Lords are, what they do or how they can be held accountable. We are long overdue a major reform of Parliament that abolishes the House of Lords and replaces it with an elected second Chamber that can properly revise legislation and do the business of Parliament.

I think Muir would also be rather shocked that on 8 June, 14 million people in the United Kingdom chose not to exercise their right to vote, for which he and many others died several hundred years ago. It is incumbent on all of us who value the democratic system to ask why not, because it is a serious problem. Are great numbers of people apathetic, and happy to leave decisions to others and consent to them? Or is there a degree of alienation, so that many people feel that there is no point in participating in the political system because it does not represent their views or seem to do anything to change the lives of those around them? I think there is a bit of both. I do not know what we can do about the apathy, but there are certainly some things we can do to improve the electoral system.

First, we should completely overhaul how we teach civics and democratic participation in our school system and in our society more generally. We have to see politics as something that people actively participate in—something they do, rather than something that is done to them. The teaching of elections, electoral processes and politics needs a radical overhaul at all levels, from primary school upwards.

Secondly, we could overhaul the process of voting. In this day and age, it is bizarre that people can vote only in a very defined period, in a defined place and in a very defined way. We need to look at using 21st-century technology to allow people to vote in much greater numbers than ever before. I see no reason why people cannot be given a secure ID number to allow them to cast their vote online. For Conservative Members, that would have the added benefit of dealing with one of their greatest concerns, the threat of personation—people voting when they are not entitled to. Giving people a unique ID would take care of that problem.

Thirdly, we need to do something about the electoral system. The first-past-the-post system is another affront to democrats, because it quite simply does not allow the representation in Parliament of people’s views in the proportion in which they exist in society. It has created a two-party system that obliges people to have their views compromised rather than represented. I firmly believe that modernising our electoral system through a form of proportional representation would allow the growth of many more parties, a much more pluralistic debate in our country and the emergence of better Governments. To those who complain, as some do, that PR gives unstable Government, I point out that on two of the last three occasions on which first past the post was used for elections to this House, it has produced an inconclusive result, and, I would argue, an unstable Government, so we urgently need to look at electoral reform.

Alison Thewliss: My hon. Friend is giving an excellent speech, and I very much support the points he makes. Before he moves on from the process issues around elections and electoral set-ups, does he agree that we also need to look at a better system of electoral registration in this country, perhaps going to auto-enrolment? It struck me during the independence referendum that we saw people registering to vote who had not voted since the poll tax. We really need to make sure that we reach everybody and allow them, as much as we can, to have their say in elections.

Tommy Sheppard: Thank you very much for your intervention. Yes, I do agree, in short. It is ridiculous that people have to apply for the right to vote. For citizens of the country, that should be automatic; it should be given, and people should not have to apply for it. If the state is capable of interacting with its citizens when it comes to issuing driver licences, collecting taxes and in many other areas, it really ought to be possible, when there is an interaction between a citizen and the state, to check whether that person is on the register, and if they are not but are entitled to be, to automatically put them on it. It seems to me that the technology is available to us to do that.

The Minister of State, Department for International Development (Rory Stewart): I would be very grateful if the hon. Member, having spoken about the House of Lords, could share his personal and honest view on the institution of monarchy.

Tommy Sheppard: My personal view on the issue of the monarchy is that we need to review the relationship between the monarchy and Government. The extent to which powers still lie with the monarchy in terms of the apparatus of state is questionable. I realise that many people will consider even looking at the issue highly controversial, but it seems to me that the succession—I do not know when it will come, but perhaps not many years from now—should be taken as an opportunity by everyone in society to look again at the relationship between monarchy and Government. I hope that most people would agree that if someone is to exercise executive power over someone else, they really ought to be accountable. That is the definition—is it not?—of a democracy.

I do not want to go on much longer, but I wanted to mention another aspect of democracy, which is the notion of empowerment. Democracy is not just a matter of structures and the right to vote once every four or five years. A democratic society is also one in which people feel that they are empowered to control the things around them, whether that be the litter on their street, what is taught in their local school or many other things.

We really need to do something about the degree of political centralisation in this country; I mean the United Kingdom, but it applies equally to Scotland. We are long overdue a look at how we can have better provincial and local government throughout these islands. One of the things that we need to do—
Andrew Bowie: Does that mean that the hon. Gentleman would be in favour of what I would call real devolution, from centralised, devolved Administrations in Edinburgh, Cardiff and Belfast, down to the local level as much as possible, rather than holding Government centrally?

Tommy Sheppard: I am in favour of—what was the word that the Eurocrats used to use? I have forgotten.

Alison Thewliss: Subsidiarity.

Tommy Sheppard: Subsidiarity, yes. I was a big fan of that in its day. Basically, it is the principle that power should be exercised at the level closest to people at which it can be exercised and at which it is practical to do so. I am all in favour of power and governance being transferred to the most local level possible.

I will make just one other suggestion. We tend to get hidebound in these debates and conflate two things that ought not to be conflated. One is the question of community participation and communities setting their own priorities; the other is the management of things. For example, there was a headline in the Edinburgh Evening News that it would be possible to have at least a dozen—if not more—local councils in a city the size of Edinburgh. However, that does not mean that there must be a dozen refuse departments or a dozen education departments. We could separate the process of running and managing services from the process of deciding on the priority of the things those services should achieve. If we could do that, we could make big strides forward and we would emulate some of the much more successful schemes in Europe, including in Scandinavia, and in other parts of the world that allow much better local governance and setting of priorities.

I conclude by saying why this issue is important, including why it is important for the United Nations, and why we often talk about democratic rights and human rights being intertwined. It is because all the studies show that there is a clear relationship between people’s participation in society, the control they have over their everyday lives, and their happiness. Improving democratic rights and the way that people can participate and run their own lives is also about improving the human condition. It is about becoming a more civilised, more progressive and better, more modern society. This is about becoming a more democratic society. It is about becoming a more civilised society.

I also pay tribute to the hon. Member for Strangford (Jim Shannon), who made a really passionate defence of democracy and the need to uphold our democratic values in this institution and beyond. I will come back later to some of the points he made.

I was not sure whether I would find that I had any common ground with the spokesperson for the Scottish National party, the hon. Member for Edinburgh East (Tommy Sheppard). Actually, however, I did indeed find common ground. His comments on the House of Lords were very well made, as were his points about how we, as legislators, need to make it easier for people not only to register to vote but to vote.

I think what we have seen this afternoon is an outbreak of support for the principle of subsidiarity. We are all signing up to that principle, because there seems to be common agreement that our system of governance is much too centralised and that we need to think about how we can devolve matters more effectively than we are doing at present.

The past few years have shown that we cannot take it for granted that democracy is on an upward trajectory. Therefore, it is vital that we continue our efforts to embed democracy around the world, in order to combat many concerning trends. There has been some good news for democracy over the past year, for example in Africa, where countries including the Gambia, Nigeria, and Burkina Faso held elections that led to a change of Government. On the whole, however, the trend globally could be better.

In its report last year, Freedom House spoke of “a worrying lack of self-confidence and conviction” within leading democracies, so it is right that leading democracies, including Britain, take the opportunity presented by the International Day of Democracy to make a full defence of our system in the face of its critics, both at home and abroad, as their arguments become louder and, for some people, more compelling.

Democracy and dictatorship are not binary states; they are points on a spectrum. So, while the number of pure dictatorships worldwide has thankfully decreased, democratic norms continue to be undermined in many states, perhaps putting those countries on a path towards having more autocracy than they have at present. Some of that is pretty close to home. Hungary and Poland, for example, have real challenges on the freedom of their media and judiciary. We need to make sure that that does not continue and does not support those who are losing faith in representative democracy.

We must continually reaffirm not only the importance of free and fair elections, but of all the institutions that underpin democracy, including legislative checks on the Executive; the rule of law; a free media; an informed citizenry; and the independence of the judiciary. Outside Parliament the freedoms of assembly, expression and association and a free and vibrant civil society are crucial components of democracy, but they are all aspects of our democratic system that we do not talk enough about in this institution and certainly do not do enough to uphold. A Labour Government would repeal the lobbying Act because, as outlined earlier by the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch
East, it undermines the way in which charities and others can actively campaign in this country. The Act was a backward step. We need to properly fund civil society organisations and work with trade unions, because all those different agencies are a vital and vibrant part of our democratic system. Their work should be supported and not curtailed.

Our democracies face new threats, particularly from foreign interference in election results. We have already seen some of that in the US, although I will not go into it in too much detail. Such threats work only in so far as they magnify an underlying polarisation in our societies. In upholding our democracy we have to try to work against that. That is extremely difficult for us as parliamentarians because we often have to take time to explain to people how complex our decision-making process is. Also, in a representative democracy it is not a simple case of a group of residents coming to us with a particular opinion and then we speak in support of that opinion and act in favour of it, because another group of residents might come with the completely opposite opinion. So we parliamentarians need to explain the complexity of the world that we inhabit, and how we negotiate a path through that will likely take on board what the majority of our constituents believe, and will also take account of what is in our party manifesto and our own convictions on a particular subject.

We need to respond to what we saw in the previous election, particularly from young people: a desire for radical change in how Britain is run, which gives more weight not only to the key aspects of representative democracy that I have already outlined, but to democracy at more local levels. It is a real pity that we often spend a lot of time—all of us do this—complaining about councils and bodies at local level, but they are really important to our system of governance. Perhaps when we celebrate democracy we should take time out to think about local councillors, particularly local parish councillors who do such a lot for absolutely no money. They are volunteers who give a huge amount to their local communities, and they consult a lot with local people about their priorities.

I am not as generous as the hon. Member for Strangford and I will have some asks for the Minister this afternoon. What will the Government do to support our parishes and councils better? We should not have a discussion on our local councils and the important work that they do for their communities without saying to the Government that it would be helpful if they stopped strangling our local councils with austerity measures that mean they cannot respond to the needs of local communities, because that does not help us uphold our democratic values. We have not put it to the test in many cases, but local people might want to pay more tax to have better services or they might have a set of priorities that are not shared by the Government. In reflecting on our democracy it is really important to think about how to support our councils further.

The hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East talked about the importance of devolved Administrations. He is right to make such points. Since we have had discussions about what is happening through Brexit, we might also want to put on the agenda the important work that the European Union does in supporting democratic values and nascent democracies across the world. It does a lot of work on election observation and supporting new Governments. I have not heard that discussed at all by any Minister or anyone in Parliament so far. I hope the Minister will be able to comment on that point. What will the Government do to ensure we continue to work with our European partners on embedding democracy worldwide if Brexit takes place?

On the role of democracy in conflict resolution, both the Minister and I have some experience of working in Afghanistan and we know how difficult it is to embed democracy in post-conflict situations. The UN is clear that, “democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing”, and such work is a key part of the UN’s peacekeeping efforts. Initiatives such as the UN Democracy Fund focus specifically on programmes to support democracy worldwide, but their commitment to democracy is at the heart of the UN’s work globally. We should recognise that.

However, the introduction of elections in post-conflict situations must be done well so that it does not exacerbate existing societal tensions and lead to an increase in political violence. Institutions need to be effective and hold legitimacy in the eyes of the people, and every effort should be made so that elections are as pluralistic as possible. Also, we must not lose sight of the goal that democracies and Parliaments should reflect and look like the people they seek to represent. We all have a lesson to learn in this. Our Parliaments need a better gender and ethnic balance. If Britain is going to support the UN in calling for better embedding of democratic values, we need to put our own house in order, too. That goes right across the board. It is not only about gender and ethnicity, but how we carry out our business in this institution. If we look at what leads to good governance, we need to speak strongly and passionately for our communities and our values, but we also need to respect the fact that others have a different point of view.

When we celebrate the International Day of Democracy, we should pay tribute in this place to the work that the Commonwealth Parliamentary Association and the Inter-Parliamentary Union do to support democracies across the Commonwealth and through the IPU more widely. They do the difficult day-to-day work of providing training courses, sharing best practice and trying to work out the problems that individual Governments face, and help them through those difficulties. As the UN charter states, democracy is a process, and often what those organisations do is help Governments to improve processes, and oppositions to be more effective, so that we have better democratic systems across the Commonwealth and, through the IPU, more widely.

We have had a number of discussions this afternoon about the importance of involving young people in the democratic process, and I agree that we should move to votes at 16. There is a Youth Parliament here once a year. I do not know whether anyone in the Chamber listens to the debates, but they are brilliant—incredibly well researched and articulate. There is so much evidence against the proposition that they would not understand, or what the argument is against votes at 16. I think we should have votes at 16. The CPA runs an international Youth Parliament, which is equally amazing. I hope that the Minister will think about that. It is vital to
support young people, in terms of not only politics but communities generally, to get more involved in public and civic life at local level. That would enrich our democracy a great deal.

We heard something earlier about sustainable development goals. SDG 16 is incredibly challenging for all Governments, in terms of embedding democratic values. They must ensure a responsive, inclusive, participatory and representative decision-making system at all levels. I do not think that we have that. I do not think that many Governments in the world have it. It is incredibly difficult. What will the Government do to monitor how we live up to SDG 16, in its various aspects? What will they do to support votes at 16, and how are we to give better support to institutions in the UK, so that we get more devolution and real decision making at the appropriate level?

3.23 pm
The Minister of State, Department for International Development (Rory Stewart): It is a privilege to serve under your chairmanship, Mr Betts.

In 2003, George W. Bush, making his State of the Union address, provided one of the great optimistic statements about democracy. He said that because democracies respect their own people and their neighbours, freedom would bring peace. At that period, 14 or 15 years ago, many academics believed that democracy would have that extraordinary instrumental effect. People wrote articles arguing that democracy was the best guard against terrorism, the best guarantee of economic growth and prosperity, and the way to cease sectarian violence—that democracies could be guaranteed not to go to war with each other.

Following that high day of optimism we have faced, over the past 10 to 15 years, a series of bewildering setbacks. We discovered in Afghanistan and Iraq that attempting to create democracies and holding elections, driven by the government of people such as George W. Bush, did not deliver the instrumental benefits that people had hoped for. It turned out that it was possible to hold formal elections in a country and still end up with a corrupt judiciary, an extremely unpopular Government, nothing resembling civil society, the media barely operating, sectarian violence exploding, terrorist groups establishing themselves and, indeed, countries at the edge of war with their neighbours.

The situation has got worse, as has been pointed out in the debate. For example, the hon. Member for City of Durham (Dr Blackman-Woods) has pointed out that the move to authoritarianism has accelerated in the past five to seven years. Many states have gone through a process whereby I can hardly visit them, as a Minister, without hearing about the closing space for civil society. That is why we look at ourselves raised by the hon. Member for Strangford (Jim Shannon) to look at how we talk about democracy. We were encouraged by the hon. Member for Strangford (Jim Shannon) to look at ourselves. I join the hon. Member for City of Durham in paying tribute to his speech, for its humility and introspection; the hon. Gentleman pointed out that if there are flaws in democracy, that is because there are flaws in us humans. Democracy is, in the end, a mass expression of the fact that each of us, as an individual, has flaws in our judgment: there are flaws in the information to which we have access and there are flaws in the way we respond to the world around us. Democracy, however, like any important moral consideration, is not a state but an activity—a way of behaving. It is a form of active, lived contract between the politician and the citizen.

If democracy is to work in this or any country, in terms of looking at ourselves—and I was struck by the challenges to look at ourselves raised by the hon. Member for Edinburgh East (Tommy Sheppard)—it needs to be based on a fundamental contract of honesty, under which politicians are prepared to be honest with the public. There are so many temptations and risks in democracy that lead us not to be honest. They lead us to construct a political narrative that says the majority of our potential voters are victims; that there is a small group of evil people—an elite, or some ethnic or sectarian group—that is somehow responsible for our ills; or that we are supermen and heroes who will transform and save the world with a brand new platform that will lead people to a promised land.

Not only do we engage in that practice; politicians here and elsewhere appear to suffer from an even more profound problem in admitting that we do not know things. We present ourselves as endlessly omniscient and omnipotent. We are incapable of admitting things to the public. For example, when I stand at the Dispatch Box and am asked exactly what we are doing in Togo or Benin, perhaps we are not doing a great deal in Togo or Benin. We may not know a great deal about the situation there or, indeed, about our own society. Our knowledge is actually limited.
The second consideration that we need to take forward is the idea of difference, which is where the arguments of the hon. Member for Edinburgh East were particularly powerful. Democracy is based on a fundamental principle of equality and dignity, but we need to recognise that different societies have different responses to democracy. Even within a single cultural society, there can be a completely valid set of disagreements, equally democratic, about the kind of institutions that we want to have.

The hon. Member for Edinburgh East, who comes from a particular rational, radical tradition, has profound differences from myself, as a Conservative, when it comes to issues such as the monarchy, the House of Lords and our electoral system. This is perhaps not the place to go through why I happen to disagree with him, although I can gesture in that direction: the idea that a second elected Chamber is going to perform better than the House of Lords needs to be judged more on the basis of performance than rational principles. It is very flattering to politicians to believe that the answer to the ills of their country is to generate more democratically elected politicians.

I could also, if we had the time, engage in an argument about proportional representation. I feel very strongly that the links with our constituents that are embedded in the first-past-the-post system are deeply precious. I am worried by colleagues in European states I go to that have full proportional representation systems, who say, “I can’t understand why you visit your constituents so much. I don’t need to; I am on a party list. That isn’t part of my life.” I think the geographical link—the link to place—is very precious.

However, it is perfectly valid for us to argue about those things. It is perfectly valid for our constitution to be changed through a democratic process. Where I actively and energetically agree with my hon. Friend the Member for West Aberdeenshire and Kincardine (Andrew Bowie) and the hon. Members for Edinburgh East and West Aberdeenshire and Kincardine (Andrew Bowie) and the hon. Member for West Aberdeenshire and Kincardine (Andrew Bowie) and the hon. Members for Edinburgh East and City of Durham is that one of the great failings of our democracy is in respect of decentralisation. We could learn a great deal about difference from France and the ways in which its mayors operate at a local level. I feel that Cumbria would be deeply improved if we had directly elected local mayors. I also agree with the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East pointed out, our contributions to UN peacekeepers have increased both in Somalia and South Sudan.

We are also pleased to say that the Community of Democracies event, which the hon. Gentleman raised, is going ahead in Washington DC. Sustainable development goal 16 on inclusive societies, which the hon. Member for City of Durham raised, is something that Britain was very proud to work on in the drafting process to get included, but it remains really tough. The language of that SDG contains within it the tensions of trying to convince many different countries with different governmental systems that they want to sign up to what is fundamentally a democratic vision.

There are six things I think Britain should do as general principles moving forward. The first is not to panic. We should not give up on democracy or on the basic fundamental moral insight that equality and dignity require democracy, and that there is nothing more capacious, resilient, inspiring or successful than a democracy.

Secondly, we should put our money where our mouth is and support states that are moving in a democratic direction, such as Ghana. We should celebrate the fact that Sierra Leone is going to go through a civilian democratic transition, and we should recognise and acknowledge the huge progress made in Nepal from civil war through a series of democratic elections.

Thirdly, we should play a waiting game in the authoritarian regimes. There will be places where it will feel completely miserable and where, as the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East pointed out, our contributions to UN peacekeepers are increasing, and are hoping to make that an important theme as we move forward to the UN General Assembly. As the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East pointed out, our contributions to UN peacekeepers have increased both in Somalia and South Sudan.

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and embrace those minorities”, but acknowledging that those Governments will eventually go. When they do, the seeds that we have continued to nurture and the civil society organisations that we have continued to support will be able to re-emerge. Without the support from Governments such as the United Kingdom’s, it will be very difficult to rebuild civil society or defend minority rights in any of those contexts.

Fourthly, we should work with others. The hon. Member for City of Durham pointed out the important work that the European Union is doing, but that is not enough. It is not enough for the European Union, the United Kingdom and the United States to go around telling other people to be democracies. In fact, it goes down extremely badly and discredits our project. We need to embrace other countries, above all those such as Brazil and India, which are huge democratic successes in the most challenging developmental contexts—countries struggling internally with corruption and huge problems of sectarian violence that are still keeping democratic systems alive.

The fifth point is about young people and was raised by many Members. Clearly, anything that we are doing in a democracy needs to think about how we engage with young people. That may be about voting age, but it is also about the massive technological transformation and the way in which all of us have just emerged bewildered from an election in which we have suddenly discovered that everything we believed about Facebook and Instagram and Twitter in 2015 no longer seem to be valid in 2017, and everything we had assumed about newspapers and television was turned on its head. That is just the beginning. Engaging young people with politics will involve thinking very nimbly about new technological media and, probably, new messages to fit those media.

Finally, we need to redevelop our confidence in ourselves. The only way in which we are going to be able to project democracy to the world is if we rediscover faith in our own democracy, while recognising all the things that depress us. Many things are deeply wrong in our society, such as when I see in my constituency an 88-year-old woman looking after a 93-year-old doubly incontinent man, struggling to get up every two hours through the night to look after him, or when I open a door and see a man, struggling to get up every two hours through the night to look after him, or when I open a door and see a woman looking after a 93-year-old doubly incontinent man, struggling to get up every two hours through the night to look after him, or when I open a door and see somebody who is mentally ill behind it who is not being looked after, when I see in my constituency an 88-year-old woman looking after a 93-year-old doubly incontinent man, struggling to get up every two hours through the night to look after him, or when I open a door and see a woman looking after a 93-year-old doubly incontinent man, struggling to get up every two hours through the night to look after him, or when I open a door and see somebody who is mentally ill behind it who is not being looked after. Many things are deeply wrong in our society.

However, there are also things that we need to rediscover our pride and confidence in. There is the precious blessing of peace—the fact that this country has been at peace for hundreds of years, and the fact that we are able to do really difficult things in the face of hugely difficult political challenges, and perform them peacefully, nimbly and adeptly through an electoral process. We should be grateful, above all, for the fact that our democracy is not elections-only and does not stop in this Parliament: it is our media, our civil society and our citizens. It is on that note that I want to conclude.

If the International Day of Democracy is about anything, it is about not Parliaments but citizens. If democracy is to flourish in Britain and the world, we need to discover a mutual trust—a trust of citizens in their politicians and, perhaps most difficult of all, a trust of politicians in their citizens.

3.40 pm

Stuart C. McDonald: We may not have had a huge number of contributions, but we have definitely had some very powerful, thoughtful and varied ones. The hon. Member for West Aberdeenshire and Kincardine (Andrew Bowie) put me to shame: within three or four months of his election he has already participated in a trip to try to help support democracy abroad. It has taken me more than two years since my election even to speak about it, but I am inspired to put that right.

As ever, the hon. Member for Strangford (Jim Shannon) made an incredibly powerful speech. He reminded us that democracy is about not just having a vote, but having a voice and other fundamental rights, including, of course, freedom of religion. In a previous life, I acted as an immigration and asylum lawyer, and I met clients from a number of the countries he mentioned. As ever, I pay tribute to the work he does in championing freedom of religion and other fundamental freedoms through his all-party parliamentary group and during debates.

I was very sorry to miss the Thomas Muir lecture of my hon. Friend the Member for Edinburgh East (Tommy Sheppard), so I was very grateful to have the opportunity to hear some of it today. He was as eloquent and powerful as ever in raising questions about the democracy we have here—particularly relating to the House of Lords and the electoral system. More fundamentally perhaps, he spoke about the link we should see between democracy and other issues relating to empowerment.

The hon. Member for City of Durham (Dr Blackman-Woods) warned about the crisis of confidence that is emerging in some democracies—some very close to home, in eastern Europe—while rightly highlighting the EU’s good work abroad. I was very grateful to hear that we can work together to repeal the lobbying Act just as soon as we get rid of the Government—whenever that may happen.

Speaking of which, I am very grateful to the Minister, who made an incredibly thoughtful and eloquent speech. He answered most—not all—of the questions that were put to him in the course of the debate, but that is better than most Westminster Hall debates. We will perhaps get back to him about the lobbying Act on another occasion. Like the Opposition spokesperson, he highlighted the huge challenges we face in reversing the democratic slide in some countries. He also said that we should take pride in some of the institutions we have established here. He laid down a challenge to us all as parliamentarians to be honest, to engage our constituents properly, to support developing democracies abroad and, more than anything, to build trust among all those institutions.

That is a task for us all, and I feel inspired to get on with it after our debate. I hope everybody else does, too.

Question put and agreed to.

Resolved.

That this House has considered the International Day of Democracy.

3.43 pm

Sitting suspended.
To keep food on the table for their two young children.

Mr Greenaway was unable to meet mortgage payments and struggling with his wife unable to meet mortgage payments and struggling was also becoming difficult, with Mr Greenaway and his wife unable to meet mortgage payments and struggling to keep food on the table for their two young children.

In the meantime, the situation in the UK from leaving the country due to the outstanding debts even if he obtained a passport, he would be prevented in his name. In the meantime, the situation in the UK was also becoming difficult, with Mr Greenaway and his wife unable to meet mortgage payments and struggling to keep food on the table for their two young children.

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Mr Greenaway had of course also been informed that the funds were being transferred imminently. Sadly, that proved to be no more than another empty promise by Mr Greenaway, a former member of the British armed forces. Mr Greenaway contacted me by email on 28 October 2016 to tell me that he was being held in Iraq against his will and was not receiving assistance to remedy the situation. To summarise the case, Mr Greenaway was working in the city of Basra for Hannaford Construction, a company with headquarters in the United States. Unfortunately, after he started work in Iraq, he discovered that his employer had failed to pay a succession of outstanding invoices for his accommodation and an office that the company was using. By the time Mr Greenaway contacted me, it had also failed to pay his salary for four months, leaving him without the financial means of addressing his situation. That resulted in the owner of the hotel that Mr Greenaway was staying in confiscating his passport and holding him against his will until the arrears could be paid. At that stage, Mr Greenaway was also informed that he was banned from travelling out of the country until the debt was paid.

Mr Greenaway contacted the British embassy to request urgent assistance, but unfortunately the officials there did little more than advise him to seek legal advice, which of course he could not afford because his salary had been withheld for a significant time. No assistance with funding for legal fees or other ways of obtaining pro bono advice were offered.

On 31 October 2016, I wrote to the right hon. Member for Bournemouth East (Mr Ellwood), then Minister with responsibility for the middle east, to request that urgent assistance be provided to my constituent. I followed that up with a question to the Leader of the House on 3 November, who undertook to raise the matter with his colleagues in the Foreign and Commonwealth Office. Following my intervention, an official from the FCO was able to speak with the chief executive of Hannaford, Shane Hannaford, on 4 November, who undertook to resolve the matter as soon as he could. However, that proved to be no more than another empty promise by Hannaford, like those Mr Greenaway had received on many occasions previously.

Mr Greenaway was again informed that he could not be assisted with access to legal advice, obtaining a replacement passport or funding to obtain an exit visa. Mr Greenaway had of course also been informed that even if he obtained a passport, he would be prevented from leaving the country due to the outstanding debts in his name. In the meantime, the situation in the UK was also becoming difficult, with Mr Greenaway and his wife unable to meet mortgage payments and struggling to keep food on the table for their two young children.

When I spoke to the FCO official handling the case, I was extremely disappointed that he kept coming back to the matter being a commercial dispute for Hannaford to resolve, and did not offer anything that I considered to be concrete assistance. I found that particularly concerning given that Mr Greenaway was being subjected to a travel ban, which I understand is unlawful. The FCO did however eventually undertake to speak with colleagues in the US embassy. In the meantime, I made a number of telephone calls to Hannaford in the United States.

Eventually, on 14 November I received an email from Shane Hannaford in response to my calls telling me that the funds were being transferred imminently. Sadly, that was much like his other promises; the money did not materialise. Fortunately, in the meantime, Mr Greenaway, with the assistance of his family, managed to obtain a sum of money that the hotel accepted as a down payment on the arrears that had been accrued, and it agreed to return his passport.

By 18 November, Mr Greenaway had finally managed to leave the hotel, but he was still unable to leave the country due to the travel ban remaining in place. I continued to lobby my constituent’s employer on his behalf for the funds, which were finally transferred by Hannaford on 7 December, enabling Mr Greenaway to return to the UK two days later.

I hope that the Minister will understand from the circumstances I have outlined why I am so concerned about the response that my constituent received. Despite having served his country in the armed forces for a number of years, at times Mr Greenaway felt that he had been left completely isolated. Sadly, I do not see that the matter would have been resolved without my intervention. Simply advising an individual who is subject to an unlawful travel ban and who has had his salary withheld for four months to speak to a lawyer is really not good enough. I hope that the Minister can assure me that the right lessons will be learned.

How can it be right that an individual who has done nothing wrong can be effectively detained in another country, without any judicial process and without access to legal advice? I accept that there are times when diplomatic channels mean that a direct approach may not be the best route, but in this situation there cannot be any justification for the lack of a robust approach. I hope that the Minister will acknowledge that the support my constituent received was just not good enough. I also hope that the debate will serve as a warning to anyone thinking of working in Iraq for Hannaford Construction, which acted outrageously at all stages and had no regard to my constituent’s safety or wellbeing at all.

The second situation relates to my constituent Paul McCann, and sadly it is still unresolved. Paul, along with his twin brother Gary, founded the charity Twin Vision, which undertook work in India with disadvantaged children. Tragically, on 30 October 2004, while on the way to a meeting with an American charity in New Delhi to discuss establishing an outreach photography project with the city’s impoverished street children, Gary was involved in a hit-and-run incident. After arriving at New Delhi following a lengthy train journey, Gary hailed a rickshaw to take him to his hotel, but at around 6 am a 30-seater bus jumped a red light and
collided with the rickshaw, killing him instantly. The driver did not stop at the scene, but he was later apprehended by a witness and subsequently arrested.

I cannot imagine the hurt and distress that the incident caused Paul and the rest of his family, but sadly, 13 years after that tragic incident, Paul is still on a painful journey to obtain justice for his brother. Despite making very simple requests on repeated occasions, he has not been aided in that journey either by our high commissioner in India or by the Indian high commissioner here in London. Because of the intransigence of the authorities in India, it took him more than a decade just to obtain his brother’s death certificate. Sadly, despite multiple requests, he was not aided in that by our consular services. Despite us being almost thirteen years on from the tragic incident, he has still not been able to obtain any details at all about the status of the case against his brother’s killer.

Mr McCann initially approached my predecessor, Andrew Miller, before I took up the matter when I was elected to this place just over two years ago. However, despite the best efforts of us both over a number of years, and innumerable letters to both the Indian high commissioner and FCO officials, we have been unable to make significant progress. Mr Miller attended a meeting some years ago with a previous high commissioner, and I have met with another, who has also since moved on. We also both engaged in numerous exchanges with our own officials. However, what should be a simple request for information has still not been met, and none of this has resulted in anything more than promises for follow-up correspondence, which subsequently fail to materialise. To deny Mr McCann any sense of closure all these years on is a tragedy on a tragedy, and one that I am determined to help him address, however long it takes. All this is compounded by what he feels is a failure of our consular services to do anything to assist him.

I will first ask the Minister, as I have asked his predecessors in the past in writing, whether he will instruct his officials to make representations on Mr McCann’s behalf to the authorities in India, asking them to provide him with an update as soon as possible. I also ask him to look into this matter personally and assure us that he is satisfied that everything that can be done has been done.

I would also like to put on the record my anger and frustration with the Indian high commission in London, which has either given me undertakings that updates would be provided and then not met them, or ignored my correspondence altogether. I hope that today’s debate will be the final spur it needs to provide Mr McCann with meaningful information in the very near future. It may be that it will still not respond, and it may be that a more assertive approach from our consulate would not reap any rewards either, but if it could make a personal approach out in India, then at least my constituent would know that every avenue had been explored.

**Brendan O’Hara** (Argyll and Bute) (SNP): I commend the great work and the service that the hon. Gentleman is doing on behalf of the Greenaway and McCann families. He will be aware, as will the Minister, of the fact that the six British ex-service personnel languishing in jail in Chennai in India, including my constituent Billy Irving. Will he join me in asking the Minister to put pressure on the Foreign Office and the consular service in India to give as much support as they can to the families, and to seek a speedy resolution—the release of those innocent men?

**Justin Madders:** I certainly echo those sentiments. My hon. Friend the Member for City of Chester (Christian Matheson) also has a constituent in that dreadful situation. It looks like it could drag on for many years, which is intolerable for the families. I understand that sometimes these things cannot be best discussed in an open forum—that does not always reap the best results—but we are in a much more open society now. Channels of communication across the world are much easier, and the information needed should be getting to those in this country, so that they can feel that some progress is being made. I understand the frustration and anxiety of the hon. Member for Argyll and Bute (Brendan O’Hara) that things do not seem to be moving as swiftly as we would like.

I know that the Minister is also aware of the very serious cases of British dual nationals Nazanin Zaghari-Ratcliffe and Kamal Foroughi, who are imprisoned against their will in Iran, and that a request has been made of the Government in Iran for Mr Foroughi to be released.

**Tulip Siddiq** (Hampstead and Kilburn) (Lab): I am grateful to my hon. Friend for mentioning the case of my constituent Nazanin Zaghari-Ratcliffe, who has been imprisoned in Iran for 18 months, separated from her daughter and husband. She is a dual national, as he said. She has been refused consular access countless times. Does my hon. Friend agree that where there is a pattern of a country denying consular assistance, the Government should commit to bringing cases before the International Court of Justice?

**Justin Madders:** I thank my hon. Friend for her intervention and agree with her suggestion. It seems that only certain countries play by the same rules, and it is frustrating when what we think is the right way to deal with things is not replicated in various locations around the world. I know that she has been an assiduous supporter of her constituent, and I hope that the Minister can give some assurances on that case.

In conclusion, as we have heard from the two cases I mentioned and from other hon. Members today, these situations are complex, difficult to navigate and far from easy to resolve. Some of the situations I have referred to have been stretching on for years. I am sure that every Member of this place wants the assurance and confidence of hearing from the Minister that consular support, the Foreign Office and individual Ministers and Members are doing absolutely everything they can to assist our citizens when they are in these difficult situations abroad.

4.13 pm

**The Minister for Africa (Rory Stewart):** It is a pleasure to serve under your chairmanship, Mr McCabe.

Consular support is fundamental to British foreign policy. It is probably the very oldest element of British foreign policy. Before we had a Foreign Office, protecting British citizens abroad was in our DNA, and it remains for us a very fundamental responsibility. That is why we have hundreds of consular staff working across the world in very difficult circumstances. That obligation is going into a new world—a world that is changing.
When our consular in Aleppo set up in 1570, he saw 12 British citizens in a year. Today, 70 million trips are made by British residents in a single year. Nearly 43 million British citizens currently possess passports. This is one of the most travelled countries on earth, and we wish it to remain so. It is an adventurous trading nation. It is a nation where a lot of our citizens are dual nationals, and many are living in other people’s countries. There are 100,000 British nationals living in South Africa alone, and more than 600,000 British nationals living in the United States. It is not simply that we have more people travelling than ever before; it is that the world is changing. The world is becoming more dangerous.

There are people in this room who will have contemporaries who would have been able to take a bus from Victoria station to Delhi in the 1970s. They would have been able to drive across Syria, Iraq, and Iran. They could have gone across Afghanistan, from Herat to Kabul. They would have been able to travel to the north-west frontier province of Pakistan. None of that is possible today for a British citizen. In fact, nearly 50 countries in the world are in a fragile or conflict-affected state. It has never been so dangerous.

At the same time, our relationship with other people’s countries is changing. In the 1850s, Lord Palmerston stood up in this House and established the principle that any British citizen getting in trouble would involve the deployment of a British gunboat. When a British dual national in Athens in the late 1830s was not paid for some damage to his property, an entire squadron of the Royal Navy deployed to Athens to try to deal with it. Today, we have a situation where even the United States of America—a country that is able to deploy 105,000 troops on the ground and spend more than $100 billion a year—frequently struggles to get even quite small countries to provide the respect to its citizens that it wishes. That is not just a problem for the United States, for Britain or for Europe; it is a problem for every country in the world.

Given the 70 million-odd trips that British citizens make around the world every year, the challenge for our consular staff is dealing with a huge variety of problems. For example, I have been to see the consular activities run out of Marbella, where we have to deal with hundreds of British citizens who end up in Spanish jails, frequently because they have had too good a night out. Consular assistance needs to extend from that to British citizens who are captured by Islamist terrorist groups and end up in a boiler suit in the desert, about to have their heads chopped off, in some of the most difficult and inaccessible countries on earth. In between, they have to deal with the fallout of Hurricane Irma, with earthquakes and with military coups. The cases that have been brought up by hon. and right hon. Members show exactly how difficult it is. Members of Parliament have advocated for these cases very powerfully. They are difficult cases. They show exactly where Britain is having to respond. Let me take them in turn.

The first case raised was that of a British national who, as we heard, travelled to southern Iraq. I served in southern Iraq. It is not a safe place. We advise against people travelling there on our websites. British embassy staff basically cannot travel to those areas of southern Iraq; it is too dangerous. He went there with an American construction company. We absolutely support the commercial drive and adventurous spirit that leads a British citizen from the constituency of the hon. Member for Ellesmere Port and Neston (Justin Madders) to wish to travel to southern Iraq. He found himself in a situation in which his company had not paid the hotel, and the hotel had taken his passport.

The hon. Gentleman then championed his constituent’s case very powerfully with our Department, but our consular staff acted. They acted by calling the hotel repeatedly and pushing for the passport to be returned. They acted by calling the US embassy repeatedly, and they acted also by trying to provide support for his constituent to access legal advice. We feel absolutely the frustration of the hon. Gentleman’s constituent. If I were stuck in a hotel in southern Basra in a difficult situation, with my passport held, I too would feel extremely frustrated and angry with the company, with the hotel and with my Government.

We are very fortunate that the situation was resolved. I would like to pay tribute to the hon. Gentleman for all his pressure and the telephone calls he made. I have no doubt that one of the reasons it was resolved was his very active work, but I also pay tribute to the consular staff in the embassy, because I believe that their telephone calls and the pressure they brought also contributed to it being resolved.

The second case raised is an even more difficult one, because it brings us into the Indian legal system. In this particular case, Gary McCann was in a rickshaw when it was struck by a bus in 2004. The consular staff at that moment—we are now going back 13 years through Government records, and it was not this Government but a previous Government who were then responding—identified a lawyer, tried to advise Paul McCann—Gary McCann’s brother—to contact that lawyer when he visited, and were able to identify a witness who had seen the rickshaw struck and introduce him to the witness. Mr McCann understandably feels real frustration and fury at the slowness of extracting promises from the Indian High Commission, getting hold of a death certificate, getting the prosecution done and making sure the lawyer from the Supreme Court brings the case fully forward.

The British Government must balance what we feel we ought to do with what we can do. The balancing act is difficult. We must respect the fact that India is not a British colony, but an independent, proud state with a rapidly growing economy and its own legal system. It does not want to be told what to do by a former colonial power and we must balance that with our belief in the rights and justice that are due to our citizens and the sort of support we can provide for them to work within that legal system.

That brings me to the Chennai Six. Six British nationals were on a ship that had arms on it—the intention was to provide support for actions against piracy in the horn of Africa—docked in an Indian port. The Indian Government, particularly the Q branch, argued and successfully won a prosecution in court that bringing arms into India in that way was illegal and the men were detained. At the very most, these men were guilty of being on a ship that docked in Indian waters. They have been cleared once. The case was then brought a second time and they were prosecuted a second time. They have appealed and it has taken nine months for that appeal to be heard. Meanwhile, they have spent nearly four years of their...
lives in jail. Some of them are very young. I went to see John Armstrong in Chennai and I met the deputy Chief Minister’s family, consular staff and all the men. These men are in a really tough and unfamiliar situation. An Indian jail is a challenging place to be.

Brendan O’Hara: I know how personally the Minister has been involved in this case, but does he think the Foreign Office and the consular staff in Chennai have done absolutely everything they possibly can to help the men currently in jail?

Rory Stewart: The honest answer is that we can always do more for British citizens, but the consular staff have done a great deal and they have done a great deal recently. They have provided a lot of support for families to have access to the jail and in respect of conditions in the jail. The High Commissioner has visited, the previous Minister has visited and the consular staff are putting an enormous amount of time and energy into the case. I have met the lawyers representing the men and, without being a lawyer, I have tried to give as much advice and support as I can to the families and men to make sure they get the right legal advice.

The problem is fundamentally within the Indian legal system and I believe the Government and Members of Parliament have an obligation to be honest with people about their expectations. One of the most tragic things that can happen in such situations is to raise expectations and to pretend that the Indian legal system will move faster. I believe that again and again the men have been promised a swift resolution, but it has not come and I am not sure that that has been the most honest or kind thing we can do.

I am very aware of the number of meetings that have been held. Our own Prime Minister raised the matter again with Prime Minister Modi at their latest meeting and it was raised by the Chancellor of the Exchequer when he was Minister for the Middle East and by the current Foreign Secretary, but the fundamental problem remains with the Indian legal system and we must keep pressing.

Unfortunately, the case is similar to that of Nazanin Zaghari-Ratcliffe, who is an Iranian-British dual national who unfortunately has been detained, like many American-Iranian dual nationals and many other dual nationals in Iran, by the Iranian Government on very unclear grounds, and consular access has been refused. My right hon. Friend the Minister for the Middle East has just paid a visit to Iran and raised the case directly with the Iranian Government.

Again, we are facing a struggle with how we exercise British power and influence in these very different contexts. We have heard about southern Iraq, Iran and India, but in fact our consular work takes place in nearly 200 consulates around the world, every one of them with different, specific local conditions.

I will end by being constructive. What must we do to improve the situation? How can we do better for British citizens going forward? How do we face this new world where 70 million people are travelling? How do we face a new world with these dangers? I have three ideas.

First, we need to focus much more on how we assess vulnerability. We will never be able to deal with every one of the 70 million trips that British nationals make worldwide, even with 700 consular staff, so we need to get much better at mixing compassion, intelligence and some difficult prioritisation to make sure the people in the toughest situations receive support. That means understanding the context, their family and financial situation and, above all, what we can actually do to help.

Secondly, we must try to work with British citizens to make sure they take responsibility and precautions, such as getting adequate travel insurance, following British embassy advice and not engaging in activities that are inherently risky. That means not just personal responsibility, but industry responsibility. How do we make sure travel agencies, employers and others fulfil their obligations to citizens?

The hon. Member for Ellesmere Port and Neston asked about a company’s obligation. Again, with the Chennai Six, what on earth is the obligation of the company that employed these men? It has stopped paying their salaries, has not paid their legal fees and has made no attempt whatever to represent its employees. It has left six British citizens—as well as 10 Estonians and a dozen Indians—in jail because it has not represented them.

Finally, we must be clear about prevention. What can we do in advance to stop these situations happening? If there are problems with the prison systems of other countries, how can we work in advance with those countries to begin improving their prison systems? If there are problems with the legal systems of other countries, can we do things now to start working respectfully, diligently, persistently and courageously to drive change in those legal systems so that British citizens are not caught up in these problems in future?

The issue is important because we want British citizens to travel and to keep travelling as they never did before. We want to acknowledge the fact that the 70 million trips we make abroad are just the beginning. We want British citizens to be educated abroad, to trade abroad and to enjoy themselves abroad. The entire existence of the Foreign and Commonwealth Office and our consular interests of British citizens abroad. I also pay tribute to the Foreign and Commonwealth Office and our consular staff who, for all the frustrations and bewilderment of so many constituents who feel let down, isolated and afraid abroad, continue in difficult circumstances to provide what support they can.

Question put and agreed to.
HS2: Phase 2b Route
(Manchester and Leeds)

4.29 pm

Antoinette Sandbach (Eddisbury) (Con): I beg to move,

That this House has considered the route of Phase 2b of HS2 to Manchester and Leeds.

It is a pleasure to serve under your chairmanship, Mr McCabe. I am pleased to have secured this debate on a matter of immense importance to me and my constituents. If phase 2b is to go ahead, it is vital that it be done properly. At such a high cost to the taxpayer—£55.7 billion—and with budgets having risen significantly since High Speed 2 was first announced, the route must be designed so as to avoid unnecessary cost to the taxpayer and with minimum disruption to the communities that it affects.

The proposed route of HS2 through my constituency of Eddisbury will not only cause significant environmental damage and noise disruption to many areas, but come at a particularly high cost to the taxpayer because of the unique geotechnical challenges of routing HS2 through an area of current and historical salt mining and across land with a long history of significant subsidence risk. HS2’s route through Eddisbury must be looked at again, and the serious and valid concerns raised by independent experts, academics and local people need to be taken into account to find a route that works better both for the local communities and for the taxpayer.

In addition, HS2 must improve the quality of engagement with communities, who feel that their voices are not being heard. That is a long-standing complaint and has been raised by my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan). It is disappointing that those problems are still arising.

Moving on to the detail of the route, I wish to place on record my serious concerns and those of my constituents about the relocation of the western leg rolling stock depot from an industrial site—a former colliery—in Golborne, outside my constituency, to a greenfield site in Wimboldsley, in my constituency. The decision to site the depot in that quiet, rural area has caused a great deal of anxiety to local residents. The impacts on Wimboldsley appear to be greater than those at the Golborne site. I will add that the relocation was sprung on me and my constituents with no warning. That is no way to gain public trust and support for the project.

Sir William Cash (Stone) (Con): I very much endorse the thrust of what my hon. Friend is saying. I, too, am very much opposed to HS2 in principle and will be voting against it. On the specific points that she is raising, there are important questions about consultation; she is right about that. My constituents have similar problems, and we shall be fighting this all the way down the line, with petitions and so on.

Antoinette Sandbach: I am very grateful for that point, which my hon. Friend makes well. Having long been involved in the process, he knows exactly how frustrating it is to deal with HS2 and the lack of engagement that is apparent in many of the meetings that are held.

At a proposed length of 4 km, the depot in Wimboldsley will be a significant visual and environmental blight on that tranquil rural area. It will be in close proximity to Wimboldsley wood and cause significant disruption to prime dairy farming land. It will impact on six grade II listed buildings, as opposed to one at the Golborne site; requires five demolitions, compared with one at the Golborne site; and an obtrusive and unsightly tunnel-type structure is proposed to cross the Shropshire Union canal. That is at a spot popular for its tranquillity that is well used by locals and tourists alike.

Craig Tracey (North Warwickshire) (Con): I congratulate my hon. Friend on securing the debate. I am all too familiar with this issue, having the constituency that is arguably the most affected by HS2. Does she agree that HS2 should give more consideration to bored tunnels? They have been requested by constituents in the Kingsbury and Polesworth action groups in my constituency and would help to minimise the impact on residents and the environment, but also on the road infrastructure, which will be severely affected.

Antoinette Sandbach: I completely agree. HS2 ought to look at tunnelling much more. We know that one impact may be 375,000 lorry vehicle movements. That will cause chaos on the rural roads around Eddisbury and will significantly disrupt some of the arterial routes through Cheshire, impacting on local businesses and local towns, so I agree that much greater consideration of tunnelling is needed.

There are impacts on my constituents, particularly at Wimboldsley Primary School, which is directly next to the proposed 4-km rolling stock depot site. The HS2 sift document, which informed the decision to move the depot from Golborne to Wimboldsley, made no mention of the primary school at all, raising serious questions about the scale of the analysis underpinning the decision. I am speaking for the parents, teachers and children who will have to suffer the consequences of the construction of that large piece of infrastructure and all the associated environmental and noise impacts if my hon. Friend the Minister does not intervene.

Amanda Milling (Cannock Chase) (Con): I congratulate my hon. Friend on securing the debate. She talks about the construction phase. It has come to light that the construction phase may slow the redevelopment of the Rugeley B power station site—a key development site for new homes and new businesses that will create new jobs in my constituency. Does she agree that we are looking at many different implications from the construction?

Antoinette Sandbach: One key aspect of the business case for HS2 involved consideration of the economic benefits that it could bring. I question whether the economic blight associated with it has been appropriately considered. It appears very often that, in effect, a line is drawn on a map and only afterwards have the problems caused by that line been adequately identified. My hon. Friend gives a very good example of how the construction impacts are not being adequately thought about at this stage.

For the reasons that I have set out, I urge HS2 and the Minister to act early in relation to Wimboldsley, where there are clearly significant issues, and to move
the rolling stock depot to a more suitable site, either its original proposed site at Golborne or a new location, such as Basford sidings, south of Crewe.

I also wish to raise the decision last year to realign the route through Eddisbury 800 metres to the west, and the concerns that have been raised about taking it through an area with a greater amount of wet rockhead—unstable ground liable to subsidence as a result of salt. HS2’s decision to move the route came about because the original 2013 proposed route went through the area where the UK’s strategic gas reserves are stored. It was of course practical to move the route away from the gas reserves, but moving it 800 metres to the west has caused other problems, because it still goes through an area with geotechnical challenges that are not easy to engineer around and where there will be a significant cost to the communities and the taxpayer.

TerraConsult Ltd produced an independent geotechnical report on the proposed change of route and concluded that there would be an increase of 11% in the route length over wet rockhead. HS2’s lead ground engineer has called the ground conditions in the Cheshire salt area “spicy”, referring to the engineering challenges of building a high-speed railway line in that area, and HS2’s own consultant, Wardell Armstrong, recognises the risks of building HS2 through Eddisbury in its report on salt-related ground instability.

The Government must recognise the risks in the area and move the route away entirely. Alarmingly, before making route choice proposals, HS2 had not done any detailed ground surveys for use as a baseline to track ground movement. As far as I am aware, those surveys have still not been carried out.

The engineering challenges require significantly increased height and length of the embankments and viaducts—up to 26 metres. There will be two additional crossings of the Trent and Mersey canal, one at the location of previous subsidence at Billinge. That comes at an estimated additional cost to the taxpayer of £750 million and significantly increases the noise and visual damage for communities.

The route alternatives set out in the TerraConsult report should be looked at and given serious consideration. The decision document issued in July, following the recent consultation, does not contain any reference to the TerraConsult report or the points made in it. Was it considered in detail before a decision on the route in Eddisbury was made? If it was, why has HS2 to date failed to disclose the AECOM report, to which the Minister has referred in correspondence, despite numerous requests to do so?

In raising such serious issues, I consider the impact on Eddisbury and my constituents first and foremost, which brings me on to community engagement and the levels of communication and transparency. Progress has been made with the appointment of a new director of community engagement last December, and the publication of a residents’ charter, but information on the route has been difficult to obtain and public meetings have often left local residents unsatisfied.

When my office has requested information from HS2, there has often been a lengthy delay in responding. Previously, I have had to resort to freedom of information requests. When information is provided, it often lacks the necessary detail and does not fully answer the request. For a significant government project with huge ramifications for the public, all that must improve so that genuine local concerns can be fed into the process adequately.

Ms Esther McVey (Tatton) (Con): I congratulate my hon. Friend and neighbour on securing this important debate. I endorse all the points that she is making, in particular those about safety, security, suitability and cost. My constituency, too, is full of brine fields and wells where salt has dissolved and been pumped out, which creates craters underground. Ros Todhunter, a geologist who lives in Lostock Green in my constituency, has also discussed land movement. Railway engineers talk about permitted movement of 5 mm, but we could be looking at 0.5 metres. As my hon. Friend has said, there should be discussions with people who know the land well—their families have farmed this land for hundreds of years and they know about problems under the earth that. I am afraid, the Government have so far not looked into.

Antoinette Sandbach: I am grateful for my right hon. Friend’s intervention, because I have met Ros Todhunter and am aware that Ministers and HS2 have had high-level technical reports from her explaining some of the real difficulties in my right hon. Friend’s constituency and mine. A deep worry is that HS2 does not seem to be disclosing the appropriate level of technical reports to experts who are meant to be giving expert opinion highlighting proper concerns which are right to express at this stage in advance of a serious engineering project. One such expert is one of the most eminent professors in the field of salt subsidence, who wrote to the Secretary of State more than 18 months ago to emphasise that ground-level surveys ought to be started now, so that HS2 can identify subsidence and problem areas.

I say to the Minister that it would be extremely beneficial for MPs across the House who are affected by HS2 to be regularly updated by the engineering team on the detailed design of the route, to ensure that there is an appropriate level of scrutiny and to allow valuable input in the process. Reports regarding route decisions and sift documents ought to be shared with Members as a matter of course, not kept from us. There simply has to be better engagement, and with an acute awareness and understanding of local issues.

Many constituents have raised legitimate concerns about the compensation schemes for properties that lose value due to their close proximity to the route. Those schemes are failing to recognise the true extent of the blight caused by HS2, and more needs to be done for residents. A number of tenants have particular problems and, as it stands, do not stand to be compensated at all—particularly tenants with agricultural holding tenancies and a tenant in a property owned by a charitable trust, who has a secure tenancy and may not be able to secure another similar to the one that he has now.

There appears to be an increasing trend in phase 2b of need-to-sell applications being turned down. The latest figures show that, out of 139 applications received, 25 have been accepted, with 49 rejected and 52 pending. Those living beyond 120 metres from the line have no alternative but to rely on the restrictive need-to-sell scheme. I am seeing an increasing number of cases on which constituents are unable to sell their homes due to HS2 but are not fulfilling the highly subjective and restrictive compelling-reason-to-sell criteria. They are
then trapped and unable to move, which is extremely unfair. That really needs to be looked at again, with further consideration given to a want-to-sell scheme for those who are blighted and cannot sell. More also needs to be done for tenants who are affected.

On a more general note, I raise the issue of the destruction of woodland in phase 2b. The Woodland Trust estimates that phase 2b alone will destroy or damage at least 18 ancient woods. HS2 must be seen in the context of being a project for the future, but the current mapping along the whole route sees 98 irreplaceable ancient woodlands affected. I urge the Department for Transport to do all it can to diminish the impact on rural areas and to promote a green agenda.

I urge the Minister to reconsider the route of phase 2b through Eddisbury. It would be much more sensible to craft constructive solutions to the issues I have outlined. The new proposed location for the western leg rolling stock depot is extremely unsuitable and will cause long-lasting damage to the local area. The 2016 route realignment through Cheshire raises serious environmental, noise and safety risks and cost implications, as highlighted in an independent geotechnical engineering report, and should be looked at again.

Finally, I hope that if we shine a spotlight on examples of poor engagement and a lack of transparency thus far by HS2, the Department for Transport will look at ways of improving collaboration with communities and local MPs who know and understand their ideas. Then, not only will local aspects be fully taken into account, but public trust in the project will improve.

4.48 pm

Sir Kevin Barron (Rother Valley) (Lab): I congratulate the hon. Member for Eddisbury (Antoinette Sandbach) on securing a debate once again on this matter. Some Members will have heard in meetings that we have had with HS2 directly in this House that my constituency was to have been affected by HS2, which was going to go to Sheffield Meadowhall. Last year, the consultation on Sheffield Meadowhall ended, and for some strange reason, HS2 decided to consult on another route; how much this has cost the public purse, I have no idea whatsoever. The reason given as to why HS2 did not want the Sheffield Meadowhall station in South Yorkshire was that there had been objections from Sheffield City Council and local business organisations. Indeed, they had spent thousands of pounds of public money lobbying the Government for a second railway into the centre of Sheffield. They did not want to travel 10 minutes to Sheffield Meadowhall.

HS2 Ltd has now said that it will put HS2 into Sheffield Midland station; the line lands there and goes no further. At a consultation meeting on 12 July this year, Sir David Higgins said that the electrification of the line from Sheffield to Leeds, which would see a continuation of the HS2 route, was an aspiration. We were slightly disappointed, to say the least.

Last year, when I first questioned HS2 at the consultation meetings here in Parliament, Sir David Higgins said the development would not go ahead at Sheffield Meadowhall because there was a lack of consensus, so I asked him politely, “If there is no consensus on the new line on the eastern M18 route, which goes through my constituency, will that not go ahead?” He would not answer me. I said to him, in Committee Room 20 or 21, “You don’t want to answer that question, do you?”, and he just shook his head and nodded up and down. Of course he did not want to answer that question. There has been very little consensus throughout the HS2 process.

The consultation on the M18 route ended earlier this year. There were 271 people who argued for the route, and 4,157 people who voted to stop HS2, but to put the HS2 station back in Meadowhall, so that South Yorkshire would get the benefit of an HS2 station to help regenerate the local economy; that was what HS2, which I voted for in the House quite some time ago, was about. It is quite clear that the consensus arguments are not being accepted. We would not have a motorway or a railway anywhere in the UK if we first wanted consensus.

I believe that the decision is being based on data that, to put it kindly, are wobbly at best. I have raised the issue of the properties affected numerous times, both with Ministers and with HS2, and I have still not received an adequate answer. Chris Matthewman and Simon Cross from the local HS2 campaign groups have provided the Minister and HS2 with true property impacts, which were referred to on 29 August in a Yorkshire Post article that starts:

“HS2 is facing paying compensation to people and businesses in almost 1,300 properties along its revised route through South Yorkshire”.

It continues:

“the ‘M18 route’ after current official estimates said just 51 properties on the route were due to be affected”. My understanding is that it is not denied that these 1,300 properties are likely to be affected.

The fact that roads have been split in half between those who can claim compensation and those who cannot is already causing huge anxiety in my constituency. The reroute will go through three villages in my constituency: Wales, at the southern end of my constituency; Aston; and Bramley, where it goes through an estate right next to the M18, which is a crucial part in all this. As I say, this issue is causing huge anxiety. This is a prime example of the poor community engagement that still exists, despite pleas from many Members across the House not to leave residents to worry for many, many months.

I have received an email dated 4 September from a constituent—I will not use his name because I have not spoken to him, but I will send him a copy of Hansard. I will not read it all out, but it says:

“We live on Sherbourne Avenue on the Broadlands estate and have done so happily for over 10 years. We have 3 young kids aged 12, 6 and 4 and it was mainly for the wellbeing of the kids that we decided to make the difficult decision to sell to HS2 under their scheme. We are only 40 metres from the proposed track and have done so happily for over 10 years. We have 3 young kids aged 12, 6 and 4 and it was mainly for the wellbeing of the kids that we decided to make the difficult decision to sell to HS2 under their scheme. We are only 40 metres from the proposed track and 1,300 properties are likely to be affected”.

We started the process in late January and are now at serious risk of losing the new build house that we hoped to move into (in August) due to the baffling incompetence of HS2. We have had more bad news from our solicitors this morning saying that it could be another 20 days minimum before anything significant happens!”

That is just not acceptable. The people at HS2 have known about this reroute since July last year. This person has three young children; given their ages, I would be worried about their education and where the family ought to be living in years to come. I am not
saying that the children will be at school in 20 years’ time. This is a disgraceful way to treat people when we have known about this situation all along.

At the 12 July consultation meeting with the HS2 chairman, Sir David Higgins, in Committee Room 20 or 21, we had a battle over issues of property impact—that is a nice way of saying it—and an HS2 senior manager named Leonie Dubois said, “The number of properties affected does not form part of the route decision-making process.” I have had reams of emails and letters from the Department for Transport and from HS2, and now HS2 says that the number of properties does not affect the route.

The Minister is new in his job, so I am not blaming him, but the Department for Transport, which obviously gets advice from HS2 from time to time, wrote to me in a letter of 23 July:

“Using this approach, HS2 Ltd’s advice is that the M18/Eastern route would require 35 residential and 16 commercial demolitions, including 16 residential properties at the Shimmer estate.”

I have written to the Minister about that, and I thank him for the letter I received, although I do not understand how somebody in a new property in Mexborough can be offered £30,000, while my constituents who have been living in their houses for 20 years are offered nothing. I still cannot work that one out, but let us leave that aside for the moment. The letter continues:

“The refined Meadowhall route would require 80 residential and 47 commercial demolitions.”

I will not bother the Minister with more at this stage. However, I am still waiting for the meeting that I should have had in April with the group and with Ministers, which was called off because of the general election. I hope the Minister will agree to have that meeting, so that he can come and listen to what people are saying about what is happening in South Yorkshire. How can the fact that 600 properties in one village will be affected by HS2 not play a role in the location of the track?

I have been very positive in this House about HS2, but I have to say that I am now a little tempted to change my mind. Last year I was at the Broadlands estate in Bramley with three HS2 engineers. We stood next to the M18 and they tried to convince me that HS2 could get within 30 metres of the motorway and the houses. HS2 has implications for hundreds of houses on that estate. Like my constituent, I would just get out now.

Antoinette Sandbach: It seems that route decisions in Cheshire were made on the basis of the number of properties affected; I think that was recorded in official documents from HS2. The problem is that one thing is being said in one location and another thing is being said in another. The only thing we have in common is that our residents are not being treated in the timely manner that they deserve. There has been a massive impact on their lives, as the right hon. Gentleman has outlined.

Sir Kevin Barron: I completely agree.

According to the article in The Yorkshire Post, HS2 told journalists that the figure of 51 properties affected on the whole route—it will actually affect hundreds of houses in my constituency—was a reflection of a “very early design stage”. I know that the Minister has inherited this, but as a taxpayer I have to tell him that it is not acceptable to use tens of thousands of pounds of public money to pay compensation to those in houses on the Meadowhall route while people are using excuses of non-consensus. I hope that at some stage we will look again at what is happening in South Yorkshire, because it is doing damage. It is not in the interests of my constituents, South Yorkshire or the public purse.

4.59 pm

Maggie Throup (Erewash) (Con): I congratulate my hon. Friend the Member for Eddisbury (Antoinette Sandbach) on securing this important debate. We have already heard some of the complexities of the issue.

Like the right hon. Member for Rother Valley (Sir Kevin Barron), I have been supportive of HS2 in principle; but the more things go on, the more we start to wonder whether it is worth all the stress and uncertainty for our constituents. I hope that we can get things sorted out, because it is important. The major infrastructure project will be good for our economy, for connectivity and, above all, for people who are living and working in the midlands and the north. My main priority, however, remains securing the best possible deal from HS2 Ltd for those residents in my constituency who will be directly affected by the line of route. The line of route goes half way through the town of Long Eaton and will be on a 17-metre viaduct, so we can imagine what impact that will have.

On a practical level, because of the unique nature of the property market in Erewash, it is almost impossible for people whose homes have been acquired by HS2 Ltd for phase 2b to purchase a like-for-like property just two streets away. Houses just two streets away are too expensive for them, even with the plus 10% compensation.

Many of the residents have lived in their homes for many years. They are elderly and cannot get another mortgage. Indeed, why should they get another mortgage? There is also a real lack of industrial land available to be developed for the businesses that are having to relocate. I fear that they will either move out of the area completely or end up closing, and that is the last thing that we want.

When the Secretary of State confirmed the final phase 2b route to the House just before the summer recess, he agreed with me that no one should lose out as a result of HS2. With that in mind, would the Minister consider scrapping the one-size-fits-all approach to property compensation and replacing it with a bespoke scheme that reflects the individual circumstances in each affected area? As we have already heard, it has already been done in Mexborough, so why not in Long Eaton and Rother Valley? I am sure that if we really want this project to happen, it is not beyond the realms of possibility to make sure that nobody loses out as a result of it, as the Secretary of State agreed.

Briefly, turning to the administration of the compensation scheme, I have found HS2 Ltd to be woefully inadequate. The way in which HS2 Ltd continues to treat residents and play with their lives cannot be allowed to carry on. I have witnessed the stress on the residents’ faces. That stress cannot be described. I know that my residents are awake throughout the night, night after night. They see that their neighbours are the same, because the lights are on in the kitchens. They are all making cups of tea, really concerned about what is going to happen to their futures, and end up ringing each other because they
know that they are all awake. That is wrong. We live in the 21st century and cannot get right a major infrastructure project so that it really looks after our residents.

It is not just the fact that the residents have to move; it is the fact that they are not being offered compensation that allows them to move without an impact on their financial security. All that people have are the houses that they live in. When the properties are being valued at vastly different amounts by the chartered surveyors for HS2 Ltd and the renowned chartered surveyors that are being put forward to my residents, something has to be wrong. That starts suspicion and makes people think that HS2 Ltd wants to buy the properties on the cheap. There is a lack of information and lack of transparency.

I know a row of really old Victorian railway cottages. HS2 Ltd will not talk to the people at one property about compensation until it has settled with those at another property. Why is that? Why can they not get on? These properties will be demolished; they are in the safeguarded zone. Why not realise that if the project is going to move forward at a reasonable pace, those people should be paid what the properties are worth?

Just a few weeks ago one couple were going through the exceptional hardship scheme and the property was valued at £185,000. They have now been offered £150,000 for the same property by HS2 Ltd. It is the same company. Something has to be wrong, and it really needs to be addressed. The compensation is based on pre-blight valuation. For another property, a lady has been offered less than she paid for it 11 years ago, and yet we know property prices have gone up since then. Something must be done because people are losing confidence in HS2. People welcome what may come in future, but if we cannot get it right now people will lose confidence very quickly.

I hope the Minister will look at the requests for compensation. He has written to me recently and things have improved, but at a slow pace, one by one, and people cannot wait. They know they have to move out of their homes and find somewhere else. They cannot put their lives on hold any longer. We have some elderly people in Long Eaton and they want to start afresh now, not by the time everything has gone through the petition stages. They want to be able to move on. They are being forced out of their homes, so why should they lose out? I request that the Minister gets a grip of HS2 Ltd and does the right thing by my and other Members’ constituents.

5.5 pm

Jo Platt (Leigh) (Lab/Co-op): I thank the hon. Member for Eddisbury (Antoinette Sandbach) for securing the debate today.

There is no doubt that HS2 has the potential to deliver some benefits to the economy, but the people in my constituency are less than convinced. Many constituents are already feeling short-changed by the unsympathetic and bureaucratic process of applying for compensation, and they agree with my right hon. Friend the Member for Rother Valley (Sir Kevin Barron) and the hon. Member for Erewash (Maggie Throup) that the Minister should look again at the compensation scheme. Many are rightly asking how Leigh will benefit from the scheme and how the impact to the environment is to be minimised.

Another concern is connectivity. How is it right that it will take longer on public transport to get from Moorside Common in my constituency to Wigan— they are both in the same borough—than it will to get from Wigan to Birmingham? I recently wrote to the Secretary of State highlighting these concerns and how investment in infrastructure in our towns is essential. His response was to admit that there is no plan for the future: no plan to realise the potential that HS2 can have in smaller towns.

Places such as Leigh have been consistently overlooked. While the scheme is blinkered into seeing the benefits to major cities, people fail to see the huge benefits that could be gained by investing in greater connectivity to the wider network and places such as Leigh. We need to kick-start local economies. We need to invest in our towns and make full use of HS2. We need to ensure that places such as Leigh are connected to HS2, and that Leigh is not somewhere it simply runs through.

The Government risk disenfranchising large parts of the north from any potential benefits from this large-scale national project. With most large infrastructure projects going to London and the south-east, there is little confidence in the north that the Government are serious about delivering an economy that works for everyone.

5.7 pm

Lee Rowley (North East Derbyshire) (Con): Thank you for the opportunity to contribute to this debate, Mr McCabe. I congratulate my hon. Friend the Member for Eddisbury (Antoinette Sandbach) on securing this debate, which is an important step in making sure residents and people across the country have confidence in this controversial and difficult project, but one that has the opportunity and potential to make some difference to our country if it is done in the right way. In the same way that HS2 is controversial in this House, HS2 is controversial in my constituency of North East Derbyshire as well. I genuinely welcomed the Secretary of State’s statement on 17 July, which helped to clarify matters in my constituency. The route has moved slightly further to the east, although that causes problems for my right hon. Member for Rother Valley (Sir Kevin Barron) in the constituency adjacent to mine.

I have three quick points on the change to the route. I hope the Minister will be willing to consider each of those. First, now that we are clearer about the route, following the statement on 17 July, my constituents’ thoughts and conversations over the summer have turned to what that actually means on a practical level. I recognise that, for all large infrastructure projects, a long period of design and development needs to take place so we understand what the implications are for the roads, the railway network, and the traffic and transport that is required to construct them. It would be very helpful if constituencies such as mine could obtain an understanding of the likely implications when the construction works begin. Which roads will be affected and how much is likely to come down them? That will enable people to start preparing and having discussions at this early stage. I fear that if we have yet more consultation meetings in North East Derbyshire and across the country in which such basic, practical questions cannot be answered, or are deferred for a couple of years, it will add to the weight of cynicism that is already in place in constituencies such as mine.
The second issue relates to where HS2 will link to existing track. In my constituency, given the changes that the right hon. Member for Rother Valley talked about—it will move into Sheffield directly—it is proposed that existing elements of the legacy track will be used. There will need to be significant changes to the legacy track, including electrification, one assumes. It would be useful to get more detail at the earliest possible stage, because residents who think that the track has moved elsewhere and are no longer quite as affected by it as they were still need to understand the great implications of the changes and upgrades to the lines on the existing network, and the implications for the midlands main line and the franchise that runs on the existing network.

Finally, villages in my constituency, including Killamarsh, Renishaw and Spinkhill, have previously faced the real challenge that many colleagues have talked about today. They were on the previously reserved route and have suffered the blight that has been described. Happily, most of the blight has been removed, at least for the villages in my constituency, because the route has moved elsewhere, but they have suffered for a number of years. We have had four and a half years of missed opportunities, economic consequences and decisions foregone. For example, for four and a half years the Chesterfield Canal Trust has not been able to make decisions about the restoration of a very important asset in north Derbyshire. I recognise that money is tight, and I promise the Government that, as a Back-Bench Conservative Member of Parliament, I will not make a habit of coming to ask for money, but I wonder whether consideration can be given to compensation schemes for those who were affected by the blight for several years. They may be no longer affected but their lives have been changed none the less. I hope the Minister will be willing to consider those issues.

5.12 pm

Rachael Maskell (York Central) (Lab/Co-op): I thank the hon. Member for Eddisbury (Antoinette Sandbach) for bringing this debate forward. It is so important that there is proper scrutiny in this House of the plans. After all, a Bill will not be laid before Parliament until 2019, so we have a window of opportunity to scrutinise every inch of track to make sure that the right decision is being made.

The clearest comment I have heard in this debate is that the Government have got to get a grip of what is happening. After all, it is the responsibility not of HS2 Ltd but of the Government to make sure that our infrastructure is right. That is why Labour wants to see the development of the UK’s infrastructure. We supported high-speed rail for that reason: to improve capacity and connectivity, and to boost the economies of cities, particularly in the midlands and the north.

We cannot have a siloed approach to HS2. It has to be embedded within a wider integrated transport strategy. Economic development across our towns and cities, which feel so ignored, has to be at the heart of everything. Therefore, while HS2 will provide a main artery, we cannot ignore that objective, which sometimes gets missed. The focus is often on the engineering expertise and the excitement around that, but that misses the point of what high-speed rail is all about. It is about moving goods and people to help the economy grow.

There is real disappointment among Labour Members at the Government’s strategy of late around rail, full stop. They are turning off the power in the north and we are not going to see the investment in HS3 that we were promised to make sure that there was east-west connectivity. Part of the original plans for high-speed rail was an inverted-A route, with high speed across the Pennines. There is a serious piece of the jigsaw missing. It was a deliberate ploy by the Government to make the announcement when even Network Rail had not made the decision. The Government jumped the gun, to cut off the north. Those kind of blatant decisions are really hurting people in my constituency and across the north.

We must recognise the need for investment in rail. We need to decongest the current networks and ensure better connectivity as we move forward, but not at any cost. That is what is so important. Points have been made powerfully today about ensuring that the details are right, understanding the engineering complexities and the environmental concerns that need to be at the forefront of the project, and making sure that people are at the heart of decision making.

Yes, we do want to see the economic benefit. I ask the Minister to ensure that clear economic benefit is mapped out from this development. If we get things in the wrong order and do not put the economic investment into cities in the north, I am concerned that their economies will be sucked down to the south-east and we will not realise the potential. I fear that that could happen to my city; we would just be another commuter zone. It is really important that we understand how the plans relate to the economy and economic investment, and that we get the sequencing absolutely right, to ensure that we see the benefit of high-speed rail. I take on board the point made by my hon. Friend the Member for Leigh (Jo Platt) that HS2 cannot stop at every town along the route, but if it is well-connected—we do not even have a draft national timetable yet—it will serve those purposes.

Just south-west of my constituency, the little village of Church Fenton is now being described as a massive interchange. The origins of HS2 were very much about making sure that there was connectivity between the major conurbations of the north and the midlands. Although Church Fenton may have that elevated status, we have to look at the impact that that will have on a small village in North Yorkshire. Obviously, it does not want to just be turned into a car park. Those considerations are incredibly important.

There has been much discussion about Sheffield and that discussion must continue. I have real concerns about taking the line into the heart of Sheffield, because not having the electrification and connectivity going north makes a nonsense of HS2. We are not achieving the original aim of joining up the major conurbations, and therefore HS2 does not meet its objectives. Given the cost of the investment, if it does not even do that and is not even able to make those connections across a county, it is right that we ask serious questions of the Government. We must look again at the proposals and make sure that we get this absolutely right.

Where we place stations and routes will be crucial in how our economy grows in the future. I want to hear much more from the Minister about the connectivity issues. I also want to hear about why lines cannot be moved. As we have heard, 800 metres in one direction
could make a huge difference to an area of environmental protection and present an engineering challenge. If we can move lines to reduce the risk to our environment and beyond—it sounds like that would reduce cost as well—the Minister has an absolute responsibility to do that.

I recognise that progress has been made on parts of the line through the consultation with HS2. We need to keep bringing HS2 back to the table time and again over the next 18 months to make sure that we make clear progress on the outstanding issues. Clearly we want to ensure that when we are making such a serious investment in the future of our country, at a time when perhaps we are most challenged as to where our economy sits in the wider sphere, there is a response on those issues.

I ask the Minister to site this issue within the rest of our investment in the rail network. The east coast main line is in urgent need of repair and upgrade, with the overhead lines needing power to run high-speed. We know that it will cost about £900 million for the southern route, but the northern route also needs a proper upgrade to take on the HS2 line heading north of Church Fenton, York, and beyond. I want to know the timing of those upgrades. When will they happen? I also want to ensure that we bring real connectivity across the network, to make sure that it works.

Finally, I want to hear what the Government are doing about the cost of the project, which is, again, a matter of major concern to our constituents. It is a massive investment, particularly at a time when there are people in our constituencies who are hungry and starving. Billions of pounds are being spent on a rail line or stretch of line, but the northern route also needs a proper upgrade to take on the HS2 line heading north of Church Fenton, York, and beyond. I want to know the timing of those upgrades. When will they happen? I also want to ensure that we bring real connectivity across the network, to make sure that it works.

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Finally, I want to hear what the Government are doing about the cost of the project, which is, again, a matter of major concern to our constituents. It is a massive investment, particularly at a time when there are people in our constituencies who are hungry and starving. Billions of pounds are being spent on a rail service that perhaps will not connect to them. I want to know how the Minister is keeping a lid on the costs and ensuring that the investment brings benefit to constituencies across the north and the midlands.

5.20 pm

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): It is a pleasure to serve under your chairmanship, Mr McCabe. I shall do my best to cram as much as I can into the remaining 10 minutes. The hour-long debates in this place are neither fish nor fowl, I have rapidly learned.

I thank my hon. Friend the Member for Eddisbury (Antoinette Sandbach) for doughtily providing her usual list of issues for me to consider. She is a firm champion of the people of Eddisbury, and I shall try to focus on her main concerns, but I want briefly to address some of the points made by the hon. Member for York Central (Rachael Maskell) from the Labour Front Bench. I agreed with much of what she said about economic investment and the need to ensure that things all join up. However, I must gently chide her on one key point: we have not stopped work on east-west links across the north. I met only the other week with both Network Rail and Transport for the North to talk about how they are bringing forward Northern Powerhouse Rail. I have always argued that HS2’s full potential will not be fully delivered unless we properly improve east-west links as well. It is not for me to determine the engineering solution that Network Rail will alight on for any particular line or stretch of line, but that work is ongoing—on a cross-party basis, as Transport for the North is also governed by Labour local government leaders across the north, who are also setting the objectives. That seems to me to be how things should be taken forward.

Rachael Maskell: Will the Minister give way?

Paul Maynard: If the hon. Lady will forgive me, I will not; I am sure it will not be the last time we have the discussion, and I must give some time to the concerns of my hon. Friend the Member for Eddisbury. Her main concerns focused largely on some of the ground instability problems that we encounter in Cheshire, crossing the salt fields. As someone born and bred in Northwich I have been brought up on photos of houses that have collapsed because of subsidence, and have suddenly disappeared into the Bull Ring in the town centre. I am more than aware of those issues; but I reassure hon. Members that we are seeking to manage them actively. HS2 has commissioned a specialist mining engineer, in consultation with the Cheshire Brine Subsidence Compensation Board, to undertake a study on the consultation route using available data such as those from the British Geological Survey, the salt industry and local authorities. Those light detection and ranging surveys have been completed by HS2 Ltd, identifying the wet rockhead features to which my hon. Friend referred near to the route, and will be considered with other LIDAR surveys. I think it is fair to say that between Crewe and Manchester every route option presents risks and issues. It is a matter of balancing those carefully and working out which offers the optimum solution. We carefully weighed those matters both in 2013, when we listened to concerns, and on the now-confirmed 2016 route. On our assessment those risks were more manageable on the latest version of the route. One of the key reasons for that was to avoid the gas storage caverns to which my hon. Friend referred. The route has been moved to better avoid salt brining and gas storage infrastructure, reducing underlying mining and geological risks during construction and operation. The route has also been raised to better allow for drainage and options for ground stabilisation. In terms of travel through Cheshire, other alternatives were looked at, including tunnelling options, but this was felt to be the best option of those on the table.

My hon. Friend the Member for Eddisbury referred to the report by TerraConsult. Its first report was taken into account before the November 2016 announcement, as was its second report before the July 2017 announcement. I further understand that HS2 Ltd is meeting on Tuesday 12 September with TerraConsult and Mid Cheshire Against HS2 on how HS2 Ltd came to make its recommendation on the alignment between Middlewich and Pickmere. Senior engineers with a background in geotechnical engineering will attend that meeting. I also understand that HS2, accompanied by engineers, is more than happy to meet my hon. Friend to discuss her concerns and is waiting to confirm a date with her office. Once she has had that meeting, I will still be more than happy to put myself—with my limited expertise—at her disposal also.

I recognise that this is a sensitive and complex section of the route. There is more work to be done to further assess geological risks and to provide suitable mitigations for them. HS2 Ltd plans to carry out early geotechnical investigation work in the mid-Cheshire area to gather
more advanced survey information. We will continue to work with my hon. Friend to try to ensure that the best mitigation possible occurs.

I also want to touch briefly on my hon. Friend’s concerns about the siting of the depot at Wimboldsley and its proximity to the primary school. The re-siting of the rolling stock depot to Wimboldsley has taken into account both the potential risks of the previous site in Golborne, which saw the demolition of a grade I listed property, and the potential impacts in Wimboldsley. The site is strategically located on the HS2 network, south of the Manchester junction, so that it can receive empty trains from both the HS2 main line—from Preston and indeed further north—and the HS2 Manchester spur. It is also located at the point where the line deviates from the existing west coast main line, so it is also well placed to receive empty HS2 trains from Liverpool. Other locations around Basford and Crewe are less proximate to where empty trains from Liverpool and Manchester might be coming from.

While I understand that there will be impacts associated with the rolling stock depot, I very much welcome the fact that HS2 Ltd is in conversation with the headteacher at Wimboldsley Primary, and I hope that any outstanding concerns get fed into me as well, so that I am aware of them.

In particular, this proposal avoids direct impacts on the grade II listed buildings to which my hon. Friend refers and also proximity to sites of special scientific interest. I recognise that there are still concerns about the Leeds and Liverpool canal. Indeed, other canals were also mentioned. As someone born in mid-Cheshire, I have a great fondness for canals and want to ensure they do not suffer in this process.

Antoinette Sandbach indicated dissent.

Paul Maynard: If my hon. Friend has further information on where she thinks there might be impacts, I will happy to look into it.

Furthermore, significantly less infrastructure is required at this location than if it were at Golborne. In particular, there is no need for a northern chord from Manchester out to the HS2 junction. That reduces the overall infrastructure development requirements in the area and, indeed, creates more space in the HS2 budget for other mitigation elsewhere on this stretch of the route.

In the remaining two and a half minutes, I will not be able to do justice to everything that my hon. Friend said, so I am more than happy to meet her. I recognise her points about ancient woodlands and about some of the lowland deciduous woodland in Cheshire. There are woods around Plumley, Smoker wood and woods around Lostock Gralam. I know that HS2 is very keen to ensure that when it does the environmental assessment, it can put forward how it intends to mitigate that loss of woodland. I urge Members to look carefully at that assessment when it comes out later in the year, because it will be full of information, and I am sure that local people will want to have their say on whether the mitigation is adequate.

I want to finish on the most important point. I apologise to the right hon. Member for Rother Valley (Sir Kevin Barron) that he will not get any look-in in what I am saying, because I have run out of time, but I am more than happy to meet him as well. I know that there is an outstanding meeting, and I will be keen to meet him. There is a wider point here about how HS2 engages and consults with local communities and how it processes need-to-sell applications. This is a difficult area, but it is impossible to build infrastructure of this scale without inconveniencing someone. The key test is whether those people who are being inconvenienced and asked to sell or leave their homes feel that they are being treated in a fair and proportionate manner.

I urge all Members here today who have specific cases to come to see me personally, as my hon. Friend the Member for Erewash (Maggie Throup) did. It is only by properly understanding those individual cases that I get a more holistic sense of whether the system is working or not. I noted the concerns that my hon. Friend raised about how some specific local circumstances make the existing package not always appropriate. I have heard that message and will ask officials to look more closely at Long Eaton in particular. If Members have a specific local issue, they need to let me see the detail, because there have been examples already where I have been able to exert influence. I expect HS2 to get this right, and that will be my final word on the matter at this stage.

5.30 pm
Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).
1.30 pm

Mr Gregory Campbell (East Londonderry) (DUP): I beg to move,

That this House has considered the transparency of the BBC.

It is a pleasure to serve under your chairmanship once again, Mr Bone. I am grateful for this opportunity to highlight my concerns about the lack of transparency in the BBC’s use of public money in Northern Ireland and, I am sure, more widely. I secured a debate on the subject on a previous occasion but had to withdraw it for a variety of reasons. My concerns are not unique to Northern Ireland, but my speech will focus on BBC NI.

The BBC’s mission is “to inform, educate and entertain audiences with programmes and services of high quality, originality and value.”

It used to be considered a reliable source of news and informative programming. It was the broadcaster to go to in times of crisis or turmoil—the dependable, publicly funded broadcaster. I am sorry to inform the House that as a result of events over the last few years, the BBC’s standing has been diminished.

Correspondence from MPs frequently goes totally unanswered or is met with a reply that avoids the issues. Questions about the use of public money are ignored or have a veil of secrecy pulled over them. I have concluded that the BBC fat cats in Belfast are either incredibly arrogant or incredibly shifty. What they are not is open and transparent. I have written to the House that this debate had been tabled. I made my email even more succinct. I asked three straight questions:

- How is the use of public money audited?
- Granted, how is the use of this money audited?
- That this debate had been tabled. I made my email even more succinct. I asked three straight questions:

That reply was sent by Mr Mark Adair, BBC Northern Ireland’s head of corporate and community affairs. He told my constituent that he holds the information but needs it “for the purposes of ‘journalism, art or literature.’”

That is clearly nonsense. Why would a publicly funded media organisation not be prepared to make public the number of complaints about its programmes from members of the public?

My third concern relates to the commissioning of programmes. Across the UK—though I will deal with Northern Ireland—the BBC commissions independent companies to produce programmes. However, independent production companies, editing companies and camera and lighting specialists are concerned that they are not getting a fair deal. I have heard stories of slow or reduced payments and a culture of fear. Those stories are fresh in my mind, because I heard them at first hand from those affected when I began to probe the commissioning process.

I wanted to establish what auditing mechanism exists for programmes, both when the contract is awarded and after the finished product has been delivered and broadcast. I also wanted to know how the BBC, as the main contractor, could be sure that subcontractors such as camera operators, lighting operators and editors were paid for their work under the contract. I asked some simple questions of Susan Lovell, the head of multi-platform commissioning for BBC Northern Ireland. I have yet to receive satisfactory answers to those 18 numbered questions, but I was offered a private briefing. The links in her response were so numerous that my printer ran out of ink and paper before I could print them all. The briefing is a nice offer, and I am sure I will take it up, but I would prefer answers.

On Tuesday I emailed Susan Lovell again, knowing that this debate had been tabled. I made my email even more succinct. I asked three straight questions:

- “1. When programmes are commissioned and public money granted, how is the use of this money audited?”
- “2. How is the use of this money audited?”
- “3. That this debate had been tabled. I made my email even more succinct. I asked three straight questions:}

An outrageous double standard is at play. While BBC presenters question elected representatives and others paid by the public purse about their salary and office costs, they hide behind a veil of secrecy about their own publicly funded annual salaries of £200,000, £300,000, £400,000 or more. I am glad that the salaries, overheads and so on of those in this Parliament are accessible to the taxpayer for scrutiny; that is how it should be. Why should the public money funding the BBC be treated any differently? I do not agree with BBC staff avoiding tax by channelling money through obscure personal service companies. This House should consider the ethics of that practice with respect to public money.

My second concern about transparency relates to complaints. A constituent of mine made a very simple freedom of information request:

- “I request the number of complaints recorded against matters carried by BBC Northern Ireland for the following outlets: BBC Good Morning Ulster, BBC Nolan radio, BBC Nolan Live (TV), BBC TalkBack, BBC Evening Extra, BBC Newsline, BBC NI website.”

That was not an unreasonable request. How many complaints have been launched? My constituent received the following reply:

- “The information that you have requested is excluded from the Act because it is held for the purposes of ‘journalism, art or literature.’ The BBC is therefore not obliged to provide this information to you and will not be doing so on this occasion.”

So much for transparency. That reply was sent by Mr Mark Adair, BBC Northern Ireland’s head of corporate and community affairs. He told my constituent that he holds the information but needs it “for the purposes of ‘journalism, art or literature.’”

Questions about the use of public money are ignored or unanswered or is met with a reply that avoids the issues. My concerns are not unique to Northern Ireland, but my speech will focus on BBC NI.

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2. Is an external auditor employed to ensure this public money is appropriated in an ethical manner?

3. If a Commission is granted, can the contracted production company then seek additional monies for travel and other unforeseen production costs?"

Setting aside the fact that I am an MP, I would have assumed as a viewer that that was a perfectly reasonable set of queries.

I received a reply yesterday. It is funny how quickly minds can be exercised when a debate is about to be held; it takes weeks and months otherwise. The reply said:

"Expenditure profiles are a routine feature of programme proposals and allow us to make an informed assessment".

I always get fearful when I hear answers from large companies that talk about informed assessments, but this was an informed assessment of

"value for money; and we routinely audit our work and output against a range of metrics."

The key words there are “we routinely audit”; one of my questions was whether an external auditor was employed—I think I have got an answer to that question, even if indirectly. When a programme is commissioned, delivered and broadcast, invoices relating to that contract should then be published online. That happens in many other areas of public service.

I turn to a specific example. In October 2014, a BBC Northern Ireland series, entitled “Story of a Lifetime”, was broadcast. According to the credits, it was produced for BBC NI by a company called Third Street Studios. However, according to Companies House, “Third Street Studios was incorporated on 2 December 2014, after the series was delivered”.

Almost one year ago, I cited this example and asked the BBC some questions:

“1. To whom and when did BBC NI award the contract for the 2014 series ‘Story of a Lifetime’?
2. What address did BBC NI use to communicate the commission to ‘Third Street Studios’?
3. Did BBC NI check if ‘Third Street Studios’ was incorporated before the programme was commissioned?”

To date, neither the company involved nor the BBC have been able to tell me where the Third Street Studios office is, how much the contract was for and to whom the contract was awarded.

I understand that a director of Third Street Studios is a BBC presenter. Indeed, according to the map on the Third Street Studios website, its office is at Belfast city hall. The “about us” section of the website declares:

“We pride ourselves in understanding mass market television. We don’t do ‘niche’. We do ‘massive’.”

This production company is so massive that I cannot find its office in Belfast. In fact, when I went online, according to the Google map provided, the company’s location is fairly prestigious: in front of Belfast city hall—at a taxi rank. Again, we have some questions that need answering.

When I emailed the company and its director, he said:

“I don’t think that it would be helpful, or appropriate”

to answer my questions. For clarity, I asked about the procurement process, the contract value, the date the contract was awarded and the tendering process for appointing subcontractors. Remember, this is about a series that has already been broadcast on BBC television. The company director said that

“my work...could only properly be understood if equivalent information about all other production companies and their contracts with the BBC were to be placed in the public domain.”

So “I’ll go if you get everyone else to go”—that is effectively what he was saying.

That is further evidence of straightforward and simple questions being ignored. We need full transparency in BBC commissioning, and we need evidence that BBC commission contracts are externally audited.

Rebecca Pow (Taunton Deane) (Con): My hon. Friend is making a very sound case about the BBC, but does he agree that it was this Government who called for increased transparency—maybe not in the areas that he is covering, but certainly on pay rates? They have actually unlocked many of the things that we will debate today, so this Government are definitely holding the BBC to account. Perhaps they should do more, but they are definitely working in this area.

Mr Campbell: I thank my hon. Friend for that intervention, and I agree with her: the campaign over the past years to get further transparency is a work in progress, and we are much more advanced than we were 10 or 12 years ago. However, as I am outlining, there is much more work to do.

The fourth area that I want to cover is BBC accuracy and honesty. The BBC prides itself on posing questions, and all of us here are subject to those questions, but it is not very good at providing answers. In two instances during the past year, there have been very serious questions for the corporation in Northern Ireland to answer.

A green energy scheme with an initial potential overspend of public money is currently subject to a public inquiry; I do not intend to trespass on issues that are best dealt with in that inquiry. However, the Executive in Northern Ireland were collapsed by Sinn Féin under the pretext of what they claimed was the mishandling of that scheme. Early this year, a BBC Radio Ulster programme carried this topic for 56 consecutive days. The presenter of that programme, who just happens to be the director of Third Street Studios, used inaccurate and outrageous commentary, I will briefly give two quotes. He said:

“One of the biggest financial scandals to have ever happened in Northern Ireland: under the government’s watch, £400million of your money has been allowed to go up in smoke”.

He also said:

“What it means is that hundreds of millions of pounds of your money cannot go into schools, education, other departments in our country because the money has been squandered, the money has been wasted.”

This situation continued for a prolonged period until I appeared on the programme and confronted this deliberate misrepresentation. As the scheme had only just begun and was scheduled to last for 20 years, I asked why the presenter kept saying that the public’s money had been “wasted” and gone “up in smoke”. Only after my appearance, which was accompanied by strong letters of protest from my party to the BBC hierarchy, was the use of this reprehensible language stopped.

Christian Matheson (City of Chester) (Lab): The hon. Gentleman is making a surprisingly compelling argument, but did not the scandal that he is referring to
bring down the Northern Ireland Government? As such, was it not entirely newsworthy for 56 days—or more?

Mr Campbell: I have no objection whatsoever to any media organisation concentrating on events, particularly events of such import, but when it scandalously misrepresents things, as those comments and the comments of others did, and then the comments are changed after I and others confront the presenter about his misrepresentation, it proves that the BBC knows that it overstepped the mark in its initial comments. Nevertheless, I take the hon. Gentleman's point. I have no quibble or argument with the BBC deliberating at length on the subject, but the issue was compounded by the presenter's gross misrepresentation of the facts.

A substantial complaint about those inaccuracies was lodged with the BBC, and that is ongoing; the BBC has not yet comprehensively responded to the complaints, which are from eight months ago. The complaints process is obviously laborious and bureaucratic; for those who have not yet embarked on it, I can attest to that.

I will give another, very insidious example. “Spotlight” is an investigative programme in Northern Ireland that has won awards throughout the years. In October last year, BBC NI television broadcast an edition looking at people who had been victims of alleged shooting by police officers in the early stages of the troubles. It was critical of the police, and both serving and former officers were concerned about the one-sided picture that it portrayed.

Shortly after the broadcast, I was contacted by someone who informed me that the reporter who had conducted the interviews and carried out the broadcast on the BBC had been a serving police officer, so I wrote to the reporter in the following terms:

“I write to confirm some details regarding a recent BBC Spotlight programme. I would be grateful if you could answer the following questions.

1. Have you ever served as a police officer in Northern Ireland?
   If yes, please outline the circumstances that led to you leaving the police?
2. Have you ever been known by any other name than—
   And I named her. I continued: “If so, what?” My understanding was that she had married and that her surname had changed since the programme was broadcast.

I continued:

“3. As the presenter of an investigative programme which was critical of the police, do you believe that you had a conflict of interest?
4. Did BBC NI ask you to complete the declaration of interest prior to this programme?
5. How much public money was paid to you for your services in that programme?”

The sixth question was the most critical:

“Does the below BBC News story from 10 years previously relate to you?”

That news story was about a serving police officer who was in court and faced a charge—not a terrorist charge. In his concluding remarks, the judge said to that police officer that she should have known better than to give her sister’s name instead of her name. He bound her over to be of good behaviour for a year on her own bond of £500, and warned her that she could forfeit some or all of that money if she breached the order. I am informed that the person who was in court subsequently left the police, joined the BBC and did a programme that was critical of the police. No explanation has been given as to why it is critical, or why that reporter did what she did. Did she state on a declaration of interest that she was a former police officer? Did the BBC know that and then allow her to do a programme that was critical of the police?

I leave you to guestimate, Mr Bone, what would happen in the public arena if it was discovered, after I or anyone else in this House raised an issue, that we had an interest in it that we did not declare. That is why we, and the BBC, have declarations of interest.

I did not receive an answer to any of those questions. I did not even receive an acknowledgment. I submitted a request for this debate in March, but it did not go ahead at that stage. I asked the same questions, but did not receive a response then either.

Strange to say, this week, after I had applied for the debate a third time, I received a reply from the aforementioned Mr Mark Adair, who said:

“We have been made aware of your emails to a named BBC journalist”.

Nine months after I began this process, and 24 hours before a debate, I receive a response saying that the BBC has become “aware” of my emails! The reply continued:

“the BBC has robust arrangements in place to avoid any potential conflicts of interest...we would be grateful if you direct any future correspondence about BBC staff and/or policy to me or to our Directors Office.”

That avoided the question again.

The fifth and final area I wish to cover is declarations of interest. In Parliament, MPs, Ministers and civil servants are very aware of the need to declare interests and, as I said, the BBC also has a process for its journalists to declare any interests. When a constituent, using freedom of information powers, asked to see the declarations of interests of some BBC presenters and senior staff, the reply said:

“All staff are required to complete a Declaration of Personal Interests upon joining the BBC”.

That is good as far as it goes, but it went on to say:

“We will not be disclosing...because the information that you have requested is excluded from the Act because it is held for the purposes of”—

guess what?—

“journalism, art or literature.”

That seems to cover everything. When someone does not want to answer questions, they use the cloak of “journalism, art or literature”.

Emma Little Pengelly (Belfast South) (DUP): Many people have contacted my hon. Friend and me with concerns about so-called news programmes. The issue is that programmes often now straddle news and entertainment. Many members of the public have contacted me with the concern that a narrative and agenda is set, and then programmes set about getting participants who support that narrative, which is emphasised with key messages throughout the programmes. My hon. Friend makes a particularly important point about declarations of interests, because unless the public know what those interests are, we cannot scrutinise properly whether a public service broadcaster is carrying out its public duties appropriately—regardless of whether the producers are contracted in or not—being fair and balanced, and presenting the facts and all perspectives so that the public have the best opportunity to come to their own conclusions on these important matters.
Mr Campbell: I thank my hon. Friend for that intervention. She is right, and we have noticed that the BBC—particularly in the last three or four years, for some reason—has become much more sensationalist.

I ask a straightforward question, which most people—even the BBC—should be able to answer: what is the point of having a declaration of interests, if no one knows what is in it? What is the point of that? Why would the BBC do that? Why would it ask people to declare any interests, but if anyone wants to find out whether somebody making a programme has an interest, say: “We’re not going to tell you, under”—the great catch-all—“the auspices of journalism, art or literature”? It is an entirely reasonable request that all BBC presenters’ declarations of interests be published.

I do not expect the Minister to be able to respond definitively today to every avenue that I have taken the debate down, but these matters need to be aired, so that the hierarchy in the BBC, the Department for Digital, Culture, Media and Sport and the Minister are aware of what has happened and the lengths to which some of us have gone to try to get answers to straightforward questions. The bottom line here is that the BBC needs to radically alter the way it carries out its business—using our money. That is the point: it is using public money. Its procedures need overhauling, its lack of transparency is appalling, and the case for change was never more apparent.

Mr Peter Bone (in the Chair): It might be helpful for Members to know that I think five Back-Bench Members who wish to speak. I do not intend to impose a time limit, but the wind-ups will have to start at 2.30 pm.

1.56 pm

Mims Davies (Eastleigh) (Con): It is a pleasure to serve under your chairmanship, Mr Bone. I congratulate the hon. Member for East Londonderry (Mr Campbell) on securing this important debate.

First, I welcome the fact that the BBC has this week announced an equal pay review. As chair of the all-party parliamentary group for women in Parliament, and as a former member of the Women and Equalities Committee, I am profoundly passionate about ensuring that women are properly recognised for their abilities. I was therefore deeply disappointed that the BBC felt it appropriate to have such a large pay gap between its male and female employees, and frankly that it took them so long to notice it—we do have equal pay legislation.

I was, for a short time, the very proud owner of a BBC pass. I must put on record how much I enjoyed my time working in BBC local radio and how hardworking and committed all my colleagues were and, in the case of some of them, still are, particularly across local radio. It really was a wonderful time in my career. The hon. Member for East Londonderry mentioned the value of BBC employees and I was one of those foot soldiers—early starts, late hours, juggling work around young children, diverse and difficult shifts. We should remember that that is the backbone of the BBC and its staff. We hear about the fat cats, but there are a lot of people making sure that the BBC is true to its core values. I was honoured to work for this revered organisation.

One of the issues that I became aware of in my brief time at the BBC was how the diverse and wide-ranging nature of the broadcaster makes it difficult to know what the left hand and right hand are doing. In Government, I think we can all recognise that sometimes that is difficult, but there is a growing perception of a lack of transparency. That is difficult, but there is a growing perception of a lack of transparency. That transparency is undermined by the way the organisation has grown and, in some ways, has had to reflect the internet and our changing media consumption and frankly, as we heard, fake news. The BBC, as we well know, has its challenges.

Let us turn to top talent; I do not think I could put myself in that category, but I always hoped someone would say that. Having previously worked in the broader media industry, I fully understand the importance for any broadcaster of attracting and retaining the very best talent—in particular, the pressure on the BBC—and pay packets should be able to reflect that. However, although I am an avid supporter of many of our media outlets, including the BBC, I am also aware that many talented women at the top of the industry are regrettably not properly recognised or rewarded by that institution. I trust that, through this process, that is going to change. In the broader industry, too many continue to work for free or for peanuts in the hope of a big break and of being the next big thing. We have to challenge our notions of how we get people into the media industry, what we expect of them and how we retain them.

Most surprisingly in this day and age, there is a huge disparity between the pay of men and women at the BBC, which has finally been highlighted by the senior leadership. We now have the chance to correct that, but one has to ask whether the BBC would have uncovered that scandal if it had not been for the Government’s transparency drive and the agreement reached through the BBC charter process. I am delighted that my party and the Government are not shirking the challenges ahead.

As I said earlier, I was delighted to sit on the Women and Equalities Committee. I would like the BBC to ensure that the review looks at diversity more widely, not just equal pay. DCMS is looking to do that across the media sector. We must also look at the support we give to older women in the industry. Channel 4 and other broadcasters have done incredible work on diversity, but can the BBC really look itself in the eye and say that it has stepped up on that issue across the board? This is the chance for it to do that.

For too long, even our most talented public figures have been deemed to have a sell-by date. However—let us be honest—that could not be further from the truth when it comes to the BBC’s Mary Berry. She is a prime example of the amazing talent—not least her cooking—that the BBC has at its disposal. I hope this is an opportunity to look at women with equal levels of talent. I have been listening to and admiring women broadcasters—they are broadcasters; the fact that they happen to be women is irrelevant—from afar on the radio. Gender has no relevance to how we remunerate people. We all admire Jane Garvey from afar, and she should be remunerated accordingly.

It is also important that older women in regional positions have a chance to shine. I worked in regional radio, and some people have committed a lifetime to it. We should recognise those people and support them through our national broadcaster. We should use this talent within the BBC to bring them to a wider audience. I have seen some progress. Some time ago, I worked with a wonderful mature lady who is now training as a
continuity announcer. That gives me hope, because for broadcasters the fear of wrinkles and the looming feeling of being past it is scary. When I worked in the media industry, I was getting quite old for local radio, but here I am the youngest—well, not really, but in comparison. [Laughter] I was an ageing commercial radio presenter, but I am a very young MP—how has that happened?

Once again, I congratulate the Government on the transparency drive that they introduced through the BBC charter process, which led to the BBC’s recognising and acting on the unjustifiable inequality at its heart. I believe that colleagues will agree that, if the BBC does that, it will continue to be a truly great British institution.

We all have our failings, and the BBC must step up to address its. I will continue to be there to support it through that process. If it does that, it will continue to be in the hearts of the public across the land. What work are the Government carrying out to ensure that even greater transparency across the BBC and the whole of the media industry? Specifically, how can this debate and the Department’s work encourage the retention and promotion of older women across the media industry and promote a broader diversity agenda?

2.4 pm

**John Grogan** (Keighley) (Lab): I am delighted to take part in this debate. In fact, given my majority of 249, I am delighted to be anywhere. It is a great pleasure to follow the very passionate and informative contribution of the hon. Member for Eastleigh (Mims Davies). I want to talk about three issues relating to the transparency of the BBC: the transparency of the regulation of the BBC, its finances and Northern Ireland.

The transparency of the regulator is absolutely important. Parliament and the Government took a really big step when they set up an independent regulator of the BBC—Ofcom. I was surprised over the summer to see that the Secretary of State had written to the regulator to say that she is rather in favour of more quotas for TV and radio content. A DCMS spokesman or spokeswoman said that a number of stakeholders had made representations—I do not know whether that was at Wimbledon or some other event over the summer. Perhaps the permanent secretary was away when that letter was sent, because that seems bad practice. The regulation of the BBC has just become independent in its totality, and we must have confidence in it. I hope the Government will exercise more restraint and will respect the regulator’s independence in the future, now that we have set that up.

On the issue of the BBC’s finances, pay gaps and so on, I welcome the fact that the BBC publishes an extensive annual report. It is now subject to the National Audit Office in its entirety, and there are many value for money surveys. The BBC is absolutely right to recognise that it has to press down on top pay—whether executive pay or talent pay. My scrutiny of the BBC’s accounts leads me to think that pay for the top talent is down by about 10% over the past year, and for the very top talent it is down by about 40%. Clearly, the revelations over the past few months have shown a completely indefensible gap between the pay of men and women.

Incidentally, which other broadcaster in the world would lead day after day on that issue, as the BBC did? There are only so many “Today” programmes about Jeremy Vine’s pay that someone can wake up to and take an interest in, but the BBC did that day after day. I do not think News International would focus on the pay of Sky presenters in quite the same way.

**Christian Matheson**: Or its owners.

**John Grogan**: Or its owners.

It is now the responsibility of Tony Hall, who said—he will be held to this—that by 2020, which is not very far away, the pay gap has to go. That is on screen and off, as I understand it.

**Bambos Charalambous** (Enfield, Southgate) (Lab): Is my hon. Friend aware that the BBC pay gap is 10%, but nationally it is 18%? The BBC has commissioned an audit of pay to resolve issues relating to pay. It has offered to deal with any issues that arise in the long term.

**John Grogan**: No. I was not aware of that. My hon. Friend has informed and educated me with that contribution.

In bearing down on top talent pay, the BBC has got to be aware of its own strengths. I take a great interest in sports rights. I think the BBC has got better at dealing with rights holders and saying, “We’ll give you lots of exposure, even if we can’t pay you as much.” It is the same with top talent. Gary Lineker, for example, gets an awful lot of money—perhaps a little too much money—and an awful lot of exposure. He is a cultural icon—a national treasure, some people would say. Compare him with poor old Jake Humphrey, who was on the BBC and has now disappeared to BT Sport. His Wikipedia entry says he was best known for presenting Formula 1 on the BBC seven or eight years ago. The point is that top BBC presenters get a lot of offers to host events, endorse products and so on, and the BBC must take that into account when negotiating top talent.

I just want to make a couple of other points under the general heading of finance. We have to recognise that BBC Studios has now been asked to compete for every TV programme. The whole of BBC output is open to competition, so BBC Studios will be just like lots of its commercial competitors in trying to get slots on BBC television. It should be subject to exactly the same rules as its commercial competitors. I hope that it retains an awful lot of the output, because if the BBC is to continue its training function for the industry and its creativity, it needs a big in-house broadcast capacity.

My last point about BBC finances is that I hope Tony Hall and the other BBC management will look closely—as the hon. Member for Eastleigh mentioned—at giving commitments to some of the foot soldiers in broadcasting about setting targets for bringing up pay at the bottom, as well as bringing down pay at the top. It is a sign of the times that the people at the bottom need to be considered—that is the zeitgeist among the political parties across the House.

I am obviously not as knowledgeable as the hon. Member for East Londonderry (Mr Campbell) about BBC Northern Ireland. In fact, I like to sit behind the Democratic Unionist party in the main Chamber, because that is where the power really lies in this Parliament, and I like to know what is going on. I did once sit on the Select Committee on Northern Ireland Affairs, but I do not have the hon. Gentleman’s level of expertise. I have
noticed all sorts of rows about BBC impartiality, including in Yorkshire. Last year I think he or one of his hon. Friends advocated the case for Carl Frampton, the Northern Ireland boxer who was excluded from the sports personality of the year shortlist. I feel the same about Joe Root, the great Yorkshire cricketer: that he should one day be BBC sports personality of the year—we all have such concerns.

Seriously, however—I will end on this—we should recognise that BBC Northern Ireland journalists have had a very difficult wicket over 30 or 40 years. They came under a lot of pressure during the time of the troubles, from Government, terrorists on occasion, political parties and so on, but they still produced—as I think they do now—high-quality journalism to inform the people not only of Northern Ireland, but of the wider United Kingdom and of the world beyond.

To conclude, it is very fashionable to decry the mainstream media, but I agree with the hon. Member for Eastleigh that the BBC is a cultural institution to be proud of: it inspires many people to take an interest in things that they would never otherwise know about; and it unites the nation and gives access to information in ways that would not otherwise happen. I have limited personal ambitions in this Parliament, but if it lasts for five years, we will then have reached 2022 and the centenary of the BBC, which should be a proud day for every Member of this House.

2.12 pm

Rebecca Pow (Taunton Deane) (Con): I am delighted to follow the hon. Member for Keighley (John Grogan), with his passionate speech, and I thank the hon. Member for East Londonderry (Mr Campbell) for bringing this subject to the Chamber.

The BBC, as almost everyone would agree, is a unique and much-loved organisation, revered for so many programmes, such as news, gardening—I do not know whether that is sad—and, in particular, “The Archers”. I simply could not live without “The Archers” and, sometimes, I catch the same episode three times a week, because I hear the programme in the evening, again at lunchtime and then on the Sunday catch-up. That is how sad I am, but I love it.

The BBC, however, has to be held to account and to the highest standards because of the unique way in which it is funded, and we must do something when it is found wanting, so I am delighted that this Government are insisting on high standards, including of transparency and high quality. Part of reporting and programming is what the public expect and what they deserve. Clearly, the Government’s new insistence is giving the BBC a bit of a shake-up, which I think we would all agree is a good thing. The BBC charter implemented at the start of this year goes further than ever before in promoting fairness and transparency, and in ensuring the value for money that we deserve.

I wanted to touch on one of the points made by the hon. Member for East Londonderry on the commissioning of programmes. I had a crack at getting commissioned when I ran a production company. Frankly, I gave up. I wasted so much time going to the constant round of briefings on what the BBC wanted, might like or did not want—mostly what it did not want was the kind of thing I wanted to make—and logging in online. It all took up so much time that I gave up and devoted my money-making activities to other areas of the media, and many other independent companies did likewise.

Indeed, many I met when on the round of consultations and briefings turned out to be no more than hobby producers: they said they could not earn enough money simply from commissions to make life viable. I do not know if there is any way to address that, unless it is through more bidding for programmes—so perhaps it will be addressed now—but it is certainly something I noticed. I would like to think that the BBC charter and the Government will hold the BBC to account for such things, if we are to get more people into this very important creative industry.

Giles Watling (Clacton) (Con): My hon. Friend made a point about one thing that is close to my heart and that we have to care about. I agree, totally, that we have to look at the BBC, but we must preserve its independence. That is what everyone appreciates about the BBC, so we have to be very careful when we bring the might of Government to bear, although I am pleased that we are getting involved. As the hon. Member for East Londonderry (Mr Campbell) rightly said, programme makers sometimes come along with a narrative, and we very much noticed that in Jaywick in my constituency. The Channel 4 team—not the BBC—arrived with a preconceived idea of what they wanted to shoot. They wanted me to get involved in the programme, but they shot not what was there on the ground but only what reflected their preconceived narrative. The programme makers—

Mr Peter Bone (in the Chair): Order. I am sorry to interrupt the hon. Gentleman, but we are pressed for time. I was pulled up for this when I first started; interventions have to be short, especially when we have such strict time limits. I am sorry.

Rebecca Pow: Only this week I have faced the issue of preconceived ideas; I will mention this example. I launched my new environmental pamphlet from the Conservative Environment Network, which I thought would make an interesting and wide story. I encouraged my local BBC people to come to the launch, but they rang up to ask, “Will this be Rebecca Pow saying that the Government do not do enough for the environment?” That is what they wanted their headline to be—they had not even read what the pamphlet was about. I said, “Absolutely 100% not; it is the opposite of that”, so they did not come. That was a preconceived idea, but had they come, they would have discovered an interesting groundswell of an idea going on, which would have made a good and informative story for the public.

Kevin Brennan (Cardiff West) (Lab): Will the hon. Lady give way?

Rebecca Pow: I will give way—as long as the hon. Gentleman is brief, Mr Bone.

Kevin Brennan: That is a matter for the Chair. Is there not some difficulty with what the hon. Lady is saying? She is putting the emphasis on the Government holding the BBC to account, but by doing so is she not undermining the proper role of Parliament and its Select Committee?
Indeed, the Chair of the Select Committee on Culture, Media and Sport is the hon. Member for Folkestone and Hythe (Damian Collins), her hon. Friend, and that is his job, not that of Government.

Rebecca Pow: All I will say is that public money is funding the BBC, so we need to ensure that it is run in an effective way, with value for money and transparency, so that we get what the BBC was set up for in the first place.

I will move on and focus on the pay discrepancies that have been revealed, which have received a lot of media attention, and to which my hon. Friend the Member for Eastleigh (Mims Davies) referred. I am pleased that they are being highlighted in the debate. It is right that the BBC has taken action, but the proof will be in the pudding. I am pleased that the assessment and consultation on the issue have been launched this week, although it has got to be said that across the whole of the BBC there is a good balance of male and female—52% men and 48% women, which is pretty good compared with lots of other organisations.

Many years ago, I remember going to produce and present “Farming Today” on Radio 4, and I was only the second ever woman to do so. I will not tell the Chamber how long ago it was, because people might work out how old I am—

Kevin Brennan: I thought this was about transparency.

Rebecca Pow: I will not respond to that. Now “Farming Today” has an all-female team—what a turnaround that is. When I went to the programme, farming and all that were considered very much part of a male world, so I applaud the BBC for a good thing.

Let us not be completely hijacked by the gender pay gap among those at the top of the BBC. I think most of us would agree that the high-profile women at the top actually are pretty well paid. It is wrong and scandalous that, on the whole, the men receive more, but in truth those women are quite fortunate. Let us not forget the many women all over the country whose unequal pay deserves just as much attention, as my hon. Friend the Member for Eastleigh mentioned. I commend the Government, who are doing more than ever to sort this out and make sure that we even up pay, which is still not equal enough across the board. That goes to the heart of the issue of publicly funded bodies. For example, in 2016, only 20% of permanent secretaries in the civil service were women. Perhaps we should look at the issue in a much wider context. We are holding the BBC to account; surely the same standards must be applied across the public sector.

I want to return, just for a minute, to the BBC and the gender pay gap. I venture to suggest—I mentioned this to the Minister earlier in the week—that all the attention on women and the gender pay gap has slightly clouded how much these high-profile presenters are paid overall, which I know many members of the public are questioning. Some are paid huge sums, and some people on the list do not put in that many hours for their pay. I will not name them, but one or two really make the blood boil. Some work very hard for their money, but the way the money is spread seems completely unequal.

The total budget for all BBC local radio stations—the hon. Member for East Londonderry raised this subject—is £152 million. That is not a huge sum of money for the phenomenal work they do and what we get back. That needs to be looked at, too. Some people at those stations—particularly the presenters who get up every morning to do breakfast shows—really are not paid very much. I have BBC Somerset right on my patch and I am a great fan; the people there work very hard. Obviously, they always try to hold me to account and catch me out, but that is their job. We get very good value from that. Local radio stations are constantly having to tighten their belts. That needs to be considered as well, because they provide an excellent service.

In conclusion, it remains for the BBC to address the problems we have highlighted, and the public expect that. I reiterate that I am pleased that the BBC announced its review this week. Let us not forget that the Government unleashed all this debate; they must be praised for that. I wouldlike assurances from the Minister that the Government will still hold the BBC’s feet to the fire, because we expect fairness, equality and transparency, but above all good service and value for money for the taxpayer.

2.23 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I thank the hon. Member for East Londonderry (Mr Campbell) for initiating this debate.

Much has been said about transparency. It is astonishing that the BBC got away with—I use that term advisedly—not publishing the salaries that it pays to its highest-paid stars. As we have heard, even the salaries that are published are not the full and true picture, as many salaries are paid via production companies. Quite understandably, the public see that as a deliberate way of avoiding full transparency, and it is simply not good enough. Indeed, some people have said how suspicious it is that the BBC chose to publish those salaries at the point of a parliamentary recess to try, again, to avoid scrutiny and questions on the Floor of the House.

Surely the BBC—that liberal, trusted organisation—would not go to such lengths to avoid scrutiny. Surely that organisation can explain why it pays its male stars significantly more than its female stars. We are all waiting to hear why. Some people would say that the BBC could well explain those matters, but I contend that there is a crisis of public confidence in the BBC.

The problem is that people must pay the licence fee regardless of whether they view BBC programmes or not; there is no opt-out. That on its own should breed humility and respect for the licence fee payer, but for too many people it has instead bred arrogance and complacency—the same arrogance and complacency, many would argue, that allowed Jimmy Savile to stalk the BBC corridors uninterrupted despite the numerous complaints and opportunities to stop that serial abuser. A report that the BBC itself commissioned found that it actively shielded Savile, if not facilitated his abuse. Sadly, the organisation was also guilty of pulling a report that was to be broadcast on “Newsnight”, even though it knew all about Saville’s activities and the allegations against him. Journalist Meirion Jones alleges that he and the late journalist Liz MacKean were told that they would never work for the BBC again if they co-operated with a “Panorama” investigation into the scandal, and he says that lots of efforts were made to block the “Panorama” programme, “What the BBC knew”. A report that the BBC itself commissioned found that it actively shielded Savile, if not facilitated his abuse. Sadly, the organisation was also guilty of pulling a report that was to be broadcast on “Newsnight”, even though it knew all about Saville’s activities and the allegations against him. Journalist Meirion Jones alleges that he and the late journalist Liz MacKean were told that they would never work for the BBC again if they co-operated with a “Panorama” investigation into the scandal, and he says that lots of efforts were made to block the “Panorama” programme, “What the BBC knew”. A report that the BBC itself commissioned found that it actively shielded Savile, if not facilitated his abuse. Sadly, the organisation was also guilty of pulling a report that was to be broadcast on “Newsnight”, even though it knew all about Saville’s activities and the allegations against him. Journalist Meirion Jones alleges that he and the late journalist Liz MacKean were told that they would never work for the BBC again if they co-operated with a “Panorama” investigation into the scandal, and he says that lots of efforts were made to block the “Panorama” programme, “What the BBC knew”.
The BBC is supposed to report independently, without fear or favour, but in the light of what I have just said, does it really sound like it does? Many people in Scotland are of the view that the BBC’s political coverage is significantly partisan. The BBC has repeatedly denied that, as we would expect, but it does not really matter whether it is true; what matters is that the people who pay the licence fee believe it to be true. That means that there is a problem. Even the newly appointed director of BBC Scotland, Donald MacKinnon, has conceded that that perception exists, but without a detailed plan for rebuilding trust, I do not know what the way forward is for BBC Scotland’s political coverage.

There is no doubt that there is a deficit of trust in the BBC, which is seen across the United Kingdom as being resentful of public scrutiny, secretive, politically partial and complacent. The trust that has been lost absolutely has to be rebuilt. I suggest to the Minister that one way forward is for more of the licence fee money that is collected in Scotland to be spent in Scotland. Indeed, even Ofcom has said that that should be the case. Additional funding for delivering quality TV and radio output in Scotland would be one way forward. For every £100 million of production in Scotland, around 1,500 jobs are supported and £60 million is generated in the Scottish economy. That is quite significant. The BBC has to rebuild. I suggest to the Minister that one way forward is for BBC Scotland’s political coverage.

The BBC has a lot of sins in its past and there are a lot of things that it has to work through, but the future is not yet written; it can be different. It can be better, and complacent. The trust that has been lost absolutely has to be rebuilt. I suggest to the Minister that one way forward is for more of the licence fee money that is collected in Scotland to be spent in Scotland. Indeed, even Ofcom has said that that should be the case. Additional funding for delivering quality TV and radio output in Scotland would be one way forward. For every £100 million of production in Scotland, around 1,500 jobs are supported and £60 million is generated in the Scottish economy. That is quite significant. The BBC has a lot of sins in its past and there are a lot of things that it has to work through, but the future is not yet written; it can be different. It can be better, and the BBC can make it better. The BBC is a public service, and the public want a more transparent service.

Mr Peter Bone (in the Chair): I will call Justin Madders, who has been waiting patiently, in a moment. In view of the time, I want to let the Front Benchers know that the wind-up speeches will probably now start no later than 2.34 pm.

2.28 pm

Justin Madders (Ellesmere Port and Neston) (Lab): Thank you, Mr Bone. I will endeavour to stick to your timetable. It is a pleasure to serve under your chairmanship.

The BBC is one of those institutions for which there is widespread affection and support across the country, and it is highly respected worldwide. As a public service broadcaster, it plays an important role in our country. As our society has changed and moved with the times, so has the BBC—certainly in terms of its output. But we are not here to discuss its output, much of which is of course a matter of personal taste, although I must say that I consider its political content far too London-centric. What we are here to consider, though, is transparency. As we have moved to a less deferential and more open society, I believe the BBC also needs to move with the times. It should be more representative of and more accountable to the taxpayers who fund it, regardless of how much or little they use its service. With that in mind, a couple of specific areas need further examination.

The first, which has been touched on today and has been the subject of much media scrutiny in recent weeks, is the pay of BBC talent at the BBC, which revealed a huge gender disparity. Women were over-represented, particularly in my capacity as chair of the all-party group on social mobility, was the background of those BBC top earners. The data released by the BBC on its top earners have been analysed, and for those in that category who are on screen, it is estimated that 45% were privately educated—a figure that rises to a staggering 60% when looking at news presenters and journalists.

That prompted me to write to the director-general to inquire about the educational background of the top earners off-screen. I received an impressive reply, telling me about all the things the BBC is doing to increase social mobility, but I did not get an answer to the question. The data that it did show me show that of what the BBC class as its senior leadership team, about a quarter were privately educated. That figure is not as high as for those on screen, but it is still well over three times what it should be, were the BBC to reflect the population as a whole.

It is also clear from the data that the senior leadership team is actually a much bigger pool of people than those earning more than £150,000, so the suspicion remains that those at the very top of the BBC—those on more than £150,000—are even less representative of the nation. It is clear the BBC is doing an awful lot at the entry level to improve social mobility, but that commitment has to go right to the top. I want to see transparency about the educational background of the top earners who are off-screen and a clear strategy to make sure that that section of its staff is more representative.

The other area of interest to me is more on the output side—but it is equally important. It stems from inquiries I made as a result of representations from a constituent who happens to be a professional musician who is concerned about the business relationship between the BBC and the arm’s length administrator of its music assets: a foreign-owned music publisher and supplier of music for broadcast and commercial outlets. He believes that the publisher not only makes considerable profit from administration of BBC assets but controls the supply of music to the BBC from its own resources. Now, I have no idea whether that assertion is correct—I very much hope that it is not—but the obvious, incontestable way in which the assertion could be tested is by the BBC setting out what its musical output has been. Sadly, I have not been able to get any answers on that. The BBC tells me that of course it does not operate in such a way, but it will not publish the breakdown that I have requested.

The BBC has put forward various reasons for that, with the most common one being the sheer scale of the exercise. I am, though, sceptical of that. How can it be that the BBC has no record of the music it transmits? Surely the confident assertion made to me by the director-general that it does not favour music from major companies ahead of smaller independent labels cannot possibly be left unchallenged unless he has assured himself with reference to the facts. I am sure that once he would have claimed that the BBC does not discriminate against women, but as we know the recently revealed figures on senior pay highlight a significant gender pay gap.

When the Minister responds, I would be grateful if he indicated whether he has any particular powers to compel the BBC to provide the information needed to establish...
beyond doubt whether its output is indeed as broad as is claimed. If he does not have such powers, does he agree that as the BBC is a taxpayer-funded organisation, it is in the public interest that it can demonstrate an even hand in its output? Does he agree that it is in fact in its interest to set out its output clearly and unambiguously?

In conclusion, again I reiterate my support for the concept and output of the BBC, but, like every other publicly funded organisation, it has a wider responsibility than simply the service it provides. Accountability and transparency must be at the heart of that responsibility.

2.33 pm

Brendan O’Hara (Argyll and Bute) (SNP): In the interests of transparency, like the hon. Members for Eastleigh (Mims Davies) and Taunton Deane (Rebecca Pow), I, too, am a product of the BBC, having spent almost a decade of my career as a television producer there. I have many great memories from there, and indeed made good friends during an interesting career. The BBC has many faults, and I have never stepped back from calling it out on those, but I am a critical friend of the BBC who will defend absolutely its editorial independence.

I congratulate the hon. Member for East Londonderry (Mr Campbell) on securing this debate. He raised important issues relating to complaints, commissioning, accuracy and honesty, and the gender pay gap. Although those issues mainly related to Northern Ireland, they do have a resonance across the UK, as we heard in contributions from the hon. Members for Eastleigh, for Keighley (John Grogan) and for Taunton Deane, and from my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson).

The hon. Member for Eastleigh spoke about the gender pay gap and working in BBC local radio. It says something if she is too old for radio, although I do not believe it for a minute. The hon. Member for Keighley talked about looking after those workers at the bottom of the pay scale.

I feel the pain of the hon. Member for Taunton Deane. Like her, I have experience as a struggling independent producer trying to get commissions. We have missed out on many excellent ideas from Oh! Television.

Rebecca Pow rose—

Mr Peter Bone (in the Chair): Order. I have been made aware that there is a sound failure, so Hansard cannot report. I can hear you and we can hear each other, and I do not want to lose the debate, so we will continue.

Rebecca Pow: Slightly in jest, if one did reach that stage, one might put in some proposals to make programmes about one’s life here. Perhaps the BBC might find that entertaining.

Brendan O’Hara: I think it would have to be broadcast after the watershed.

My hon. Friend the Member for North Ayrshire and Arran made an important point about how the BBC managed to get away with what it was doing in terms of the gender pay gap for so long. Transparency is absolutely essential. She also mentioned the discrepancy between what is raised in Scotland and what is spent in Scotland, and I agree that that is unacceptable and must be addressed as soon as possible.

We are living in an age in which society quite rightly expects—indeed it increasingly demands—transparency and openness as the hallmarks of our society. Anything and any organisation that benefits from the public purse has to be open and accepting of that scrutiny. As the hon. Member for East Londonderry said, we in this place, above all, are open to scrutiny and transparency.

Going forward, the BBC has to expect those standards as well. At a time when it was emerging from a series of damaging historical scandals, with accusations of it being complicit and numerous attempts at cover-up, it was something of a surprise to many of us that the BBC should be so vehemently opposed to having to publish how much its top presenters earn. Indeed the then chair of the BBC Trust, Rona Fairhead, said that it was “disappointed” that it would have to change and that the decision on the disclosure of presenters’ pay was not, in her opinion, “in the long-term interests of licence fee payers”.

Even the director-general, Tony Hall, questioned the merit of the Government’s decision, saying, “this will not make it easier for the BBC to retain the talent the public love”.

He continued:

“The BBC is already incredibly transparent.”

The much-fabled BBC insider fed to the press that it would be a “massive headache” for the BBC if it were forced to publish presenters’ pay. Indeed. Those were prophetic words, because that did give it a massive headache—but for very different reasons from those it first imagined. It must have thought that there would be a day of voyeuristic tittle-tattle in the office when it came out. It did not realise that that frenzy of indignation, which it thought would pass in 24 hours, would take on the arms and legs in the way it has.

By forcing the BBC to reveal its salaries, it revealed its gender pay gap. It must have been living in some kind of time warp not to have realised what it was doing. The disparity between top-earning men and top-earning women is and was shocking. It is something that the BBC, as a publicly funded broadcaster, had no right to hide from the very people who finance the corporation. The BBC, as we have heard, is in a privileged and unique situation, and therefore it has to undergo a level of scrutiny far beyond those in the commercial sector.

The gender pay gap, the scandal and the attempt to cover it up, at a time when the BBC’s popularity, particularly in Scotland, was on the wane, is mind-boggling. The decision to force the BBC to disclose its top salaries has been vindicated, because had it not, the gender equality issue would have remained hidden and unrecognised, and therefore unchallenged.

I realise that I am running short of time; I conclude by saying that the gender pay gap is not the only problem. I urge the BBC to look, as a matter of urgency, at the pay gap that exists within its own structures. What also emerged during this scandal was the massive pay gap that exists between the top and bottom earners within the BBC, with the Broadcasting, Entertainment, Cinematograph and Theatre Union reporting that 400 BBC employees earn less than 1% of its top-earning presenters. That is a scandal, and it should be addressed immediately.

I look forward to the BBC taking it on and making a better job of that than it did of the gender pay gap.
Kevin Brennan (Cardiff West) (Lab): At times this afternoon, the debate has felt like a reunion of former BBC employees. There have been certain complaints about BBC journalism, and at one point I thought we were going to hear the accusation that it was responsible for turning off the sound system and stopping our comments being broadcast to the nation—or the dozens of people following us on the BBC Parliament channel as we speak. Perhaps it is no tens of people.

As many hon. Members have said, transparency is extremely important. Since I know the hon. Member for East Londonderry (Mr Campbell) is digging deep on this issue, I should reveal my interest in the matter, which is in the Register of Members’ Financial Interests. I have received payments over the last year or so for my work as a musician from the TV channel Dave, which is owned by UKTV, which in turn is 50% owned by the BBC as part of its attempts to raise money from sources other than the licence fee, which of course it does in considerably greater amounts than it originally did. I congratulate the hon. Gentleman on securing the debate. He raised a lot of issues that I know he feels strongly about in relation to BBC journalism, and in particular the coverage of the issue that, as he pointed out, brought down the Administration in Northern Ireland, which we all hope will be up and running again soon. He raised points about transparency and salary, declarations of interest and other matters, including the vague answers he got to his questions from the BBC.

I will go on to make some positive remarks about the BBC as well, but I think it is better to give clear answers to Members of Parliament—they should be directed to the management, by the way—rather than the sort of vague answers that the Government routinely give to parliamentary questions. I would much rather the BBC answered questions directly, because a lot of the answers the hon. Gentleman gave from the BBC sounded like the sorts of answers I get when I table parliamentary questions. I do not know whether other hon. Members have had that experience when tabling questions to the Government, but I certainly have, and it necessitates further questions, freedom of information inquiries and so on.

The hon. Member for Eastleigh (Mims Davies) spoke very well, as always, and said that—that rather like the Government—the BBC’s left hand sometimes did not know what the right hand was doing. She rightly explained the importance of the BBC ensuring pay equality. One thing that came out in the recent publication of BBC staff’s salaries was the issue of gender inequality, and indeed other forms of inequality. It is absolutely right that that information should be published and made transparent, and that the BBC should take urgent steps to address the issue—as should other broadcasters that are not subject to freedom of information requests, and do not have to make an annual report to Parliament in the way that the BBC does. All those in the private sector should also be looking to ensure gender equality, and other forms of equality, when it comes to pay and personnel.

I have known my hon. Friend the Member for Keighley (John Grogan) for 37 years, and he has been top talent himself all that time. He made a good point about the exposure that high-profile BBC presenters get, and the fact that that has huge value, beyond the salary that they are paid. I completely agree. He also rightly pointed out the difficult job that journalists have had to do in Northern Ireland, and that we should remember that at all times.

The hon. Member for Taunton Deane (Rebecca Pow) told us that she could not reveal her age to us, despite this being a debate about transparency. I intervened on her because we should be careful about the language we use when we talk about Government “holding to account” the BBC. It is worth reminding ourselves that the BBC is an independent organisation, established by royal charter. If we think for a moment, it is vital that it is not ultimately the Government’s role to hold the BBC to account for its journalism and impartiality, for example, because the Government are extremely partial themselves.

It is a dangerous thing in those countries where the state broadcaster is in effect controlled by the Government. We know the implications of that in countries such as Russia. We want a publicly funded, transparent BBC that is accountable. The proper ways for it to be accountable are: to us as politicians via Parliament and the Select Committee, which is ably chaired by a member of the hon. Lady’s party and has a number of my hon. Friends on it; to the BBC’s left hand; and to the Government, which is the point I was making: it is a fundamental principle that we should not lose sight of.

Rebecca Pow: Perhaps I did not express it well, but my point was that clearly that system was not working well enough, hence the Government had to step in to require more transparency, which is now having an effect.

Kevin Brennan: We do not have time to rehearse exactly what happened and how all this came about, but I wanted to make that point with force.

The hon. Member for North Ayrshire and Arran (Patricia Gibson) said something that caused me concern; it was about whether the BBC’s reporting was perceived to be biased. She said—I think I quote her accurately; I am sure she will tell me if I do not—that it does not really matter whether it is true that the BBC’s reporting is fair and unbiased; all that matters is the perception. In other words, if she is saying that it is not about fake news but false perception, that is fine, but she seemed to imply that the perception is right, and that the BBC does not report impartially on politics in Scotland.

Patricia Gibson: For clarification, my point is that it is a problem if the BBC’s paying customers do not have any faith in the way that it reflects their reality.

Kevin Brennan: Of course, the hon. Lady provided no evidence that that was a problem.

Patricia Gibson: Will the hon. Gentleman give way?

Kevin Brennan: I do not have time to give way. Surveys of the public perception of BBC impartiality over time suggest the exact opposite. It is important that we stand up to the Donald Trump-like approach to media when it comes to the reporting of the news.
My hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) made some fair and responsible points about the importance of transparency and accountability. Time is short, and there is so much more that one could say; I am sure that the Minister will say some of it. On this occasion, we might even agree on a few things relating to the BBC, much though it would pain him to admit it.

I make a general point about the BBC. We all have our criticisms of it, and we have all been victims of its vigorous journalism from time to time. It once named me on “Panorama” for accepting hospitality at an event that it had invited me to. When I pointed out to the BBC that its right hand literally did not know what its left hand was doing, I felt the pain that other hon. Members have in being taken to task in their role from time to time.

The BBC will make mistakes, but it is important that we remember that it is still genuinely envied and admired, and has a huge reputation across the world. In the words of Joni Mitchell, from “Big Yellow Taxi”: “you don’t know what you’ve got till it’s gone.”

In our quite appropriate debate about the transparency that is absolutely necessary for the BBC and the accountability it should have as a publicly funded organisation, let us not lose sight of the fact that it is an extraordinary British institution.

2.49 pm

The Minister for Digital (Matt Hancock): It is a pleasure to serve under your chairmanship, Mr Bone. I am so sorry to have kept you away from the debate on the withdrawal from the European Union—a subject that I know is very close to your heart.

I would like to thank the hon. Member for East Londonderry (Mr Campbell) for securing this important and over-subscribed debate about transparency in and of the BBC. He gave a number of examples of concerns with the BBC, many of which relate to specific accusations within BBC Northern Ireland. I am sure that the BBC has heard his concerns loud and clear; he was certainly transparent about his frustration. I understand that the BBC has offered to meet him, and I encourage him to take up that offer, but I also encourage the BBC to respond in substance to his concerns.

As many Members have said, the BBC is one of our most treasured institutions. I declare no financial interest, but I do declare that I love the BBC and think it is a most treasured institution. It is an engine for creativity and growth, and I am proud of its role here and around the world.

The BBC receives £4 billion of public funding every year through the TV licence fee, which is a tax. As my hon. Friend the Member for Taunton Deane (Rebecca Pow) said, the BBC, as a public service broadcaster funded by the public, must be as open and transparent as possible. The public rightly expect the BBC to be scrutinised effectively and to know how it spends our money—and I say “our” not as a Minister, but as a licence fee payer.

I strongly support the transparency that has been brought to the BBC through the charter settlement. It will improve the BBC and bring it into line with other public services, other parts of Government and, indeed, our politics, which has got radically more transparent in recent years. Improving efficiency and transparency was central to the charter review, and we have insisted on a whole series of changes in the charter to address these issues.

I agree with those who said we were right to introduce that transparency. Alongside it was effective, modern governance. It will be the responsibility of the new BBC board to deliver further transparency and greater efficiencies across overheads, including what needs to be done to lower the pay bill, where appropriate. The National Audit Office has become the BBC’s financial auditor for the very first time, as it is for the rest of the public sector. It will be able to do value-for-money studies on the BBC’s commercial subsidiaries, which return profits to the BBC, thereby generating public money. Of course, Ofcom is now independently regulating the BBC. A point that was brought up and has strong cross-party agreement is that it is important that an independent regulator regulates the BBC.

I was surprised at the comments of the hon. Member for Keighley (John Grogan), and by the Labour Front Bench’s opposition to seeing more diversity and distinctiveness at the BBC: we have had complaints by the Labour party about our calls for more diversity in the BBC. Of course I have a view on the level of diversity in the BBC, and I just wish the Labour party would join in. Where I do agree is that the BBC needs to look at pay across the piece, at all levels. I had much more sympathy with the point made powerfully by the hon. Member for Ellesmere Port and Neston (Justin Madders) about the powers to insist on transparency for the BBC in other areas of diversity.

Kevin Brennan: On a point of order, Mr Bone. I think the Minister might have inadvertently misled the House by saying that the Labour Front Bench, during the course of the debate, had opposed levels of diversity within the BBC.

Matt Hancock: I did not say that it did so during the debate. It did when the deputy leader of the Labour party, the hon. Member for West Bromwich, wrote to us attacking our insistence on more diversity at the BBC. Maybe the hon. Member for Cardiff West (Kevin Brennan) needs to have a word with his colleague and try to bring him into line. We are in favour of more diversity. At the moment, the Labour party is not, and I suggest it does something about that.

Mr Peter Bone (in the Chair): That was a point of order. Is the hon. Member for Cardiff West (Kevin Brennan) satisfied?

Kevin Brennan indicated dissent.

Matt Hancock: I think the hon. Gentleman needs to go and sort that out with his colleague. The hon. Member for Ellesmere Port and Neston made—

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): On a point of order, Mr Bone.

Matt Hancock: We do not have any time.

Mr Peter Bone (in the Chair): It is a point of order. I have to take it.
Mr Bailey: Just to correct the Minister, the deputy leader of the Labour party is the hon. Member for West Bromwich East (Tom Watson). I am the Member for West Bromwich West, and I would like no confusion.

Matt Hancock: I said West Bromwich because when I got to the end of saying it, I could not remember which I was referring to, but I was indeed referring to West Bromwich East.

Anyway, Ofcom has powers to insist that the BBC be transparent, and the charter gives Ofcom specific powers to consider the distinctiveness of music output on Radio 1 and Radio 2—not just the number of plays, but the size of the playlist and whether it is a peak or off-peak time. I suggest that the hon. Member for Ellesmere Port and Neston takes his point, which has a lot of merit, up with Ofcom, because it has those powers; the Government do not, for the reasons discussed during the debate.

The Government also require the BBC to disclose details on staff and talent where salaries are over £150,000. That was the meat of the debate today. The latest pay disclosure really shines a light on some practices that have been going on for a long time in the BBC, and not least on the gender pay gap, as discussed. I am very proud that we have introduced mandatory gender pay gap reporting for organisations with more than 250 employees, because that will help the organisations. I have an awful lot of sympathy with the statement put out by BBC women yesterday, which said:

“The Director General must be in no doubt about how serious an issue equal and fair pay is for women across the organisation. The BBC should be the standard-bearer for this.”

That is incredibly important. In fact, I think that on issues of diversity and gender equality, we should hold the BBC to a higher standard, if anything, than other organisations, because it literally reflects the nation and broadcasts to the nation.

All of us who cherish and support the BBC must strive to make it more transparent and hold it to account. That does not weaken the organisation; it improves an organisation, because where there is a problem, sunlight is the best disinfectant. My hon. Friend the Member for Eastleigh (Mims Davies) asked powerfully what further will happen on transparency. Mandatory gender pay gap reporting for the BBC, as well as for other organisations, is due by April next year, and we expect the BBC to take action to close that gap, which it says is 10%.

Of course, it is not just about the gender pay gap. As my hon. Friends the Members for Taunton Deane and for Clacton (Giles Watling) said, it is about the level of pay. It is also about equal opportunities—people from black, Asian and minority ethnic backgrounds are under-represented among the BBC’s top earners—and transparency on social mobility, as the hon. Member for Ellesmere Port and Neston set out.

The BBC should be leading the way. I welcome the director-general’s commitment to closing the gender pay gap by 2020. I was pleased to hear yesterday about his plans for an independent equal pay audit of all BBC staff in the UK and a separate report on the gender pay gap. I look forward to seeing those reports in the coming months and expect to see an improvement on the gender pay gap and diversity in the next set of BBC accounts.

Transparency is the order of the day in this debate, so I am delighted that we heard of the music talent on the Labour Front Bench. I am sure that the hon. Member for Cardiff West is regarded by viewers of the Dave channel as top talent, and maybe one day we will see his name in the transparency returns. I agree with him on the importance of impartiality at the BBC and with his robust defence of the BBC against the accusations from some Scottish National party Members. I conclude today’s debate by thanking all Members for their lively contributions. I am sure that the BBC will be listening, and I am sure also that we will return to these important topics many times.

2.59 pm

Mr Gregory Campbell: I am delighted that so many Members were able to take part in the debate. I thank the Minister for his response. I trust, as he indicated, that the BBC, at hierarchy level, will respond definitively to not only my questions, letters and emails but those of all other public representatives. We want to see a BBC of which we can be rightly proud—one that is independent, fearless and questions and pursues issues, but that is also transparent and accountable—so that people can defend the BBC locally, nationally and internationally.

Question put and agreed to.

Resolved.

That this House has considered the transparency of the BBC.
16-to-19 Education Funding

[David Hanson in the Chair]

3 pm

Nic Dakin (Scunthorpe) (Lab): I beg to move, That this House has considered 16 to 19 education funding.

It is a pleasure to see you in the Chair, Mr Hanson. I am pleased to move this debate and to see so many hon. and right hon. Members here on a Thursday afternoon to show their interest in this important subject. Let me start by declaring my interest in and passion for 16-to-19 learning.

I have worked in post-16 education most of my life and seen a multitude of times how high-quality learning transforms the life chances of young people. When elected to serve as Scunthorpe’s MP, leaving my job as principal of John Leggott College, post-16 education was in a pretty good place with a relevant, dynamic, personalised curriculum and relatively decent funding to support a broad and balanced education with appropriate extra-curricular activities, guidance and support. Education maintenance allowance acted as a significant driver of ever-improving student achievement and social mobility.

Sadly, in the seven years I have been in Parliament, the challenge for post-16 leadership has become significantly greater, driven by huge, ongoing and accelerating financial pressures. The cuts to 16-to-19 education funding introduced in 2011, 2013 and 2014 have proved particularly damaging. The average sixth-form college lost 17% of its funding before inflation. If John Leggott College, which celebrates 50 years of providing outstanding education to the young people of north Lincolnshire this year, was funded at 2010 levels today, it would have £1.2 million more in this year’s budget. That is astounding.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): I congratulate my hon. Friend. Friend on securing this debate. Does he agree that not only has 16-to-19 education been affected by cuts in funding for that particular cohort but past and current Government cuts in adult learning and English for speakers of other languages impact on further education colleges and other education institutions in providing the sort of curriculum and resources necessary to teach 16 to 19-year-olds as well?

Nic Dakin: My hon. Friend is completely right. Cuts elsewhere in further education budgets make life even more difficult and challenging for people leading those institutions and delivering not only for adults but for 16 to 19-year-old learners.

Alongside these funding cuts, inflationary pressures have continued to bite and costs have continued to rise. Employer contributions to the teachers’ pension scheme increased from 14.1% to 16.4% in 2015, employer national insurance contributions rose from 10.4% to 13.8% in 2016, and business rates increased in 2017.

Gloria De Piero (Ashfield) (Lab): I was contacted about this debate by the principal of Sutton Community Academy in my constituency, who tells me that the budget is over £1 million less than it was three years ago and that the only way to balance the books would be to shut the sixth form, but it is desperate not to do that. My constituents need a leg up. They cannot afford to see a ladder that enables them to move on and up being pulled down.

Nic Dakin: My hon. Friend is absolutely right. Giving people a leg up and supporting them, and generating social mobility is exactly what good post-16 education does. She is absolutely right to remind us of the challenges in her constituency, which are reflected across the English education system.

Labour has shown real leadership in arguing for improved technical education to stand alongside the growth in apprenticeships begun under a Labour Government. T-levels have the potential to represent a step change forward, but those of us working in post-16 education have been here many times. The devil is always in the detail of delivery, but one thing is certain. Putting money into T-levels, as the Government are rightly doing, is no substitute for addressing the shortfall in funding the 85% of young people in general post-16 education. I hope that the new Minister, for whom I have enormous respect, will not fall into the trap of reading out a civil service brief that goes on at length about T-levels to avoid the central question that we are considering today—the underfunding of mainstream post-16 education, A-levels and applied general qualifications such as BTEC.

Thelma Walker (Colne Valley) (Lab): Colleges such as Kirklees College had over 3,000 16 to 19-year-olds on full-time programmes last year, but the funding available covered only 15 hours a week per student. Does my hon. Friend agree that this is wrong and that we need fair funding for all 16 to 19-year-olds, regardless of where they choose to study?

Nic Dakin: My hon. Friend is absolutely right. I want the Minister to focus on getting good value for the vast majority of students and to address the funding inequality that my hon. Friend highlights so well.

In its offer to the British people this year, the Conservative party promised fair funding for schools, but its current proposals wholly ignore post-16 education. This made complete sense when compulsory education ended at 16, but it is nonsense now that the raising of the participation age means that everyone remains in education and training up to 18. It is not being honest with the electorate, who expect the fair funding promise to cover all sixth-formers.

Dr David Drew (Stroud) (Lab/Co-op): Does my hon. Friend accept that one of the biggest problems is special needs in further education? Further education has a proud record of taking people who have not been in mainstream education and looking after them from 16 to 19. Unless there is additional funding for those students, they will always be disproportionately affected.

Nic Dakin: My hon. Friend makes a good point. The reality is that the squeeze on funding for education for 16 to 19-year-olds puts pressure on special needs support not only in colleges but in school sixth forms. This issue covers sixth-formers wherever they end up in the system.

Recent research from the Institute of Education describes sixth form education in England as “uniquely narrow and short” compared with the high-performing education systems elsewhere in the world in places such as Shanghai, Singapore and Canada. Our sixth-formers are now funded to receive only half the tuition time of sixth-formers in other leading economies. As my hon. Friend the Member for Colne Valley (Thelma Walker) pointed out, as little as 15 to 17 hours of weekly tuition and
support has become the norm for students in England, compared with 30-plus hours in Shanghai. Students in other leading education systems receive more tuition time, study more subjects and in some cases benefit from a three-year programme of study rather than two.

Peter Kyle (Hove) (Lab): My hon. Friend is making some incredible points. Students are rightly now staying at school until 18 and those extra two years are important in tackling the country’s skills challenges. Does he agree that we need to invest properly because otherwise we will be reduced to a core curriculum rather than the expansive experience that young people need to prepare them for life beyond school?

Nic Dakin: My hon. Friend is absolutely right. The tragedy is that already the post-16 curriculum has shrunk so we are already in danger of getting to where my hon. Friend describes, and there is concern about where we might be going in future.

The funding that schools and colleges now receive to educate sixth-formers covers the cost of delivering just three A-level or equivalent qualifications, and little more. As a result, the wider support offer to students has been greatly diminished. That means it is increasingly difficult to address properly the concerns expressed by employers that young people lack the skills to flourish in the workplace. The CBI’s 2016 education and skills survey, for example, expressed concern about the current education system, with its emphasis on grades and league tables “at the expense of wider personal development”.

My hon. Friend is absolutely right that we need to continue to commit and invest more in the sector to ensure that it does not shrink further.

I think everybody would agree that programmes of study in which students have too much free time are not effective at getting the best out of them. The students are in transition from a fairly directed pre-16 learning environment to the independent learning of HE and the world of work. That transition needs to be properly and appropriately supported.

On a recent visit to Scunthorpe’s brilliant North Lindsey College, the excellent principal, Anne Tyrrell, remarked on how the demands from students with mental health problems had grown exponentially in recent years. Many schools and colleges lack the resources to address the sharp increase in students reporting mental health problems. That is a real issue that has been compounded by cuts to NHS and local authority budgets. The charity Mind recently found that local authorities now spend less than 1% of their public health budget on mental health. We know that students with better health and well-being are likely to achieve much better academically and that participation in extracurricular activities has a positive effect on attainment. Such things are interlinked and related.

It is clear that the student experience in schools and colleges is deteriorating as a result of the funding pressures that have Meachers have driven in their own constituencies across England. For example, two thirds of sixth-form colleges have already shrunk their curriculum offer; over a third have dropped modern foreign languages courses; and the majority have reduced or removed the extracurricular activities available to students, including music, drama and sport.

Even more concerning, almost two out of three colleges do not believe that the funding they receive next year will be sufficient to support students that are educationally or economically disadvantaged. So the underfunding of 16-to-19 education is fast becoming a real obstacle to improving social mobility.

As costs continue to rise, the underfunding of sixth-form education is becoming a major challenge for all providers. Schools increasingly find themselves having to use the funding intended for 11 to 16-year-olds to subsidise their sixth forms, which risks damaging the education of younger students. Small sixth forms in rural areas are increasingly unviable, lacking the economies of scale to provide students with the rounded education that we all believe in.

Grammar schools are increasingly raising their voices in serious concern about the underfunding of 16-to-19 education.

Kerry McCarthy (Bristol East) (Lab): Does my hon. Friend acknowledge that sixth-form colleges such as St Brendan’s in my constituency are particularly hard hit because they do not even have the 11 to 16-year-old funding that might better enable them to support 16 to 19-year-olds?

Nic Dakin: Sixth-form colleges are particularly affected, as my hon. Friend describes, and they cannot claim back VAT in the way that schools do, so that puts them at a significant disadvantage overall.

The treatment of 16-to-19 funding is in stark contrast to the pre-16 funding that was protected in real terms under the coalition Government and protected in cash terms during the previous Parliament. The Secretary of State’s recent announcement of an additional £1.3 billion for schools does not apply to students aged 16 to 19; nor does the minimum funding guarantee for students in secondary schools. That puts them at a disadvantage, with 16-to-19 education being very much the poor relation.

Yet the average funding of £4,530 per student received by colleges and school sixth forms is already 21% less than the £5,750 per student that is received to educate 11 to 16-year-olds in secondary schools. That compares with average spending on students, once they go into higher education at 18, of £8,780 per student. Perhaps we can learn from the private sector. In private schools the funding of students actually increases post-16 to £15,300 per student to reflect the additional cost of teaching 16 to 19-year olds. As we approach the autumn budget, now is the time for the Government to focus on this very real problem and resist the temptation to hide behind the glib arguments they have used in the past. After all, the new Minister is well grounded, practical and sensible: the very antithesis of glib. We look forward to her response.

It is welcome that there is now a single national funding formula for 16-to-19, but that does not compensate for its inadequacy. There is still inequality, as I have mentioned, between schools that can claim back VAT and colleges that cannot, leaving the average sixth-form college with £385,914 less to spend on their students.
There is no evidence base for the Government’s assertion that the funds provided are sufficient. That is why I support the joint call from the Association of School and College Leaders, the Association of Colleges and the Sixth Form Colleges Association for the Government to conduct a proper review of sixth-form funding to ensure it is linked to the realistic costs of delivering the rounded full-time education that we all want our young people to have.

The Government’s other assertion that success in school is the best predictor of outcomes in 16-to-19 education has not been supported by any evidence either. I know from my own experience how students who have struggled pre-16 can make spectacular progress with the proper support post-16. Bluntly, the Government have provided no evidence to justify reducing education funding by 21% at age 16. The chronic underinvestment in academic sixth-form education is bad for students, for our international competitiveness and for social mobility.

It is the students that matter. We are at real risk of letting them down. That is why I am calling on everyone to get behind the ASCL, AoC and SFCAs’s excellent Support Our Sixth-formers campaign, and I ask the Government to respond positively to their two clear, simple asks: first, to introduce an immediate £200 uplift in funding to improve the support offered to sixth-form students; and secondly, to conduct a review of sixth-form funding to ensure it is linked to the realistic costs of delivering a rounded, high-quality curriculum. A modest annual increase in funding of £200 per student would help schools and colleges to begin reassembling the range of support activities required to meet the needs of young people.

The uplift is affordable. It would cost £244 million per year to implement, and it could be largely funded by the underspend in the Department for Education’s budget for 16-to-19 education, amounting to £135 million in 2014 and £132 million in 2015. At a time when 16-to-19 education is in dire need of additional investment, schools and colleges should at least receive all the funding that the Government put aside for 16 to 19-year-olds. As funding rates for sixth-formers have been fixed since 2013, such a modest uplift would also help schools and colleges to deal with the inflationary pressures and cost increases that they have faced during that time.

It is time for all of us, including the Government, to support our sixth-formers and give them a fair deal. In her response, the Minister can make a good start by saying that she is determined to champion high-quality general sixth-form education as well as T-levels and apprenticeships. She could also commit to ensuring that the Government put aside for 16 to 19-year-olds. As funding rates for sixth-formers have been fixed since 2013, such a modest uplift would also help schools and colleges to deal with the inflationary pressures and cost increases that they have faced during that time.

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Several hon. Members rose—

David Hanson (in the Chair): Order. Self-evidently Mr Dakin’s debate has given me a challenge. At least 13 Members want to speak; I must call the Scottish National party spokesperson at 4 pm, and there are the Labour party spokesperson and the Minister to get in, so there is a limited time. Given the enormous Opposition interest, I think that Opposition Members in particular will have to restrain their comments severely.

3.20 pm

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Mr Hanson. I congratulate the hon. Member for Scunthorpe (Nic Dakin) on securing the debate. He is the right person to lead it, because of his distinguished career before he entered this place as the principal of a further education college.

The years from 16 to 19 are of critical importance in everyone’s life; they are the transition years between school and the workplace. If we get things right in this place, young people go on to have successful and fulfilling lives from which they and their families benefit directly—as well as society and the economy. If we do not put down the right framework, lives can be unfulfilled, society can become fractured, and the economic productivity gap widens. Proper, stable funding is the cornerstone of a good, enduring 16-to-19 education system. In Waveney, 16-to-19 education is provided at Bungay High School, Sir John Leman High School in Lowestoft, East Coast College—the former Lowestoft College, which recently merged with Great Yarmouth College—and Lowestoft Sixth Form College. Students in the area also go to East Norfolk Sixth Form College in Gorleston, in the constituency of my right hon. Friend the Member for Great Yarmouth (Brandon Lewis). All those colleges and schools produce good results, often in challenging circumstances, and staff all go the extra mile in support of their students.

I will concentrate my comments on Lowestoft Sixth Form College and East Coast College. Lowestoft Sixth Form College opened in 2011. In a short time it has been an outstanding success, owing to the great work of the principal, Yolanda Botham, and her staff. This year, maths and physics A-level outcomes have been in the top 1% nationally. East Coast College was formed earlier this year, following an area review and, under the new principal, Stuart Rimmer, some exciting plans are emerging. Those include a new energy skills centre, for which the Government have provided £10 million capital funding through the New Anglia local enterprise partnership. There are some outstanding successes. Some good initiatives are taking place and some exciting projects are planned. That said, for them to be sustainable and successful in the long term, a secure and adequate revenue-funding framework must be put in place.

As the hon. Member for Scunthorpe has shown, 16-to-19 funding is at present seriously under-resourced. When a student reaches 16, their funding drops by 20%. At current funding levels, students in England receive, on average, 15 hours of teaching and support a week. That compares with 26 hours in Canada, 27 in Singapore and 30 in Shanghai. The House of Commons Library has identified seven challenges that 16 to 19-year-olds face. They are, in effect, being squeezed on all sides. The VAT iniquity means that an average sixth-form college loses £385,000 per annum of vital income. The ability to become an academy helps to address that problem, to a degree, but it is not practical for all sixth-form colleges.

STEM subjects are vital at Lowestoft Sixth Form College, but, worryingly, research shows that 15% of sixth-form colleges across the country have dropped STEM subjects. At the present time, when the nation
should be producing more engineers and scientists, that trend must be reversed. The Government’s T-education proposals are welcome, but are likely to cover only 25% of those in education. The solution to the problem, as the hon. Member for Scunthorpe said, is to adopt the four recommendations of the Association of Colleges, the Sixth Form Colleges Association, and the Association of School and College Leaders. I shall not go through them in detail, as he has already set them out.

Colleges are a great British success story. They deliver great results and are an important—vital—lever for social mobility, which is relevant in Lowestoft in my constituency, where there are significant pockets of deprivation. However, colleges cannot continue to perform their role if they are not properly funded. In Lowestoft there are exciting regeneration plans, with the two colleges playing lead roles. If the full potential of the plans is to be realised, 16-to-19 education funding must be put on a sustainable long-term footing.

3.25 pm

Joan Ryan (Enfield North) (Lab): I congratulate my hon. Friend the Member for Scunthorpe (Nic Dakin) on securing this important debate, and on his powerful speech. It is a pleasure to follow the speech that the hon. Member for Waveney (Peter Aldous) has just made. I, too, urge the Government to adopt the recommendations of the Support Our Sixth-formers campaign.

Enfield is one of the top-performing local authorities for education in the country, with 97% of our schools rated either good or outstanding by Ofsted. This year the borough’s A-level pass rate of 98.2% exceeded the London and national pass rate average, and 96% of students who took a level 3 vocational qualification in Enfield achieved a merit or better. Students, staff, schools and colleges are and should be proud of those outstanding achievements, especially when under the present Government they have faced the largest real-terms cuts to their budgets in a generation. However, as the Support Our Sixth-formers campaign has said, “the development and progress of young people cannot simply be measured through annual performance tables.”

Extra-curricular activities and non-qualification support are crucial in delivering a well-rounded, high quality education. Careers advice, study skills training and mental health support, to which my hon. Friend the Member for Scunthorpe referred, are important for the wellbeing and personal development of students.

Enfield is the 12th most deprived borough in London and we have the highest number of children—almost exactly a third of our children—living in poverty. That is not a race that we were hoping to win. Additional help and educational support is invaluable for all students from disadvantaged backgrounds. Before the recession, I had the pleasure of attending a careers fair at Enfield County School in my constituency, which reinforced my sense that schools and colleges offering such extracurricular activities are uniquely placed to provide the essential knowledge and skills required by students, so that they can make confident and responsible choices for their future.

However, I know from having visited almost every school and college in my constituency that many head teachers and principals are being forced into taking drastic measures to balance their books. Extra-curricular activities on offer to 16 to 19-year-olds are being cut, the range of subjects on offer for A-levels and vocational training curriculums is being reduced, and the retaining and recruitment of teachers and support staff is proving ever more difficult, as pay is held down.

It is students in Enfield and elsewhere who are paying the price for the Government’s misguided funding policy. Sixth-formers have also suffered from a sustained period of under-investment in comparison with other students in full-time education. Given the importance of extra-curricular activities and non-qualification support to that age group, many head teachers and principals I have spoken to cannot understand the justification for an arbitrary reduction in per pupil funding—currently 21%—when students reach the age of 16. I agree. They are being short-changed. As recommended by the Support Our Sixth-formers campaign, the Government must conduct an urgent review of 16-to-19 education funding.

The future success of our country relies on our young people getting the best education and the highest-quality curriculum that we can give them—especially with Brexit looming large in front of us. I know that the second recommendation from the Support Our Sixth-formers campaign—to introduce a £200-per-student uplift to improve the education and support available—would be put to very good use by schools and colleges in Enfield. The Government should take heed of that advice, because those students—indeed, all students—deserve a fair funding deal. A Government decision not to review funding and not to increase investment in sixth-form education will be bad for our young people and our country, at a time when we need to build the best skilled workforce possible.

3.29 pm

Mims Davies (Eastleigh) (Con): I congratulate the hon. Member for Scunthorpe (Nic Dakin) on securing this important debate, and it is a pleasure to serve under your chairmanship, Mr Hanson. I was part of a previous Adjournment debate on this matter and have looked forward to this broader debate, which is very welcome.

First, I welcome the huge progress made under this Government on 16-to-19 education as a whole. This year, the percentage of entries awarded the top A* or A grade is 26.3%—an increase on the 2016 results—with an overall UK pass rate of 97.9%. I am particularly pleased that the proportion of entries in STEM subjects has increased and that there are more female than male entries in chemistry for the first time since 2004. Having hosted an event in Parliament in June to promote women in engineering, alongside the Women’s Engineering Society, I am absolutely delighted that we are doing something about that at sixth-form level. Alongside industry, we roundly looked at the challenges in relation to STEM for students of both sexes, with a view to ensuring that they have a chance to have the career that they need post 16-to-19 education. This Government, and certainly my colleagues and I, do not take the challenge post-16 at all lightly.

On top of the excellent secondary schools that offer A-level courses in my constituency, we are fortunate to have the stand-alone colleges. I think the importance of that will come out in the conversation and debate today; they are themselves definitive success stories in many constituencies across the UK. Eighty-seven per cent.
are rated good or outstanding by Ofsted—that includes Eastleigh College, with which I have strong links—and 55% of disadvantaged students progress to university, compared with 42% from state schools or colleges. Even better, 90% of students attending sixth-form colleges go on to study for a second year at university, if that is right for them.

Let me take this chance to thank my two local post-16 colleges for the great visits that have allowed me the opportunity to see the work that they do, and their principals: Jan Edrich at Eastleigh College and Jonathan Prest at Barton Peveril College.

Students in my constituency have a great choice. Eastleigh College is packed full of apprenticeship opportunities and is strongly linked to business. It is a leader in air conditioning and gas engineering training. All of that is very much needed. Business leaders in my constituency want work-ready post 16-to-19 students. As a Conservative and a believer in choice, I know it is vital that we give our students such opportunities, so I must ask my right hon. Friend the new Minister to take her opportunity to balance the skills agenda alongside the need for traditional colleges in order that all our students have the right opportunities. I believe that there will be continued strong lobbying from the Sixth Form Colleges Association; it is certainly beating down my door, and I am sure it is beating down hers.

**Lloyd Russell-Moyle** (Brighton, Kemptown) (Lab/Co-op):
While the hon. Lady is talking about the importance of such education to employers, will she recognise that education to employers, will she recognise that education to employers, will she recognise that education to employers, will she recognise that... I absolutely agree that a well rounded education is very important; I will come to that shortly.

**Mims Davies**: I absolutely agree that a well rounded education is very important; I will come to that shortly. Both academic and pastoral excellence is vital in all our education institutions.

During the summer recess, I was delighted to carry out another visit to Barton Peveril College in Eastleigh and meet the principal, Jonathan Prest. This is a thriving sixth-form college in my Hampshire constituency. With more than 3,000 full-time students, it is one of the 12 largest sixth-form colleges in the country and therefore has a huge responsibility when it comes to preparing our young people for the world of work. It seems that colleges of that size and scale can just about manage when it comes to the finances, but we want to ensure that the opportunities in traditional colleges are maintained, alongside the skills agenda.

I was concerned to hear about the current funding arrangements. The situation was not new to me. I have written to my right hon. Friend the Secretary of State about post-16 finances and raised the matter with her directly in the main Chamber, and I am grateful to her for spending time with me. Currently, sixth-form colleges and school or academy sixth forms receive £4,531 per student. That is less than we provide for younger students in secondary schools. It is 48% less than the average university tuition fee and about 70% less than the average sixth-form fee in the independent sector. Unlike schools and academies, traditional sixth-form colleges struggle to cross-subsidise—that is probably the best way of putting it. We have also heard about the inability to get VAT costs reimbursed. The issue has therefore been raised today, and I know that the Minister will look at it, because it does affect the learning of our sixth formers.

More broadly on 16-to-19 education and colleges, I absolutely agree about the opportunity to give our kids the cultural capital that they need when they come out of 16-to-19 education. Are we giving them the right opportunities? For example, are they being allowed to study for the Duke of Edinburgh’s awards? Are they going out to see plays? Are they spending time with local businesses? The first thing that business people say to me is, “I can’t get students who are work ready.” Those extracurricular activities are really important; indeed, they are vital. We do not want bored 16 to 19-year-olds; we want work-ready 16 to 19-year-olds. I therefore join colleagues in supporting the benefits of that broader education.

I congratulate the Government on the excellent work being done to support the education of all our young people, but we must ensure that we look at the traditional 16-to-19 stand-alone college. I must personally thank all the colleges and their staff and everyone across the country who is doing this work. I also thank the governors, who are doing so much work as well. They are often forgotten.

I will finish by asking the Minister to consider carefully the concerns raised about funding arrangements for stand-alone sixth-form colleges. I look forward to working further with her on these issues as we go forward.

**Several hon. Members rose—**

**David Hanson (in the Chair):** Order. I am going to call Norman Lamb next, but self-evidently a number of hon. Members wish to speak. To get them in, I will have to impose a time limit, which I will announce after Norman Lamb has spoken. The hon. Member for Glasgow North West (Carol Monaghan) has graciously said that she will cut short her remarks, so I intend the Front-Bench speeches to start at five past 4, and I ask hon. Members to bear that in mind. I will set the time limit once Norman Lamb has finished his hopefully reasonably brief remarks.

3.38 pm

**Norman Lamb** (North Norfolk) (LD): It is a pleasure to serve under your chairmanship, Mr Hanson. I will try to follow that guidance.

I, too, congratulate the hon. Member for Scunthorpe (Nic Dakin). I agreed with pretty much everything he said and I very strongly support the campaign for our sixth formers. With that clear, I want to use this opportunity to speak on behalf of the brilliant Paston Sixth Form College in my constituency. This year, it secured an A-level pass rate of 99.3%, with 80% at grades A* to C. It is an institution achieving very high academic standards, yet as a result of a completely flawed area review, it is being forced to merge with City College Norwich. That is a good institution, but it serves a different market and has a different purpose from a sixth-form college with a very strong academic standard. It is a sixth-form college in an area that has a low-wage economy and where...
there is traditionally a low rate of students going on to university, yet we are forcing it to merge and losing it as an independent, stand-alone institution. That is a crying shame.

I am disgusted, frankly, by the area review, which I think is completely flawed. Why is that? The area review combines further education colleges and sixth-form colleges—two types of organisation that often do very different work—and leaves out school sixth-forms, which are doing the same job as sixth-form colleges. It is totally flawed. An institution that is currently funded for 688 students is deemed to be unsustainable, when there are two new free schools in Norwich—one of which is funded for 201 students and the other for 80 students—which are deemed to be viable. How can anybody justify that uneven playing field, which has forced a brilliant institution to merge and lose its independent status?

**Kelvin Hopkins (Luton North) (Lab):** The right hon. Gentleman touches on a subject that also affects me very much. Two local colleges are being talked about in terms of a forced merger. I have written to Ministers and to the educational establishment to try and make sure that it does not happen. I hope that the Minister takes note that we do not want forced mergers, which damage our local systems.

**Norman Lamb:** I thank the hon. Gentleman for that intervention. I do not mind diversity. I absolutely advocate diversity of provision, but I want a level playing field. I want every institution to live or die on the basis of the same rules, yet special favours are being given to free schools. There is an uneven playing field between school sixth-forms, which can cross-subsidise from the higher funding for early years education, and sixth-form colleges, which cannot do that. That is unjust. The Government are responsible for the loss of an independent institution that performs brilliantly. I would like to meet the Minister to discuss my very real concern. I have written about it previously, but my plea was ignored and the flawed area review carried on. At some point, if we want to retain these brilliant institutions, we have to be willing to reflect on a flawed system, and decide to look at all institutions on a level playing field.

**Lloyd Russell-Moyle:** Will the right hon. Gentleman give way?

**Norman Lamb:** I am conscious that the restrictions from the Chair dictate that other people need to get in, so I will resist the temptation there.

Let us recognise that sixth-form colleges across the country have a very good record of delivering high academic standards. For some reason, it appears that the Government have a negative view of them, and are prepared to see them wither and die in some cases. That is a big mistake. Let us recognise the fantastic performance of sixth-form colleges across the country. Paston is not unique in that regard. Let us make sure we preserve them and give them a bright future.

**David Hanson (in the Chair):** I am going to have to impose a limit of three minutes for the moment, which should just about get everybody in before the Front-Bench spokespeople begin their deliberations.

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**Mr Marcus Fysh (Yeoval) (Con):** It is a pleasure to serve under your chairmanship, Mr Hanson. I congratulate the hon. Member for Scunthorpe (Nic Dakin) on securing this debate. It is massively important that we focus on the opportunities for our young people, and on giving them the skills they need to take those opportunities and make the most of their lives. In Somerset we have some great opportunities, but delivering the skills required to take advantage of them is a major challenge in some areas.

I want to thank the Government for their attention to secondary schools within the adjustment of the funding formula that has been proposed. That goes some way towards outlining and improving some of the opportunities, but I think it is absolutely right that this debate has highlighted some of the anomalies in the education system for 16 to 19-year-olds. Secondary schools find some aspects very challenging. For example, in rural areas such as mine, where there is not a major university close by, it is quite hard to recruit staff, and that all has an impact on what can be delivered.

In Yeoval we have a great sixth-form college, which provides terrific opportunities and has done a great job of improving its standards over recent years, but I just want to highlight one or two of the challenges it is facing. We have heard about the VAT anomaly, and I would like to reiterate that. I would also like to say that, in general, applying for funding to renovate existing buildings and capital stock, to keep the experience as we would want it to be, is actually very hard. That is because applications now go from the LEP pot, and unless a particular building has a LEP-approved priority as its basis, it will not get the funding. The sixth-form college in Yeoval is struggling with that.

I would also like to highlight the new regulations that have come into the Insolvency Act 1986, which essentially allow colleges to go bust. That puts pressure on their financing. They are unable to refinance their existing loans without having to pay very large redemption fees, and that limits what they are able to do. I think Barclays and Lloyds are the main players in that business. If the Minister looked at that in particular, I would be grateful.

I am also very grateful for the Minister’s attention to the Somerset Skills and Learning business, and thank her for arranging the meeting on Monday. That has serious challenges, but I thank her for her intervention on it.

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**Grahame Morris (Easington) (Lab):** I congratulate my good and hon. Friend the Member for Scunthorpe (Nic Dakin) on securing this important debate. I want to highlight some particular points that apply to my own college, East Durham College. I thank the excellent principal there, Suzanne Duncan, and all the staff, for their hard work and dedication to the students in my constituency, and for giving me an insight into the funding issues facing it and other FE colleges.

I agree with the points that many hon. Members have made about the unfair nature of funding, which has been acknowledged by the Government. Given the Government’s commitment to look again at the schools funding formula, which they described as being out of date, it is a glaring omission not to look at post-16 provision.
Mike Hill (Hartlepool) (Lab): As my hon. Friend knows, Hartlepool has excellent sixth-form and FE college provision. Hartlepool College of Further Education, which also provides an education for his constituents in Easington and east Durham, offers a diverse range of apprenticeships providing bespoke skills for the future jobs market, and is the second highest performing college in England. Yet it is struggling with debt due to underfunding; several mergers have failed due to the lack of adequate funding. Does my hon. Friend agree with my question—what guarantee can my constituents be given that proper financial resources will be put into the future education of young people in our area?

Grahame Morris: I completely agree. Many hon. Members, including my hon. Friend the Member for Hartlepool (Mike Hill), are really concerned about the impact on their facilities.

There are common threads in the nature of the unfair funding formula. These are questions that the Minister must address, and we are hopeful on this side of the House that she will do that in a fair and open manner. There have been significant cost rises over the last four years and the funding rates within the formula have been fixed. That has led to real-term funding cuts in further education. In particular, in east Durham, an area of high deprivation that I represent, the formula significantly affects resources. By an anomaly referred to as the college age penalty, for each student between 16 and 18 years old East Durham College receives £4,000, but that is reduced to £3,300 for a student aged 19, even when such students are undertaking exactly the same college courses. East Durham College estimates that this college age penalty costs it over £100,000 a year—the equivalent of three teachers. It would be helpful if the Minister could, in her concluding remarks, explain why educating and training a student aged 19 is seen as less important or valuable than educating an 18-year-old student.

The Government’s funding cuts and rising costs mean that post-16 education is becoming a part-time experience. Other hon. Members have referred to students receiving only 15 hours a week of teaching and support, which is inadequate, and compares poorly with our European competitors. We are failing to fund education. That is short-sighted and detrimental to our young people and our economy.

Subject choices are being reduced and courses cut, particularly those run by colleges with smaller intakes and those that provide services to rural areas, as Members from all parties have mentioned. The current funding crisis will lead to larger class sizes, unavailability of subjects such as music and drama, reduced teaching hours, fewer extracurricular activities and less student support. There will be further sixth-form closures and reductions in A-level courses—although the Government are demanding greater rigour—and more college mergers.

I support the points made by my hon. Friend the Member for Scunthorpe. I ask the Minister to invest in our young people. She should not be the Minister responsible for kicking away the ladders of opportunity that many of us in this House took for granted when we were students. Education is an investment. I hope that she will commit to ensuring that every student can receive a high-quality and comprehensive education.

Yvonne Fovargue (Makerfield) (Lab): I congratulate my hon. Friend the Member for Scunthorpe (Nic Dakin) on obtaining this important debate. Given the statistics that we have heard, it is no surprise that the two exceptional sixth-form colleges in my constituency have both contacted me to express their concerns.

Winstanley College has a stellar reputation as a high-performing academic institution, but it has now cut German from its curriculum, meaning that that language is now lacking in my borough. St John Rigby College, judged outstanding in every aspect by Ofsted in February 2017, is rightly proud of its inclusivity—85% of its students reside in Wigan—whereas Winstanley is well-known across the north-west, and many students travel for hours to get there.

The Ofsted report particularly praised the extent to which St John Rigby provides extra support to enable students to achieve. That is vital in order for them to excel, but it is unfunded, and as teachers are being asked to teach larger groups for more hours, the capacity to provide such support is diminishing. In my constituency, raising aspirations and building confidence are crucial, but the college principal, Peter McGhee, believes that the funding cuts are having the biggest impact on marginally qualified students. To him, it is an issue of social justice and social cohesion.

To ensure that students who need support and are less independent in their studies receive that support, the college has decided to keep teaching groups at the right size for students, meaning that it cannot invest in the estate or new technology. As funding continues to fall in real terms, its only option is to remove some of the unfunded aspects of provision, but whether it is additional study groups, one-to-one support sessions or supported revision sessions, they are all vital to those students in my constituency. The students who need extra support are the marginally qualified, who just about managed in school. Perhaps they failed a bit or did not get on with the environment, or they have higher anxiety or mental health needs. Often, their only support is provided by the college, due to cuts to NHS and local authority provision.

Unfunded programmes that develop skills and values are also under threat. The Values for Living programme has been praised by Ofsted for changing students’ lifestyles and developing their personal, moral, social and employability skills exceptionally well. Is that not what we want for our young people—to be the best that they can be in all aspects and to have the groundwork laid for a happy, healthy, productive adult life? To do so, students in Wigan need to spend more time in college, not less, as they achieve best when they are busy and engaged in a structured programme. However, that is now unaffordable, and large numbers of my constituents will be deprived of the education and opportunities to which they are entitled. The colleges in Makerfield and I are ambitious for every student, but we need the Government not only to share that ambition but to take practical steps so that it can be achieved.

Kelvin Hopkins (Luton North) (Lab): I shall try to stay within three minutes. I speak as a governor for 24 years of Luton Sixth Form College, a superb college with great achievements. Indeed, we have a great success
on my immediate left: my hon. Friend the Member for Bristol East (Kerry McCarthy) was a star pupil at Luton Sixth Form College many years ago, which proves my point. I am also chair of the all-party parliamentary group for sixth-form colleges, so I will focus particularly on those.

In my second ever debate in this Chamber, some 20 years ago, I called for better funding for sixth-form colleges. Since then, funding has been squeezed, cut and cut again despite constant campaigning against such cuts. In that earlier debate, I described sixth-form colleges as geese that lay golden eggs: in my view, they are the most successful institutions in our entire state educational system in educational achievement, teaching and learning and value for money.

All of that is increasingly at risk from funding cuts. We should restore and increase funding for sixth-form colleges, not cut it. Indeed, I have called on numerous occasions for the creation of many more sixth-form colleges. The arguments for such a programme are overwhelming. I ask the Government to consider that possibility again and take steps to expand the sixth-form college sector.

Of the final two points that I emphasise, the first is the need for greater contact teaching hours. It is a disgrace that our sixth-form students have half as many contact hours with teaching staff as their counterparts in Shanghai. As a former student as well as a former lecturer on A-level and other courses in further education, I know that there is no substitute for classroom teaching, tutorial time, pedagogic teaching and endless explanations, so that all our students can succeed and achieve to the maximum of their abilities.

Secondly, we live in a competitive economic world. It is vital that our students have the best education possible on all fronts, but particularly in mathematics. Luton Sixth Form College runs intensive mathematics courses for GCSE retakes, with great success, but they must be properly resourced. College funding is crucial. Britain still has a national mathematics problem; many students leave higher education with poor maths skills. Funding colleges of all kinds to raise maths standards for all students is vital in today’s world. I ask the Minister to take those messages back to her Department.

3.56 pm

Dr Alan Whitehead (Southampton, Test) (Lab): Like my hon. Friend the Member for Luton North (Kelvin Hopkins), I wish to shine a spotlight specifically on sixth-form colleges. Many hon. Members have discussed them in this debate; some have one in their constituency, while others do not, due to the distribution of colleges around the country. I have one in my constituency; there about 90 unequally distributed around the country, but in Hampshire they are an integral part of sixth-form education, with nine colleges in the county.

I often think that sixth-form colleges are the poor relations of the poor relation, because they are classed neither as technical education nor as continuing education in the more traditional sense. They will not get much assistance, for example, from the proposals to increase investments in technical courses, because most students there are studying for academic qualifications such as A-levels, and their distribution means that it is easy for Whitehall to forget about them entirely.

I agree wholeheartedly with my hon. Friend the Member for Scunthorpe (Nic Dakin), who criticised the failings of the 16-to-19 education system generally and its funding gaps and discussed the need for review. I fully support the campaign being mounted to close those gaps, but I think that sixth-form colleges need all that and more.

Let me turn to the problems faced by my local sixth-form college in Southampton. It is a first-class college. It certainly does not seek to lose students who do not match an ideal profile, unlike certain places; on the contrary, it welcomes and nurtures students who need some remedial help to pass their A-levels, and it hosts several hundred students in that position. As my hon. Friends have mentioned, that leads to numerous instances, in a three-year sixth-form, in which the college receives not £4,000 per student, insufficient as that is, but £3,300. Nevertheless, the college achieves outstanding results in more than half the Southern Universities Network’s “widening participation” categories, and gets twice the estimated level of university places.

It is, by any reckoning, a great place to study and a caring, nurturing environment in which to do so, but it battles constantly to maintain its standards and curricular opportunity due not only to the per capita funding formula but to a number of other specific disadvantages.

I will briefly mention two. Sixth-form colleges, unlike school sixth forms, cannot claim back VAT, as we have heard. That costs my local college in Southampton £300,000 a year, which is absurd. I have been lobbying for that to change for some time. The other issue is that colleges are funding on a rolling basis. That is not a problem if the school can roll out its funding across the years, but in the case of a two-year intake it can be difficult to sustain.

My view of my sixth-form college and its redoubtable principal is that they are miracle workers who battle on to make a deeply flawed system work for the benefit of the students, but something has to change. They desperately need an uplift in per-capita funding. They desperately need to be seen as having a place in the system and a secure future in it. I hope that the Minister will respond positively to that plea.

4 pm

John Grogan (Keighley) (Lab): I will make just two brief points. On the national situation, I will add one point to the sparkling speech of my hon. Friend the Member for Scunthorpe (Nic Dakin), who mentioned the underspending on 16 to 19-year-olds. The latest figure he cited was from 2015-16, but according to a parliamentary answer given in July, the currently projected underspending is even higher, at about £267 million. That would leave some spare change if his suggestion of an immediate uplift in spending per head were introduced.

I take great heart from the tone of Government Members today. There is a real hint of pressure from Government Back Benchers to moderate the worst of austerity, particularly in this area. I hope the confidence of my hon. Friend the Member for Scunthorpe in the Minister and her boss will be fully justified in November.

On the local situation, Keighley College offers hope, aspiration and opportunity to hundreds of 16 to 19-year-olds each year. It innovates, often in association with Bradford Council, and has close associations with the Industrial Centre of Excellence for Advanced
Manufacturing and Engineering and the Fab Lab, which was set up largely under the inspiration of Mick Milner, a local entrepreneur.

Since 2010, Keighley College has been part of Leeds City College. I urge the Minister to look closely at the local area reviews for West Yorkshire and North Yorkshire, because both have concluded that Keighley College should come out of Leeds City College and join up with Craven College and Shipley College to form a new Airedale College. There is a lot of local support for that—it would give the college a greater identity and diminish competition between the three colleges in the Airedale area—yet Leeds City College seems to be holding out against it. I request a meeting with the Minister about that. Leeds City College is putting a high price—possibly above £20 million—on Keighley College, which I understand was gifted in 2010. Leeds City College is frustrating the process. The proposal is backed by the local area reviews in West Yorkshire and North Yorkshire. I am meeting the principal of Leeds City College, as well as the local enterprise partnerships and the various councils involved soon. I hope that they will respond more positively to the local area reviews, which involved central Government, local government and business, and that they will give Keighley College a fresh start so that it can do even more for 16 to 19-year-olds in the future.

4.2 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I congratulate my hon. Friend the Member for Scunthorpe (Nic Dakin) on securing this important debate, in which many hon. Members have championed their local colleges. In Scotland we have a different education system, but I will make some brief remarks.

As a teacher, I know that there are arguably two phases of a young person’s education that have a special significance: the pre-school years and the post-16 years. In the post-16 years, we have a real opportunity to make a difference to young people’s life chances. Scotland does not have the separate sixth-form colleges that several hon. Members mentioned, so we do not have that budgetary shortfall at a particular stage of secondary education. However, I am concerned by the figures that the hon. Member for Scunthorpe quoted, which suggest that large chunks of the budget that the Department for Education has allocated to post-16 education have actually been spent on other areas. The Government should be investing heavily in post-16 education, because it may be the last opportunity to influence the life chances of our young people.

Many hon. Members expressed concern that vital STEM courses have been dropped from sixth-form timetables. That is greatly damaging to our growth and future economic prospects. We need to increase, not reduce, the number of STEM courses and STEM-trained young people.

The right hon. Member for North Norfolk (Norman Lamb) and others mentioned the possibility of mergers. We heard a positive slant and a more worried slant on the issue, with concerns about losing brilliance from an individual institution.

Lloyd Russell-Moyle: The important thing with mergers, as I hope the hon. Lady agrees, is that they can be directed by local institutions and local people, rather than nationally or by other authorities.

Carol Monaghan: Sometimes local people are interested in preserving a particular institution but may not see the potential for excellence from a merger. For example, City of Glasgow College in the centre of Glasgow was created from a merger of a number of older colleges, many of which were in buildings that were not fit for purpose or had poor facilities. The new college has
two sites, the city campus and the riverside campus, both of which are brand new. It sits between Strathclyde University and Glasgow Caledonian University, and its building is the most impressive of them all. The subjects offered include catering, building trades, engineering and nautical studies, to name but a few. It has state-of-the-art simulators—I had a great shot in one last week—and is training ship staff for all over the world. Gary Maclean, the winner of last year’s “MasterChef”, is training future chefs there. It is a world-leading institution with more than 30,000 students and it has the potential for 10,000 more. It really is at the cutting edge of college education, but it has taken massive capital investment—a step that the UK Government could follow if they are serious about investment in the sector.

The UK Government could take other steps. They could follow Scotland’s lead and reinstate the educational maintenance allowance, which allows young people from deprived backgrounds to remain in education. The hon. Member for Makerfield (Yvonne Fovargue) mentioned class sizes and the impact of large class sizes on the marginally qualified. Those are the young people who colleges should be reaching out for and making a difference to.

In conclusion, I absolutely support the calls from the Support our Sixth-formers campaign for the £200 per student uplift; that is a drop in the ocean when we are talking about a young person’s educational journey. These young people have our future in their hands. It is important that we give them the tools and the funds for success.

4.9 pm
Mike Kane (Wythenshawe and Sale East) (Lab): It is a pleasure to serve under your chairmanship, Mr Hanson.

I thank my hon. Friend the Member for Scunthorpe (Nic Dakin) for securing this debate. He has a long track record—it began long before he came to this place—in governing and managing further education institutions. And just look at the turnout that he has got today. It shows the respect in which he is held, particularly on this subject.

I pay tribute to my local college leaders: Lesley Davies at Trafford College and John Thornhill at Manchester College. They run absolutely fantastic colleges, but they face the same pressures as all college leaders up and down the country.

In July, the Local Government Association published a report warning the Government about the failure to address the lack of skills in the UK, which is the fundamental point of this debate. That lack of skills could cost our economy £90 billion a year. The LGA estimates that by 2024 there will be a lack of more than four million highly skilled people to meet the demand for high-skilled jobs. We will have to change.

In Greater Manchester, we are trying to plug the skills gap: I look forward to the discussions that the Department for Education will have about the section 28 designation of the college in the area. Hopefully, the Minister will approve the exciting new plans in the weeks and months ahead.

Those plans need to be approved. With Brexit looming, and frankly a remarkable lack of clarity from the Government on the reciprocal rights of EU workers, there is an urgent need to face up to the skills gap. I normally cover the schools brief. In this country, we have 16,000 school teachers who are EU nationals. We already have a crisis in teacher recruitment and retention, which will only be exacerbated in the future, yet although there is an urgent need to upskill our workforce, since 2010 there has been an overall reduction of £1 billion in the funding for 16 to 18-year-olds. As was highlighted in the debate, the funding for a young person drops by 25% when they reach the age of 16.

According to the Institute for Fiscal Studies, education for 16 to 18-year-olds has been the big loser from education spending changes over the last 25 years. I disagree with my hon. Friend the Member for Scunthorpe: the Government did announce £1.3 billion before the rise of the House, but they have not told us how that money will be spent, and it will not even touch the sides of what is required, given the funding cuts hitting schools. For many years after 1990-91, spending per student was nearly 50% higher in further education than in secondary schools, but by 2015-16 it was 10% lower.

According to the IFS, “spending per student in 16-18 education is set to fall further”. This funding gap becomes even starker when we consider the impact on teaching hours and make a comparison with other countries, as the hon. Member for Waveney (Peter Aldous) quite rightly pointed out. The former Secretary of State for Education, the right hon. Member for Surrey Heath (Michael Gove), wanted to compare our education system with that of other countries, as set out in the programme for international student assessment. However, as the hon. Member for Waveney said, pupils in Shanghai receive twice as much teaching and face time as pupils in England. That has to change. How can we expect our children to reach the skills level of Shanghai children when we give such limited time to our young people in college?

Despite the Chancellor’s announcement in the Budget of plans to invest £500 million in technical education, that money will cover only around 25% of those in education and it will not be fully in place until 2021. It does nothing to impact on the cuts that have already been implemented.

Colleges also face confusion over the apprenticeship levy. The levy puts employers in the driving seat when it comes to funding, and we do not know whether moneys will be passed on to colleges in the future.

Mr Bailey: An issue that has been brought to my notice is that colleges have to make two applications: one for levy work and one for non-levy work. The tendering process is incredibly complex and very difficult for colleges to plan for, and there is also the fear that small and medium-sized enterprises will be put off by it. Does my hon. Friend have any comments to make on that?

Mike Kane: I have, and I am grateful to my hon. Friend for that intervention. There is a huge reconfiguration of training going on, and it has not been properly thought out. That puts additional burdens on colleges. He is right to highlight the point.

There is also confusion about students between 16 and 18 who do not hold a GCSE grade A* to C—or 9 to 4 with the changes that have come in this year—in
maths or English. In future allocations, these students have to study maths and English as a condition of funding. Therefore, on top of other funding pressures, there is a risk that colleges will fall off a precipice. That is where we are at, and that is why there are so many Members here today. In May 2015, the Skills Funding Agency suggested that there were around 70 financially unstable colleges.

In the few minutes that I have left, I was going to talk about area-based reviews, but the former Minister, the right hon. Member for North Norfolk (Norman Lamb), spoke very eloquently about the issues we have had with them up and down the country. In Greater Manchester, the process was ably led by the Conservative leader of Trafford Council, Sean Anstee, but these area-based reviews really had no teeth, because colleges have gone away and done their own deals with the Department for Education, even though we have gone through a huge area-based review system up and down the country. The Minister really needs to get a grip on this issue and take a good look at it, as well as taking advice about it from fine council leaders and councillors up and down the land who have struggled to do the right thing but found that the review process just did not work out.

In conclusion, post-16 education faces a perfect storm: low levels of funding per pupil; no acknowledgement of inflationary or cost increases by the DFE, as was ably pointed out by my hon. Friend the Member for Scunthorpe; the unknown impact of the apprenticeship levy; the maths and English funding condition; and a precipice and potentially failed review of post-16 education. If we truly want to meet the challenges of Brexit and address the problems it will create for our economy, we must face up to the country’s skills shortage. We cannot do that by undermining our post-16 sector.

I pay tribute to every Member who has contributed today. I am afraid that I have not got round to mentioning them all, but all of them—from all parties in this House—have ably stood up for their colleges; well done to them for that.

David Hanson (in the Chair): Before I call the Minister to respond to the debate, I remind her to leave, if possible, one minute at the end for the hon. Member for Scunthorpe (Nic Dakin) to sum up.

4.17 pm

The Minister of State, Department for Education (Anne Milton): It is a pleasure to serve under your chairmanship, Mr Hanson. I have been silenced by the Whips Office for five years, so this is quite an exciting moment for me. Thank you for reminding me to allow the hon. Member for Scunthorpe (Nic Dakin) a minute at the end of the debate to sum up. I congratulate him on securing this debate and for his kind comments about me; I can perhaps reassure him by saying that the feeling is entirely mutual. I have been inspired by the commitment of leaders and staff throughout the sector, and I am acutely aware of their concerns surrounding funding; I worked in the public sector for 25 years and I am truly conscious of these concerns. I am also aware that today the hon. Member for Scunthorpe has not touched on the issue of underspends, which he has tabled many parliamentary questions about. As a former principal at John Leggott College, he has particular expertise in this area.

The hon. Gentleman sent me a message today via my officials asking me not to go on about all “the guff” on apprenticeships and technical levels, or T-levels. Time probably prevents me from going on too much about those issues, but I will mention them, not least because a number of hon. Members have talked about preparation for work and acquiring life skills. These two opportunities—apprenticeships and T-levels—will provide exactly those things.

Nevertheless, I assure the hon. Gentleman. Gentleman that I am tenacious—I am like a dog with a bone—and his words have not fallen on stony ground. I did not go to university; I had the opportunity to do what we would now call an apprenticeship. I will certainly not be anything but a champion for this sector and the further education sector.

The hon. Gentleman is quite right that education transforms the lives of young people, but education must start at the beginning of their life—at a young age—to provide the basis for post-16 education. Funding pre-16 education is critical, but it is important to recognise that post-16 education is not just an opportunity for young people to carry on; it can give a second chance to those for whom the formal education sector did not work.

A number of Members spoke about the inequality between pre-16 and post-16 education funding and the issues of young people with special needs. Providers of 16-to-19 education were allocated £300 million, and for students on large study programmes—those containing four or five A-levels—there is additional funding, attracted through the funding uplift. Additional support for disadvantaged students amounted to £540 million in 2016-17.

My hon. Friend the Member for Waveney (Peter Aldous) spoke about the excellence of his local results and good local initiatives, but rightly pointed out the issues with revenue. He is right that colleges are a great British success. My hon. Friend the Member for Eastleigh (Mims Davies) mentioned female participation in science, technology, engineering and maths subjects and, as Minister for Women, I particularly join her in welcoming that. As an afterthought, we have had a hugely significant increase in the number of A-level entries in STEM subjects, from slightly more than 225,000 in 2010 to 270,000—an increase of nearly 20%. That is progress. It does not go far enough—particularly with regard to young women—but it is progress. The figures from my hon. Friend’s college on the number of people from disadvantaged backgrounds going to university is testament to the hard work of such colleges.

The right hon. Member for North Norfolk (Norman Lamb) raised the issue of area reviews. I am happy to see him and the hon. Member for Luton North (Kelvin Hopkins). I do not want to see good educational establishments wither and die. The area reviews have been important, but it is important that we respond to some of the local anomalies—for want of a better word—that crop up. My hon. Friend the Member for Yeovil (Mr Fysh) raised financial issues, and I would be happy to discuss them with him.

I am, however, going to include a word about technical education—the hon. Member for Scunthorpe cannot give away without it—because following Lord Sainsbury’s review, the significant changes to the skills system will be very important. The hon. Member for Plymouth,
Sutton and Devonport (Luke Pollard) mentioned breadth and depth, which are extremely important. The changes we are making are intended to grow home-grown talent and fulfil our potential.

Brexit, as we have mentioned, will be critical. A huge amount of work is going on to make sure that we have the skills in this country that we need. That work is not only for the country—we always talk about the country and the economy—but actually for individuals. It is important that they fulfil their potential. Additional funding, rising to more than £500 million per year, has already been announced to enable the delivery of T-levels when they roll out, and the first £50 million will be available to the sector in 2018 to help institutions build their capacity. I should also mention the improved work placements, which are about the breadth and depth of young people’s experience. It is a clear indication of our commitment—it is money going behind policy.

Redesigning the skills system to respond to change and to address the needs of employers and individuals is critical. Many hon. Members referred to gaining work experience, and that will be a key part of the T-levels. The apprenticeship levy is also important. It is amazing to look at some of the apprenticeships that are being put together, and to talk to apprentices. Very often they are young people for whom school did not work, who did not want to go to university or did not get the grades to go. We will be spending double what was spent in 2010-11: £2.5 billion, which is not a small amount of money.

Mr Bailey: Will the Minister give way?

Anne Milton: I am terribly sorry; I know the hon. Gentleman spoke, but I do not have time to give way.

The crucial word is quality. Technical education must be a strong alternative to traditional academic routes. I know funding is difficult on the academic side, and I have noted the recommendations in the document in support of our sixth-form colleges, but I was also pleased to see the results in the reformed A-levels last month, which continue to maintain high standards and improve students’ readiness for the demands of higher education. Curriculum and qualifications reforms that decouple AS-levels will allow more time to be spent on teaching and, I hope, learning—teaching is only half the story; pupils have got to learn it, too—as it allows flexibility for schools and colleges.

Education and training for 16 to 19-year-olds is one of my top priorities. The fact that a record number of young people are now participating in education or apprenticeships says much about changing attitudes to education, but I recognise that finances in colleges are significant. We often talk about funding, but possibly more important are the cost pressures in the system. The additional £500 million funding will mean more hours per student, and will provide support to secure those work placements. That will take technical courses to more than 900 hours a year, which is an increase of more than 50% on the current 600 hours.

The additional funding will benefit FE colleges, which provide most of the technical programmes, but many sixth-form colleges and some school sixth forms will also benefit. At a time when public finances are under considerable pressure, that represents a significant commitment to the 16-to-19 age group, in the context of the wider pressures on finances. I will not spill out political rhetoric, but a strong economy is important and we have had some difficult decisions to make. Our commitment to maintain the 16-to-19 base rate for all types of advisers at current levels until 2020 is important. We have done that, but the Government will keep funding under consideration. As I said at the beginning of my remarks, my job will be to be a champion for the sector. Pre-16 school education is crucial in the success of students post-16, which is why pre-16 schooling must be a funding priority, but it does not end there.

The hon. Member for Keighley (John Grogan) mentioned the contributions from Members on my side, which I noted. I know that although money and results do not always follow each other, money does matter. I got into some trouble at my university hustings for talking about the sector and forgetting to answer the questions that they asked, but I assure the hon. Gentleman that, as someone who did not go to university, and for whom perhaps the school system did not work terribly well, this will be my opportunity to make sure that every young person in this country gets the opportunity they deserve, and an opening.

Nic Dakin: I thank the 17 or 18 Members of Parliament who have contributed to the debate—on a Thursday, on a one-line Whip. That demonstrates the strength of feeling across the House and the country on this matter.

I thank the Minister for her response. Despite my attempts to encourage her to focus on the 85% of young people who go to general education, her civil servants managed to pull her back towards apprenticeships and T-levels. I understand that the investment she talked about for technical education is scheduled for 2020. Things need to happen now, to support the young people in the system now, because young people only have one chance to go through the system—although, as the Minister rightly said, post-16 education plays a particular role in second-chance education. Cross-party, we will hold her to account on being tenacious, championing, and making sure that when funding is under review, it can go up as well as down.

Question put and agreed to.

Resolved.

That this House has considered 16 to 19 education funding.

Sitting adjourned.
Michael Tomlinson (Mid Dorset and North Poole) (Con): I beg to move.

That this House has considered foreign direct investment into the UK in 2016-17.

It is a real pleasure to serve under your chairmanship, Mr Gray. You might be forgiven for thinking that foreign direct investment is rather a niche subject for a Tuesday morning, but it is vital, particularly in the context of Brexit and of course international trade more generally. I am delighted to have secured this debate. The timing is especially apt after last night’s vote on the European Union (Withdrawal) Bill and our consideration of the Finance Bill on today and into this evening.

FDI refers specifically to cross-border investments made by residents and businesses from one country into another and—importantly—with the aim of establishing a lasting interest in the enterprise that is operating in a foreign economy. I hope that this debate will focus on inward investment into this country—into UK companies—by foreign companies and enterprises. I will explore several main themes, including investment in the UK in the context of Brexit. I will give specific figures on FDI and statistics for 2016-17, and describe how FDI is spread across the regions, which is certainly important for me as a Member of Parliament from the south-west. I shall also discuss opportunities for FDI after Brexit and put some specific questions to the Minister.

First, let me talk about investment in the UK generally. As The Economist points out this week, many people warned of a slump in our economy following last year’s EU referendum. The expectation was that investment would decrease and FDI itself would dry up, but that has not happened. Companies such as Google, Nissan, Toyota, Amazon and even Snapchat have shown that Britain is still a great country in which to invest. Toyota recently announced an investment into the UK of more than a quarter of a billion pounds for its Sunderland plant near Derby. Nissan is increasing its production in the UK of more than a quarter of a billion pounds for its Sunderland plant near Derby. Nissan is increasing its production in the UK by about 20%. Importantly, as we look to the future and electric vehicles, Nissan is investing strongly in research and development, certainly for Amazon, which is also increasing the number of jobs.

Stephen Kerr (Stirling) (Con): I congratulate my hon. Friend on securing this debate on a vital subject. He mentions London, but I would like to mention my home turf of Scotland. I am sure he is aware that Scotland was recently voted the most beautiful country in the world by the readers of a certain travel publication, but he is also aware that for the last five years in a row, Scotland has been the top location in the UK outside London for FDI? In fact, despite the warnings of naysayers and prophets of doom, 2016 was a record year, with 122 FDI deals done in Scotland during that year, which was up from the previous year. Does he agree that an industrial strategy with an emphasis on education and skills, combined with proactivity on the part of the Department for International Trade and business-friendly taxes, can help to make all the nations and regions of the United Kingdom irresistible to foreign investors? Should we not all be very positive about our future outside the European Union?

Michael Tomlinson: I completely agree that we should be positive about our future outside the EU. The whole purpose of the opening part of my speech was to show that, even after last year’s EU referendum result, the situation has not been all doom and gloom. I will talk about Scotland and the regions a little later in my speech, but my hon. Friend is absolutely right.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I congratulate the hon. Gentleman on securing this debate. Even though we are all a little tired after last night, many of us have turned up here today because this is an important subject.

I urge the hon. Gentleman not to be too optimistic. During my career in Parliament, I have spent a long time as chair of the all-party group on manufacturing and I have tried to encourage investment in this country. At the moment, proposals from Japan, China and America are very tentative. They think that, as we go through the Brexit process, some sensible solutions will be reached regarding our access to the European market, but nothing is definite yet. There are lots of things hanging. I have just come back from New York, and what I find is that nobody in financial services in New York will accept or even apply for a job in London at the moment—

James Gray (in the Chair): Order. The hon. Gentleman is a very experienced Member and he knows very well that that intervention was too long. The previous intervention was from a new Member, the hon. Member for Stirling (Stephen Kerr), and he can be excused both for its being rather lengthy and for reading it, which is not something one would normally expect. I remind Members that interventions should be short, and they should be direct questions, not mini-speeches.

Michael Tomlinson: Thank you for that reminder, Mr Gray. I am grateful to the hon. Member for Huddersfield (Mr Sheerman) for his intervention. Last night was a late night and we can anticipate that tonight will be a late finish as well, but this is an important debate and I am very grateful that he is here in the Chamber this morning.

The hon. Gentleman is right—I am a glass-half-full, optimistic kind of person. However, we must not take a rose-tinted view, and I will say later that we should anticipate where there will be bumps in the road ahead. It is right that we do that, but where FDI is still happening in this country—even though the doomsayers said that it would not happen—that is good news. Nevertheless, he is right that we have to look out for bumps ahead, and I will talk about the south-west region in particular.
Amazon is creating 450 new high-tech jobs in the UK, in addition to the 5,000 Amazon jobs that are already here. That is a real demonstration that Amazon and other companies believe that this is a good country in which to do business. I do not know whether you are on Snapchat yourself, Mr Gray—

James Gray (in the Chair): Of course.

Michael Tomlinson: If you are, perhaps we should all get on to Snapchat. It has opened its new global hub right here in London, which again shows that it believes in this country in a post-Brexit world. There may well be bumps ahead, but let us look at the facts and the evidence of what has happened so far, while also being cautious about the future.

Having looked at the general picture, let me give some specific details of FDI. The latest report on inward investment results from the Department for International Trade, which is from 2016-17, showed that there were more than 2,260 inward investment projects in the UK. The good news is that that is up by 2% on the previous year and the investments secured over 75,000 new jobs, which is a huge number. However, there is one reason to be cautious, on which I specifically challenge the Minister. We are told that the jobs figure is down by 9% from 2015-16, so I invite him to explain why that is. Obviously the number of projects being invested in is still rising, but why are the jobs figures not quite as high as before? Of course I welcome the jobs that are being created and retained; in the south-west region alone, there have been nearly 3,500 new jobs and I very much welcome them.

Let me turn to the specific regional figures. As one would expect, London and the south-east is the region of the UK that attracts the most FDI. My hon. Friend the Member for Stirling (Stephen Kerr) mentioned Scotland, which receives the next largest amount of FDI. Again, that shows the strength of the whole United Kingdom, which is good for our United Kingdom. However, I challenge the Minister specifically about the south-west, my own region—other speakers will no doubt champion their own region. Although I welcome the 3,500 new jobs in the south-west, I invite the Minister to ensure that there is sufficient FDI in the regions outside London and the south-east.

David Simpson (Upper Bann) (DUP): The hon. Gentleman will know that Northern Ireland has a land border with the Republic of Ireland, where corporation tax is 12.5%. We hope to neutralise that and have corporation tax at the same rate. Does he agree that although there is a lot of FDI in Northern Ireland, as we move forward after the vote last night, we will remain part of the United Kingdom out of the EU and the future is bright?

Michael Tomlinson: I am very grateful for that intervention. I will mention Northern Ireland in relation to the “Britain is great” project. The hon. Gentleman is absolutely right. As I said earlier, I am optimistic about the future of our country in a post-Brexit world.

Foreign direct investment is important for a number of reasons. It is important for job creation, which I have touched on, and for growth. Businesses in receipt of FDI have been shown to be more productive. All those things raise living standards, and they are why I challenge and invite the Minister to ensure that all regions across the United Kingdom—the south-west in particular—benefit. It is right and proper that London and the south-east attract FDI—it is to be expected that our capital city should be the largest recipient of FDI—but I ask the Minister to ensure that all regions are attractive.

I declare an interest as chairman of the all-party parliamentary group on youth employment.

Mr Alister Jack (Dumfries and Galloway) (Con): Although foreign direct investment into Scotland has been increasing, the Scottish National party’s constant pursuit of a second independence referendum creates economic uncertainty, and businesses are loth to go into such an environment. Does my hon. Friend agree that if the SNP were to drop that desire, we would see more inward investment into Scotland?

Michael Tomlinson: My hon. Friend is absolutely right. We are always hearing about business certainty. What do businesses want? They want to be able to anticipate what is going to happen, to know about the future, and the prospect of another referendum hanging over Scotland creates uncertainty. We have heard comments in exactly that vein from businesses across Scotland, so I am grateful for that intervention.

Hannah Bardell (Livingston) (SNP): Picking up on the point about a second referendum, the hon. Member for Dumfries and Galloway (Mr Jack) will be aware of the comments made by First Minister Nicola Sturgeon with regard to that, but he might also be aware that many businesses, including the London Insurance Group, to which I spoke recently, were looking favourably upon Scotland and the opportunity it offered because of Brexit and the threat it posed. He might also be aware that Mark Harvey, a senior EY partner in Scotland, said that according to recent research, “the EU Referendum vote and its aftermath may be having an influence on global perceptions of… the UK.”

So Brexit, not a Scottish independence referendum, is the greatest threat to the UK’s competitiveness.

Michael Tomlinson: I beg to differ. In my speech I have shown that, even after the referendum, FDI and investment more generally are still coming into this country. What I heard in the intervention by my hon. Friend the Member for Dumfries and Galloway is that businesses in Scotland want the certainty of remaining part of the biggest single market which, as far as they are concerned, is the United Kingdom and not the European Union.

Before changing portfolios, the hon. Member for Livingston (Hannah Bardell) served briefly on the all-party parliamentary group on youth employment. Each month we track the job figures, and month by month in recent years they have looked very good. The youth unemployment figure is now 12.2%, which is within touching distance of record lows, and the global employment rate is at its highest since comparable records began.

Hannah Bardell: I welcome those figures, which are great news for youth employment across the UK. Does the hon. Gentleman know and welcome the fact that...
Scotland’s youth unemployment figures are also at a record low? In my constituency, there is only 8% youth unemployment. Is that not something to celebrate?

Michael Tomlinson: I completely agree, and I very much welcome the hon. Lady’s intervention. The figures are a sign of strength in the United Kingdom, not in the separatist agenda that she and her party would pursue. I of course welcome all record levels of youth employment, whether in Scotland, London or my own region. I appreciate the short time that the hon. Lady spent on the all-party group on youth employment. I invite the Minister to consider how we can pull out all the stops to ensure that the figures keep going in the right direction. That is the challenge as we near full employment, or as full as we might be able to reach.

One of the most popular measures for boosting FDI are enterprise zones, in which companies receive preferential tax, planning and other financial incentives. That measure is most popular among non-UK companies, which have constantly advocated the creation of such zones. I am delighted that the Dorset Green Technology Park, just outside my constituency, was recently announced as an enterprise zone. Such zones promise the creation of engineering excellence, and this one will generate 2,000 new jobs and 20 new employment units as the result of a massive £2.5 billion investment. Although the park is just outside my constituency, I firmly believe that it will benefit the whole of Dorset, bringing an extra opportunity for attracting FDI into the region.

Northern Ireland was mentioned, and I want to hear from the Minister about his Department’s “Invest in Great Britain and Northern Ireland” campaign. As we look forward to the challenges and opportunities this country faces, the whole of the United Kingdom must go forward together. I invite particular attention to be paid to regions such as the south-west—and of course other regions represented by Members here today—where there is a risk of their being left behind or slipping behind.

I end on this point: to foreign investors, the United Kingdom is an attractive place in which to invest and with which to do business, but I strike a warning note. I digress slightly, but there are ways of doing it well, although on Saturday I hope Leicester beat them. I digress slightly, but there are ways of doing better and we need to address productivity.

Michael Tomlinson: The hon. Gentleman is making an excellent point about Northern Ireland, but it has been shown that as foreign direct investment comes into companies, that in and of itself helps to improve productivity, which is a great benefit.

Jim Shannon: I will illustrate that point in some of my comments about Northern Ireland and how our economy, productivity and employment grow. In Northern Ireland, we have a skilled, dedicated workforce. Regardless
of our place inside and outside of Europe, the fact remains that people are interested in investing in Northern Ireland and across the United Kingdom. The fact that we are world-renowned for our research, our cyber-technology and our skilled workforce means that we can attract the investment that we so need. We are already playing above our level in Northern Ireland. We lead the world with some of the technology we have developed, and some of that skill can be found in the constituency of my hon. Friend the Member for East Londonderry (Mr Campbell).

According to the figures, foreign direct investment projects into Northern Ireland were down 62% to just 15 in 2015, but at the time, the economic development agency Invest Northern Ireland claimed that the figures did not reflect the full picture. Invest NI said that the full picture is that there were 35 direct investment projects in that tax year, but because those projects had not started, they were not part of the figures. The original figures were wrong and gave the wrong indication. The new figures show that the investment, new jobs and new projects are significant.

No matter the predictions that come our way from economists one way or the other, our duty is to promote our abilities and industries and attract that inward investment. I seek to do that, and my colleagues and Members from all parties travel worldwide seeking to do that. Many from Northern Ireland do the same.

Mr Gregory Campbell (East Londonderry) (DUP): Does my hon. Friend agree that as we reach the era of the post-Brexit vote, where there will hopefully be less uncertainty, some of the regions of the UK—particularly Northern Ireland—will need to be able to avail themselves of the advantages that access into the EU as well as access beyond the EU provide? That is particularly so with the land border with the Irish Republic.

Jim Shannon: My hon. Friend concisely puts the issue into perspective. We need to have cognisance of our special relationship with the Republic of Ireland, but we also have to look at the advantages we will have elsewhere across the world. We are most effective when we are attracting investment in partnership with the Department for Business, Energy and Industrial Strategy and other Departments. It is always good to see the Minister in his place, and we look forward to his response to the points we are making. Will he touch upon some of the facts with Northern Ireland as well?

It is useless to brush over the changes that Brexit will bring. There will be changes, but the changes need not be bad. Opportunities exist in the new markets emerging in Asia—opportunities that my constituents, such as Lakeland Dairies and Glastry Farm ice cream, are already making use of. Lakeland Dairies had a meeting with the Minister about those opportunities at the end of July. It is trying to secure another contract for milk products and milk powder in China. We and the Minister are working hard, and we are moving forward. Such companies are successfully casting their net to the middle east, and our local economy is reaping the dividends.

The question we must ask ourselves is whether we are doing all we can to aid companies and support them in their quest to secure jobs and enhance their businesses.

On Thursday last week, Glastry Farm ice cream, which is based in my constituency—it is a small firm that started as a farming enterprise, but is now up and running—secured a new contract with Heathrow and another contract in Dubai. It is moving into the middle east, which is real progress for a wee firm from outside Ballyhalbert on the Ards peninsula, and it has been helped by Government policy in this place and by the Minister responsible back in the Northern Ireland Assembly.

We cannot go into panic mode due to the uncertainty of Brexit and the way the Europeans will treat us as they continue—I say this respectfully—in unhelpful mode. We must focus on what can be achieved. We can secure and capitalise on other forms of foreign direct investment. The parliamentary briefing outlines that for UK investment abroad, the EU accounted for 43% of the total UK FDI stock in 2015, compared to 23% for the USA and 34% for all other countries, yet net investment flows from foreign investors into the UK were £21.6 billion in 2015, up from £15 billion in 2014. That shows the trend, success and positivity, and goes back to my comment about the glass being half full. The facts back that up, and that is what we want to say. Inward FDI flows from the United States were £20.1 billion, the highest recorded value since 2011. That is another positive fact. Inward FDI flows from Europe fell, with a disinvestment of £12.1 billion in 2015, compared with a disinvestment of £8 million the year before. Again, that is positivity. Net direct investment earnings generated in the UK by overseas investors were £47.9 billion in 2015, down slightly from £48 billion in 2014. The EU accounted for £18.8 billion of that, and the USA accounted for £17.5 billion.

I am aware that while the figures illustrate the issues, they are not the whole picture. There are a lot of figures out there, and they show me that as per usual we give more to Europe than we get out of it. We need to focus on our relationship with the USA and other trade partners. We need to look towards Asia, Australia, New Zealand, Africa, the middle east and South America, which have potential and possibilities. I have said it before, and I will say it again: the sky will not fall down because we leave Europe. It will not all be darkness and gloom, but it is our job in this Chamber to ensure that we play our part in securing investment from those who wish to invest and can do so. We have the skills, expertise and workforce, and that speaks a great deal more globally than saying we are a member of the EU.

9.57 am

Rishi Sunak (Richmond (Yorks)) (Con): It is a pleasure to serve under your chairmanship, Mr Gray. I congratulate my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) on securing this important debate. He made an excellent speech surveying the issues before us today.

We have already heard that, a year after Britain chose to leave the European Union, FDI into our country is higher than it has ever been. The good news is that that is not just the case this year: Britain is consistently one of the world’s leading destinations for inward investment. While the UK accounts for just 3% of global GDP, we are able to attract up to 15%—five times as much—of the world’s foreign direct investment. We must always remember, however, that foreign direct investment is not just some financial statistic on a piece of paper. FDI creates
real jobs—some 70,000 last year alone, of which 70% were outside London. FDI raises productivity with new management practices. FDI drives innovation, which fuels our future prosperity.

Having spent my professional life before politics working with and investing in businesses from California to India, I know that while our future trading relationship with the EU will of course influence FDI decisions, it is important to put that one factor into proper context. The pages of the Financial Times may talk of little else these days, but it turns out that only 20% of FTSE 100 annual reports even mentioned Brexit this year.

Mr Gray, imagine yourself in the shoes of a CEO of a global company deciding where to make your international investment. When you look at all the factors that drive that company’s investment decisions, you will soon see that Britain is excelling in almost all the areas relevant to you.

Mr Jack: My hon. Friend makes a valid point. When businesses look to relocate, they pay attention to corporation tax, but they also think about the tax that their employees will pay. Does he agree that it is a mistake for Nicola Sturgeon to make Scotland the most overtaxed society in the United Kingdom?

Rishi Sunak: I could not agree more with my hon. Friend, who makes an excellent point. I am about to come to the various factors that drive such decisions. A competitive tax regime, particularly for employee taxation, is a key part of that.

When it comes to human capital and a research base, Britain is home to four of the world’s best 10 universities. When it comes to a competitive corporate tax regime, our corporation tax rate of 19%, as we have heard, is the lowest in the G7. When it comes to supporting entrepreneurs, our enterprise investment scheme, seed enterprise investment scheme and entrepreneurs’ capital gains tax relief are second to none. When it comes to the regulatory costs facing companies, Britain is ranked by the World Economic Forum among the best large economies in the world. When it comes to getting a company the finances it needs, Britain boasts the most liquid capital markets anywhere in the world.

Lastly, when it comes to a legal framework that people can rely on to protect their investment, a third of the world’s population lives under the security of the English common-law system. Those are the key drivers of foreign direct investment, and I am proud to say that on every measure a Conservative Government have delivered, ensuring our universities are well funded, reducing corporate tax rates while increasing tax revenues, creating the SEIS and EIS programmes to fund hundreds of thousands of new businesses, and cutting pages and pages of unnecessary red tape. We can look at the outcome of all of that. ‘Today, almost half of Europe’s billion-dollar start-ups were founded here in the United Kingdom, and the World Bank ranks Britain as the best major economy in the world to do business in: better than in the United States, Germany and France.

Although taking Britain out of the EU on the best possible terms is, of course, an important task, more important still will be the task that lies beyond it. Just as Britain never owed its success to Brussels in the past, we cannot expect Brexit to guarantee our success in the future. Staying at the world’s cutting edge will require constant dynamism from the Government. From my own experience, I point Ministers to three areas. First, at 1.7% of GDP, our research and development investment is still below the OECD average of 2.4% and half the rate found in Germany. Secondly, our nation’s infrastructure, from mobile telecoms to runways and airports, has not kept pace with the growth of our prosperity, and, according to the World Economic Forum, deters investment. We rank very low among large growing economies.

Lastly, our skills base lacks enough young adults with technical qualifications. Only 10% of adults hold such a qualification, putting us towards the bottom of the OECD league table. It is a shame that, among 16 to 24-year-olds, literacy and numeracy are no higher today than they are among people in their late 50s and 60s. I am confident that the Government understand those three challenges. Their new industrial strategy has the potential to keep Britain on the cutting edge.

However, I remind the Minister that we do not live in a static world. Everywhere we look, countries are innovating and looking at ways to attract human and financial capital and corporations to their shores, and we ourselves must constantly innovate. We need to look at smart regulations and infrastructure decisions that hold things up. We must continue, in spite of the current climate, to support free enterprise, for it is the best way to ensure our nation’s future prosperity, raise living standards and pay for the public services that we value.

The $250 billion that overseas businesses invested on our shores last year were not brought here by Brussels decree. That capital came because international investors know that our citizens’ ingenuity, our Government’s leadership and our nation’s world-class institutions will always provide them with a return. I am confident that, under this Conservative Government, that will continue to be the case for many years to come.

10.5 am

Hannah Bardell (Livingston) (SNP): It is a pleasure to serve under your chairmanship, Mr Gray. I welcome the debate secured by the hon. Member for Mid Dorset and North Poole (Michael Tomlinson) and the opportunity to discuss foreign direct investment from a Scottish perspective. It has been a record-breaking year, as it has for the UK. I hear much positivity about post-Brexit, but we must remember that nothing has actually happened yet and things are very much in a state of flux.

The hon. Member for Richmond (Yorkshire) (Rishi Sunak) mentioned universities. I do not know whether he is aware that last week Scotland was ranked as having five of the top 200 universities in the world, which is a huge achievement.

Rishi Sunak: I welcome that fact, but does the hon. Lady agree that the Scottish Government could do more to improve access to those universities? She will be aware that students from poor and disadvantaged families are twice as likely to go to university in England as they are in Scotland, and that is something the Scottish Government should focus on fixing.

Hannah Bardell: I thank the hon. Gentleman very much for that intervention. He knows that the scrapping of tuition fees in Scotland has meant access not only to university but to employment and to college. That has
been welcomed across the board. A university place is not always the full picture. Youth employment in Scotland is lower than anywhere else in the UK because of the SNP Government’s investment in a youth employment Minister—the first in these islands—and making sure that students do not leave university with tens if not hundreds of thousands of pounds’ worth of debt.

Mr Jack: Will the hon. Lady give way?

Hannah Bardell: If the hon. Gentleman does not mind, I want to make some progress.

Scotland has performed well in terms of FDI, so I will indulge in talk about some of Scotland’s unique opportunities. The combination of natural resources, a highly skilled labour force and a long-standing reputation for innovation make Scotland a prime destination for foreign direct investment. The SNP Scottish Government have taken action to grow our economy and ensure that Scotland remains an attractive destination for business, boosting investment to record levels. As a result, 2016 was a record-breaking year, and, outside of London, Scotland is the best place in the UK for FDI. Places such as Aberdeen, Glasgow and Edinburgh are in the UK’s top 10 cities for attracting FDI. Our attractiveness to international investors is recognised through investments in recent years from the US, with 43 projects; France with 14 projects; and Germany with seven.

The latest annual survey on the attractiveness of locations to international business by Ernst and Young shows that Scotland now takes more than one in 50 of all investment projects based in Europe. That is a clear indication that Scotland in Europe is vital, and that Scotland is firmly established as a location of choice for global investors.

Jim Shannon: Does the hon. Lady accept that the strategy directed by central Government at Westminster has to take some of the credit for what is happening across all the regions? It is important to acknowledge that.

Hannah Bardell: I think we have to acknowledge that the Government are taking Scotland out of Europe against its will, which will be a wrecking ball not only to Scotland’s economy, but to the rest of the UK’s economy. When we have these debates and discussions in one or two years’ time, I will be interested to see where we are. It is important that Governments work together on things such as foreign direct investment. That is not to say that there has not been support from the UK Government—of course there has—but we also have to recognise the flipside of the coin. The hon. Gentleman spoke about his own constituency in Northern Ireland. He must surely recognise the challenges and issues that will come down the line for Northern Ireland as we go through the Brexit process, especially as Northern Ireland relies so heavily on foreign direct investment. Recent research suggests that people will look less favourably on the UK because of the message it has sent as a result of Brexit. That is surely a concern for him.

Mr Jack: The wrecking ball was not the Brexit referendum; in Scotland, where the hon. Lady and I live, the wrecking ball was the independence referendum. Law firms went out of business, conveyancing stopped, the housing market slowed dramatically and businesses stopped moving to and investing in Scotland. I know people who were planning to come to open branches of their business who stopped immediately. People do not like the uncertainty and they see our being part of the United Kingdom as a strength, not a weakness.

Hannah Bardell: I thank the hon. Gentleman for that intervention, but he will not be surprised that I completely disagree. The Scottish independence referendum in 2014 was one of the most open and engaging democratic processes that Scotland has ever gone through, in complete contrast, unfortunately—I know we digress, Mr Gray—to the Brexit referendum process, which was squashed into a short time period, with no proper engagement and no proper information. I am now talking to businesses across my constituency and across Scotland that are increasingly turning to the notion of Scotland as an independent country within Europe, because of the mess that this Government are making of the Brexit process, and the absolute devastation that it will cause to the Scottish and UK economy.

Global professional services firm Genpact plans to create more than 300 jobs in Glasgow over the next five years, following a decision to expand its European operations in Scotland. Those roles will encompass digital solutions, risk management, insurance claims, business process transformation and customer services. I recently met members of the insurance sector who were extremely concerned that, if they cannot remain in the single market and customs union and retain the ability to passport their services, services such as aviation and even household insurance will be under threat.

Welcome news on FDI comes with the caveat that many of those decisions were taken up to three years before last summer’s vote to leave the EU. A senior EY partner in Scotland has voiced caution over the longer-term outlook, saying:

“The research suggests that the EU Referendum vote and its aftermath may be having an influence on global perceptions of the UK’s medium to long-term attractiveness. Western European investors are twice as negative as Asian and North American investors.”

That should be of concern to us all. He continued:

“Decisions on the majority of investments made in 2016 would have been made up to three years ago, which helps to explain the UK’s solid performance last year, but signs of a slowdown are on the horizon.”

The Scottish Government released their programme for government recently. It is important to recognise the work that they are doing. The SNP Scottish Government have established a board of trade and are setting up innovation and investment hubs in Dublin, London, Brussels, Berlin and Paris. They are investing in Scotland’s future by setting up a multi-billion pound infrastructure plan and a £500-million Scottish growth scheme targeting growth, innovation and export-focused SMEs, and start-ups by young people.

Much has been made of youth unemployment. The low rate of youth unemployment in Scotland—only 8.2%; one of the lowest rates in Europe—is absolutely...
fantastic. It is good to see the rest of the UK following suit, but we have to ask ourselves what that will look like in one, two or three years’ time, as we go through the Brexit process.

The programme for government presented by the First Minister last week included bold initiatives to boost the Scottish economy, such as the creation of a Scottish national investment bank and the doubling of business enterprise expenditure in research and development, from £871 million in 2015 to £1.7 billion in 2025. The Scottish Government and Nicola Sturgeon are taking real, decisive action, but they are doing it with one hand tied behind their back. Foreign direct investment will continue to be hugely important to Scotland and the rest of the UK, but we need real answers on what this Government will do to support not only Scotland, but the rest of the UK as we leave the EU.

10.13 am

Bill Esterson (Sefton Central) (Lab): It is a pleasure to serve under your chairmanship, Mr Gray.

We should celebrate the United Kingdom’s long-standing success as the premier destination for EU inbound investment, but we should also be under no illusions about the scale of the challenge facing the UK in retaining current investment, let alone building on it. As research from Michail Karoglu, David Bailey and Nigel Driffield of Warwick Business School shows, of all relevant recent events only two positively affected the long-term trend for FDI: entry to the European Economic Community and entry to the single market in 1992. Only two events caused a reduction in the long-run level of inward investment flows: Britain leaving the exchange range mechanism under John Major, and Harold Wilson’s devaluation of sterling. After both those events, it took an average of four years for the level of FDI to recover. If anyone in this room or elsewhere thinks that there might be just a short-term blip or no blip at all, the evidence from history suggests that we need to think very carefully. The uncertainty caused by Brexit is cause for concern.

Let us look at some of the figures behind our FDI position. In 2016, the UK remained the premier preferred destination for inward investment projects, but despite a rise in the number of projects, the UK’s market share in Europe fell from 21% to 19%. Meanwhile, we are losing ground in emerging growth industries, high-growth markets and in the attraction of investment from emerging powerhouse economies such as China. Celebrating the number of investment projects is all well and good, but what really matters is the value of those projects and their wider contribution to the economy.

Figures from fDi Markets investment monitor suggest that in the 10 months before the referendum, investment flows were $42.7 billion, and in the 10 months after, the figure dropped dramatically to $28 billion. If we are to evaluate fully the vital work that the Department for International Trade undertakes, we need to see the economic value—really drill down into those figures and look at the value of the projects for each financial year, notwithstanding commercial sensitivities that might prevent the release of information on a case-by-case basis. It might be an idea to see exactly how the Department allocates investment projects to specific annual statistics, so we can avoid what happened in January this year, when the Secretary of State was widely ridiculed for including projects unveiled years ago.

The Government will concentrate on the success stories, but it is important to learn from the failures as well. The recent decision by Nestlé to relocate some 300 jobs making Blue Riband biscuits to Poland is a case in point—I have pointed out elsewhere that failure to find £1 million to save 300 jobs. The fall in the value of sterling has of course made it cheaper to invest here, but as Nigel Driffield and his colleagues point out, the benefits of a favourable exchange rate are set against the uncertainties of changes in our access to the EU. Their research also shows that investors like to return profits to their home countries, so a low-cost investment may be of less interest than might appear at first glance.

The UK has traditionally been seen as a relatively easy place to do business, ranking seventh in the latest World Bank Doing Business ranking. That is in part due to a skilled and educated workforce, the dominance of English as the global business language, a robust regulatory framework, a strong legal system and a wide array of supporting service industries, but the main reason in recent decades has been our access to the largest free-trading area in the world. The big challenge, therefore, is to maintain our attractiveness as we leave the EU—hence the need for strong transitional arrangements, the avoidance of a cliff edge and a seamless move to post-transitional arrangements. A link with trade policy and a robust industrial strategy are also essential.

Rishi Sunak: The hon. Gentleman talks about maintaining our attractiveness to international investors after we leave the EU. Does he think that Labour’s proposed 50% increase in our corporation tax rate to 26% would make it more or less likely that international investors would want to invest here in the UK?

Bill Esterson: The evidence is mixed on whether the fall in corporation tax since 2010 has had benefits in attracting inward investment. Under our proposals, we would still have the lowest corporation tax in the G7. Although investors like the idea of a low-tax economy, they equally dislike the consequences. Recent research by the London School of Economics shows that the downside implied by a low-tax economy of poor public services is profoundly unattractive. The approach that the Prime Minister set out at Lancaster House may be the preferred route for many Conservative MPs who want to shrink the state, but as well as continuing to damage our NHS, schools and pensions, such a policy will restrict the Government’s ability to deliver the very infrastructure and skills that foreign investors want and need.

The view of our investors is set out starkly in EY’s UK attractiveness survey. EY said that it has been a “mixed year” and that it is “difficult to make a clear assessment of the UK’s performance attracting foreign direct investment and maintaining its appeal to investors since our 2016 attractiveness reports, because every positive indicator is offset by an equivalent negative development.” It added that, “the UK’s share of European R&D projects slumped from 26% to 16%, its lowest since 2011. With software projects also slipping despite a Europe-wide increase, these results raise concerns over the UK’s future performance in key growth sectors.”
Europe was the leading origin for projects into the UK. Cross-border investments in Europe grew in 2016, with Central and Eastern Europe becoming an important area for higher value-added FDI such as R&D. As European value chains become increasingly integrated, investors appear concerned about the UK’s future access to these value chains.

The EY 2017 global survey of investors’ perceptions “reveals a split between current plans and future expectations... Some 51% of investors expect the UK’s FDI attractiveness to decline over the next three years, while 33% expect it to improve.” Before we get too excited about the net positive figure, EY states that those figures are “significantly worse than the long-term average, and 50% of investors based in Western Europe expect the UK to become less attractive.”

Michael Tomlinson: I have listened carefully to the hon. Gentleman’s speech. If I may say so, it is a rather glass-half-empty sort of speech compared with some of the other contributions. He is absolutely right about some of the notes of caution in EY’s attractiveness survey, but does he accept that there are also positive noises coming from it, including that the UK remains hugely successful in attracting FDI?

Bill Esterson: I read out the key point about the mixed picture. We must do everything we can to retain our existing successes as well as build new ones—that is the thrust of what I am saying—but there is no point in the hon. Gentleman or any of his colleagues pretending that there are not great challenges and causes for significant concern. I was tempted to say in response to his earlier comment that he has rose-tinted glasses half full.

[Interruption.] It is too early in the morning for that.

The hon. Gentleman is absolutely right about a positive attitude; I do not disagree with him. Of course we have to be positive and do everything we can—some of my questions for the Minister are along those lines—but it is worrying that the EY report shows a sharp fall in how global investors rank the UK’s attractiveness on key criteria, such as education, transport infrastructure, local labour skills, political stability and access to the European market. There has been a year-on-year decline of up to 30% in some of those criteria, which is unprecedented in the past decade. Bank of England Governor Mark Carney said just last month, as the Bank reduced its growth forecasts, that Brexit uncertainty was holding back investment. Of course, in the past year we have grown more slowly than our competitors—a fact that supports that comment and some of the other analysis I have described.

Mr Carney’s comments go alongside AIB’s decision to suspend investment in the UK due to uncertainty about the UK’s future. Two Japanese banks are establishing in the UK, with reports suggest that JP Morgan and Goldman Sachs are considering relocating significant business operations. Japan is a major investor in the UK, with some 1,000 UK businesses under Japanese ownership generating an estimated £72 billion of turnover last year. The Japanese ambassador estimates that 10,000 Japanese firms operate in the UK, employing 140,000 people. Many of those jobs are in the UK’s flagship automotive industry with big players such as Nissan, Toyota and Hitachi.

Jim Shannon: At a meeting with a firm this morning, I spoke to someone who attended a conference in Japan at which the UK and Japan looked at Brexit and how they could work together. For the record, he told me that there were positive contributions with respect to Brexit from firms in the United Kingdom and firms in Japan. They see possibilities and opportunities, and that should be recorded in Hansard.

Bill Esterson: The hon. Gentleman is absolutely right to raise that point. Japanese firms have already invested here, as have other foreign firms. They need to do everything they can to maximise their existing investments and to be in a position where it makes sense for them to build on those investments. That comes back to what the Minister has to say and what the Department has to do to enhance our position so that those investments continue to deliver and attract additional investment.

Hannah Bardell: The hon. Gentleman is making a detailed and informed speech. To counter the point made by the hon. Member for Strangford (Jim Shannon), Mitsubishi, which is a major employer in my constituency, has significant concerns about its ability to continue to invest and grow in Livingston and across the country, due to issues such as market access and the continued employment of EU nationals. Does the hon. Gentleman share my concern that companies such as Mitsubishi should be able to continue trading in Scotland and across the UK?

Bill Esterson: Yes. I am grateful to the hon. Lady for showing that there is a balance between two viewpoints: our foreign investors’ desire to continue their investments, make the most of them and build on them is set against their very real concerns. I am glad that she touched on the challenges with respect to skilled workers’ ability to come here and stay here, given that we have such serious skills shortages.

Nissan’s car plant in Sunderland employs 6,100 staff and an estimated 24,000 additional jobs are linked to it through the domestic supply chain. That fact and the hon. Lady’s point about Mitsubishi demonstrate just how important Japanese investment is for our car industry. The previous Labour Government helped to establish the Automotive Council UK, which turned around the struggling UK car sector and has contributed so much to making it a success story. Labour intervened to boost that vital industry—the 2009 car scrappage scheme played a key part in increasing demand for new cars. In contrast, the Government’s current inaction is a serious threat to the industry’s ability to compete.

The threat to UK car industry jobs is very real, and is compounded by the recent sale of Vauxhall to PSA Group, with the possibility of job losses as a consequence of any restructuring of UK operations. The Prime Minister is alleged to have told PSA that her Government are committed to the UK car industry, but the investment figures show a very worrying picture and serious concern on the part of investors. Figures from the Society of Motor Manufacturers and Traders quoted in the Financial Times suggest that investment in the UK car industry fell to just £322 million in the first half of 2017, compared with last year’s £1.66 billion.

The Secretary of State has repeatedly referenced the UK’s service sector in his various speeches and appearances before the House, but the Government have been largely...
slient on how they intend to ensure the future strength of this sector, which is vital to our economic success. The passporting regime is critical to the ongoing ability of UK-based banks to engage with EU-based customers, and it has been essential to decisions by US and Swiss banks to use London as a centre of operations, but uncertainty about its future continues; as a result, decisions are being taken to relocate to the continent.

The Government have finally decided to produce a trade White Paper in advance of the upcoming trade Bill. The fact that they have taken more than a year to do so may well have had a significant impact on investment appetite—often, decisions are made years in advance of committing capital to investment projects—and the trade White Paper must address the critical issues faced by domestic and foreign investors alike. Investors need to know what the Government will do to encourage investment across the United Kingdom, including the devolved Administrations and regions; whether the Government intend to prioritise support for certain industry sectors in preference to others; to what extent those industries will be able to continue to operate within global and, in particular, intra-EU supply chains, and what impact the rules of origin regulations will have on their capacity to continue to participate therein. Furthermore, what trade defence mechanisms does the Government intend to introduce and how will they use trade remedies to address any unfair practices undertaken by foreign competitors? What efforts will the Government make to ensure that standards are maintained in order to prevent unfair market distortion as a result of imports from markets with less stringent regulations and standards? What efforts will the Government make to maintain regulatory equivalence with key markets? What investment dispute settlement mechanisms does the UK intend to pursue in future trade agreements?

Labour has been clear about what our trade priorities will be and how we will seek to ensure that all of Britain benefits. We have addressed that in our manifesto. We recognise that the UK’s ability to continue to be a premier destination for FDI is essential to our future prosperity and to creating the jobs and economic growth we need. Now the Government need to minimise uncertainty and set out how they will reassure and support investors and deliver an attractive strategy that encourages foreign investors to continue to come here and to invest more.

Many investors come here precisely because of our access to the EU. The Government need to set out how they will maintain that access in financial and professional services, in manufacturing and across the economy. Time is fast running out. Investors are worried—remember those SMMT figures for the car industry and the actions of Japanese banks. Those are not isolated examples. Businesses want to know how their investments will be supported and enhanced; they need to know that trade policy is linked to an industrial strategy. Piecemeal deals for one business at a time are not an industrial strategy, however much they are welcome to the businesses, workers and communities in which such businesses are located. The future of FDI is vital to our national interest. The Government must intervene now.

10.34 am

The Parliamentary Under-Secretary of State for International Trade (Mark Garnier): I thank my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson) for securing the debate. It is encouraging to see him coming along, and he has been supportive of the work of the Department for International Trade since he became a Member of Parliament.

The Prime Minister has been absolutely clear about this Government’s ambition to build a global Britain, which is about being the most passionate advocate for free trade in the world. That means championing British business in global markets; remaining a hub for global inward investment and a source of outward investment; and building a competitive trade policy for when we leave the European Union. I have been struck by one thing in the debate, which is that everyone across the House seems to believe in that idea of global free trade and a global Britain. It is encouraging to have no protectionist dissenters among us in Parliament, and that is a good thing for this country.

For the first time since 1983, a Department dedicated to international trade exists to drive forward that global ambition and meet the global challenges that face us. Personally, I am delighted that, following a departmental reorganisation, I am now the Minister for Investment, covering foreign direct investment and a renewed emphasis on overseas direct investment out of the country. Responsibility for FDI, which was previously held by UK Trade and Investment, now falls directly under the remit of the Department for International Trade—we are the Department responsible for going out and harvesting opportunities from around the world and bringing investment to the UK.

We intend to leverage our presence in 108 markets around the world—we are in 179 diplomatic posts in 108 countries—where we will harness the capabilities of the most revered diplomatic network to bang the drum for UK plc to overseas investors. Trade and investment is a key pillar of the Government’s industrial strategy, and I will convene colleagues from across Government to ensure that we target investment in the right areas and build an economy that works for everyone throughout the UK, including in all our devolved regions.

As we have discussed, FDI creates jobs, develops our skills and makes us more innovative. Global investors do not simply provide capital, but facilitate the transfer of technological know-how and new ideas, which increase our skills base and our productivity. Billions of pounds have poured in since the referendum from the likes of Toyota, Facebook and Google. To respond to the point about Japan made by the shadow Minister, the hon. Member for Sefton Central (Bill Esterson), FDI from Japan actually rose in 2016-17, with new jobs provided from Japan rising from 2,600 in 2015-16 to more than 3,500. Global investors therefore continue to see opportunity in the UK. They realise, as the Government have said all along, that Britain remains open for business.

The Department for International Trade was established just over a year ago. As I said, this is the first time since 1983 that we have had a Department dedicated exclusively to promoting trade policy and investment. That was as a consequence of the EU referendum result. Our purpose is absolutely simple: to turn the UK into the most passionate advocate for free trade.

We have heard a number of people speaking about the changes brought about by Brexit. I for one was a very passionate remainer; I campaigned fervently to stay in the European Union. As a Minister in the Department for International Trade, however, I absolutely
recognise that we have enormous opportunities around the world that we must go out and seek. As last night showed us, we must not disrupt the will of the electorate and try to frustrate the Brexit process. We must realise that the remain side lost and that we must get on with this, embrace the opportunities, and not hold back and come up with a fudge that prevents us from striking new free trade deals with countries which we could not otherwise do.

The DIT promotes the UK as a destination for investment by providing specialist support for foreign investors in 60 markets worldwide. In 2016-17 we supported the creation or safeguarding of more than 91,600 jobs through our work with foreign direct investors. That equates to nearly 50 new and safeguarded jobs per project that we undertake. A key part of our investment approach is to leverage the power of the GREAT Britain campaign, the Government’s flagship international marketing and branding platform for the UK. It represents the whole of the UK and is present in more than 144 countries. The GREAT campaign effectively signposts the wealth of opportunity in the United Kingdom, including Northern Ireland.

In January we launched the Invest in GREAT Britain and Northern Ireland international campaign to promote the UK as a natural choice for overseas investment. Since its launch, the campaign has generated more than 600 inquiries, which have so far resulted in 89 qualified leads for investment into the UK. The campaign’s focal point is a new website—invest.great.gov.uk. One of the key aims of the marketing activity is to direct traffic to the website, where prospective investors can find out more about the UK as a destination for investment.

We have a strong global footprint. The UK leads Europe in foreign direct investment and is third in the world for inward FDI stock. DIT welcomed a record-breaking number of FDI projects to the UK in 2016-17, at 2,265—up 2% on 2015-16. The level of FDI stock in the UK is currently at £950 billion. Inward investment into the UK is estimated to have created and safeguarded nearly 108,000 jobs in 2016-17 alone.

According to official figures, just 1.1% of registered non-financial businesses in the UK are owned by foreign investors, but they account for 34% of annual turnover and 38% of gross value added. Only one European country featured among the top six individual countries of origin for foreign investment projects in 2016-17. The USA was our largest source of investment. American FDI stock in the UK stands at £252 billion and accounts for 27% of inward investment stock. The whole of the UK continued to attract FDI, with parts of England and Scotland seeing growth above the national average. I am pleased to tell my hon. Friend the Member for Mid Dorset and North Poole that the south-west had one of its strongest annual results in 2016-17, with a 13% rise in FDI projects to 101.

Although those figures look very good, it has been said that the jobs numbers are not keeping pace with the increase in the number of investment projects. It is fair to say that we need to do more work to analyse how those numbers are collected. The data are collected on the basis of investment projects. If, for example, somebody invests in a new factory in the midlands costing £50 million, they would have the same representation as somebody opening a chip shop in Barnsley for £50,000. We need to do more work to understand exactly how much money is coming in and how many jobs are being secured.

More productive businesses coming to the UK will not necessarily employ more people. Higher productivity does not necessarily increase the number of people employed, but we see different patterns, from one year to the next, with different types of business coming to the UK. Ultimately, we want to create the wealth of this country, which includes good, high-paying, productive jobs; that is absolutely crucial to what we do. Moreover, and I will return to this point later, we are keen to spread that activity throughout the entire region—most people say from John O’Groats to Land’s End, but I say from the Scilly Isles to Shetland. We are absolutely determined to ensure that that work leaves no part of the United Kingdom untouched.

Global investors repeatedly say that the strength of the UK’s economic fundamentals is the reason they choose the UK. They cite our political and regulatory stability, our transparent rule of law, our low regulatory environment and our low-tax economy, including some of the lowest business tax rates in the G20. We have some of the best universities in the world—and now the top two—feeding a highly skilled workforce and fostering world-leading R and D hubs across the country. We speak the international language of business, and the UK offers a perfect time zone for global trading, where someone can do business with China in the morning and with the US in the afternoon. There is also our cultural diversity and quality of life—but not, sadly, our weather. Those economic fundamentals mean that the UK is now considered one of the easiest countries in the world with which to do business. It is ranked seventh, according to the World Bank. At the start of 2016, the UK had 1 million more small businesses than it had in 2010—a total increase of 23%—and our tax system ranks in the top 10 most business-friendly in the world.

The prospect of taxation was raised, and the shadow Minister responded to the prospect of a Labour Government introducing higher taxes. He was absolutely right that if he adheres to the manifesto pledge from the recent election, the business tax rate would merely rise back to where it was at the beginning of the coalition Government.

Bill Esterson: It would be lower than that.

Mark Garnier: Indeed, lower. A really important point is that businesses look not necessarily at absolute numbers, but at the direction of travel. One of the things behind businesses coming to this country is the fact that the direction of travel for businesses taxes—which, frankly, raise only about 8% of total taxation—is downward. That creates a greater opportunity for business. If businesses see that direction of travel reversing and taxation going up, they will not know where it will stop. The problem is the direction of travel, not the absolute numbers.

Bill Esterson: I do not want to wander too far from FDI, but most businesses I talk to tell me that improving the incentives in taxation is more important to them than dealing with the taxation of the results and successes. It is the tax level in business rates that needs reform, not the rate of corporation tax. Does the Minister agree?
Mark Garnier: The hon. Gentleman is right that taxation is not simply about the headline corporation tax rate. It includes, of course, business rates, and businesses that operate factories do not necessarily pay the higher business rates for retail spaces, which are calculated per square foot. It is also about national insurance and various other taxes, so we need to bring together a package. Taxing a population too much stifles growth and investment into that economy. The whole package has to come together to ensure that the businesses that invest in the UK can be confident that the Government recognise that those businesses’ taxes—not just business rates, corporation tax and national insurance, but all the money that gets paid to workers, who then pay tax and spend money and pay VAT—buy the hospitals, schools and public services that we value so much in this country. It is vital that we get the business environment right and attract businesses to this country to ensure that we continue to provide the public services that all of us, across the whole of the House, hold so incredibly dear. We do not want to lose any of them.

The hon. Member for Livingston (Hannah Bardell) talked about business certainty and the uncertainty of Brexit. She said people like her, the remainers, have been proved wrong—thank goodness, because none of us wants anything to go wrong with our economy, and we are very keen that things progress. The prospect of a second independence referendum, which the Scottish National party could put forward, although Westminster would not necessarily recognise it, is creating more uncertainty. Businesses need to know what is going to happen. One thing we can say about Brexit is that it is a quantifiable uncertainty: we know that, in the worst-case scenario, our trading relationship will go to World Trade Organisation rules.

What was not decided and resolved during indyref 1 was the fundamental issue of what currency Scotland would use. I think it will be very difficult for businesses to invest in Scotland if they do not even know in which currency they will do their accounts and charge their customers. I do not want to castigate the SNP; I want to help, and we are doing as much as we can to ensure that we continue to provide the public services that all of us, across the whole of the House, hold so incredibly dear. We do not want to lose any of them.

My hon. Friend the Member for Richmond (Yorks) (Rishi Sunak) raised our industrial strategy, and said that we need to look at science research and innovation, the skills agenda and infrastructure. The industrial strategy is about delivering those incredibly important things, and we need to look at supporting business to grow—also in the industrial strategy—and several other areas. My hon. Friend referred to three important and fundamental points, and the industrial strategy is part of the package. In some respects, the Department for International Trade is the sales force of the country. We are the hard-working salesmen with a trolley bag behind us going through airports around the world making sure we are banging the drum for British business. At the end of the day, the product that is key is the industrial strategy, plus a number of other items. We are out there. Of course, we feed back and say what the international world is saying; that is very important.

The industrial strategy is about building an economy that works for everyone, creating good jobs for all and developing the conditions for competitive, world-leading businesses to start and grow. Encouraging trade and investment is one of the key pillars of the industrial strategy. The right investment in the right areas builds world-leading sectors and develops our skills base. Targeted investment also strengthens our supply chains, putting UK companies in a better place to work together and present a “Team UK” offer for some of the biggest global contracts.

The industrial strategy will use our record investments in infrastructure to unlock and drive growth in every part of the country and it will use major new investments in research to support innovative businesses across the country. I want to reiterate the point that we are a Department for the whole of the UK. We will look to attract investment across all of the English regions, all of the devolved regions, including Greater London, the midlands engine and the northern powerhouse, and, of course, the south and south-west. We will also work with our partners in the devolved Administrations, because investment in one part of the UK has a positive knock-on effect for all of us in every part of the UK.

In March, I launched the midlands engine investment hub, which acts as a focal point for FDI. Its priority is developing and articulating a pan-midlands FDI offer. The northern powerhouse investment taskforce was established in 2016 as part of the cross-Government northern powerhouse strategy, of which trade and investment is one of the main strands. FDI into the northern powerhouse continues to rise. In 2016-17, it grew by 5%, attracting 348 projects and creating nearly 15,000 new jobs.

It is a great topic of ridicule: those who have yachts and those who have not. None the less, those who build yachts provide jobs. It is important to remember that the northern powerhouse continues to rise. In 2016-17, it grew by 5%, attracting 348 projects and creating nearly 15,000 new jobs.

I think it is fair to say that the south of England looks to the super-region, and quite a significant amount of FDI comes into the region near London because London is a natural hub. However, I have recently been to visit boat-builders as far afield as Falmouth, just about 20 miles from the end of the country, where we see truly global brands such as Pendennis yachts building luxury yachts for oligarchs and big investors around the world. It is a great topic of ridicule: those who have yachts and those who have not. None the less, those who build yachts provide jobs. It is important to remember that building those luxury boats brings in a lot of money. There are some fantastic businesses down there—Rustler Yachts is another—and we are all about promoting every one of those businesses. It is important that my hon. Friend the Member for Mid Dorset and North Poole can take back to his constituents that we are working hard on that.

The shadow Minister also made a great deal of reference to the Automotive Council UK, the car industry and what is going on in terms of investment. It is right to highlight the car industry, which is an amazing example of a great success story in the UK. By the way, we can look at the experience of Jaguar Land Rover as a historic example. It has always been a great British
brand that has built some fantastic cars, but it is the Indian production techniques that have turned it into a truly profitable and successful business. The foreign direct investment coming into JLR and continued investment of the UK demonstrates more than anything else how productivity and jobs are increased by FDI.

Bill Esterson: The Minister is right about JLR, the value of the FDI from Tata and the partnership between Government and investor in achieving that. Is he aware of comments from the head of JLR last week who said that, should we end up paying the tariffs implied by the WTO, that would cost his business £1.1 billion extra a year? Does he share my concern? I urge him and his colleagues to do everything they can to avoid ending up in that situation.

Mark Garnier: Absolutely. I met the chief executive of JLR and he shared those concerns with me. We have concerns—actually “concerns” is the wrong word. We are striving to have a Brexit that feels, in every commercial sense, exactly the way things are at the moment.

It is worth bearing in mind that the history of trade negotiations has been one where we have started with a bad position and tried to work out how to go forwards. People go into a negotiating room and say to the two people across the table, “This is how we trade”—let us say it is under WTO terms—“How are we going to improve this?” What is fascinating about the proposed free trade arrangement with the European Union is that, for the first time ever, people are suggesting that we will have negotiators going into a room, saying, “We have the best outcome that we could want in terms of free trade. How are we going to make this worse?”

It is in everyone’s interests to maintain the trading relationship we have, whether we be in the UK or the European Union. It is a different dynamic, but from the conversations we have with people and businesses in the European Union—bear in mind that we also talk to the conversations we have with people and businesses in the European Union—bear in mind that we also talk to them about what they want from Brexit—it is crystal clear that no one wants to run into a position where WTO tariffs are being charged. We are doing everything we can to ensure that we get to a tariff-free and customs-free outcome of Brexit.

Hannah Bardell: On tariffs, does the Minister share my concerns and those of others, including business, about the comments made by the EU negotiators that no progress has been made because issues such as the border in Ireland and the position of EU nationals have not been sorted out, and trade agreements cannot be struck until that point? Similarly, his boss has said that the UK Government do not have the capacity to strike trade deals. Surely that is of significant concern to him and to others.

Mark Garnier: The hon. Lady is mixing up a couple of things. The Department for International Trade is doing trade deals, but not the one with the European Union; that is being done by the Department for Exiting the European Union, which does have the capacity to strike that trade deal.

On the wider piece, we are currently having conversations with 15 countries where we are looking potentially to strike trade deals. It is worth bearing in mind that America finds running three trade negotiations at a time slightly taxing and would not want to do more than that. We are trying to do 15, and we are getting on with it. We have 350 trade negotiators and have taken on Crawford Falconer, who has an extraordinary amount of experience. We have therefore upskilled to do that.

To return to the automotive industry, the shadow Minister is right. Since Brexit, we have seen Nissan commit. We have also seen Toyota commit, and we have seen BMW commit to build electric motors in Cowley. That is significant. On the question, “Is Brexit holding this up?”, it is not.

It is widely agreed that FDI has a positive effect on the host country, especially when the supportive business environment is strong. That increases productivity. The Department for International Trade will lead the way in convening the whole of Government to ensure that the UK remains an attractive destination for FDI in Europe and one of the most attractive in the world. A global Britain will always welcome foreign investment for the innovation it spurs and the skills it brings.

As a vital part of the Government’s industrial strategy, inward investment will fuel science and innovation, upgrade our infrastructure and cultivate the world-leading sectors that will allow our businesses to thrive on the global stage. The debate has demonstrated the important role that foreign investment plays in building a stronger and more sustainable economy that works for all. While we have one or two differences of opinion, it seems that the House is united behind the idea of a global Britain.

Michael Tomlinson: I thank all hon. Members who took part in the debate. The hon. Member for Strangford (Jim Shannon) talked about his optimism and about strength and growth in Northern Ireland. My hon. Friend the Member for Richmond (Yorks) (Rishi Sunak) talked about his business background and what a good place this country is to do business in. He also set out some challenges and constructive suggestions as to how we can improve our productivity and attractiveness.

We heard some notes of caution from the hon. Members for Livingston (Hannah Bardell) and for Sefton Central (Bill Esterson), who both cited EY’s attractiveness survey. The hon. Gentleman did accept that it was a mixed picture but that there was some positivity there. I urge him to look to that positivity: the UK remains hugely successful in attracting FDI and has clear potential and opportunities to sustain that success in a post-Brexit world.

I am grateful to the Minister for his words, particularly in relation to my region, the south-west. My constituents will be reassured. My remaining challenge to him and his Department is that they look out for all the regions—as he said he would in his speech—and continue to do that as we go forward, forging new trade deals.

James Gray (in the Chair): Order. That very useful debate having concluded, and with the Minister and Member responsible for the next debate being in the Chamber, it may be convenient to continue without any gap.

Question put and agreed to.

Resolved,

That this House has considered foreign direct investment into the UK in 2016-17.

Michael Tomlinson: I thank all hon. Members who took part in the debate. The hon. Member for Strangford (Jim Shannon) talked about his optimism and about strength and growth in Northern Ireland. My hon. Friend the Member for Richmond (Yorks) (Rishi Sunak) talked about his business background and what a good place this country is to do business in. He also set out some challenges and constructive suggestions as to how we can improve our productivity and attractiveness.

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Question put and agreed to.

Resolved,

That this House has considered foreign direct investment into the UK in 2016-17.
The hospital trust has reassured me that it is not the case that services are being moved, but it is my constituents who need reassurance. I make the simple plea that the Minister put on the record that, whatever delivery model the hospital bosses decide for the future of emergency care in Shropshire, our Princess Royal Hospital will continue to have A&E care delivered by emergency consultants, and that our brand new women and children’s unit will continue to deliver services to women and children.

Mark Pritchard (The Wrekin) (Con): I congratulate my hon. Friend on securing the debate. The women and children’s unit, which opened two years ago and cost the taxpayer £28 million, is very welcome in Telford and central and east Shropshire. Does she agree that the same arguments that prevented the women and children’s unit from relocating to Shrewsbury two years ago are even stronger today because of the expansion of Telford and environs? The demographics of the county also show that the majority of its children are in the youngest part—Telford and its localities.

Lucy Allan: My hon. Friend is absolutely right: the women and children’s unit is a vital resource in an expanding population with many young women and children. That is because Telford is a new town; many people come to build a new life and build their family. That resource is vital to us, and the concept of moving it elsewhere so soon after it has been brought to Telford is farcical. I am assured that that is not happening, but we need clarity. At the end of the day, if people keep telling us something, ultimately we are going to believe it is true.

Daniel Kawczynski: I congratulate my hon. Friend on securing this important debate. She will know that both our hospitals—Shrewsbury and Telford—are in the same hospital trust. I pay tribute to the way that she has campaigned on this issue. Does she agree that the Labour-controlled Telford and Wrekin Council is behaving highly irresponsibly in whipping up these fearful campaigns and trying to frighten constituents about the long-term consequences of Future Fit? Will she go further in encouraging it to act more responsibly and in telling the Minister that the council ought to be spoken to about not whipping up such levels of concern?

Lucy Allan: My hon. Friend is absolutely right: we have seen some shameless politicking around this issue. The local council has weaponised our hospital year after year, which is not helping the process of reaching a decision. I will talk about that in more detail later, because it is a vital point. The council should be working constructively with my hon. Friend the Member for The Wrekin and me to try to get the best possible hospital emergency care for all our constituents, but that is not happening now. That is why it is important to highlight this issue and bring it to the Minister’s attention.

There is no avoiding the fact that the body charged with deciding what our future emergency services will look like has been inept in its communications. Despite the growing uncertainty, anxiety and ultimately anger of my constituents, not once has that body been willing to communicate with them. Although a consultation is planned at some point, year after year goes by and that has not happened. Each year, my hon. Friend the

**Princess Royal Hospital Telford**

10.59 am

Lucy Allan (Telford) (Con): I beg to move,

That this House has considered Shropshire’s NHS Future Fit process and the future of services at the Princess Royal Hospital, Telford.

It is a great pleasure to serve under your chairmanship, Mr Gray. Like all Members, I come to the House to champion the needs and concerns of my constituents at every opportunity that presents itself. That is what the people of Telford have sent me here to do. Without doubt, the issue that has caused the most concern and anxiety to my constituents over the years is the future of our Princess Royal Hospital. I am delighted that my hon. Friend the Member for The Wrekin (Mark Pritchard) is here, as the hospital is sited in his constituency and his constituents are as affected by the issue as mine.

The reason our hospital has caused our constituents so much concern and anxiety is that for the past four years our local hospital trust has been deliberating how best to deliver emergency care for Shropshire in the future. While we would all agree that that is an important decision that is worth getting right, no one could have imagined that no resolution would have been found four years after the deliberations began.

Despite very public and sometimes acrimonious debates playing out in the media, not a single communication has been sent to my constituents explaining to them what the hospital trust proposes for the future of our hospital. By contrast, my constituents have received a constant barrage of claims directly from our local council. Every time they get a council tax bill or email from the council, the council claims that our A&E and our women and children’s centre—a brand new and much-valued asset in our town—are under threat of closure. Although the hospital trust tells me and others that those claims are entirely untrue and wholly misleading, the trust has not at any time publicly contradicted the council; nor has it told my residents that the information they have received is misleading or untrue. As the deliberations have dragged on without any resolution, my constituents have become increasingly anxious and uncertain about the future, and they are becoming angry.

It is worth putting this into context. Telford is a rapidly growing new town, with an expanding population, set in the heart of rural Shropshire. We have significant pockets of deprivation and health inequalities, and worse health outcomes and lower incomes than our more affluent neighbours in rural Shropshire. We also have lower car ownership, so residents are much less able to travel long distances to access care. The council has told us that our A&E and women and children’s unit are definitely being considered for closure. We are told that those services will be taken from an area of greatest need and moved to the more affluent neighbouring county town of Shrewsbury—is it pronounced “Shrowsbury” or “Shroosbury”? or do all my constituents. That highlights one of our great differences.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): “Shrowsbury”.

Lucy Allan: My hon. Friend says “Shrowsbury; I say “Shroosbury” and so do all my constituents. That highlights one of our great differences.
Member for The Wrekin and I come to this House to beg the Secretary of State for Health to intervene, and each time nothing happens. We have moved no further forward.

Mark Prichard: For many years people throughout the country were fed up with Whitehall and Westminster and successive Secretaries of State for Health interfering in local health decisions. The Government recognised that, and as part of the devolution agenda said that local health decisions should be made by local doctors, clinicians and medical practitioners. Does my hon. Friend accept that that is right? Does she also therefore accept that those decisions are being made locally, and without interference from Whitehall, which is part of the misinformation, disinformation and fake news campaign of the Labour-led Telford and Wrekin Council?

Lucy Allan: My hon. Friend is absolutely right: this is a process led by local clinicians who were supposed to come up with a local decision that suited local people. However, that has not happened, and I see no light at the end of the tunnel. The process is in stasis; there is utter paralysis in the decision-making process, and all the while our Labour council is making hay with the total vacuum of information. We cannot go on saying, “It is nothing to do with Government. It is supposed to be a local issue,” because that has not worked. I will come on to the difficulties that that is now creating in recruitment and retention of vital consultants, who make the whole service operate for everybody.

It is not right that the local decision makers are failing to contradict our local council. It is not right that they are not standing up to some of the bullying rants that we hear day in, day out on our airwaves and read in our local newspaper, in which the local council tries to convince the electorate that the A&E and children’s services will close. The mixture of fear and the weight of NHS bureaucracy keeps the local decision makers like rabbits in the headlights. Nothing is happening.

In fairness to those tasked with delivering this decision-making process, they will not have reckoned on the weaponising of our local hospital for political purposes and have not factored that into the work they are doing. We have seen the local council threatening the NHS with judicial review. We have seen the local council sending out letters with every council tax demand claiming that our hospital is at risk. It has been organising street protests, whipping up anger and even trying to misrepresent the proposals, and turning public meetings into events where our local clinicians, who are doing the best possible job for our patients in Telford, say they have felt intimidated and unable to do their job.

The propaganda machine in Telford is well oiled. At every coffee morning that I host, and at every school I visit, someone will ask me, “Why are you closing our hospital? Why do you want to move services away from your home town to Shrewsbury?” That technique has totally failed to win elections in Telford, but it none the less has successfully created huge anxiety and prevented the evolution of our emergency care for the future. Placing politics with our hospital has been the trademark of Telford’s council leadership, with complete disregard for the consequences for our area and our future healthcare. Instead of working constructively for the best healthcare for our people, they have simply engaged in a never-ending war of words, whipping up anger and even trying to bring down the local health trust officers.

Instead of a brand new facility that we could all be benefiting from and new investment, now we have dwindling services that do not meet the needs of local people, despite the best efforts of staff. That paralysis has put our services at risk. It has led to difficulties in attracting and retaining staff, so much so that there is now a genuine risk that insufficient staff may lead to night-time closures of our A&E—and if that does happen, I hold the Labour leadership of our council totally to blame.

My constituents have lost out in these political games. We have hours of council officers’ time being spent, constant activity of the council PR department and expensive lawyers threatening the NHS with legal action. We do not even know how much of our council tax has been spent on this, although we do know that £100,000 has been set aside for campaigning activities, which really should not be the role of a local council. The time has now come when it is not enough to stand by and for Ministers to say that this has nothing to do with Government. I accept fully that it did have nothing to do with Government, but it is evident that because local politicians have hijacked the process, it is now wholly out of control. It is also evident that the local NHS has spent millions on a decision-making process that has failed to reach a decision.

My hon. Friend the Member for The Wrekin and I have pleaded with Ministers time and again, year after year, but we are still no further forward. Nothing has changed, and our constituents are none the wiser about the future of their hospital. I invite the Minister to try to give some clarity to my constituents. They deserve to know what is proposed on this most important of issues. If the council is misleading them and providing them with misinformation, they deserve to know that too. This issue matters to my constituents. I am here to represent their needs and concerns, and that is what I am doing today. It is not good enough for Government to wash their hands of something that matters so much to my constituents and the future of our town.

I invite the Minister to work with me, with my hon. Friend the Member for The Wrekin, with the Minister of State, Department of Health, my hon. Friend the Member for Ludlow (Mr Dunne), who is responsible for hospitals, and with the Secretary of State for Health to try to find a practical way to end the complete paralysis that has ruined the prospect of great emergency services in Telford. There is money to invest in better emergency care but we are not even able to access that money in funding rounds because we cannot reach a decision. I look forward to the Minister’s comments.

11.13 am

The Parliamentary Under-Secretary of State for Health (Jackie Doyle-Price): It is a pleasure to serve under your chairmanship this morning, Mr Gray. It is also a great pleasure to respond to my hon. Friend the Member for Telford (Lucy Allan). She articulated the case on behalf of her constituents with considerable passion, and I will do my best to address some of the points she made.

My hon. Friend talked about the activities of the council with regard to this ongoing issue. I have to say, as the Conservative MP for Thurrock, which has a
Labour council, that it all sounded very familiar. I am afraid that perpetrating fake news is in the DNA, and Labour does not like to have lost successive elections. I am sorry that she has had to tolerate that, but I am even more sorry that her constituents have had to.

When we discuss the future of our local health services, we want to take the community with us. Naturally our constituents get worried about change; they are always worried about the possible diminution of services. The only way we take the community with us is by having real dialogue, based on real proposals and real facts. The fact of the matter is that all the council is doing is engaging in speculation, and I personally find that deeply irresponsible. It is not the job of anybody involved in local leadership to foment fear, and I really do regret those actions. Sadly, I am afraid we cannot expect any better. I am really pleased that my hon. Friend has taken advantage of the opportunity today to make the case for her constituents and to highlight those issues. The way we will take people with us on any change in the health service is by mature discussion and reflection and by advocating on our constituents’ behalf.

Daniel Kawczynski: I would like to reiterate the point that my hon. Friend the Member for The Wrekin (Mark Pritchard) made. We all voted for the Bill to ensure that local communities were empowered to make these decisions. It is right and proper that local people at the coalface of providing these services are empowered to make the decisions to improve them and make them future-proof. However, in our case, it really has broken down. The most important thing the Minister can do is to work with her officials to ensure that changes are made when we cannot get an agreement in a locality, because, as my hon. Friend the Member for Telford (Lucy Allan) said, this has continued for four years, causing a great deal of concern and instability for the hospital trust.

Jackie Doyle-Price: I thank my hon. Friend for that intervention and will make two points in response. He is absolutely right; the whole purpose of how we structure the NHS now is that communities are empowered to make decisions. That is why it is all the more irresponsible for the council to be engaged in this speculation. The reality is that no decision will be taken on the future of services until the consultation has taken place and all those responses have been analysed. The community will have its say before any change, and anyone who suggests otherwise and is engaged in speculation really should not. Could my hon. Friend remind me of the second point he made?

Daniel Kawczynski: The point I wanted to make was that certain communities in the United Kingdom have come together, across parties and across the whole of the county. Northumberland, where this process has worked very well, is a case in point. Unfortunately, in areas such as ours, where a council is acting deliberately provocatively and from a political perspective, that has not come to fruition. I want the Minister to ensure that her Department takes that on board when planning for future ways to improve this process.

Jackie Doyle-Price: It is a matter for reflection that this has been going on for four years, which generates considerable uncertainty. Clearly we should reflect on that, to ensure that the process becomes more efficient. Equally, it takes time to have those debates. I know that the particular issues under consideration here are quite difficult to grapple with. The important thing is that the local NHS is seen to be leading the debate and not allowing anyone else to fill that vacuum when there are decisions to be taken.

My hon. Friend the Member for Telford invited me to make some comments. Obviously there are limits, but perhaps I could set out the process, so that we can put in context exactly where we are now. As I mentioned, all service changes will be based on the fact that they deliver real outcomes for patients and will be taken forward in consultation with the local community. Ultimately, the most important factor is that this is what is best for the health service in the area, driven by clinical leadership. Again, it really should be the local NHS leading this debate, and not local authorities filling the vacuum.

The issues that my hon. Friend raised affect not only her and my hon. Friends the Members for The Wrekin and Shrewsbury and Atcham (Daniel Kawczynski), but also service users in Wales. As she alluded to, it has now been four years, so everyone knows that change is in the air. Until the vacuum is filled, there will continue to be uncertainty. I expect the CCG to bring forward a consultation, to have an open discussion as soon as it can. I urge everyone to participate fully in the consultation and I encourage my hon. Friend the Member for Telford to lead that debate. Where there are issues that she is concerned about, she should challenge the local NHS leadership, and where there are things that she welcomes, she should highlight them.

The proposed service changes should meet four key tests: they should have support from GP commissioners, be based on clinical evidence, demonstrate public and patient engagement, and consider patient choice. Until those four criteria can be met, no decision can be taken.

Mark Pritchard: On the clinical evidence points, there was a so-called independent review, which the two clinical commissioning groups—Shropshire and Telford and Wrekin—and the NHS hospital trust commissioned. KPMG undertook that review. How independent it was and how knowledgeable KPMG, headquartered here in London, is of Shropshire’s health system is questionable, but I will just ask the Minister this. On clinical evidence, does she agree with me that if the demographics show that the younger part of Shropshire county is in Telford, it would not make sense to relocate the new—two-year-old—£30 million women and children’s unit from Telford to Shrewsbury, where there is an older, or elder, population?

Jackie Doyle-Price: Of course everybody wants to be able to access health services as close as possible to where they live, and my hon. Friend’s points about demographics are sensible. However, it is also important that we build critical centres of excellence. Where everything is together in one place, people can get better care. Wherever these services are ultimately located, there is a strong case for the children’s unit to be by strong A&E services, but obviously that needs to be tackled as part of the debate. My hon. Friend questions whether the KPMG study was objective. These are really serious questions that he should put to the local NHS leadership when we get into open consultation. I know he is looking for comfort from me, but I am not best placed to make the decision sitting in Whitehall.
Mark Pritchard: I am grateful to the Minister for giving way again; she is being very generous. Does she agree, though, in terms of transparency and openness and the fact that the public purse will have paid for the KPMG report, and given the seriousness of the issues, that that report should be published in full, in its entirety, for the public to see, in particular the Shropshire Star, which has done an excellent job in holding the local authority’s feet to the fire, to use one councillor’s term, on some of its most outrageous claims about this process?

Jackie Doyle-Price: It surprises me that the report is not in the public domain, according to what my hon. Friend has just said, if it is informing the approach that is being taken. I tend to take the view that sunlight is the best disinfectant, and if things are not done in an open and transparent way, the conditions are created for exactly the kind of speculation and scaremongering that we have been talking about. Having said that, I reiterate that the consultation has not yet started. It is very important that when the consultation does start, the CCG makes extremely clear the basis on which it is going forward with the proposals that it chooses.

I do not need to advise my hon. Friends of exactly what we are talking about. Clearly, they know more about their local healthcare situation than I do, and it is clear that local NHS leaders have to address significant challenges in bringing forward the entirety of their proposals as they affect the Royal Shrewsbury Hospital and the Princess Royal Hospital in Telford. I understand that they are 18 miles apart. In some areas of the country, that might not seem far at all, but when we are dealing with communities that have very separate identities, they could be oceans apart. That is another reason why we need to be very clear in our dialogue with those communities about why we are bringing forward the conclusions that we are.

Clearly, at a time when there is no money, things that it would be nice to have are not possible. It would be nice to duplicate services in both locations, but frankly that is not a luxury open to us at this stage in the economy, so where there is duplication of services, where we could bring them together and make a better service as a result, we should explore that. It is up to the local clinical leadership—there is a clear task and challenge for them—to demonstrate that whatever they bring forward will deliver better outcomes for patients. When it comes to winning over public hearts and minds, the public will not get away from the fact that services are being moved away from them. Automatically, there is a diminution of service in their mind, but bringing services together can often make a better service. We can see, with patient outcomes in particular circumstances, where that has been achieved. I therefore encourage the CCG to bring forward as much evidence as possible in making its case.

Of course, we all understand that whenever the consultation takes place, after four years of quite feverish speculation on some parts, people will be nervous. I encourage all my hon. Friends to continue this debate in public and with Ministers, so that we can reassure the public that we have their best interests and those of patients at heart with whatever decision is taken. As I have said, the more transparent and open the debate is, the better. Perhaps between them, my hon. Friends can lead the CCG to have those public discussions, away from the council, away from organised intimidation at public meetings, which will not lead to the best outcomes for patients at all. I have witnessed this myself. The left is very good at organising mobs at public meetings, but the last thing we want is for local clinical leaders to bring forward proposals in the best interests of serving the community and then be intimidated, by those who shout loudest, into changing their views because they are faced by a herd.

Daniel Kawczynski: This is a very important point for the Minister to perhaps share with the Department for Communities and Local Government and other Ministers. Of course councils have the right to challenge processes. Even though Telford Council’s leader and all his team are completely bereft of any medical credentials, they have the right to challenge, but we need to consider whether they have the right to use taxpayers’ money for political campaigns. I think that the Minister will be interested to see some of the literature that Telford Council has sent out and perhaps share it with her colleagues at the DCLG, to see whether we can do anything more to tighten up the rules on how councils spend their council money.

Jackie Doyle-Price: My hon. Friend makes an excellent point. Local authorities are all a function of who leads them, and some leaders are prepared to go further than others when it comes to engaging in debate. I also observe that there is currently an inquiry by the Committee on Standards in Public Life into abuse. Perhaps it could recognise of course that emotions will run high and that people will be passionate about the issue. We live in a mature democracy; we should be able to have our debates and discussions based on mutual respect and fact, but I am afraid, from things that my hon. Friend has described, that that has perhaps been missing.

In the short time I have left, I will just say that I hope the CCG brings forward its proposals as soon as possible, because the sooner the debate gets out in the public domain, the more informed it will be.

Question put and agreed to.

11.29 am

Sitting suspended.
UK Nationals in the EU: Rights

[Mr Gary Streeter in the Chair]

2.30 pm

Daniel Zeichner (Cambridge) (Lab): I beg to move, That this House has considered negotiations on the future rights of UK nationals in the EU.

It is a pleasure to serve under your chairmanship, Mr Streeter. I am grateful for the opportunity to consider the negotiations on the future rights of UK nationals in the European Union and I look forward to constructive clarification of the Government’s position on the matter from the Minister.

According to the United Nations Population Division, 1.2 million British people currently live in the European Union. The largest communities are in Spain, with 309,000 people; Ireland, with 255,000; France, with 185,000; and Germany, with 103,000. It is estimated that of those 1.2 million British people living in another European Union country, about 800,000 are workers and their dependants. It is worth pointing out that, contrary to widely held assumptions, only 20% are pensioners. Some 70% to 80% are working, often cross-border.

This subject is one of the most sensitive in the current negotiations, in part because it affects so many people directly. In yesterday’s debate in the main Chamber, I said that we should not be leaving the European Union. I will not revisit that point today, although I will say that it would be by far the simplest resolution to the problem facing some 4 million people. Today’s debate will be largely about UK citizens in the EU, but there is a clear link—reciprocity, to use the Government’s favourite term—between the two groups.

I have a particular interest because some 9,000 non-UK EU nationals live and work in and around Cambridge. Unison, the public service union that I worked for before entering Parliament, estimates that it has some 70,000 members who are non-UK EU nationals. Some from both those groups will be lobbying Parliament tomorrow, in an event organised by the 3 Million, British in Europe and others. I hope hon. Members will take the opportunity to meet them and listen to their concerns. I found the lobby in February quite harrowing, listening to people’s concerns—as I do for many of the people who visit my surgeries and are from families that face a completely unexpected and totally uncertain future.

I am conscious that many others wish to speak, Mr Streeter, so I will try to set out the current position succinctly. I will try to be balanced—as in any negotiation, both sides have taken positions that might look unfair to an impartial observer, and one hopes that the differences will narrow as the process develops. It is perhaps worth observing at the outset that the very idea of a negotiation on the future of 4 million innocent people leaves more than just a bad taste. As has been said many times, people are not bargaining chips. Many of us wanted an absolutely clear settlement at the outset, regardless of reciprocity, to give certainty and to calm fears. I was personally assured, as were others, by people close to Government that this would be achieved quickly—within months. That is not what has happened, and I fear that whatever is said, we are in a negotiation.

In the UK Government’s position paper published in June, “The United Kingdom’s exit from the European Union: safeguarding the position of EU citizens living in the UK and UK nationals living in the EU”, there is much about the position of EU citizens in the UK, although many of us were disappointed by the substance, and the reaction from the EU was not positive. Conversely, there is very little in that document on the future rights of UK nationals in the EU. The Government paper states:

“The Government’s objective is to ensure continuity in the immigration status of EU citizens and their family members resident in the UK before our departure from the EU (including their ability to access benefits and services). At the point that the UK leaves, EU citizens lawfully resident here (and their families) will be able to continue their activities in the UK. The Government will not discriminate between EU nationals from different EU member states in providing continuity for the rights and entitlements of existing EU residents and their families in the UK.

The UK fully expects that the EU and its member states will ensure, in a reciprocal way, that the rights set out above are similarly protected for UK nationals living across the EU before the specified date. Firstly, UK nationals in the EU must be able to attain a right equivalent to settled status in the country in which they reside. Secondly, they must be able to continue to access benefits and services across the member states akin to the way in which they do now.”

That is all fine, but it guarantees nothing at all. It is, as with so many of the other Government papers regarding Brexit, merely an expression of hope.

Sadly, the EU has made it crystal clear that the offer that our Government have tabled is not acceptable, and therefore reciprocal rights cannot be expected as no withdrawal agreement will be confirmed on these terms. Whether one has any sympathy with the EU position or not, that is the fact: there will be no reciprocity for UK nationals in the EU on the basis set out in June. Both sides are unwilling to make a unilateral offer, so there is no clarity for the 4 million.

Reciprocal rights are only a possibility if the EU thinks that the Government’s offer is sufficiently beneficial to the rights of EU citizens, and currently it does not. The latest joint technical document on citizens’ rights has been published. It sets out the UK and EU’s positions, helpfully highlighted in green for agreed positions, yellow for those that need work or clarification, and red for those on which the UK and EU disagree. Sadly, there was a lot of red. The lack of clear guarantees in the UK’s offer on comprehensive sickness insurance, future family members, the role of the European Court of Justice, administrative procedures surrounding the documentation that the UK proposes for EU settled citizens, criminality checks, healthcare, and rescinded status after two years’ leave, are all raised as problems by the EU. Equally, there is a range of issues on which the UK is unhappy with the EU offer, such as the residence rights of UK nationals within the EU, voting rights in local elections and the protection of posted workers.

There is a particular issue concerning those who on paper are British citizens, but who in some cases may not even have set foot in the UK. In the second round of negotiations, the UK proposed that children and other family members should have post-Brexit rights as “an independent right holder”. Currently, the EU position is that these citizens should have the status of “family member” post-Brexit. That implies that we could have a
situation where a child born to UK parents in the south of France, who is completely fluent in French and whose entire life has been made in France, could find themselves with no protection under the withdrawal agreement if their 18th birthday falls a few months after Brexit. In contrast, an adult who takes the last Eurostar to France the day before Brexit could receive more protections than that child. That does not seem acceptable to me.

It is possible that the imbalance of the number of EU citizens in the UK versus the number of UK citizens in the rest of the EU 27 can at times result in many forgetting that there are 1.2 million British citizens in Europe. That is 1.2 million people who have decided to start a career, enjoy their retirement, start a family or study, and essentially establish a life outside of the UK, because they have had the right to do so. Many British children have been born in EU countries to British parents and have not pursued the path of dual nationality because it was not necessary to do so. There was simply no need. What will happen to the rights of the children who turn 18 after Brexit? Some will argue that these children should seek dual nationality, but what about those living in Spain, Austria or the Netherlands, where dual nationality is not an option?

Kate Green (Stretford and Urmston) (Lab): I apologise that I cannot stay for the entire debate, Mr Streeter, but I am glad to have the opportunity to ask my hon. Friend whether he has also considered the potential conflict of law. Where a British child resident in another European country is involved in a parental dispute—separation or divorce—it may not be clear which legal system will prevail in deciding the family law issues.

Daniel Zeichner: My hon. Friend makes a very good point. Sadly, I suspect that we could spend much of the afternoon considering yet further such problems.

All these difficulties confirm what many of us have argued from the outset—that a negotiation would be difficult and a unilateral guarantee was needed, even just to get the discussion going. It is not about exchanging these rights for those rights, but about having a genuine conversation, trying to do the right thing, and moving into a position where we have a genuine discussion rather than get locked in to a winners-losers negotiation, which seems to me all too likely to remain deadlocked for a very long time, not least because there are many players involved.

I suspect that it is not always clear to everyone in Britain that it is not just the Commission negotiators who must be satisfied; the European Parliament has a key role as well, and it is not very impressed either. Guy Verhofstadt, the Parliament’s chief negotiator, has been fairly definitive. In his statement, he said:

“The European Parliament cannot be clear enough that sufficient progress means progress across the board, and not just in one or two areas.”

He clarified:

“To be precise, the European Parliament will remain vigilant regarding citizens’ rights and will continue to push for full rights for EU citizens in the UK as well as UK citizens in the EU. It is a core mission of the European project to protect, not to diminish, the fundamental rights of all citizens... The European Parliament specifically seeks to fully safeguard the rights concerning family reunion, comprehensive healthcare, voting rights in local elections, the transferability of (social) rights, and the rules governing permanent residence (including the right to leave the UK without losing this status). Simultaneously, we seek to avoid an administrative burden for citizens and want proposals which are intrusive to people’s privacy off the table, e.g. proposed systematic criminal checks. Last but not least, the European Parliament wants the withdrawal agreement to be directly enforceable and to include a mechanism in which the European Court of Justice can play its full role.”

For the Parliament to be satisfied, as it must be, movement is required on both sides, but I suspect that it will be harder for the UK Government, not least because of the Prime Minister’s continuing aversion to the European Court of Justice. In previous debates, I have described it as a fetish, but whatever it is, it is a problem. It is not just this Government’s Achilles heel; it is their Achilles legs, arms and body too, and it creates problems in considering directly the rights of UK citizens resident in EU member states.

If the European Court of Justice no longer has any jurisdiction over the UK’s treatment of EU nationals, a reciprocal agreement would work the same way for UK nationals in Europe. We are therefore leaving UK nationals vulnerable to the domestic laws and national courts of member states, without any protections. We need an international referee to ensure that countries comply with their obligations on citizens’ rights. The EU demands that it be the ECJ, but the UK Government say no, so what should it be? What is likely to be acceptable to both? The conundrum not only dogs this discussion but is a problem across the piece.

Turning to another problem, the UK’s creation of settled status comes saddled with a range of problems that, if reciprocated, will seriously compromise the rights currently enjoyed by UK nationals in the EU. The UK condition that EU settled status in the UK can be rescinded after two years’ leave is unacceptable to the EU, as well as to me and many others. To understand why, think of it in reverse: imagine a UK academic from my constituency, Cambridge, who has been living and working in Rome and who is offered the opportunity to do a different job at a UK university, on a temporary basis, for a couple of years. Would they take it, knowing that they might not be able to return to their home in Rome? That is not a hypothetical example but an everyday occurrence.

To be at the leading edge of research and study, we need global flexibility. It is not just about economics; there are many situations in which someone might have to move for a period of two years or more, such as for family reasons. We must think through the real-life consequences of the proposals. When we do, we can see the problem.

Thangam Debbonaire (Bristol West) (Lab): I apologise, Mr Streeter; I too cannot stay for the whole debate. A constituent of mine has told me about her son, who is married to a German woman and lives in Germany with her and their two young children. She says that it is all very unsettling. Does my hon. Friend agree that the lack of legal certainty is causing great distress, disrupting family life and disrupting people’s ability to pursue their careers?

Daniel Zeichner: I agree. The human cost has been completely underestimated. Whatever the final outcomes, the stress and unhappiness being caused now are real.
As I have said, the Government maintain that reciprocal arrangements are the way forward and will best guarantee the rights of UK citizens in the EU, but if our treatment of EU nationals here is seen to be ungenerous, where will that leave our people in the European Union? It need not even be by design. In the past month, some EU citizens in the UK have received mistakenly sent letters threatening them with deportation. We are told it was an error, but clearly we do not want that to be reciprocated. Sadly, the 3 Million campaign has been compiling compelling evidence of discrimination against EU nationals across employment, housing and a range of services ever since the referendum. We do not want that reciprocated either.

Last week, the Home Office’s immigration plans were leaked. Many people—rightly, in my view—reacted with outrage. Are we really going to restrict the rights of EU family members to enter and remain in the UK, and police that with biometrics? Is that the kind of treatment that we want reciprocated?

Dr Rupa Huq (Ealing Central and Acton) (Lab): My hon. Friend is describing convincingly this Government’s catalogue of errors involving leaks and letters wrongly sent. Regarding discrimination, is he aware of the figures released by the House of Commons Library? In 2011, 49% of British citizens living elsewhere in the EU were over the age of 50, compared with only 15% of EU nationals here. In our aging society, age discrimination is another thing to consider.

Daniel Zeichner: I was not aware of that statistic, but it helps to build a powerful and compelling case. I suggest that in general the Government need to rethink their tone, strategy and approach to the negotiations, as well as their aims, because progress so far has been so slow.

Last week, the Conference of Presidents of the European Parliament met and published a statement which said that,

“a clear majority of group leaders were of the view that continued lack of clarity or absence of UK proposals on separation issues as well as the latest developments in Brexit negotiations meant that it was more than likely the assessment on ‘sufficient progress’ on the first phase of Brexit negotiations is unlikely to have been met by the October European Council.”

Progress is likely to remain glacial, which takes me back to the point about the uncertainty that many people face. Although progress may be glacial, fear and uncertainty will certainly not grow as slowly—quite the opposite. The millions of people affected by the failure to secure a settlement deserve better. It is not too late for our Parliament to demonstrate that there is a better way. There is a better way. Progress is likely to remain glacial, which takes me back to the point about the uncertainty that many people face.

Although progress may be glacial, fear and uncertainty will certainly not grow as slowly—quite the opposite. The millions of people affected by the failure to secure a settlement deserve better. It is not too late for our Government to change tack and realise that a generous unilateral offer is far more likely to secure progress than a bit-by-bit, step-by-step battle of attrition. I look forward to hearing the Minister’s reply. He is a decent man, and I live in hope that he might surprise us, but I suspect that he may not be in a position to do so.

2.47 pm

Sir Roger Gale (North Thanet) (Con): I apologise, Mr Streeter. I mean no discourtesy to the hon. Member for Cambridge (Daniel Zeichner), the Opposition spokesman, my hon. Friend the Minister or you, but the curse of conflicting appointments has landed on me, and I must be elsewhere at 3.30. I will stay and hear as much as I can of the debate in the meantime.

I am acutely aware of the importance of the EU citizens employed in my constituency. If I removed the EU citizens among the ancillary staff in my hospital—never mind the highly qualified surgeons and others—the hospital would shut. If I removed the equivalent people from the care homes in my constituency, those would shut. If I removed the Lithuanian bakers from Speciality Breads, an excellent and award-winning company in my constituency, that company would have great difficulty finding replacements. The largest greenhouse complex in Europe is in my constituency. It is the size of about six football pitches and grows tomatoes hydroponically, 24 hours a day, seven days a week. Those tomatoes are harvested by Poles and Romanians. Why? Despite my requests and the company’s endeavours, it cannot recruit British labour to do the job, not because of price but because it is hard work and there are not enough people available to do it.

I accept entirely the arguments about the necessary people—not merely the highly qualified and skilled, but the semi-skilled and unskilled—from the European Union and beyond who work, live, enjoy life and pay taxes in this country. However, this debate is about the plight—I use the word advisedly—of United Kingdom expat citizens living in what will be the remaining 27 member states of the European Union. Most of them are in France and Spain; significant numbers are in Italy and Greece, and there are many others dotted around.

There is an imbalance of about three to one between European Union citizens living in the United Kingdom and Brits living throughout the rest of the European Union. Moreover, the European Union citizens—and large, but not exclusively—are working. The overwhelming majority of the UK citizens are retired, so they have much less room for manoeuvre, and they are very frightened people.

Peter Grant (Glenrothes) (SNP): I have certainly seen evidence to suggest that the age profile of UK citizens living overseas is different from that of EU nationals living in the UK. What is the evidence for the hon. Gentleman’s assertion that the overwhelming majority of UK citizens in the rest of the EU are retired? I think those were his exact words.

Sir Roger Gale: I think I am right that the hon. Member for Ealing Central and Acton (Dr Huq) referred to the House of Commons Library, which provided those statistics, but my evidence is from my own eyes—

Dr Huq: The figures from the Library said that 21% of UK citizens in the rest of the EU are over 65, so that is not a majority. The 49% figure is for over-50s, who may be economically active and contributing, paying taxes and all those things.

Sir Roger Gale: I think we can accept—well, maybe we cannot, but I accept from personal knowledge—that most Brits who live in France outside Paris and in Spain outside Madrid, as the majority do, are not necessarily over retirement age but are retired or semi-retired. Some are working online. There is a significant number of them, and they are frightened people.

I have become involved because many years ago, under the last Labour Government, I had to fight a battle to secure payment of disability living allowance as an exportable benefit to UK citizens living in the
European Union. That decision was taken by the European Commission. Shamefully, and in spite of the best efforts of the then Minister Jonathan Shaw—a very decent man and a personal friend—it took us a long time to secure the payment, but eventually it was made. Within the European Union, there is an understanding that certain benefits are exportable, mainly the disability living allowance—now the personal independence payment—attendance allowance and carer’s allowance. Mobility allowance is not a health benefit and therefore not exportable. That was another battle that we fought but lost.

A significant number of UK citizens are receiving those benefits throughout the European Union. Contrary to popular belief, they are not rich retired people living on yachts in Cannes sipping gin and lying in the sun. Generally, they have worked in the United Kingdom all their lives, paid their taxes and national insurance contributions and for whatever reason—perhaps health, or the climate—found it desirable to live in the Mediterranean or in France. They have no flexibility in their incomes, which have fallen quite dramatically because of the fall in the pound, as many of them are living on United Kingdom state retirement pensions and little else.

If I say to hon. Members that those people live in genteel poverty, I mean it. It is genteel because they have a roof over their heads and they own their property, but having sold up and moved out from the United Kingdom, they are now faced with a choice between a rock and a hard place. Do they stay and face losing perhaps their healthcare and certainly their exportable benefits?

Kate Green: I agree absolutely that there are no guarantees that UK citizens will continue to receive those benefits after exit, because many benefits depend on reciprocal arrangements. Is the hon. Gentleman saying, as I would, that the UK Government should now make it clear whether they intend to continue those benefits for UK citizens in the rest of the European Union after Brexit, irrespective of what the EU 27 decide in respect of their nationals?

Sir Roger Gale: I entirely support the Government’s line in respect of the need for a reciprocal deal.

Kate Green: So, no.

Sir Roger Gale: Not just no—it happens to be the case that many people who live in mainland Europe could not, for example, secure private healthcare insurance at their age, in any meaningful sense. That may not be the case for the 3 million people from the rest of the European Union living in the United Kingdom, many of whom are working. There is a disparity between the two causes.

I chair the all-party parliamentary group on frozen British pensions. As hon. Members will know, significant numbers of elderly people who paid their taxes in the United Kingdom all their lives have moved to Canada, Australia or New Zealand and found their pensions frozen at the point of departure because we have no reciprocal agreement. That is why this point is so important. We do have a reciprocal agreement with other countries, such as the United States, so pensions there are uprated.

This results in the ludicrous situation in which a pensioner living in Canada on one side of the Niagara Falls has a frozen pension, but another on the other side of the falls, 200 yards across the river in the United States, has an uprated pension. There is a real danger that if we cannot reach a bilateral agreement with the 27 other member states, we could find ourselves with pensioners moving to or living in other countries in the European Union with frozen pensions.

These are significant issues. There are a significant number of frightened people who want and need answers urgently. I am aware that I have taken up a lot of time, and I apologise. I would welcome the opportunity to discuss these matters in person with my hon. Friend the Minister.

Several hon. Members rose—

Mr Gary Streeter (in the Chair): Order. There are six or seven colleagues trying to catch my eye, and the wind-ups begin in 35 minutes, at 3.30 pm, so I ask hon. Members to restrict themselves to about six minutes each.

2.56 pm

Dr Roberta Blackman-Woods (City of Durham) (Lab): May I say what a pleasure it is to serve under your chairmanship, Mr Streeter? I congratulate my hon. Friend the Member for Cambridge (Daniel Zeichner) on securing this important debate and on his powerful opening speech.

I wish we were not having this debate. It is an absolute disgrace that, 15 months after the referendum and six months after article 50 was triggered, so little progress has been made on a reciprocal citizens’ rights deal, despite three rounds of negotiations between the Secretary of State and his European counterpart.

As the UK and EU’s joint technical note recently showed, there are still several areas of disagreement on the future rights of EU nationals here and UK nationals in the EU, including future family reunions, the cut-off point for settled status, rights of onward movement within the EU, and legal avenues to enforce rights. A British national who lives and works in Italy, for example, may move freely to other EU countries to live and work, but has no guarantee of maintaining those rights after Brexit, not least because our Government have not made a similar reciprocal offer. For example, a German university lecturer in my constituency—there are a number of them—is currently allowed to spend a few years working on a research project somewhere else in Europe and then come back freely to Durham to continue his work at the university, but we simply do not know whether he will be able to do so in future.

My second area of concern relates to the avenues of legal redress available to UK nationals living in the EU after Brexit. The Prime Minister seems to have an ideologically imposed red line regarding the role of the European Court of Justice after Brexit. If the UK leaves the EU and its courts, and the Government enshrine citizens’ rights in UK law, to be enforced by UK courts and some kind of independent monitor, UK nationals in the EU could lose the right to take cases to a higher European court. They will then have recourse only to the national courts of the country they are in, which may not be able to enforce the rights given by any agreement between the UK and the EU. Labour wants
the Court of Justice of the European Union, or a similar court-like institution, to oversee compliance with any future agreement.

The Government could have made all this easier by making a unilateral offer to guarantee EU nationals in the UK their existing rights, which is what a Labour Government would do. That would not only have been the right thing to do morally, by providing assurances to the 3 million EU citizens who have made their lives in the UK and who have been left in a limbo and unsure as to their future status; it would also have been a good gesture with which to begin negotiations and would make it simpler to seek reciprocal rights for UK citizens in the EU. Instead, 3 million people living in the UK and 1.2 million UK nationals in the EU have been used as bargaining chips by the Government in their negotiations, which is simply outrageous.

We all know from work in our constituencies that EU nationals make a large contribution to our economy and society. As I mentioned in the Chamber yesterday, there are 2,500 European workers in the health and social care industry in the north-east, carrying out vital services in our community. However, we should not value people only by their economic worth or the services they carry out; they are members of families, friends, neighbours or colleagues. They are close to us. The lack of clarity and the limited offer from the Government are causing anxiety and anguish.

Andy Slaughter (Hammersmith) (Lab): My hon. Friend is making an excellent point and I hope the Government are listening, because this issue is absolutely fundamental. More than one in seven of my constituents is an EU national and most of them are living in a relationship, or simply sharing property, with UK citizens. Even though I was not seeking to canvass them, this was the biggest issue on the doorstep at the election. It is a constitutional outrage that we are putting millions of people—people who are productive but who also want to make their home here—in this position.

Dr Blackman-Woods: My hon. Friend makes a really excellent point, and I hope that the Minister is paying attention to it. I think we have all had hundreds of letters and emails from constituents who are EU nationals asking that the Government guarantee the rights of EU citizens in the UK.

Deidre Brock (Edinburgh North and Leith) (SNP): Anecdotally, I have been told of job adverts that contain the words, “Europeans need not apply”. There seems to be increasing evidence of discrimination and hostile working environments for EU citizens living in the UK. Will the hon. Lady condemn in the strongest terms the Government’s lack of action to tackle this, to make sure that the UK remains a place that people want to come to, and to send the message that all citizens are equal?

Mr Gary Streeter (in the Chair): I call Roberta Blackman-Woods—30 seconds, please.

Dr Blackman-Woods: I think that what the hon. Lady describes is a challenge to the Minister.

As I was saying, many of our constituents are very worried that they will have to uproot their families by the end of March 2019. That is only 18 months away and it is completely wrong that people’s lives are still being negotiated over, which is causing this amount of concern. I hope we get some reassurances from the Minister that the Government are making progress and that we will get details of a reciprocal agreement very quickly, so that we can put at rest the minds of our constituents and those of UK citizens in the EU.

3.3 pm

Joanna Cherry (Edinburgh South West) (SNP): I will start by being quite clear about one thing: the rights of UK citizens living in the European Union have been put at risk by the vote that took place 15 months ago. If the British Government cared so passionately about the rights of those UK citizens living in other EU states, why did they not give them a vote in that referendum? However, we are kind of beyond that now. Like many other people in this Chamber, I am sure, I wish we were not where we are now, but we are where we are. As has already been said very eloquently by the hon. Member for City of Durham (Dr Blackman-Woods), we are 15 months down the line, we are well into the negotiations, and we still have no certainty about the position of UK citizens living in other EU states or the position of EU nationals living in the UK.

My constituency email box is full of emails about EU nationals who live and work in Edinburgh South West and who are uncertain about their ongoing position, but I am also starting to get quite a lot of emails from former constituents who now live abroad—UK citizens in the EU—who are worried about their position. I will quote from a typical email, which I received earlier this week when the correspondent realised that this debate was happening. A former resident of my constituency who is now resident in France, she is very worried and uncertain about many things. Here are some of the questions that she raised:

“Will my British son be able to attend University in Edinburgh post-Brexit...without having to pay prohibitive ‘international’ fees?...will my daughter, currently training as a nurse, be able to choose to work in France after her course, which ends after Brexit?...will my husband and I be able to aggregate our pensions (we have paid contributions in both the UK and France) and retire in the country of our choice?...as our parents age, will we be able to bring them to France to look after them, or alternatively, would we be able to return to the UK to look after them, perhaps for several years, without losing our right to live in France?...will my daughter’s French girlfriend be able to settle with her in the UK if that is what they want to do?”

These are all perfectly legitimate questions to which, prior to the uncertainty created by the EU referendum, there would have been certain and clear answers—one of the many joys of the EU. Now, however, as a result of a referendum that was fought in a void of information, people asking such questions are gravely uncertain.

The United Kingdom created this problem and it is incumbent upon us to make a generous gesture to try to resolve it. I and other Scottish National party MPs have said many times on the Floor of the House and in hustings throughout the election campaign that Government Members often say to us, “If you make a unilateral guarantee to EU citizens living in the United Kingdom, then you are selling down the river the rights of UK citizens living in Europe.” My reply to Government Members is, “No, because we started this problem. We started it and it is incumbent upon us to make a generous gesture.” We are constantly told by the Brexiteers and some Government Members that the UK has so...
[Joanna Cherry]

much to gain from these negotiations and so much to offer the EU that the EU will be desperate to give us the terms that we want. If that is the case, why not make a generous gesture?

People should not just take my word for this. In the last Parliament, my hon. Friend the Member for Glenrothes (Peter Grant) and I sat on the Exiting the European Union Committee. That Committee produced a unanimous cross-party report that made the following recommendation:

“EU nationals in the UK and UK nationals in the EU are aware that their fate is subject to the negotiations. They do not want to be used as bargaining chips, and the uncertainty they are having to live with is not acceptable. Notwithstanding the assurance given by the home secretary, we”—

the cross-party Committee—

“recommend that the UK should now make a unilateral decision to safeguard the rights of EU nationals living in the UK.”

We made that recommendation because we had heard evidence from UK citizens living in the EU that that was what they wanted. It was not just the odd random person who came to give evidence to us. We took evidence from UK citizens representing groups of British people resident in France, Italy, Spain and Belgium, and to a man and a woman they said that they wanted this unilateral guarantee to be given. Let us stop messing about and using people as bargaining chips. Let us make that unilateral guarantee without further delay.

3.8 pm

Matt Rodda (Reading East) (Lab): I congratulate my hon. Friend the Member for Cambridge (Daniel Zeichner) on securing this debate. I will address the reality of the issue rather than some of the myths around it. I represent Reading, a town with a large population of EU nationals who play a significant role in our local NHS, in the IT industry that is a core part of the town’s economy and in many other services. I should also declare a personal interest in that my sister-in-law is German and she too is facing deep uncertainty at the moment.

I was concerned last week when a document entitled “Border, Immigration and Citizenship System After the UK Leaves the EU” was leaked by the Home Office, because it gave a very unfortunate window into the Government’s thinking on this important matter. In the document, it was proposed to drive down the number of EU migrants by offering them residency for a maximum of only two years, and it was suggested that only those in highly skilled occupations would be considered for permits that would stretch that period for a few more years, despite the repeated warnings from business and the public sector of the significant negative impact that that would have. That is of great concern, and I hope the Government will rethink.

The document also describes a phased introduction to a new immigration system that ends the right to settle in Britain for most European migrants and places tough new restrictions on their rights to bring family into this country. That could lead to thousands of families being split up. This is serious: such a heavy-handed approach drives a cart and horses through both businesses and families in my constituency and across the UK. The ill will generated by such an approach would harm our remaining negotiations with the EU.

Having stepped down from threatening the EU with no deal, I urge the Minister to be more collegiate in his approach. He should denounce the paper and take a more even-handed and much more reasonable approach. Perhaps he should listen to the Labour proposal and offer unilateral guarantees, to create a climate of good will and a positive negotiation with our European partners.

3.10 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter.

On Second Reading of the European Union (Withdrawal) Bill last night, this House voted to pursue one of the most treacherous attacks on our democracy that we have seen for many decades—and that is the constitutional experts speaking. In the debate, many Members also addressed the substantive issue of the impact of an uncertain, disorganised, panicky, unplanned Brexit on all of us—on our lives, our economy, our jobs, our rights, our protections and our standards. The debate today is on just one aspect of the implications of Brexit. I thank my hon. Friend the Member for Cambridge (Daniel Zeichner) for securing this debate and British in Europe for its excellent briefing.

For 40 years, UK citizens have been able to travel to and move freely in and around the EU. An estimated 1.2 million UK citizens live there now, and about 3 million EU citizens live in the UK. Like other colleagues who have spoken today, I also have a large number of EU nationals living in my constituency who have written to me about their concerns. All of those 4 million-plus people are employees, or they have set up businesses, or they are studying, or have retired, or have married cross-nationally. Many European and UK citizens have parents of different nationalities, so they start their lives seeing their future rooted in more than country.

Since the referendum last year, the threat to freedom of movement has meant that UK citizens who move country may have to worry about visas. They benefit from many reciprocal arrangements such as in health and social care. Their nationality until the referendum has been no bar to owning property or setting up businesses, or to developing a career and moving up the career ladder at work. They have been able to plan and have a family, build friendships, get healthcare and benefit from local community services for themselves and their children and often for their parents, too. They can grow old, knowing they can benefit from reciprocal health and social care arrangements. They can come and go between their current home country and their original home to return permanently or simply to visit friends and family.

Let us remember that many UK nationals in other EU countries have set up businesses that support us British when we go on holiday, whether we are going to the campsites of the French coast, on pilgrimages to Lourdes, on city breaks, or skiing in the Alps. British-owned businesses play an essential part in local economies, providing employment for UK and local young people. My son spent four months working in France before he went to university. The uncertainty also affects UK people living here and planning their future. I met a couple at the weekend who have lost work contracts because of Brexit. They wanted to bring forward their retirement to France, but now they are uncertain about
what that will mean. Brexit has put an end to all planning. Investment, certainty and security are all out of the window. Fifteen months have elapsed since the referendum result, but we still have no more certainty from Government, so I look forward to what the Minister will say today. The referendum result was bad enough for all those people, but the Government’s shambolic approach to all things Brexit has made everything even worse.

The British in Europe group briefing raises a host of concerns very eloquently: not just the lack of detail on proposals, the ring-fencing on citizens’ rights, cut-off dates and the jurisdiction of the Court of Justice of the European Union, but specific concerns about equal treatment, the reunification rights of family members, especially children, settled status, work and professional qualifications, and planning for students. For the sake of the wellbeing of the 4 million-plus UK citizens living in other EU countries, and EU citizens living here, as well as their families, their employers and employees, Labour Members seek a full and unconditional offer on citizens’ rights. The Prime Minister’s limited and conditional offer on such rights is too little, too late. The Government’s threat to walk away with no deal risks leaving British citizens living in the EU in a legal limbo.

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Cambridge (Daniel Zeichner) on the considered way he presented his thoughts. This aspect of Brexit is incredibly important. It is about the reciprocal arrangement that needs to be in place to ensure that the people who live, work and play a part in our local economy can and will continue to do so, as will British nationals living and working in the EU and making contributions to their local economy.

Hon. Members know that I supported leaving the EU. I am a confirmed Brexiteer and my constituency is of the same mind, but I recognise the issues for EU nationals in my constituency. It seems the situation will be mutually beneficial—indeed, that is what the figures indicate. As usual when it comes to European issues, Brexit gives more than it receives. The latest available data suggest that in 2015 there were around 1.2 million British citizens living in EU countries compared with 3.2 million EU citizens living in the UK. It is not hard to work out that it is in everyone’s interest to make arrangements to continue to benefit those who are working.

Peter Grant: I am puzzled and a little concerned about the hon. Gentleman’s analysis. The claim that Britain gives more than it receives in relation to EU migrants falls back on the fact that there are more EU nationals in the UK than there are UK nationals in the EU. That implies that immigrants take from communities rather than put back into them, but in my constituency, immigrants who have come into Glenrothes in the centre of Fife from the European Union have contributed greatly. I want them to continue to do so for the foreseeable future.

Jim Shannon: In two seconds I will be saying the same thing. I have been very clear from the outset of Brexit that our leaving Europe is not a purge of non-British people from our shores. It is the ability to ensure that those who come here and make the most of what we have to offer also give back locally. In the two major sectors of agri-food in my constituency of Strangford, 40% or 50% of the workforce is European. They are needed, so we sought assurances from the Prime Minister. When the right hon. Member for South Northamptonshire (Andrea Leadsom) was Secretary of State for Environment, Food and Rural Affairs, she visited my constituency at my invitation. She understood the issues, although we did not get assurances from the Prime Minister or the Minister at the time.

It is important to mention that the people who live in the Republic of Ireland can travel across to Northern Ireland to work, and people in Northern Ireland can travel across to the Republic of Ireland to work. The hon. Member for North Thanet (Sir Roger Gale), who spoke earlier, referred to nurses in hospitals and care workers. Such matters are important for me as well.

The current system as described in the briefing paper shows that free movement is central to the concept of EU citizenship. It is a right enjoyed by all citizens of the European Union. All EU citizens have a right to reside in another EU member state for up to three months without any conditions other than the requirement to hold a valid identity card or passport. After three months certain conditions apply, depending on the status of the EU citizen and whether they are a worker or a student. Those who opt to exercise their free movement rights are protected against discrimination in employment on the ground of nationality. The provisions in relation to social security are clear. EU citizens who have resided legally for a continuous period of five years in another EU member state automatically acquire the right to permanent residence. To qualify for permanent residence, students and the self-sufficient must possess comprehensive sickness insurance cover throughout the five-year period. I mention the stats because it is important to have them on the record.

It is clear that the Government’s White Paper that was published in June, which sets out proposals for the status and rights of EU citizens in the UK after the UK’s exit from the EU, allows for those who are EU citizens present in the UK before a cut-off date and with five years’ continuous residence in the UK to apply for a new settled status that is akin to an indefinite leave to remain. I need the provisions to continue in my constituency.

I am conscious of time, so I will conclude. I know we are all aware of these points, but they bear repeating out loud. I do not see how anyone can have a problem with securing our shores and ensuring that those who live here, work here and pay in here have protection. By the same token, it should naturally apply that those who live and work in Europe should have the same protections. I know that the Minister is a fair, honourable and compassionate man. I look to him for a way forward, to alleviate the fears of hon. Members on this side of the Chamber. My mum was a great person—mums are great people, because they always tell stories about what is important. She always said that what is good for the goose is good for the gander. If we are going to allow 3 million people to remain here to live and work, surely 1 million Brits in the rest of the EU can do the same.

Anna McMorrin (Cardiff North) (Lab): I congratulate my hon. Friend the Member for Cambridge (Daniel Zeichner) on securing this important debate and making
such forceful opening comments. The Prime Minister’s limited and conditional offer on citizens’ rights is too little, too late. EU nationals in the UK and UK nationals in the EU must not be used to bargain with. We are playing with human lives. The Government’s threat to walk away with no deal risks leaving British citizens who live in the EU in a legal limbo.

I am fortunate that in my 20s I went to live and work in Madrid. It was an easy transition and I was proud to be an EU citizen, able to work in one of the many EU countries. I would like my daughters to be able to do the same, but the Government’s threat to walk away with no deals risks leaving British citizens in strife. As has been mentioned, it would have a huge human impact. We have heard examples. Many EU citizens live in my constituency and they are deeply concerned about the Government’s haphazard and harmful approach to the negotiations and towards citizens’ rights. Cardiff North is a deeply diverse and happy community, with citizens of many EU countries living and working alongside each other. Yet from the outset the Government set themselves against those people, communities and families, and the businesses that depend on them. The heavy-handed, arrogant approach has left many wondering what that will mean for them and their right to live and work in the UK.

I have been contacted by many constituents who are deeply worried by the situation. Katrin is a German citizen. She has lived and worked in the UK for 14 years and is worried—anxious beyond belief—about what the situation means for her. She was granted a British passport for her daughter, but is now being asked by the Home Office to submit a new application for permanent residency. She has no stability and is anxious about her future. That is happening at great emotional and financial cost to her family.

Jamie is a taxi driver. He and his wife moved here from Madeira in 1991. Both their daughters were born in the UK. In October 2016 Jamie and his wife applied for permanent residency and his wife was successful. The Home Office refused him, saying that his employer could not provide enough evidence that he was a resident. All the people I have mentioned are understandably worried, and cannot get the answers that they need.

Those two examples are a drop in the ocean of emails that I receive—I am sure that many colleagues receive such emails as well. It is a disgrace that we do not yet have an agreement to put an end to the uncertainty. As has been said, it is 16 months since the referendum and no progress has been made on reciprocal rights, so I urge the Government to set out a clear position and outline a reciprocal deal to give certainty and reassurance to all the people affected.

3.24 pm

**Bambos Charalambous** (Enfield, Southgate) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter.

In August, I visited Cyprus, where my parents were born. During my visit I had the pleasure of meeting the British high commissioner. I was surprised to learn from him that more than 40,000 UK citizens live in Cyprus, which, as hon. Members will be aware, is an EU member. Some of those 40,000 citizens are retired people who have decided to spend their autumn years in the glorious sunshine by the Mediterranean, enjoying the delights that the island has to offer. All is well and good, as long as we remain in the EU, but a number of unanswered questions are causing great uncertainty and concern.

The fear is that, to get tough on immigration, the UK Government could marginalise those UK citizens’ rights. For example, at present EU citizens automatically have the right to have an elderly parent, sick relative or EU spouse join them in the UK, and that is reciprocated in other EU countries. If that were to be curtailed it could have a devastating effect on UK citizens settled in EU countries, who would not be able to have their family members join them. In June the Prime Minister rejected the EU’s offer that the rights of all EU citizens affected by Brexit, including those of UK nationals living in other EU countries, should be protected for life. She made in return a far weaker proposal, which left UK citizens abroad concerned and confused as to why the UK Government was throwing away their rights.

Healthcare is another issue of great concern to UK citizens living in the EU. As we get older we tend to be more reliant on healthcare, and it is of huge benefit to have the blue European health insurance card. I have one here, and it means that were I to fall ill abroad I would get the healthcare I needed, even without travel insurance. Settled UK citizens living in EU countries, who might have long-term ailments and conditions, could find that the withdrawal of that benefit was critical to their health. Would they have to go back to the UK to receive medical care? What if they were not registered with a GP? Would they be able to get access to the treatment they needed in the UK? At present the UK reimburses UK pensioners if they are treated in another EU country, but if that arrangement were stopped and the UK citizen’s sole income was the state pension they could be left with crippling hospital bills to pay. What if the UK citizen was married to a non-British, non-EU citizen? Could they bring them back to the UK, if they needed urgent medical treatments there?

There are many other unresolved issues in the negotiations, such as the mutual recognition of professional qualifications for workers, the complexities of the two-year rule and the rights of frontier workers, to name but a few. The bottom line is that the Prime Minister and her Government have been woefully bad at negotiating a good deal for UK citizens abroad, by trading away their rights for the chance to control immigration. The offer of protection for the existing rights of all EU nationals affected by Brexit should have been grabbed by the Prime Minister with both hands. At a stroke, that would have reassured and calmed the fears of UK citizens and EU nationals living in the UK.

**Dr Huq:** What does my hon. Friend make of an email that I had from David Hulmes, an ex-constituent, now in Lyon in France, who says that the EU position was initially generous but seems to have hardened? The reason he gives is the settled status after Brexit, which is insulting, inhuman to people who have been living here for years, and should be scrapped.

**Bambos Charalambous:** I am in total accord with my hon. Friend’s very good point.
People who have been resident in the UK for many years have received deportation letters. One of my constituents received such a letter after being resident for more than 20 years. The argument that the Prime Minister and her team would be able to negotiate a better deal for UK citizens living in EU countries is fanciful at best. All that seems to have happened since article 50 was triggered is that we are all six months older. The Government need to wake up to the fact that it will be expected that reciprocal arrangements will be made with the EU negotiators, and that the rights of UK citizens living in EU countries and EU nationals living in the UK must be protected. Anything short of that will be seen as a serious failure.

3.29 pm

Peter Grant (Glenrothes) (SNP): Like many who have spoken today I appreciate the chance to speak in the debate, but am deeply angry that it is still necessary, because the questions should have been settled on 24 June, not left unsettled and uncertain 15 months later.

I do not see any conflict, or any need for a trade-off, between the rights of people from one country living in another and the rights of people from that other country living in the first. The UK Government should have unilaterally and immediately moved to give absolute guarantees, not to give rights to European Union nationals living here but to respect the rights they already have and always will have, and they should have done so not to use that as a bargaining position or a negotiating manoeuvre but because it was morally and ethically the right thing to do. The Governments of the other EU nations, individually and collectively, should also have moved quickly, to give unconditional guarantees to respect the rights of UK citizens living in their countries, not because it would have looked good on the negotiating table but, again, because it was morally and ethically the right thing to do.

However, we should not lose sight of the fact that the majority of the burden to fix the mess must rest with the UK Government; let us face it, the UK Parliament created this mess. No one in Europe asked for an EU referendum. No one in Europe asked the Prime Minister to make the unilateral decision that leaving the EU meant leaving the single market—that was not even a question on the referendum. We have never had a vote by the people of these islands on whether they want to leave the single market, or whether they want to give up on the benefits of the free movement of people.

I do not have time to comment on all the contributions we have had, but we have heard many interesting comments from Members on both sides of the Chamber, complimenting, for example, the significant benefits that EU citizens bring to each and every one of our constituents. I was disappointed that the hon. Member for North Thanet (Sir Roger Gale), who is no longer in his place, propounded and compounded the old myth that the vast majority of people from the UK who live abroad are retired, with the implication that somehow they do not really contribute to their host nations. They do. Their contribution is different perhaps to that of EU nationals to the UK, but it is still a contribution, and such people are often greatly valued by the countries in which they live.

Carol Monaghan (Glasgow North West) (SNP): Does my hon. Friend share my concern that walking away with no deal threatens Scotland’s world-leading higher education and research sector? Our researchers have to be able to move freely to the EU, and European researchers to our universities and research centres, so that we benefit mutually from the expertise.

Peter Grant: I absolutely agree, and it is not only Scotland’s exceptional universities that are under threat; every research-based university and institution in the United Kingdom is in danger of losing out because of short-sighted folly.

One thing the debate has demonstrated is the absolute folly of those, particularly on the Tory Benches, who still try to tell us that we could just walk away today without a deal and it would make no difference. What a betrayal that would be of the 4.5 million people who, right now, are worried about whether their basic human rights will be respected: the right to continue to live in the house they already live in, and the right for their children to keep going to the school they already go to and keep playing with the same friends. Those rights are not ours to give and take away; they are rights that people have because they are human beings. For Ministers even to use phrases like “bargaining chips” to deny that they are treating people as such, makes it clear that somewhere, deep down inside, that is part of the thinking.

Every time we have discussed in the Chamber the rights of EU nationals living in the United Kingdom, the chorus of protest from the Conservative Benches has always been, “We are very concerned about the rights of UK citizens and UK nationals living in the European Union.” Today, those Members have been given a full 90-minute debate in which to express those concerns, and where have they all gone? They can turn up in their hundreds in the middle of the night to vote for the process to start removing the rights of those UK nationals, but when it comes to speaking out for them it is another matter. I can understand that some of them had other things to do, but when 320 of them cannot stay for the full 90-minute debate, that tells us more about where their beliefs and values really lie than anything we might say.

It is now six months since the Brexit Secretary told us that reaching an agreement on the rights of nationals in each other’s countries would be “the first thing on our agenda”.

He went on to say:

“I would hope that we would get some agreement in principle very, very soon, as soon as the negotiation process starts.”

We are now a third of the way through that negotiation process, and the Library, in analysing the joint technical note of 31 August 2017, has indicated that there are five areas on which agreement is close and 20 on which it is nowhere near. In other words, in one third of the available negotiating time the progress on our No. 1 priority is that 80% of it is nowhere close to being agreed. That is what happens when human beings are used as bargaining chips instead of saying, right at the beginning, “This is what we’re going to do because it’s the right thing to do.”

We should never forget that the position of the UK Government in relation to the two sets of citizens is very different: we can ask other people to respect the
rights of UK nationals living overseas, but we can absolutely guarantee the rights of non-UK nationals living here. Once again, I repeat the call for the UK Government to do that, not because it might make the Europeans do something we want them to do but because morally it is the only acceptable course of action.

The debate should have concluded on 24 June. The reason it has not is that the Government’s obsession with being seen to get hard on immigration has got to the point where any price, but any price, is worth paying. The economic price of losing our membership of the single market will likely be counted in hundreds of thousands of jobs and losses of tens—possibly hundreds—of billions of pounds to our economy.

Deidre Brock: My hon. Friend will be aware that the insurance giant, Chubb, is just one of the latest large companies to announce plans to move their headquarters from London—to Paris, in this instance—after Brexit. Would he consider it likely that those EU nationals who can still come to the UK—and still want to—might not have jobs to come to?

Peter Grant: It is not just that they might not have jobs to come to; the question is why on earth they would want to come when they look at the welcome they get from a leaked Government draft proposal that wants to start discriminating against people depending on the letters after their name, or when they have seen the unbridled joy on the faces of Government supporters when it was announced that every week since the referendum has seen a reduction of 1,000 in net migration from the European Union. In other words, the Government’s message to EU nationals is, “We are going to say that you’re welcome, but we’re actually happy that every week 1,000 people just like you have given up on the UK and gone to live somewhere else because they no longer feel they have a welcome future on these islands.” That should make us all feel utterly ashamed.

At its heart, the European Union was set up primarily as a trade union, an economic union. It is described as a political union, which it clearly is not. Fundamentally and most importantly, the European Union is now a social union, about the ever closer union of the peoples of Europe. Who could possibly want to see further division between those peoples? Union between the peoples of Europe should be what we all strive for. The hon. Member for Cardiff North (Anna McMorrin) hit the nail on the head perfectly in the first few minutes of her speech—and, indeed, in the rest of it. We have spent far too long talking about constitutions and politics, quotas and legislations, and not enough talking about human beings. Today, we are talking particularly about the plight of well over a million human beings who just happen to have birth certificates that say they were born in these islands. Their rights are important, as are those of the 3 million people who live here but were born elsewhere, and those of the 60 million people who will have to cope with the aftermath of this mess, long after some of us are no longer here.

I hope that there is still time for the Government to wake up to the folly of what they are doing. It is not too late for them to say, “We have messed up completely; the only way to get out of this mess is to agree to remain in the single market and to agree that the free movement of citizens between the nations of Europe should continue in perpetuity”.

3.39 pm

Paul Blomfield (Sheffield Central) (Lab): It is a pleasure to wind up the debate with you in the Chair, Mr Streeter. I congratulate my hon. Friend the Member for Cambridge (Daniel Zeichner) not only on securing the debate but on his characteristically comprehensive introduction to the issues that UK nationals in the EU face. I am also pleased by the level of interest that Members have shown in this debate, at least on the Opposition Benches. It is disappointing to see the Government Benches empty and the contributions of Conservative Members who seek to champion the rights of our citizens so limited.

Since the referendum, we have clearly been b...
deportation, despite assurances I received from the Home Office—we have raised this issue from the Opposition Front Bench—in a written answer back on 30 March that that would not happen.

We have also had the appalling dossier from the 3 Million compiling discrimination against EU nationals in work, goods and services in the UK. I first took that issue up with the Minister’s colleagues in the Department for Exiting the European Union, and I received no commitment for action. The Minister is raising his eyebrows. I received a sympathetic letter saying that such discrimination was illegal, but I am yet to receive even a response to my letter asking, “What are you going to do about it?”

Andy Slaughter: My hon. Friend is making an excellent point, which is not that the Government have done nothing—although they have done nothing positive—but that they have sent out so many signals that make European nationals in this country feel unwelcome. There is a climate of uncertainty—I would even say fear—out there, and he is making exactly the right point: is that how the Minister wishes British citizens in Europe to be treated? It is disgraceful.

Paul Blomfield: My hon. Friend raises a point that I was going to make. In the absence of a satisfactory reply from DExEU, I am relieved that the Government Equalities Office has launched an investigation. Clearly such discrimination is totally unacceptable and we need an investigation, but we also need action and more than action on those cases. We need to do more than send a signal to employers and landlords. It is precisely the lack of clarity created by the Government and, frankly, the uncertainty created by their willingness to use citizens’ rights as a bargaining chip that are creating the hostile environment in which this sort of discrimination takes place.

UK citizens in the EU are also facing uncertainty. I am sure the contribution from the hon. Member for North Thanet (Sir Roger Gale) was well meant, but I want to take this opportunity to correct the record. There is a common misconception that all the UK nationals abroad are retired on the Spanish coast or Cyprus or other places, but in actual fact 70% to 80% are working and running businesses. There are different figures, but they are of that order. Those running businesses are often doing so on a cross-border basis, which raises some specific issues. Will the Government commit to pressing for UK nationals in the EU27 to be able to enjoy the same cross-border rights after Brexit as they have now? Simply securing the right to remain is not enough. People need to earn a living, so what progress are the Government making on securing the mutual recognition of professional qualifications? For many, those qualifications are essential to their livelihoods. Brits in Europe are concerned about their future. They need certainty and clarity on freedom of movement and issues such as family reunion rights, which I hope the Minister will address in response to my hon. Friend the Member for Cambridge.

My hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury) highlighted the way that the Government are maintaining this ludicrous position on the overall negotiations that no deal is better than a bad deal. Having no deal risks cutting our citizens adrift and leaving them in legal limbo, just as it does for EU nationals in the UK. I hope the Minister will take the opportunity to rule out the ludicrous idea that having no deal is a satisfactory conclusion to our negotiations. The interests of this important group must not be neglected. It is essential that the rights they currently enjoy continue to be protected, and part of that protection is robust enforcement.

As my hon. Friend the Member for City of Durham (Dr Blackman-Woods) pointed out, the Prime Minister has set herself an unacceptable and untenable red line on citizens’ rights and the European Court of Justice. That position is guided either by narrow ideological interests or simply by a need to keep some of her hard-line Back Benchers happy, but let me turn the question around. Would the Minister be content for the recourse of any British citizens in the EU over any matter to be limited under the agreement to national courts in the countries in which they live? Should their rights be subject to changes in domestic legislation of a single EU member state? Should they and EU nationals in the UK not be able to have recourse either to the ECJ or a similar court-like body overseeing the agreement on citizens’ rights? Is it not the case that anything else would be untenable? As my hon. Friend the Member for Enfield, Southgate and many others have pointed out, we would not be in this mess if the Government had offered certainty from day one in the way that the Opposition were asking. Will they offer it now?

3.49 pm

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): As always, it is a pleasure to serve under your chairmanship, Mr Streeter. First, I congratulate the hon. Member for Brentford and Isleworth (Ruth Cadbury) on calling this debate and I thank all those who have contributed. I hope I can provide some constructive clarification, as he challenged me to do. The future of UK nationals in the EU and EU citizens in the UK is an incredibly important issue, as we have heard from so many Members today.

All hon. Members here will be aware that the Prime Minister and the Secretary of State for Exiting the European Union have prioritised the strand of negotiations on citizens from the start of the negotiating process, and we have welcomed progress in those negotiations from the other side. It is essential that we provide certainty and continuity to the 4 million people affected: 3 million EU citizens living in the UK and, as hon. Members have said, 1.2 million UK nationals living in the EU.

In June, we published our policy paper on safeguarding the position of EU citizens living in the UK and UK nationals living in the EU, which a number of hon. Members have referred to. It clearly set out the UK’s position across a number of key areas of citizens’ rights, including residency rights, access to benefits and public services, and—as the hon. Member for Sheffield Central (Paul Blomfield) just touched on—mutual recognition of professional qualifications. I want to reassure the hon. Member for Strangford (Jim Shannon) that the paper made it very clear that that was without prejudice to our commitment to the common travel area and arrangements between Northern Ireland and the Republic of Ireland. Those areas are, of course, being dealt with in a separate strand of the negotiations, which is also making good progress.
We are all agreed that it is of great importance that we reach a swift resolution through negotiations with the European Union on citizens’ rights. We have been engaging on those matters at pace, and I hope I can show hon. Members that we are making progress. Hon. Members have focused today on the status and rights that UK nationals are afforded in the EU, but as many have said, it is important that we secure the rights of EU citizens choosing to make their lives in the UK as well.

Rights for UK nationals who have already built a life in the European Union have been a key focus of negotiations in the first few rounds. It is essential that we provide certainty and clarity on all the issues as soon as we can. We have held positive and constructive discussions and there is clearly a great deal of common ground between our respective positions. We have taken significant steps forward in both the July and August negotiation rounds. Someone suggested that we did not agree on two thirds of issues, and agreed on a third, but the reverse is true. In our published tables, there are many more green issues than red or yellow ones. Importantly, many of the areas in dispute are where the reverse is true. In our published tables, there are many more green issues than red or yellow ones. Importantly, many of the areas in dispute are where the UK’s offer is currently going beyond that of the European Commission.

Peter Grant: I am happy to plead guilty to being the hon. Member in question. I think the figure that I quoted was 80% to 20%, taken directly from the House of Commons Library analysis of the August negotiations. Is he telling us that the Library researchers have got it wrong?

Mr Walker: I would never dare criticise the Library researchers, but we have agreed on more issues through July and August, and there are many more green issues in the papers than red ones.

As the hon. Member for Enfield, Southgate (Bambos Charalambous) and my hon. Friend the Member for North Thanet (Sir Roger Gale) set out, many UK nationals are worried about whether they will be able to continue to access healthcare in the member state they have settled in. That is why we have placed great importance on resolving that issue. In the August round, we agreed that we would protect existing healthcare rights and arrangements for those EU citizens in the UK, and UK nationals in the EU, present on the day of exit. That means that British residents and pensioners living in the EU will continue to have their healthcare arrangements protected both where they live and when they travel to another member state, by using their EHIC card, which the hon. Member for Enfield, Southgate held up earlier.

We also set out our intention to continue to uprate pensions for UK citizens living in the EU, subject to a reciprocal agreement. We know that it is important for many UK nationals to be able to continue to work across borders after we exit—the hon. Member for Sheffield Central raised that point. That is why, in the last round of negotiations, we agreed that we should protect the rights of frontier workers, which I know is particularly important for the Gibraltar-Spain border.

On aggregation of social security contributions, we have agreed to protect social security contributions made before and after exit by those UK and EU nationals covered by the withdrawal agreement. That means where an individual has moved between the EU and the UK, their contributions will continue to be recognised—for example, when determining their state pensions entitlements. As we have previously set out, such pensions will be uprated every year, as they are now.

Although we are making good progress, there of course remain areas of difference between our position and that of the EU. As shown in the joint technical note that was published on 31 August, it is clear that we want to go further than the EU in some areas. For example, the EU does not plan to maintain existing voting rights for UK nationals living in the EU, but we think that that is an important right. We want to protect the rights of EU nationals living in the UK to stand and vote in municipal elections, and the reciprocal voting rights that UK nationals enjoy when living in the EU.

The EU is also suggesting that UK nationals currently resident in the EU should not be able to retain onward movement rights if they decide to move within the EU. We have always been clear that we should seek to protect that right for UK nationals currently resident in EU member states, and we will continue to push for that during negotiations. Furthermore, we are seeking to ensure that individuals who have started but not finished their qualifications—as in one of the examples the hon. and learned Member for Edinburgh South West (Joanna Cherry) gave, about a nurse in training—continue to have those qualifications recognised after we leave. We recognise that that is a hugely important issue for many UK nationals in the EU; we will return to it in future rounds of negotiations.

Progress in those areas will clearly require flexibility and pragmatism from both sides, but I am confident that we are close to agreeing a good deal for both UK nationals in the EU and EU citizens in the UK. A number of hon. Members touched on the important issue of family reunions. Our policy paper on citizens’ rights set out that family dependants who join a qualifying EU citizen in the UK before the UK’s exit will be able to apply for settled status after five years, irrespective of the specified date. We believe we have taken an expansive approach to the issue, and we hope that the EU will do the same for UK citizens. We remain open to exploring that and potential methods of dispute resolution over time with the EU, to understand their concerns and to look at all constructive suggestions.

We are, of course, keen to move on to discussions about our future relationship and the future partnership between the UK and the EU. I would like to respond to some of the remarks made by colleagues throughout the debate on the immigration system that the UK will implement once we withdraw from the EU. I listened carefully to the hon. Member for Reading East (Matt Rodda) on that issue. As the hon. Member for Sheffield Central said, I will not comment on leaked drafts; however, we have repeatedly been clear that we do not see the referendum result as a vote for the UK to pull up the drawbridge. We will remain an open and tolerant country, which recognises the valuable contribution that migrants make to our society.

Since the referendum, we have engaged with businesses up and down the country to build a strong understanding of the challenges and opportunities that our EU exit brings, including access to talent. We are very aware of the importance of future mobility in particular sectors.
The hon. and learned Member for Edinburgh South West and the hon. Members for City of Durham (Dr Blackman-Woods) and for Glasgow North West (Carol Monaghan) all mentioned the importance of research. I draw their attention to our recently published paper on science and research, in which we made it clear that researcher mobility is associated with better international networks, more research outputs, higher quality outputs and, for most, better career outcomes. We said in that paper that we will discuss with the EU future arrangements to facilitate the mobility of researchers engaged in cross-border collaboration.

The UK is a world leader in research collaboration and we recognise that the ability of UK citizens to travel within the EU, and EU citizens to contribute to our science base, is vital to that co-operation. We are carefully considering the options open to us. As part of that, it is important that we understand the impact of any changes we make to sectors of the economy. The Home Secretary has commissioned the Migration Advisory Committee to build an evidence-based picture of the UK labour market to further inform that work.

My hon. Friend the Member for North Thanet and a number of other hon. Members spoke passionately about the contribution of EU citizens to their constituencies, but it is right that the point has been made—by Members on both sides of the House—that UK citizens in the EU also make an important contribution. We will set out initial proposals for a new immigration system later in the autumn, and we will introduce an immigration Bill on both sides of the House—that UK citizens in the EU and we recognise that the ability of UK citizens to travel within the EU, and EU citizens to contribute to our science base, is vital to that co-operation. We are carefully considering the options open to us. As part of that, it is important that we understand the impact of any changes we make to sectors of the economy. The Home Secretary has commissioned the Migration Advisory Committee to build an evidence-based picture of the UK labour market to further inform that work.

...
[Liz Saville Roberts]

The second, and undoubtedly more important, issue I want to press upon the Minister is the potentially devastating effects the imposition of the prison could have on the community. I welcome the work of Councillor Nigel Thomas Hunt and Bethan Jenkins AM, who have been very diligent in this matter. Both are passionate, locally grounded activists who spent months gathering evidence, much of which I am using today, to refute the Government’s case for imposing the prison on their communities.

As I am sure we are all aware, Port Talbot has been through some tough times of late, but the answer is unequivocally not to turn Wales’ industrial powerhouse into a penal colony on an industrial scale. The primary argument invoked by both the Government here and the Labour Administration in Cardiff is that of jobs, but a little scrutiny shows that case to be very flimsy. The Minister may have more up-to-date estimates, but at the time of the prison’s announcement, we were told that HMP Port Talbot would create about 200 jobs. However, if Swansea and/or Cardiff prisons were to close, in keeping with the UK Government’s policy of closing old prisons and their justification for building new super-prisons, Port Talbot prison would not even replace the jobs lost in other prisons.

In total, HMP Swansea and HMP Cardiff employ almost 600 staff. If they were both to close and be subsumed by a prison in Port Talbot, there would be a net loss of 400 jobs, according to the Government’s own estimates. To put it another way, the Government’s main justification for building this super-prison—the need to modernise the prison estate—will result in the closure of other Welsh prisons and a net loss of jobs, undermining HMP Port Talbot’s purported main benefit for the community. I warn the Minister that if he even countenances the notion that any jobs created by the super-prison will make up for the Government’s pathetic response to the steel crisis, he is unlikely to be met warmly on the streets of Port Talbot.

That is before we get to the issues surrounding the prison’s location. There are 11 schools within a one-mile radius of the site. Not only does that pose an exceptional safety risk, but it means that thousands of children will grow up in the shadow of that totem of failure. The Minister has already confirmed that inmates may be considered for “temporary release” into the community. It is clear that many prisoners moved from across the UK are expected to end up staying in the local area after their custodial sentences are served. Indeed, their families may well move to follow them while they are serving their sentences. Those who are imposing this prison on Wales must acknowledge and understand the additional cost to Wales in terms of healthcare and policing, as well as the additional burden on the community of Baglan when families move to the area following inmates and inmates stay in the community after their release. Will the Minister outline whether the Government expect to offer any kind of compensation to the local emergency, health and other public services, which will face a higher burden if the prison is built?

Of course, we must not forget the role that the Labour Welsh Government have played. The Baglan site is in fact owned by the economically inept Welsh Government in Cardiff. In reality, the Labour Government in Cardiff could stop this now, and I implore the hon. Member for Aberavon (Stephen Kinnock), who is here today, to lobby his party colleagues in Cardiff to do so.

Finally, I would like to inform the Minister of a technical but crucial stumbling block for the proposed prison. Council officials have confirmed that the proposed site is on a C1 floodplain, putting it in the highest bracket of flood risk areas. Under the Welsh Government’s planning regulations, as laid out in technical advice note 15, the proposed Baglan Moors site is wholly unsuitable and may contravene devolved Welsh planning law. The prison increases the chances of flooding for more than 1,000 homes in the area. Questions must surely be asked about the safety of building a prison in an area so susceptible to flooding. Think of the huge implications a flood would have for those caring and maintaining order within the facility. Equally, it has the potential to create huge obstacles for emergency services—those who would be responding to incidents in the area—which would in turn endanger staff and inmates.

I appreciate that that is a piece of technical Welsh planning legislation, which the Minister might not be familiar with, but I hope he will take the chance to review the issue and recognise that the Baglan Moors site is fundamentally not suitable for a super-prison. Given the clear lack of need, the impact on the local community and the serious planning issues the prison faces, the Minister must surely recognise that Baglan Moors is not a suitable site for a super-prison.

Port Talbot is a proud place with a proud history and resilient people, but Westminster will not be forgiven if it turns Wales’ largest industrial centre into an industrial-sized penal colony. Diolch yn fawr iawn.

4.9 pm

Stephen Kinnock (Aberavon) (Lab): It is a pleasure to serve under your chairmanship, Mr Brady. I thank the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts) for securing this debate.

The proposals for a new prison in my constituency have caused consternation among many local residents. Their frustration has been exacerbated by the Minister’s reluctance to visit the constituency and to hear the concerns of residents directly from them. Back in March, I warned the Minister that if he did not engage comprehensively with the local community, speculation would grow. Six months on, the Minister has failed to engage with the community, with the result that speculation is indeed rife, and there is guesswork and hearsay. When the Government fail to give us the information we need, what else do they expect?

Every piece of information we have had on the proposals has had to be teased out of the Ministry of Justice by letters, questions in the House and written parliamentary questions. Fundamentally, the argument has come down to why the land in the Baglan industrial estate was selected by the Ministry when a far more suitable location is just 10 minutes down the M4 at Felindre. The Minister said that the Felindre site came a close second in the evaluation that the Ministry of Justice conducted. I strongly urge him and his officials to look at it again. The site meets the Ministry’s criteria and ticks boxes that Baglan does not.

My argument has three key components, of which the first is health and safety. The road infrastructure around the Baglan site is already well used, and at peak
periods in the morning and at the end of the school and working days, traffic comes to a standstill from the sheer volume of vehicles on the surrounding roads and the M4. Port Talbot is a well known pinch point on the M4, and as recently as two years ago junction 41 underwent a trial closure. Given the proximity of the proposed prison to a large residential area and to local schools, with traffic movements at peak periods creating bottlenecks and no alternative route to alleviate the problem, should there be a serious incident at the prison, during those peak periods emergency service vehicles would struggle to attend, potentially putting the lives of prisoners and prison officers at risk.

The Felindre site, on the other hand, has good access from the M4, with a dedicated exit at junction 46 and its own access road along the B4489. The volume of traffic dissipates by the time it reaches junction 46, making access for emergency vehicles easier in the event of a serious incident. The site is also much closer to a full accident and emergency unit, whereas the hospital close to the Baglan site has only a minor injuries unit.

The second component of my argument relates to the economy. The Minister indicated to me that he ruled out the Felindre site because it had been awarded European Union funding for business park development. But the Baglan industrial site is part of the Port Talbot enterprise zone, created at the height of the steel crisis to encourage business activity in the area. The steel crisis demonstrated the need for the labour market in Port Talbot to diversify and not to be so reliant on the steel industry. The creation of the enterprise zone and the enhanced capital allowance that came with it, which the site has, are key components in encouraging business not reliant on the steel industry to come to the area. A prison simply does not fit into that objective and would undo the hard work carried out to make the area attractive to business. The land should therefore be used for the purposes for which it was intended and not for the construction of a prison. Conversely, the proposals are having the opposite effect on businesses in the industrial estate, a number of which have expressed their concern publicly that they will leave the area if the prison is given the green light.

Thirdly, there is the matter of construction. The Felindre site is more suitable because of its status as a brownfield site; the Baglan site is a greenfield site and it is marshland. Were the Government to push ahead with building on the Baglan site, they would incur substantial additional cost by having to build on marshland. Businesses that built on other parts of the land had to pile-drive to considerable depth to put down foundations, only to construct buildings considerably lighter than a prison. That would have huge consequences for neighbouring properties and businesses, and the costs would balloon. The Felindre site has already been developed and the Government would encounter none of those problems there. The site already has developed infrastructure works and land reclamation, as well as the good access links I mentioned.

The Felindre site offers the Minister the same benefits as the Baglan one, but with the additional benefits that I have set out. The fact that the Felindre site is further away from residential areas and schools also means that it does not carry with it the same hurdles that the Baglan site does, certainly in terms of local community consent. I therefore conclude by urging the Minister to guarantee that he will go back to his Department and look again at Felindre as a more appropriate site to locate the prison.

4.15 pm

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): To give some context, we are investing £1.3 billion to create an additional 10,000 “new for old” prison places with better education facilities and other rehabilitative services to help prisoners turn their lives around. In Wales, as has been mentioned, in February we opened HMP Berwyn to provide 2,000 uncrowded and efficient prison places. We have also begun work on building a new houseblock at HMP Stocken, re-roled HMP Durham and HMP Holme House, announced our plans to redevelop HMP Glen Parva and former HMP Wellington, and announced a programme of four further builds, which includes Port Talbot in south Wales.

The prisons being built in Wales are therefore part of a much broader context, which is about improving our prison estate throughout the entire country. As well as creating modern prisons that are fit for the 21st century, the proposed new builds will act as a boost to regional economies across the country. They will create up to 2,000 jobs in the construction and manufacturing industries, and new opportunities for local businesses.

Liz Saville Roberts: The figures show that last Friday the prison population stood at 86,235, which is up 1,268 on September last year. Alongside building new prisons, surely this Government should be prioritising a reduction in the prison population per se.

Mr Gyimah: Of course. We would all like the prison population not to be as high as it is, but punishment must fit the crime, and if people commit offences, they should be sentenced to prison. Of the two best ways to reduce the prison population, the first is to cut reoffending, so that the one in two people who leave our prisons and reoffend are stopped from doing so, which means that we need modern, purpose-built prisons that can deliver education and employment training. Secondly, we must stop the conveyor belt from low-level crime to custody, which means reforming our probation services. We are working on those things in the Department.

Liz Saville Roberts: I am grateful to the Minister for mentioning the probation service. I understand that a review of probation is ongoing, in particular the transformation of rehabilitation, but I have not had the opportunity to ask whether there is a date for it to be published.

Mr Gyimah: The probation service review is ongoing. As the hon. Lady may know, the results of the first part were published in a written ministerial statement just before the summer recess, outlining the additional investment that has gone into the probation companies. We will be publishing the next set of results as and when they are ready. I cannot give her a firm date, but it will be shortly.

The substance of the debate is the Port Talbot location of the proposed prison, as discussed by the hon. Member for Aberavon (Stephen Kinnock). When assessing where to build new prisons, the Ministry of Justice worked closely
with the Welsh Government to identify suitable sites for a new prison build in Wales. We undertook a comprehensive evaluation of more than 20 sites in south Wales, ensuring that various factors were taken into consideration, such as preference for sites located along the M4 corridor because of their accessibility and the travel time benefits they would bring.

After careful consideration, Port Talbot was selected as the best potential site for a new category C prison build in Wales. That was for a number of reasons, including the capacity of local infrastructure to support the prison and the potential to maximise the benefits of investment in the local community. In addition, the site is owned by the Welsh Government, who are supportive of our work to progress these plans. As I mentioned, supply and demand for prison places are misaligned. For example, we do not have enough category C prison places in south Wales; the proposed prison at Port Talbot would address that shortfall.

Stephen Kinnock: The Minister began to explain the infrastructure decision and why the Baglan site was considered to have better infrastructure than the Felindre site, but he did not give any more detail. As I said, junction 46 gives far easier access than junction 41, so why was Felindre considered to have poorer infrastructure than Baglan?

Mr Gyimah: Infrastructure is not just motorway access but the local infrastructure of the area. For a category C prison, which would effectively be a resettlement prison, ease of access to employment is important, so that prisoners can be released on temporary licence and come back easily. It is also important that local people can work in the prison without having to commute long distances, not to mention ease of access for prisoners’ families to visit them. All those things are taken into account when we look at local infrastructure.

Imran Hussain (Bradford East) (Lab): Will the Minister give way?

Mr Gyimah: Thank you, Mr Brady— as ever, you are hot on procedure.

A modern prison at Port Talbot will support the rehabilitative culture that is essential to making communities safer. A fit-for-purpose establishment will ensure that families can visit inmates in a relaxed atmosphere, which is particularly important for children. We will ensure, as far as possible, that local labour is sought from Port Talbot and the surrounding area and that local businesses benefit. As a guide, in the design and build of HMP Berwyn, around £83 million was spent with small and medium-sized enterprises in addition to the £38.2 million that was spent on local businesses. The construction of HMP Berwyn provided jobs for unemployed people, apprenticeships and more than 2,000 days of educational work experience for local young people.

Based on the success of HMP Berwyn, where we estimate that up to 1,000 jobs will be created, the new prison at Port Talbot could generate up to 500 jobs and contribute £11 million a year to the regional economy. Some 66% of HMP Berwyn’s staff came from the local area.

Stephen Kinnock: We are talking about job creation and enterprise. What does the Minister advise me to say to local businesses in the Baglan area that have already said that they will shut up shop if the prison goes ahead, which would mean the loss of hundreds of local jobs?

Mr Gyimah: The hon. Gentleman passionately represents the views of his constituents. As he is aware, there is a statutory consultation process. We have extended the time available for that consultation, which will give us the opportunity to listen to the concerns of residents and respond appropriately. When a change of this scale is proposed, it is not unusual to get the kind of reaction that he has received. The onus is on the Ministry of Justice to explain to local residents what is happening and what the benefits are, and we will do that as we go through this process.

I know that the hon. Gentleman would like me to personally engage in this process, but the Prisons Minister does not have expertise in taking residents through a consultation—no MP does. However, experts in the Department have been through this process in other parts of the country, including Berwyn, and they will take his constituents through their understandable concerns.

Stephen Kinnock: The Minister is being generous with his time. We have invited him to a public meeting in Port Talbot on 20 September, but he has said he is unable to attend. Can he confirm that someone from his team can attend that meeting?

Mr Gyimah: There will definitely be officials from the Ministry of Justice there. I want us to go through this process, as we do with every other prison in the country. The Minister cannot just start popping around the country running consultations for all the new prisons we are building, but the hon. Gentleman has exchanged letters with me all summer and my door is always open for him to come and represent the views of his constituents as he has done by raising the issues here. I promise that I will take everything he raises on board. Contrary to what he said about having to wrinkle out answers from the Department, he has used all the formal channels available to a Member of Parliament, and I dare say that he has received a response every time he has made an inquiry about this prison.

We are obviously focused on infrastructure and the benefits for the community. We are working with the Department for Business, Energy and Industrial Strategy and the Infrastructure and Projects Authority to develop innovation in the construction and delivery of new prison buildings. That is in line with the UK industrial strategy and will create new job sectors in the industry.

We have touched on stakeholder engagement, which is important. As I said, we are engaging with the Welsh Government and Members of Parliament, and with Neath Port Talbot County Borough Council to develop its plans for the Port Talbot site. We are pleased to have
had the support of the leader of the council, Councillor Rob Jones, and the Welsh Government throughout the process.

Liz Saville Roberts: What consideration has the Minister’s Department given to technical advice note 15 and the fact that the site is on a C1 floodplain?

Mr Gyimah: All those issues will be flushed out during the consultation process. It is not in the Department’s interest to build a prison on a floodplain if that is a serious technical constraint. We should leave that to the experts to decide; I am not an expert and neither is the hon. Lady. The consultation and all the analysis will have to run their course, as they would in the build of any prison.

We value the contributions of local stakeholders in helping to shape the site’s development. As I have said, we will have two days of public engagement. The first event will focus on the statutory planning processes and will be a key avenue for residents to make representations about our proposals and for the Ministry to help residents to understand our plans for the site. In addition, the statutory process requires a 28-day public consultation prior to the planning application being submitted, after which the development proposals will be subject to the standard 13-week planning process. We have not even got to the planning application stage yet; there will be many opportunities for residents to contribute, to help shape the proposals and raise objections to the process.

I know that the hon. Member for Aberavon, who is an assiduous constituency MP, will hold his own public engagement event on 20 September. I welcome the interest in his plans, and I will speak to my officials to ensure that he gets the support that he needs for that event. I appreciate that some in the community are concerned about the creation of a prison at Port Talbot. We will work with the community as the project progresses, using the lessons we learned from the prison we built at Berwyn, to mitigate those concerns. We will continue to work with the Welsh Government, who remain committed to the project on the Port Talbot site, and we will work closely with them when developing the planning event to address the local community’s key concerns.

Although it is too early to give an estimate of the cost of designing and building the new prison, we will ensure best value for money for taxpayers. Funding arrangements for health and police services were mentioned; we will engage with relevant public sector partners to ensure that they are able to develop suitable plans for the new prison.

I congratulate the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts) on securing the debate, and the hon. Member for Aberavon on bringing up important issues that need to be aired with projects of this kind. I certainly do not see that as a nuisance; we need to go through this process and listen to residents. I hope that as we do, the work that is already under way to make our prisons true places of reform and rehabilitation will become apparent and show what this site can deliver for both prisoners and the wider community.

Question put and agreed to.

Bereavement Leave: Loss of a Child

4.30 pm

Paul Masterton (East Renfrewshire) (Con): I beg to move,

That this House has considered the matter of bereavement leave for families who lose a child.

It is a pleasure to serve under your chairmanship, Mr Brady. I am pleased that the House has the opportunity to debate the provision of formal statutory leave for those parents who suffer the unimaginable pain of losing a child, and the wider bereavement support that we can offer.

The genesis of the debate is the all-party parliamentary group for children who need palliative care, of which I am honoured to be a member alongside several hon. Members in attendance today. I pay tribute at the outset to Together for Short Lives for both the work it does in supporting the APPG and the voice it provides for babies, children, young people and their parents when a short life is expected. I also thank the other charities supporting the debate, including CLIC Sargent, Rainbow Trust, Children’s Hospices Across Scotland and Bliss. I also highlight the work of the all-party parliamentary group on baby loss—and, in particular, that of its co-chair, my hon. Friend the Member for Colchester (Will Quince), who has pursued this incredibly sensitive issue with dignity and determination.

The Conservative manifesto may have had more than a few faults, but the commitment on page 70 that a Conservative Government would “ensure all families who lose a baby are given the bereavement support they need, including a new entitlement to child bereavement leave” rightly attained wide support across the population. More than 5,000 children die every year, leaving many thousands of parents to go through that personal tragedy, and 60% of those deaths occur in the first year. While this issue is always tricky to discuss—I have two children under three, and many people in the Chamber and in our constituency and Westminster offices have personal experience of it—it is vital that we talk about it, show support to parents in that tragic situation and help to give them some reassurance that their jobs and pay—the last thing anyone in that situation should have to worry about—will be protected. It is right for Parliament to look at the rights given to parents.

The APPG for children who need palliative care was therefore concerned that bereavement leave was not referenced explicitly in the Queen’s Speech. The initial driver for hosting the debate was to obtain assurance from the Government that it had not been lost in the fray. Happily, that concern has been somewhat superseded by the announcement that the Government intend to support the private Member’s Bill tabled by my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake). That is welcome news. The Bill will address the existing discrepancy whereby parents who lose a newborn, or whose child is stillborn, are entitled to full parental leave, but someone who loses an infant, toddler or older child at any point after which parental leave may be taken is reliant entirely on the good grace of their employer. Of course, we are still a long way from that Bill becoming law, and, as we know, private Members’
[Paul Masterton]

Bills often do not reach the end point, so we must continue to ensure that the Government keep to their word.

The debate is also timely in the light of Baby Loss Awareness week, now in its 15th year, taking place in a few weeks’ time, between 9 and 15 October. It is a collaboration between 40 UK charities to raise awareness about the issues surrounding pregnancy and baby loss. This year’s main focus is a call to improve bereavement support for families affected by baby and pregnancy loss. I am sure the whole House will join me in supporting Baby Loss Awareness week.

It is evident that the standards, quality and consistency of bereavement care vary wildly across the UK, with bereavement care training not being mandatory and so not readily available. Far too many health boards both north and south of the border do not have dedicated bereavement rooms in their maternity units. Could this Government and the Scottish Government do more to recognise the importance of bereavement services and ensure that they are being commissioned for families? I certainly think they could.

In Scotland—Mr Brady, I appreciate that provision of health services is devolved—more than 5,800 babies are admitted into neonatal services. The care that those babies receive in the first hours, days and weeks of their life is critical to their survival and lifelong health. We know that the healthcare professionals delivering such care every day are committed to bringing about the very best outcomes for babies and their families, yet we also know that services right around the UK are under pressure.

Research by Bliss Scotland has shown that, in common with the position in England, many neonatal units across Scotland consistently do not meet national standards on safe staffing levels, and units often cannot offer parents facilities to stay with their critically ill baby so that they can be involved in their care. Similar pressures exist throughout children’s services units for older kids. Family-centred care must be embedded in relevant hospital units, with guidance outlining minimum standards on the level of free accommodation and other practical and financial support packages available to parents. In my constituency, about 89 babies who need specialist care to survive are born each year. While many will go on to thrive, sadly some do not. Many other families have the joy of a healthy and happy child being brought into the world but then suffer the pain of loss years later due to illness or tragic accident.

Given that we know parents with a child receiving vital care will incur significant financial expenditure on items such as parking, travel, food and drink, and childcare for other children as well as loss of earnings, it is surely right that, if the worst follows, the Government are there to provide some assistance in those darkest of hours. Indeed, in the west of Scotland, those additional costs are estimated to be about £200 a week, and that is in a pretty urban area. The cost for parents in rural parts of Scotland is significantly higher. Introducing statutory bereavement leave seems the very least we in this place can do, at a cost of what—a few million quid?

The value of the peace of mind and reassurance that would give to parents whose world has disintegrated around them is immeasurable. Paid leave would give parents the time to make decisions based on their needs rather than their financial situation. It is a law we want, but never want to rely on.

We may want to believe that all employers, large and small, will be sympathetic to employees—indeed, many do provide discretionary compassionate leave—but the truth is that not all are. A recent survey run on behalf of Child Bereavement UK found that almost a third of those who had suffered the loss of a loved one in the past five years felt they had not been treated compassionately by their employer. A father of a baby born at 26 weeks, who died aged three days, was called during his two-week paternity leave by his employer and told that, because his son was dead, there was no child to look after, so he was being treated as absent without leave and asked when he would be returning to work. The man did not work for a small business that was perhaps a bit backward in its approach to human resources; he worked for a large multinational company with more than 20,000 employees in the UK. Some form of statutory protection is therefore needed.

The Employment Rights Act 1996 merely allows employees to take a “reasonable” amount of unpaid time off to deal with an emergency involving a dependant. As Ministers have rightly recognised, holding down a job at the same time as dealing with grief can be incredibly difficult. Therefore, more must be done. I am pleased that the Government are intent on providing parents with the support they need, but we must consider whether the availability of leave should be restricted to parent carers or extended to legal guardians and others who may have had formal caring responsibilities. At the very least, we need to look more carefully at the definition of “parent”, and who should be entitled to leave.

I also question whether we need to build flexibility into the system, and not assume that parents suffering from grief will want simply to take two single weeks in blocks a short time after the death of a child. Organisations such as Together for Short Lives and Rainbow Trust have asked for the period during which leave can be taken to be extended to 52 weeks.

Kevin Hollinrake (Thirsk and Malton) (Con): I congratulate my hon. Friend on securing this important debate. I am delighted to have the privilege of taking forward a Bill on this matter, which was first introduced by my hon. Friend the Member for East Renfrewshire (Paul Masterton) has clearly thought long and hard about some of the issues. Will he be willing to work with me and my hon. Friend the Member for Colchester to try to ensure that people get bereavement leave in such circumstances. My hon. Friend for East Renfrewshire (Paul Masterton) has clearly thought long and hard about some of the issues. Will he be willing to work with me and my hon. Friend the Member for Colchester to ensure that we get the provisions right from the start so that the Bill looks after those who are affected by these terrible tragedies?

Paul Masterton: I thank my hon. Friend for that intervention. I would be honoured to work alongside him and my hon. Friend the Member for Colchester in taking this issue forward and ensuring that it gets to where it needs to be. Given the findings of the Taylor report regarding the modern world of work—I know the Minister has been closely involved with that report—the increase in self-employed individuals and the wider discussions around extending benefits to them, could the Government take steps for an equivalent benefit to be offered to self-employed parents?
I want to finish by talking about the support we might need to give employers—particularly small employers—in dealing with employees in such a situation. Child Bereavement UK noted:

“Fear of returning to work and facing colleagues, loss of confidence and increased sick leave are not uncommon. Ability to concentrate, make decisions, meet deadlines and maintain performance and productivity levels can all be at least temporarily compromised, and there can be higher incidences of job-related injuries and accidents.

This not only has the potential to impact on a bereaved employee’s ability to work effectively, but can also have a knock-on effect on other employees, who are often at a loss as to how to respond when a colleague returns to work after bereavement, and over time may feel that accommodating the needs of a bereaved colleague places added pressure on them.”

A survey by the Rainbow Trust found that more than half of parents who were working at the time their child died did not feel they were given enough time to cope, and that 50% took at least one month off work. Paid bereavement leave needs to sit alongside a wider package of bereavement support, both for the parents, through psychological support, and for employers, through ensuring that they are able to put in appropriate frameworks and bereavement policies to manage the needs of not only the employee concerned but the business and wider workforce.

Joan Ryan (Enfield North) (Lab): I congratulate the hon. Gentleman on securing this important debate. I welcome the Government’s commitment to supporting the hon. Member for Thirsk and Malton (Kevin Hollinrake), as I hope that Members across the House will. I have a family in my constituency who lost a young child in very difficult circumstances—they do not wish to be named—and their point to me was that when somebody is bereaved there is often a lot of support at the time, but the psychological consequences continue long after that support has gone away and people forget what happened. Does the hon. Gentleman agree that ongoing psychological counselling support should be made available to bereaved parents, and that the training for employers should convey the importance of such ongoing counselling?

Paul Masterton: I could not agree more. Grief affects everyone differently, and it can sometimes be months or even years before the true ramifications and consequences of someone’s experience really hit home. Grief can also potentially be the start of a cycle of behaviour that can lead to far more destructive circumstances, particularly in the family home. It is not uncommon for families who have suffered an extreme bereavement situation to end up breaking down completely, often, as the hon. Lady mentioned, because support in the early days and weeks might be good, but there is not sufficient follow-up to ensure that people do not go down the wrong path.

I hope that we, as a party, make good on our manifesto commitment. I have not been in this place for very long, but we seem to spend a lot of time beating each other about the head, so it is nice, every once in a while, to find something we can all work on together in a positive manner. I sincerely hope that this is one such issue. I look forward to hearing what other hon. Members have to say, and I thank them for coming to support the debate.

Mr Graham Brady (in the Chair): At least five Back-Bench Members want to contribute. For the convenience of the House, I will say that I would like to move on to winding-up speeches by 5.10 pm at the very latest. I will not impose a time limit now, but I suggest that, if hon. Members could keep their contributions to no more than six or seven minutes, we might hope to get everybody into the debate.

4.43 pm

David Linden (Glasgow East) (SNP): It is a pleasure to serve under your chairmanship, Mr Brady. I congratulate my hon. Friend the Member for East Renfrewshire (Paul Masterton)—I deliberately say my hon. Friend, knowing that his vote in Newton Mearns will probably go down as a result of being friends with the Scottish nationalists—on securing the debate. It is a pleasure to serve with him on the APPG for children who need palliative care. I pay tribute, as he has, to Together for Short Lives for providing the secretariat and for the campaigning work it does on this very emotive issue.

As my colleague suggested, the pain of losing a child is unimaginable. I spoke about it in the summer Adjournment debate before recess, and I pay particular tribute to the hon. Members for Colchester (Will Quince) and Eddisbury (Antoinette Sandbach), and, indeed, my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson), who have all spoken publicly and very bravely about their own experiences. It takes an awful lot of courage to do that. I very much welcome the opportunity to take part in the debate. I will try not to echo too much of what the hon. Member for East Renfrewshire said; I will raise a few points around bereavement leave before broadening the debate out a little. As the hon. Gentleman said, we applied for the debate at a time before paid bereavement leave was included in the Gracious Speech. I congratulate the hon. Member for Thirsk and Malton (Kevin Hollinrake) on securing his private Member’s Bill and I absolutely look forward to being there with him and voting for it when it comes before the House.

The hon. Member for East Renfrewshire outlined how self-employment might not be within the scope of the Bill, and I understand that there might be reasons for that, but we need to find a way, perhaps via the Department for Work and Pensions, to ensure that some sort of equivalent financial benefit for the self-employed makes its way into the Bill. We know that almost 5 million people in the UK are self-employed, which is the highest number on record. As the economy begins to change and evolve, that number will obviously only get higher, so we need to be mindful of that when drafting the legislation.

I echo much of what the hon. Gentleman said about bereavement support. I know that some bereavement support has been found to be patchy, particularly in England. I am intrigued to see how Scotland’s health boards compare when we get those data via the freedom of information request that I know Together for Short Lives has submitted. One area of good practice in Scotland is the funding of children’s hospices. We have taken a distinctly different route. We have increased funding for children’s hospices to parity with adult hospices, which has been very much welcomed across the sector.

Although I am not an English MP, I encourage Her Majesty’s Government to consider similar moves to address inequitable funding. In England last year, local authority contributions to the cost of providing children’s
palliative care in the voluntary sector dropped by 61%, while the cost of providing complex care actually increased by 10%. Before I say any more on palliative care, I declare an interest: my mother is employed by Icare Scotland, which provides palliative care for children and babies across west central Scotland. At this juncture, I pay tribute not only to my mother, but to the staff and volunteers. It takes a really special kind of person to dedicate their lives to doing that job.

That leads me on quite nicely to my next point, about some of the challenges in investing in children's palliative care, particularly in the workforce. Statistics show that 11% of children's hospice posts are currently vacant, which is a real issue that the Scottish Government, the Welsh Assembly Government, the Northern Ireland Executive and the UK Government have to look at. How do we fill some of those vacancies and solve some of the challenges in workforce supply?

I also pay tribute to CHAS—Children's Hospices Across Scotland. It is a charity that provides the only hospice services in Scotland for children and young people with life-shortening conditions for which there is no known cure. It runs two children's hospices—Rachel House in Kinross and Robin House in Balloch—as well as a home care service. It supports 415 families across Scotland, but can currently provide support for only one in three families who require it. I am delighted to support CHAS by taking part in the great Scottish run next month.

I very much echo Together for Short Lives in its letter to the Prime Minister—I do not know whether it has been answered yet—calling a national strategy on children's palliative care and for quite rightly pointing out that the system needs to be a bit more joined up. We cannot have parents who have experienced the loss of a child having to have that same conversation over and over again. I think any national strategy could tease some of that out.

One issue that I had not planned to touch on is burial fees—it is more pertinent to Scotland, so I hope the House will indulge me for a few moments. I appreciate that it is a very difficult topic, but there are inconsistent burial fees across Scotland. I am ashamed to say that my local authority of Glasgow is the most expensive for burying children. It costs £637 for the burial of a child aged between seven and 15 and £426 for those aged one to five. We have 32 local authorities in Scotland and some do not charge at all. As with many of the points made by the hon. Member for East Renfrewshire (Paul Masterton) on securing this debate on one of the most important topics as we approach the private Member's Bill season.

There is no question but that losing a child is one of the most traumatic experiences that any parent has to go through. Having gone through that experience myself at the end of 2014, I know that when you become a Member of Parliament, you feel, like any parent who has been bereaved, that you want to do something to try to make a difference. You want to try to do something to ensure that as few people as possible go through the same experience that you did, of losing a child, and where they do, you want to ensure that they have the best bereavement care possible. Some parents do that by raising lots of money for their local bereavement suites and for the fantastic charities that have been mentioned. As Members of Parliament, we have a unique position and a unique voice—when we speak, the nation's media listen—but we also have an amazing platform in this House to actually change legislation and change Government policy.

There were two things that I wanted to do on entering the House in this specific regard. The first was the formation of an all-party parliamentary group on baby loss, which we did on a cross-party basis with a number of colleagues, in particular with my co-chair, my hon. Friend the Member for Eddisbury (Antoinette Sandbach). We are doing a huge amount of work to try to reduce baby loss and to change Government policy in that regard, and we are having a lot of support from the Government.

This is also about bereavement care, and that is where the parental bereavement leave idea came up. If someone suffers a stillbirth, which we did, they have two weeks as a parent—as a father or, in regular maternity leave, as a mother—in order to grieve and to come to terms with what has just happened, but if you lose a child after six months, you do not have that right. You do not have any right to paid leave.

Although the vast majority of employers up and down this country are excellent employers that act with compassion, kindness and understanding when one of their employees loses a child, sadly there are employers out there that do not act with compassion and act with huge insensitivity. The examples are all out there. Sadly, it is not even just small employers; it is often large employers and, I am sorry to say, even some Government agencies and large public sector bodies. Although people are entitled under law at the moment to some immediate time off and a reasonable amount of time, that is wholly subjective, and sadly there are employers that put huge pressure on their employees to go back to work too soon. That creates huge social and emotional problems for the individual. The leave is really important, because you need that time to grieve and to come to terms with what has just happened, but you also need the time to make some really important arrangements.
I am delighted that my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) has taken the baton and run with it, with his private Member’s Bill, and that the Government have been so supportive. I would particularly like to praise the Minister and the Secretary of State, who have both been hugely supportive, and indeed the Prime Minister, for ensuring that this went in the Conservative party manifesto. As we all know, private Members’ Bills are very difficult to get through and are nearly always destined to fail without Government support.

This is a common right across Europe. Indeed, it is a relatively common right across the world, to varying degrees. We have an opportunity here, with this private Member’s Bill, to have world-leading rights in this area, by having two weeks’ paid leave for any parent who loses a child. That is an incredible ambition. It is a real statement of intent, not only for the Government but for the House, that we take so seriously the trauma of losing a child. It is not in the natural order. It is not right, and people do need time to come to terms with what has happened and to grieve.

I would like to thank my hon. Friend the Member for East Renfrewshire for securing today’s important debate, my hon. Friend the Member for Thirsk and Malton for taking the baton and running with it, and the Government for supporting the private Member’s Bill.

4.54 pm

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for East Renfrewshire (Paul Masterton) on securing the debate and on passionately setting the scene for us all.

It is a pleasure to follow the hon. Member for Colchester (Will Quince). I was present for his Adjournment debate on this subject in the last Parliament. I remember the debate well and the contributions made by other hon. Members. I remember the understandable personal pain that each of them felt and how we were much moved by their speeches.

I cannot begin to speak about this sensitive issue without first offering my most sincere and heartfelt sympathies to all families who have lost a child. It is sad to lose a parent—I was devastated when I lost my father—but it is the natural cycle of life. To lose a child goes against the natural order of things, as all four of the speakers in the debate have said. I cannot even begin to imagine the depth of pain that it would cause; it is unspeakable and unimaginable.

Even though none of us truly want to think about this, as it comes too close to home, we must do what we can to ensure that the response from employers is adequate. That is our role here. I was quite shocked, and indeed angered, when the hon. Member for East Renfrewshire mentioned a large employer of 20,000 people that dictated its worker to get back to work. I cannot begin to believe such lack of feeling. I thank the hon. Gentleman for raising that case.

Every week, 10 children and young people die from cancer in the UK. That figure simply shocks and saddens. We all know many charities that we work for and help. CLIC Sargent has care teams that provide bereavement support through more than 300 home visits, and it gave palliative care to around 250 children and young people just last year. That charity is just one example; there are many others.

I have been asked to raise a number of points, which I hope to do now. It is always a pleasure to see the Minister in her place. We know that she understands very clearly how we all feel, which will be reflected in her compassionate response to the debate.

Children’s hospices and palliative care charities provide lifeline support for children with life-limiting and life-threatening conditions, and of course for their families as well. However, children’s palliative care is woefully underfunded and under-resourced. For example, on average, adult hospices in England receive 33% of their funding from statutory sources, whereas the figure for children’s hospices is 22%. I know that there are many claims upon the Government, but here is a really crucial issue that we need to address. Unless that funding gap is addressed, we as a country are seen to be placing greater value on the life of an adult than that of a child. That can never be the case, and I know it would not be.

In England, local authorities’ contribution to the cost of providing children’s palliative care in the voluntary sector fell significantly, by 61% between 2014-15 and 2015-16, when the cost of providing complex care increased. There was a drop in the funding and a rise in the need. It is simply unsustainable for local authorities to contribute just 1% to the costs incurred by children’s palliative care charities.

Emma Little Pengelly (Belfast South) (DUP): I am sure my hon. Friend agrees that very often it is the parents of these children, who have suffered the most loss, who do incredible work in raising funds for the likes of children’s hospices right across the United Kingdom. I take this opportunity to pay tribute to them. The death of a child is always tragic and sometimes unexpected. I know that we all, through our constituency offices, see many parents who have children with life-limiting conditions. The parents are their strongest advocates and fight so hard for them. When that child goes, there is a huge gap in their lives, and they do sterling work for the likes of the hospices.

Jim Shannon: I thank my hon. Friend for her words. Those who fight hardest are those who have walked the road, taken the journey and personally experienced the heartache and pain.

Together for Short Lives, another wonderful charity, is calling on the Government to follow the example of the Scottish Government. I pay tribute to the Scottish Government and to my colleagues here from the Scottish National party, who are part of that, perhaps not directly in Scotland but through the party, for their contribution. That Government have allocated £30 million over five years for children’s hospices so that there is parity with funding for adult hospices. They recognised the need and did that. I see good done in many places across the United Kingdom of Great Britain and Northern Ireland. There is good done by different regions, and that is an example of good done by the Scottish Parliament. Children and young people with life-limiting and life-threatening conditions in England, Northern Ireland and Wales deserve the same recognition, opportunity and support as those in Scotland.

May I highlight quickly the importance of faith and the need for the Church? Many of us in this Chamber have personal experience of that. It is important that there is recognition of the importance of the Church and the role that it can play when tragedy hits.
I will conclude because I am conscious of the time. It is hard to know what to legislate for, because there cannot be enough paid leave to heal the wound that is left by the loss of a child, but there should be enough paid time to ensure that someone is back to being able to function like a human being. There cannot be enough of a grant to provide a decent send-off, but a grant should be available to those who have cared for their child and are financially strained because of the requirements of that care. Often the burden of the care is not just financial, but emotional and physical. There cannot be enough free hours in hospital car parks to ease the burden, but help in that respect can ease the load. Unfortunately, there is nothing that we can do to help these families emotionally, I believe, unless we have expertise in this regard, which is why I am looking to Churches and to those of the cloth to provide support.

What we can do is support families practically through end-of-life care and then bereavement support. That is why I am standing with the hon. Member for East Renfrewshire, who made the proposal today, and with all the other hon. Members who have made and will make contributions, including the shadow Minister, the hon. Member for Wirral West (Margaret Greenwood), and the Minister, and asking that every person here and every group represented here does the right thing and supports that proposal.

5.1 pm

Gavin Newlands (Paisley and Renfrewshire North) (SNP): It is a pleasure to serve under your chairmanship, Mr Brady. I thank the hon. Member for East Renfrewshire (Paul Masterton) for securing the debate and congratulate him on doing so. He is a constituent of mine, and the last time I spoke across the room from him was in Ralston community centre during a Ralston community council meeting, and I visited as his MP. These are somewhat different surroundings from the community centre, but there we are.

I echo my hon. Friend the Member for Glasgow East (David Linden) by paying the utmost respect to those hon. Members who have direct experience of losing a child but have found the courage to speak about their personal experience. By sharing their profoundly moving experiences, they have added so much not just to debates in this place, but to the wider debate. This House, if I may speak for it, is very grateful to them and very sorry for their loss.

I have friends and colleagues who have had to endure the unimaginable pain of losing a child. Although our first daughter was born more than six weeks premature, my wife and I have been very fortunate in her continuing health—touch wood—but we saw at first hand the raw pain of parents clinging to hope over the life chances of their newborn. Sadly, for some, what should be the happiest moment of their lives turns into the most traumatic.

This is an emotional debate, and in my view anyone who goes through the tragedy of losing a child should receive all the support and help that they require. I was shocked to learn as an employer when dealing with a bereaved parent for the first time that under the Employment Rights Act 1996, the statutory bereavement leave provision contains no minimum requirement. The amount of time off that a parent is allowed is whatever is considered reasonable by the employer. I would have hoped that most employers would give parents as much time as possible to help them to deal with the loss of a child, but as we have heard, that does not appear to be the case. In a national survey conducted last year, less than one third of British adults who were working at the time of their bereavement said that they felt supported by their employer. That highlights the need for a layer of protection, and I welcome the Government’s attempts to introduce a statutory requirement for paid leave in the event of the death of a child. There will be competing views on how much time should be provided to bereaved parents. The charity Bliss says that two weeks should be the minimum statutory entitlement. That would be a welcome start, but I believe that two weeks is not enough.

Any forthcoming legislation should be accompanied by revised guidance from ACAS on bereavement in the workplace. That would help to ensure consistency across the working environment, with both employers and employees being aware of their rights and responsibilities.

When discussing this issue, we should also take account of the level of bereavement support payment for low-income families with children who have suffered bereavement. The cynical “simplification” that has taken place with the introduction of that payment has resulted in 75% of claimants being worse off under BSP than they were under the previous system. In addition, the new payment is not planned to rise in line with inflation, meaning that it will lose value over time, even though funeral costs, as we have heard, continue to rise. I urge the Minister and the Government to examine the wider support in place for bereaved families, in particular the level of support provided via bereavement support payment.

Our goal in improving the system should be to provide the best level of support to parents who have lost a child, and to do so in a way that does not require parents to navigate a complicated administrative process. I am heartened by the cross-party consensus that seems to exist in this place and I look forward to working with colleagues to help to improve the system.

Mr Graham Brady (in the Chair): We have just under 25 minutes to take the SNP spokesman, if she would like to contribute, the Opposition spokesman, the Minister and the Member who moved the motion, if he would like to make a brief response at the end. Again, I will not recommend specific times, but I am sure that all the speakers will be conscious of the time limits.

5.6 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): Thank you, Mr Brady.

The loss of a child is of such magnitude, is such a life-shattering experience, that leave for bereaved parents cannot simply be left to the good will of employers but must be put on a statutory footing. I extend my thanks to the hon. Member for East Renfrewshire (Paul Masterton) for initiating this important debate and for his sensitive and consensual approach. I also state for the record, even though the hon. Member for Thirsk and Malton (Kevin Hollinrake) is no longer in his place, that like everyone else who has participated in the debate, I am extremely supportive of his private Member’s Bill. From what I have heard today, I think that everyone in this Chamber will support it.
Of course, any decent employer would respond to such a tragedy by being understanding, but as I have said, we cannot leave it simply to the good will of employers. The government, given the case. Member for East Renfrewshire show why that is the case. The law should—indeed, it must—recognise the effect of such an event on any working parent in any industry or sector and provide them with statutory support and protection.

Today, I stand to speak on behalf of the parents who suffer the devastating loss of a child from the perspective of someone who had to bury her own son. Like the hon. Member for Colchester (Will Quince), I feel a duty and a drive as a Member of Parliament to make things better for those who have the terrible misfortune to go through such an event. Under the law when it happened to me, my leave was protected, as the hon. Member for East Renfrewshire pointed out, because my son was stillborn at full term. My maternity leave of six months was still available to me. Leave was not available to my husband and he coped as best he could, taking very little time off work but still stumbling through his grief.

It is time the law recognised, with rights to paid leave, the loss of a child and its effect on bereaved parents at whatever stage in the life of the child the loss takes place. According to Child Bereavement UK, 28 young people under the age of 25 die every day. That is 28 families torn apart. No one can adequately describe what it is like to bury their own child. As the hon. Member for Stroudford (Jim Shannon) pointed out, it goes completely against the natural order of things. There is the numbness, the sense that the world has ended, and the inability in the midst of that shock to comprehend how the world can possibly continue to turn and go about its business. The loss of a child cannot be quantified by a set period of time, but the law must do what it can to create some kind of statutory space to grieve.

When you lose a child, the challenge is not whether you can go back to work on Monday; the challenge is how to keep going when breathing requires a conscious effort and getting out of bed in the morning becomes a goal in itself. Even months and years later, you can be doing ordinary, mundane tasks, and quite unexpectedly a wave of grief will wash over you like a tidal wave, taking you completely by surprise. As the right hon. Member for Enfield North (Joan Ryan) pointed out, ongoing support in such circumstances would be welcomed by many parents.

I spent months unable to leave the house and lost interest in the world. Eating became a thing that had to be done, not something that I wanted to do. Every morsel that you put in your mouth is a struggle. Many parents who have been through that will identify with it. Yes, the loss of a child can often give way to thoughts of suicide for parents. After all, the entire future that you envisaged for yourself has changed irrevocably and only a gaping shadow of grief that will stay with you forever seems to be left.

About 60% of childhood deaths in the UK occur within the first year of a child’s life. Emotionally such a loss must be prepared for, and it can never be truly and fully recovered from, but we find a way forward. Gradually they find a way to build a semblance—often it is only a semblance—of some kind of life around the shadow that is forever cast over their life. The loss of a child becomes an integral part of your life and lives with you every single day. Of course, all loss is hard to bear, but the loss of a child is the loss of a parent’s investment in the future. Our children are the physical embodiment of our investment, hopes and confidence in the future. When that is gone, what is left? The magnitude of the loss must and should be recognised by society, and protections and support enshrined in employment law—for the self-employed as well, as has been pointed out.

In these terrible circumstances parents go on because there is no alternative. They find a way to cope for the sake of other people in their lives who love them and need them—perhaps their other children or their spouse—but such parents need rights enshrined in the Employment Rights Act, recognising the devastating loss of a child and the awful, horrific effects it can have, and giving them time to grieve, with full pay. This must be a fundamental workplace right for parents in any civilised society. What decent employer could possibly object to that? I urge the Minister to pursue this measure with all due haste, and for all parents who go through this nightmare, to put paid bereavement leave for the loss of a child on a statutory footing.

5.12 pm

Margaret Greenwood (Wirral West) (Lab): It is a pleasure to serve under your chairmanship, Mr Brady. We have had a very moving debate, full of passion, consideration, reflection and a lot of agreement on the issues involved. I congratulate the hon. Member for East Renfrewshire (Paul Masterton) on securing such an important debate.

The death of a child, as has been said, seems to go against the natural order of things, because all parents expect their children to outlive them, yet in the UK in 2015, more than 10,000 babies, children and young people up to the age of 25 died. That is 28 people a day. There are some things, such as registering a death, arranging a funeral and notifying family and friends, that have to be done immediately following a death, and they take time, as anyone who has lost a close family member will know. Whether that death has followed a long period in hospital or has come as a sudden shock, parents also need time to grieve. It is true that some people may find it helpful to return quickly to work, but others may need much longer before they are ready to start work again, and there is currently no statutory right to paid bereavement leave for parents following the death of a child.

Bills were introduced to remedy that position in 2013 by the then Labour Member for Glasgow South, and in 2016 by the hon. Member for Colchester (Will Quince). The latter Bill would have created an entitlement to at least two weeks’ paid bereavement leave for parents after the death of a child, at a rate that mirrors statutory maternity, paternity and shared parental leave. The private Member’s Bill on the issue promoted by the hon. Member for Thirsk and Malton (Kevin Hollinrake) is due to be debated on 20 October. As we have understood throughout this debate, there is a real opportunity for cross-party agreement on this issue.

I understand that the Bill has Government support and that the Minister’s Department has been consulting with employers, employee representatives and campaigners to better understand the needs of bereaved parents and
employers. Will the Minister please update Members on those discussions and on the Government’s view on the form the legislation should take? Will she give a commitment that the Government will allow sufficient time for the Bill to reach the statute book?

The Employment Rights Act 1996 gives the right of an employee to have reasonable time off to deal with an emergency, such as a bereavement involving a dependant. The employer does not need to pay the employee for this time off, and what “reasonable” means is unclear. That can lead to problems when an employer chooses to ignore its moral responsibility to its staff. Of course, many employers treat requests for compassionate leave in situations like this sympathetically and do not try to force their employees to return to work before they are ready. They may offer paid leave and even have a compassionate leave or bereavement leave policy in place—for example, Facebook announced in February that it would allow its staff to take up to 20 days’ paid compassionate leave for the death of an immediate family member. However, a 2014 survey of HR professionals found that the average time that an employee in the UK takes off from work after the death of a close family member was five days. A TUC report published last week documented the increasing difficulty that employees have in obtaining leave for family reasons, especially when people are in insecure work, such as on a zero-hours contract. The study dealt with caring responsibilities rather than the death of a child, but—difficult as it may be to believe—there are employers that will pressure people to return to work immediately after their child has died.

The fact that we are debating this issue today owes much to Lucy Herd’s campaign for entitlement to parental leave following the death of a child. After her son Jack drowned in 2010, her then partner was only entitled to three days’ leave, one of which had to be for the funeral. Lucy’s online petition gained more than 230,000 signatures, three days’ leave, one of which had to be for the funeral. After her son Jack has died.

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If someone is forced to return to work when they are not ready, they can find it impossible to function properly. In some cases the stress can cause them to become ill, and may actually lead to them taking more time off because of illness than if they had not initially returned so quickly. Respondents to the survey of HR professionals in 2014 overwhelmingly said that employees taking time out for compassionate reasons had no adverse effect on staff resourcing. In fact, the survey found that companies that did not offer paid compassionate leave were more likely to experience problems with staff resourcing.

That chimes with the findings of the National Council for Palliative Care’s research, in which a majority—56%—of people questioned said that they would consider leaving their job if their employer did not offer proper support in the event of a bereavement. However, the reality is that many people cannot afford to do that or, indeed, to take unpaid leave. Bereaved parents may face financial pressures in addition to having to cope with their grief. Most families suffer an immediate loss of income after the death of their child, owing to the cessation of benefits such as carer’s allowance, disability living allowance and child benefit. Families may also have got into debt if their child was in hospital or a hospice for a prolonged period.

I turn now to the details of how paid bereavement leave could be provided, because it is important that legislation takes account of the realities that bereaved parents face. Does the Minister agree that the legislation should allow bereaved parents as much flexibility as possible in when to take their paid bereavement leave and how it is taken? In some cases, for instance, it may take time to arrange a funeral because a post-mortem has to take place or family members have to travel long distances. Parents may also find that it is only after a certain time that the full impact of their child’s death hits them and they need to take time off. Will the Minister ask her colleagues at the Treasury to consider whether the entitlement to paid bereavement leave could be taken more flexibly than in one or two week blocks?

Around 60% of childhood deaths occur within the first year of life, and most babies who die very early in infancy will have spent most, if not all, of their lives in hospital. At the moment, if a baby dies while their mother or father is still receiving parental leave, that leave will continue until it would have concluded if their child had lived. However, a father may well have already used the entitlement to two weeks’ paternity leave, as well as their annual leave, even if their child dies within the first four weeks of life. If the baby has spent a long time in hospital before he or she dies, their mother may soon be due to return to work, or at least reaching the point where statutory maternity pay stops. Either parent in that situation may find it very difficult to obtain more time off work if their baby sadly dies after a prolonged hospital stay. Will the Minister tell us whether the Government support the right for bereaved parents to take statutory paid bereavement leave in addition to statutory paternity and maternity leave?

Finally, in this debate we have considered a statutory right to paid leave when someone is employed; however, parents who are self-employed or unemployed also need to make the necessary practical arrangements if a child dies, and to grieve. The Chancellor said in his March Budget that the most significant remaining difference in the entitlement to social security of the employed and self-employed was in relation to parental benefits, and that the Government would consult over the summer on options to address the disparities in that area. Can the Minister therefore tell us whether the Government believe—

Mr Graham Brady (in the Chair): Order. I hesitate to interrupt the hon. Lady, but we really need to move on to the Minister’s winding-up speech now.

Margaret Greenwood: May I finish my sentence?

Mr Graham Brady (in the Chair): If you finish it very quickly.

Margaret Greenwood: Can the Minister therefore tell us whether the Government believe that an equivalent to paid bereavement leave should be introduced for self-employed parents who are bereaved?
5.19 pm

The Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Margot James): It is a pleasure to serve under your chairmanship, Mr Brady. I welcome the opportunity to discuss this tragic issue, and I thank the hon. Member for East Renfrewshire (Paul Masterton) for securing this important debate and for his thoughtful remarks. I also thank the all-party parliamentary groups mentioned in this debate for their positive work.

I reassure all hon. Members that the Government remain committed to supporting the private Member’s Bill of my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) on parental bereavement leave and pay, which comes on the heels of a similar Bill brought last year by my hon. Friend the Member for Colchester (Will Quince), to whom I shall return in my remarks. I met the two of them today to flesh out some of the details of the issue.

Unquestionably, the death of a child is traumatic and deeply upsetting for any parent. I agree wholeheartedly with the hon. Member for Strangford (Jim Shannon) that the loss of a child or baby is the worst form of bereavement that a human can suffer, a point reinforced by other Members in their contributions. It consigns most sufferers to a lifetime of grief, which, at best, if they are fortunate, they learn to live with over time.

That was powerfully put by the hon. Member for North Ayrshire and Arran (Patricia Gibson) in a speech of great impact. I extend my heartfelt condolences to her and to all Members, and all observers of this debate, who have been personally affected by this terrible, life-changing event.

The Government expect employers to be sympathetic and flexible when employees request leave in such circumstances, but acknowledge that that is not always the case. I have been upset to hear from several hon. Members about the survey, and about individual instances of inhumane behaviour that I do not think that any amount of human resources training could begin to address. We recognise that without a statutory entitlement to time off following the death of a child, the situation will not rectify itself.

Our manifesto committed to ensuring that bereaved parents can take time away from work to grieve for a lost child. As I have mentioned, the Government remain fully committed to that. I pay tribute to my hon. Friend the Member for East Renfrewshire. The particulars of the Bill are being carefully considered, and I will of course bear in mind the detailed questions and suggestions from the shadow Minister and discuss them with my hon. Friend. Friend the Member for Thirsk and Malton and with Treasury officials. Officials in my Department met interested stakeholders over the summer and had some fruitful discussions, which have helped to shape our thinking. I was heartened to hear that there is wide support for the Bill among employer and employee groups, charitable organisations and parents alike.

Many hon. Members have mentioned the importance of bereavement services. The quality of care that bereaved families receive can have long-lasting effects. The Government have invested £35 million to improve birthing environments from that perspective. The improvements include better bereavement rooms and quiet area spaces at 40 hospitals. There is, of course, more to do, as the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) amply demonstrated in his contribution.

Jim Shannon: Will the Minister give way?

Margot James: I am mindful of time. If the hon. Gentleman will forgive me, I only have five minutes left and a number of questions to answer.

The Government are supporting Sands, the stillbirth and neonatal death charity, to work with other baby loss charities and royal colleges to produce a national bereavement care pathway to reduce variation in the quality of bereavement care provided by the NHS. I noted the intervention by the right hon. Member for Enfield North (Joan Ryan) about the evolving needs of bereaved parents, some of whom will need to access bereavement services long-term. That point was reinforced by the hon. Member for North Ayrshire and Arran. Sands is also working on a project for NHS England on the role of bereavement midwives.

The Department of Health has published “Health Building Note 09-02: Maternity care facilities”, a guideline on the design and planning of maternity care facilities in new healthcare buildings and the adaptation and extension of existing facilities. In line with the guidance, we expect new build or redesigned maternity units to include facilities for parents and families who suffer bereavement at any stage of pregnancy or in the immediate aftermath. The standard of neonatal care across Scotland, as my hon. Friend the Member for East Renfrewshire has rightly pointed out, is a matter for the Scottish Government, but I share his concerns and encourage him to take it up with Scottish Ministers.

I listened with interest to the hon. Member for Glasgow East (David Linden) on the work of children’s hospices and palliative care services in Scotland, which should be brought to the attention of Health Ministers in the UK and, if possible, of those working on the national bereavement guidelines.

The self-employed were mentioned. Those who are self-employed and bereaved face different challenges from people who are employed, but no less demanding ones. As Matthew Taylor argued in his review of employment and protections, the tax that people pay and the entitlements that they receive are linked, so it is right that we consider the wider arrangements for the self-employed in a holistic way that includes tax benefits and rights. The Government will come back to the Taylor review, including those matters, with a full response before the end of the year.

Since 2010, we have taken steps to equalise the state benefits provided to the employed and self-employed, including giving the self-employed access to the full rate of the new state pension for the first time, so there is a precedent. We agree with the principle of equalising benefits for the self-employed, but the roadmap happened alongside reforms to taxation, which will need to be considered carefully over the longer term. The self-employed will need to be consulted as part of those deliberations.
I draw hon. Members’ attention to the ACAS guidance document for employers, “Managing bereavement in the workplace—a good practice guide”, which was developed with the charity Cruse Bereavement Care for people who have lost a loved one. I hope that the valuable work done by so many hon. Members to raise awareness of this terrible issue will have an impact on employers, as well as on the health services and wider society.

Hon. Members raised the important point that some employers struggle to know the best way to support staff in these circumstances. We support the Bill introduced by my hon. Friend the Member for Thirsk and Malton, which will put matters on a statutory footing, but there is a lot more that employers can do. It was disturbing to hear of the survey showing that only a third of people who suffered this terrible experience felt adequately supported by their employers.

The ACAS guidance highlights the important role that employers can play and their duty of care to employees, and includes specific advice about parents who lose a child. Most importantly, it helps employers understand how grief might affect their employees. It provides practical steps that employers can take when they are notified by their member of staff, in the immediate aftermath, and when the employee returns to work. The guidance has been well received by employers, and we will consider how we can continue to work with ACAS to promote it further and embed a cultural change in companies up and down the country, given the importance of the issue.

I thank all hon. Members for their contributions to the debate. It has come at a valuable time in our thinking.

5.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).
Westminster Hall

Wednesday 13 September 2017

[Mr George Howarth in the Chair]

Autism Diagnosis

9.30 am

Bambos Charalambous (Enfield, Southgate) (Lab): I beg to move,

That this House has considered a waiting time standard for autism diagnosis.

It is a pleasure to serve under your chairmanship, Mr Howarth. During the last general election campaign, I attended a hustings in Enfield, Southgate organised by the local branch of the National Autistic Society. Following that meeting, and after further discussions with constituents and others on issues related to autism, I decided to request a debate on the matter. During this debate, I will briefly describe the effects of autism and explain the National Institute for Health and Care Excellence’s diagnostic assessment standard. I will also question why that standard is not being adhered to, explain the impact of late diagnosis and propose a way forward to the Minister.

As some people may be aware, autism is a lifelong developmental disability that affects how a person communicates with and relates to others and makes sense of the world around them. It is a spectrum condition and affects individuals to varying degrees.

Nick Thomas-Symonds (Torfaen) (Lab): All my constituents who contacted me about this issue are very concerned about the time taken for diagnosis. Does my hon. Friend agree that it is important to have a consistent approach right across the country—like in Wales, where last year the Welsh Government introduced a national autism strategy?

Bambos Charalambous: My hon. Friend makes a valid point: consistency is required across the range.

David Simpson (Upper Bann) (DUP): The hon. Gentleman talked about diagnosis times. In Northern Ireland, we fall foul of the 13-week standard, with some times peaking at 22 months. We have a vast shortage of psychologists. Does he agree that a massive recruitment drive is needed to reduce those times and achieve the standard?

Bambos Charalambous: The hon. Gentleman makes a very good point; I will refer to the requirement of additional resources later.

Autism usually first manifests itself in young children: four to five years old is the average age at which it is diagnosed, with girls being diagnosed later and less frequently than boys. Some people are not diagnosed until they are adults, after which they are then able to make better sense of things. Some of the early signs of autism include underdeveloped communication and attention skills, such as not establishing eye contact or responding to one’s name. It is widely acknowledged that autism can be reliably diagnosed at age two, and that early diagnosis is absolutely critical to allow parents and carers to receive the support they need so that they can give their child the best start in life that they can. It is safe to say that everyone supporting a child with autism benefits from early diagnosis.

Before looking at the NICE guidelines, I will reference the primary piece of legislation that covers autism: the Autism Act 2009, introduced as a private Member’s Bill by the right hon. Member for Chesham and Amersham (Mrs Gillan). It was adopted by the Labour Government of the day and became law. Section 1 of the Act states that the Secretary of State must publish an autism strategy by April 2010, and must keep that strategy under review. In March 2010, an autism strategy was drawn up, and it covered: increasing awareness; developing a consistent pathway for diagnosis; improving access to services; helping adults with autism into work; and enabling local partners to plan and develop local services. Section 2 deals with guidance about implementing the autism strategy, with subsection (5) stating that that must include guidance about diagnosing autism, identifying adults with autism and assessing their needs.

Following the granting of Royal Assent to the Autism Act and the drawing up of the autism strategy, NICE acknowledged the need for early diagnosis. In paragraph 1.5.1 of its “Autism spectrum disorder in under 19s: recognition, referral and diagnosis” guidance, under the heading “Autism diagnostic assessment for children and young people”, it states that autism diagnostic assessment should start “within 3 months of the referral to the autism team.”

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): Does my hon. Friend agree that there needs to be support for the whole family of children with autism, especially when they are waiting so long for diagnosis? Will he also join me in celebrating a local charity in my constituency called Aim Higher, which supports and empowers children and parents with autism, and in congratulating it on being named Sainsbury’s local charity of the year?

Bambos Charalambous: My hon. Friend makes an excellent point about the need to support families and carers, and it sounds as though Aim Higher is doing a fantastic job in her constituency. I congratulate it on doing a much-needed job.

Rachael Maskell (York Central) (Lab/Co-op): My hon. Friend is making an excellent speech. Returning to support for families, is it not right that the functional needs of the child and the support for parents trying to address those functional needs could be addressed immediately, even without a diagnosis? That needs to be put into the system now.

Bambos Charalambous: Support early on is very much needed, and I thank my hon. Friend for making that point. In the early years, when parents and carers are trying to make sense of the situation, it is essential that they get the support they need from other agencies and that that is provided for.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The private Member’s Bill—later, the 2009 Act—was vital, but it has been too long since that time. We need action now. I chair the Westminster Commission on Autism, and a member of my family is on the autism spectrum.
It is time to act now, to make the service universal for every child and to support every family. I hope that everyone’s interest will be regenerated today so that we can carry on the battle.

Bambos Charalambous: My hon. Friend makes an excellent point. One of the areas I referred to previously was the need for the 2009 Act to be reviewed by the Secretary of State. Perhaps that is the way forward, but I await the Minister’s response.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): We are entering the period of reviewing the implementation of the 2009 Act. It will shortly be the 10th anniversary of the Act as well, so it is important that that is followed through on a cross-party basis. I assure the hon. Gentleman that the Government will certainly be, and are already being, held to account.

Bambos Charalambous: I thank the right hon. Lady for that helpful intervention; we look forward to seeing how that progresses.

The autism diagnostic assessment should start within three months of referral to the autistic team. That standard was set by independent experts, and for good reason. It is a fact that autistic people who are not diagnosed early enough are also highly likely to develop other neurodevelopmental conditions, such as attention deficit hyperactivity disorder—ADHD—dyslexia, or dyspraxia. Early diagnosis and intervention could help to reduce the prevalence of those additional conditions.

Gareth Johnson (Dartford) (Con): I congratulate the hon. Gentleman on securing the debate. Does he agree that the NICE guidelines he alluded to are not figures simply plucked out of the air, but are carefully considered? What is vital is that if they are implemented people can get the support and assistance that they often need for this condition.

Bambos Charalambous: The hon. Gentleman makes an excellent point. The NICE guidelines are drawn up by experts who are qualified in their field, and it is only with the collaboration of the experts that the guidelines are set. They are set by experts and should be strictly adhered to.

The delay between referral and diagnosis not only causes more potential harm to children, but leads to untold stress and anxiety for parents and carers who cannot understand their child. If the delay was a matter of weeks, that would be bad enough, but thanks to research done by Dr Laura Crane at Goldsmiths, University of London we now know that in a sample of 1,047 parents of London we now know that in a sample of 1,047 parents of London—more than 23 miles. While I have constituents not only have to wait three years before and emails, as have colleagues, that support the findings of Dr Laura Crane’s study and suggest that the delay in diagnosis is taking years, not months.

Norman Lamb (North Norfolk) (LD): Does the hon. Gentleman agree that NICE needs to look at reviewing its guidance? It is not just about the first appointment. There is a risk that there is gaming of the system. People get their first appointment, but then it is stretched out to three and a half years, as we know. Getting the diagnosis is the critical thing.

Mr George Howarth (in the Chair): Order. Before I call Bambos Charalambous, I should say that those seeking to make a speech in the debate may consider it unnecessary to make an intervention, enabling those who for one reason or another cannot make a speech to make a short intervention. I say that in an advisory sense; it is up to the hon. Gentleman whether he accepts any interventions. As they glance around the Chamber, Members will become aware that it will be difficult to get everyone in.

Bambos Charalambous (Enfield, Southgate) (Lab): The right hon. Member for North Norfolk (Norman Lamb) makes a good point about the need for proper assessment of when the final diagnosis is actually made. It may not be at the first appointment; more than one appointment may be needed before the final diagnosis is established. It is absolutely vital that these diagnoses are made as soon as possible.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): My hon. Friend is making a powerful speech in a timely debate. In light of this debate, a constituent contacted me and shared her very distressing experience of the five long years she waited for a diagnosis for her son. He requires support in every aspect of life and has suffered academically and socially while waiting for that diagnosis. Does my hon. Friend agree that waiting times are far too long? The damaging effects are long-lasting and a poor economic outcome for the country.

Bambos Charalambous: My hon. Friend makes the excellent point that the delay in diagnosing autism leads to further economic and social concerns that may have an adverse impact on society in general. That point was very well made.

NICE also has a quality standard for adults with autism, which again recommends that people should have a diagnostic assessment within three months of referral. NICE’s rationale for that states:

“It is important that the assessment is conducted as soon as possible so that appropriate health and social care interventions, advice and support can be offered.”

In my constituency of Enfield, Southgate there is currently no local diagnostic pathway. That means that an adult looking for assessment and a possible diagnosis could not have it done at North Middlesex hospital or Chase Farm hospital—or even Barnet General or the Royal Free, which are within the trust. Instead, they would have to be referred to the Maudsley hospital in south London—a distance of more than 23 miles. While I respect the excellent work that the Maudsley hospital does in mental health, I find it staggering that my constituents not only have to wait three years before
getting an appointment for diagnosis, but then have to travel 23 miles to access the services. I suspect the distances may be longer for colleagues in other parts of the country.

Some parents and carers cannot bear the long wait and so feel compelled to pay privately to have their child diagnosed, putting them under extra unnecessary financial pressure in an already stressful situation. Once correctly diagnosed, a child will receive the support they need in schooling and wellbeing via a specifically designed local education, health and care plan, which could have life-changing effects.

Laura Smith (Crewe and Nantwich) (Lab): On that point, a constituent, Zoe, explained to me how the diagnostic procedures are outdated. Some children are not being diagnosed as autistic because they can do things such as make eye contact, and then that diagnosis is proved to be wrong. She also said:

“If you become desperate and obtain a private diagnosis with an expert in the field, you are made to feel that you have bought the result and it is not seen as valid by schools and other SEN professionals. I think that the worst thing is the treatment of parents who are trying to help their child under what are extremely stressful and upsetting circumstances. Your parenting skills and your mental health are questioned regularly.”

Does my hon. Friend agree that that is a problem?

Bambos Charalambous: My hon. Friend makes an excellent point. Sometimes the private assessment is not recognised by the local CCG, so referral does not take place as planned, leading to more stress on families and children. I have enormous sympathy with her constituent who has faced that situation.

We all know that the early years of a child’s life are so vital for their long-term development. If a child does not get a good start, it is always hard to catch up. Research conducted by the charity Autistica has found that a programme of parent-led video therapy delivered during the early years of an autistic child’s life could significantly improve their communication and social interaction skills. People who are not diagnosed until adulthood can experience depression and have suicidal thoughts.

Liz Twist (Blaydon) (Lab): Does my hon. Friend agree that Autistica’s research also indicates that people with an autism diagnosis, once they get it, can have an increased risk of mental health conditions? In fact, such young people are 28 times more likely to consider suicide than other young people, and that affects adults who do not receive a diagnosis, too. People who have autism have an increased risk of suicide.

Bambos Charalambous: My hon. Friend makes an excellent point. Other additional conditions can develop, and suicidal tendencies are one of them. Other mental health conditions can similarly manifest themselves in young people in particular. I congratulate her on looking at that research.

Margaret Greenwood (Wirral West) (Lab): My hon. Friend is being very generous in giving way. He is making such an important speech, and I congratulate him on calling this debate. One of my constituents wrote to me about how she was diagnosed as autistic in her 40s and the struggle she had in getting past her doctor. She said that once she had that diagnosis, it was life-changing, because she could understand that she was not lazy, weird or anything else; she was autistic. She wrote to me to say that she believes there is a need for greater training of GPs to spot the signs of autism. Does my hon. Friend agree?

Bambos Charalambous: My hon. Friend makes an excellent point. Sometimes the behaviours for autism in women and girls are not picked up as much as they are in boys, because they do not always display the behaviours that would lead someone to detect autism. I wish her constituent well for the future.

The lengthy delay in diagnosis can lead not only to the development of further secondary conditions to autism, but will invariably end up costing the NHS more money for more GP appointments, emergency admissions and reliance on mental health services at a time of crisis. In addition, delayed diagnosis has a disproportionate effect on women. Girls are often diagnosed late as they do not always display the same classic behaviour associated with autism as boys do.

How can the situation be remedied? I urge the Minister to consider implementing three things. First, we need to ensure that the NHS collects and publishes data for each NHS trust or CCG from the date that a child is referred to them until the date of diagnosis. At present there is no such requirement, so such a database should be cemented in the NHS accountability frameworks and should be held by the CCGs in their improvement and assurance frameworks. CCGs and the NHS trusts should be measured by how they perform on referrals and diagnoses.

Secondly, we need more investment in the NHS. To miss a standard set by NICE by more than three years leads me to believe that the Government are not really trying hard enough when it comes to ensuring that the children are seen and properly diagnosed within a timely period. It is scandalous that children’s futures are put at risk in such a way. Although the Minister may say that the three months is only a guideline and not mandatory, I believe the guideline should be strictly adhered to. The guidance is there for a reason.

We also need more specialist units to deal with diagnosing autism. We have in recent months heard some bold promises from the Government about funding for mental health, but we have yet to see any sign of firm action. We need investment in the NHS and we need it now.

Finally, we need to ensure that the improved record-keeping of autism diagnosis helps to identify where there are gaps, and that work can begin to tackle the health inequalities we face. I wish to thank the National Autistic Society and Autistica, and also the House of Commons Library for its excellent briefings on this matter. I await the Minister’s response.

Mr George Howarth (in the Chair): Order. Before I call the next speaker, I should point out that many people wish to contribute, so there will be a time limit of three minutes starting from when the next speaker sits down. I apologise for that, but it is the only way we can try to get everybody in. Even then, it is unlikely that everybody who is down to speak will be called.

9.51 am

Mrs Cheryl Gillan (Chesham and Amersham) (Con): It is a pleasure to serve under your chairmanship, Mr Howarth. I will try not to take up too much time.
I welcome the Minister to her place and look forward to hearing how she responds to the hon. Member for Enfield, Southgate (Bambos Charalambous). I add my congratulations, which I am sure will be echoed around this Chamber, to him on securing this important debate.

I am proud to be chairman of the all-party parliamentary group on autism, which has a wide membership across all parties. I like to think that this is one subject about which we do not need to be party political; we can all work together to try to secure better outcomes for people with autism and their families. I hope that the hon. Member for Enfield, Southgate and other new Members will join the APPG. Forgive me for the advertisement, but if they ring my office we will put them on the list and let them know what we are up to.

May I also welcome a very unusual appearance in this Chamber? I see that the Minister for Disabled People, Health and Work, my hon. Friend the Member for Portsmouth North (Penny Mordaunt), is here. We do not often see a Minister from another Department who is not called upon to speak coming in to listen to a debate. I am encouraged by that and I thank her for being here, because it shows how seriously we take this matter.

If I remember correctly, the last time we were in this Chamber to debate autism was in a debate secured by the late Jo Cox. We all acknowledge that she was a great Member of Parliament, and she had also begun to champion autism in a major way. We are grateful for her contribution, which will long be remembered in this House. It is worth looking back at that debate to see how far we have come since then and what measures are being put in place to bring down diagnosis waiting times, because all of us, including the Government, were in agreement that people are waiting too long for diagnosis—that is a given.

Last year I had the honour of chairing a well-attended APPG public meeting on this issue. Those who were there might remember hearing from Melanie, whose son Sam had waited nine years to receive a formal diagnosis. Concerns were first raised only two weeks after he started school. She was passed from agency to agency until finally, at age 14, her son was given a formal diagnosis.

Melanie told us how frustrated she was at the number of missed opportunities to pick up on Sam’s basically hidden needs. It meant that she could not put in place vital support to help him when he was young, which she believes has had a significant impact on his development and, as one of the interventions alluded to, on the subsequent mental health problems he faced. It is sad to say, but she now regrets having pushed her son to fit in and socialise, because that caused him an enormous amount of stress. Although a nine-year wait is an extreme example, the stories that our constituents tell us clearly show that we need to do more to reduce waiting times.

Let me touch once more on the importance of ensuring that we properly record diagnosis waiting times and break down the data by local area. The National Autistic Society has asked that diagnosis waiting times for children and adults become part of the mental health services data set and that measures are developed so that waiting times for diagnosis become part of the NHS’s accountability frameworks. I think that we could all agree on that. If those recommendations were taken forward in full, that would allow Members here to assess how well their local area was doing and to be assured that diagnosis waiting times were being prioritised locally, while supporting constituents to hold their local services to account. After all, that is what we are here for.

The Government have indicated previously that they are working towards a better methodology for recording autism diagnosis, but it would help if the Minister could put on the record the work that the Government are doing in this area and when Members can expect to start seeing the data, which will help us all.

I also want to highlight the data that should currently exist for diagnosis waiting times for adults. The Under-Secretary of State for Health, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), is no doubt aware that a report on the results of the autism self-assessment framework was published in June. The self-assessment framework is a survey that is sent regularly to top-tier local councils in England to ask them to report on local implementation of the Autism Act 2009, which I introduced. Although the overview of the results across England was published in June, the Government still have not published the local area breakdowns on which it was based. That omission has meant that Members here are unable to scrutinise how their own local areas are performing. For example, we are aware that one local authority is reporting a 125-week waiting time. I am sure that the Members who represent that currently unnamed local area will want to know that information as soon as possible—I certainly would.

Tonia Antoniazzi (Gower) (Lab): I thank the right hon. Lady for stating that this issue is not party political. Although the UK Government have introduced an Autism Act, it does not include children and has no funding attached to it, whereas the Welsh Government are investing millions in an innovative national integrated service. As well as investing millions in neurodevelopmental assessment services for children, they have introduced a 26-week waiting time target from referral to first appointment. Does the right hon. Lady think that patients in England would benefit from the Government looking at good practice in the devolved nations to improve services in England?

Mrs Gillan: As a former Secretary of State for Wales, I welcome all the initiatives taken in Wales on this matter. An earlier intervention indicated that Wales had only recently introduced an autism strategy, but in fact Wales introduced an autism strategy back in 2008, before the Bill was introduced, so they are to be congratulated on taking that original initiative—I am not proud; I will learn from any quarter where we can improve our services.

My memory of introducing the Autism Bill is not a pleasant one. The Government of the day opposed it, but we defeated them on Second Reading of a private Member’s Bill on a Friday. That was why they decided to allow their draftsmen to work with me to produce a piece of legislation that they would accept. I decided that it was better to get that on to the statute book at the time, rather than to try to broaden the scope of the legislation. However, the hon. Member for Gower (Tonia Antoniazzi) is right. I was disappointed, but that is what I was able to get through at the time, and I felt that it was important.
Can the Minister commit to looking into the local area waiting times and publishing the breakdown as soon as possible? It is worth noting that concerns have been expressed about the waiting times data provided by the self-assessment framework. Some have described it as local areas marking their own homework, with little oversight, which does none of us any good. Including data on autism diagnosis in the mental health services data set, as I have outlined already, would help make sure that data are recorded properly and accurately.

Before I sit down, I want to touch quickly on the issue of mental health and autism, which has already been alluded to in interventions. Autism is not a mental health condition in itself, but research indicates that as many as 70% of autistic people may develop mental health problems. The lack of a timely diagnosis contributes to that and can mean that autistic children and adults develop mental health problems. A diagnosis can help to unlock the right types of support for autistic people and their families, which can prevent the development of problems further down the line.

In addition, autistic people diagnosed as adults frequently report how transformational that diagnosis is in helping explain years—in some cases, decades—of feeling different. More than 60% of respondents to a National Autistic Society survey describe getting their diagnosis as a great relief. In some of the most serious cases, autistic adults have reported that prior to their diagnosis they have not only experienced serious mental health problems, but even had suicidal thoughts, as the hon. Member for Blaydon (Liz Twist) mentioned earlier.

Research from Sweden suggests that suicide rates are significantly higher among autistic people than the rest of the general public. The Swedish study, which I recommend that Members read, showed that autistic people who did not have a learning disability were nine times more likely to commit suicide than the general population. It is worth remembering that the Swedish healthcare system is different from ours. However, given the seriousness of those findings, it is vital to find out whether that also applies to the UK and, if so, to understand the reasons for that. I hope that the Minister will commit to investigating issues of mortality and autism, and highlight what proposals the Government might have more widely to ensure that autistic people’s mental health problems are better dealt with by the NHS.

I welcome this opportunity to get an update from the Government on how we are progressing in this vital area. The stories of the time that it has taken for families to get the right support in place are truly heartbreaking. From looking at the latest statistics, we see that every Member of this House will have at least 1,000 constituents who are affected by autism, so this is not just a problem for one; it is a problem for all.

I have an aim. I feel passionately that we should ensure that every single public-facing person employed by the Government or the state—whether a teacher, a nurse or a fireman—at some stage during their training has a module on autism, so that the wider state can really understand the needs of people and their families, and respond accordingly. I look forward to continuing to work with the Government not only on how we can get the waiting times down, but on how we can broaden the quality of the services that we offer to people with autism and their families. Once again, I congratulate the hon. Member for Enfield, Southgate on initiating this debate.

10.2 am

Naz Shah (Bradford West) (Lab): It is an honour to serve under your chairmanship, Mr Howarth. I congratulate my hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) on securing the debate.

Like many other Members here, I have met constituents who have talked to me not only about the difficulty of diagnosis, but the importance of getting a diagnosis. I have also heard of the difficulty that both children and adults face when trying to access the services required to support their everyday lives. I stand here today as someone who has worked as an advocate for people with disabilities since 1999—in my previous life—and in our family, my brother and sister-in-law are full-time carers to a young man who is autistic, and the father of my children continues to provide respite for two young men who are autistic, so I am very familiar with the issue of autism.

The story I really want to share today is that of young Mustafa, who will be five years old in October. His parents, Aweis Asghar and Neela Fawad, have had many conversations about the fact that Mustafa was recently diagnosed with autistic spectrum disorder. It took 12 months for that diagnosis and a further six months to have an education, health and care plan assessment by the local authority. At a time when young parents should be enjoying spending time with their only child—getting him to school and doing all the normal things—a diagnosis of autism has a massive impact not only on that family, but on the wider family unit: their work life, home life and everything. They are trying to understand something unique to their child. No two children on the spectrum are the same, and no parents will ever feel the same; they all handle things differently.

Aweis told me this morning that in America an assessor comes to the parents’ house, offers advice and guidance on the world of autism, and understands their child as an individual. Here, parents are left to their own devices. Not everybody has the level of education or the time, because of work pressures, required to do what it takes to get their child the support they need. When they get that support, it is usually from local charities, local support groups and other parents, as opposed to statutory services, which is where the ownership for making those interventions and supporting families should lie. Aweis also told me—we have talked extensively about this—that there are no clear pathways anywhere and that we do not follow the National Institute for Health and Care Excellence guidelines.

I want to ask the Government for a few things today. First, we need to revisit the NICE guidelines and ensure that we put in place the right pathways. We need to understand that every child is an individual and create their care packages individually. Secondly, the Government need to have a consistent approach across the country for every child.

10.5 am

Helen Whately (Faversham and Mid Kent) (Con): I congratulate the hon. Member for Enfield, Southgate (Bambos Charalambous) on securing the debate, and I
am pleased to see so many people in the Chamber; it reflects the level of concern about the waiting times for autism diagnosis.

First, I welcome the efforts that clearly are being taken by Governments and local authorities to provide more support for children and adults with autism. Just last week, the doubling of the number of health visitors since 2010 was brought to my attention in my constituency. That has had benefits in supporting young families and, in particular, parents, when their child is not behaving as they expected. There are good things going on, but I want to talk briefly about the gap between the NICE guidelines on waiting times and what appears to be happening on the ground.

When I talk to parents in my constituency, it is clear that their experience does not involve a three-month waiting time. I have several accounts from parents who have experienced much longer waits. For example, one set of parents raised concerns when their child was four. That child is now 10 and they still do not have a diagnosis, despite many professionals seeing the child and indicating that they think that they are on the autism spectrum. In another family, the mother raised concerns when her son was 15 months old and the child was nearly four before she got a diagnosis. During that period, not only did the child regress and go, for instance, from talking to not talking and communicating to not communicating, but a lot of concern was raised about the mother’s mental health. Rather than her being given support to look after the child, it was all about whether she had mental health problems. She went for all the support that she could get, but it very much felt like the focus was not on supporting the child. I have a whole raft of such stories.

Mike Amesbury (Weaver Vale) (Lab): Will the hon. Lady give way?

Helen Whately: We are very short of time, so I had best press on.

I draw on examples in part because we do not have regional data on waiting times. I asked the local clinical commissioning group and was told that it does not have easy access to those data, so I do not know what the waiting times are—I just have stories that make it clear that they are extraordinarily long. My first request is therefore for more transparency about the data, so as well as addressing the problem of parents saying that they are waiting to wait—that is, that they are being passed from one list to another. Let us have transparency. Let us have people who are waiting getting seen sooner and then, following the diagnosis, let us have really good support services, because the story is very patchy in that area, too.

10.8 am

Dr Paul Williams (Stockton South) (Lab): I congratulate my hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) on securing this important debate.

Waiting frustrates us all. Waiting for a bus, one might have expected it in just 10 minutes or so, and it is frustrating to have to wait a bit longer. Waiting to speak in a debate, it sometimes takes many hours to be called

—thankfully, not today. But how long should a parent wait if their child is not making friends, has difficulty communicating their needs, avoids eye contact and likes lining things up, and if they think that that child might have autism?

I mentioned on social media last week that I was going to speak in this debate. I have had more than 500 responses from people, each one telling me their story. Nichola has been told that she has to wait three years for her son to be assessed; Eleanor has been told that she will have to wait four years for her daughter. Jodie-Marie said that that for her son it was two years, for Louise it was two years and for Janine it was three years. Leigh has a child who was referred last year and been given a first diagnostic appointment in June 2019.

Delays leave many families unable to obtain the education and social support they need, and mean that during the crucial years of child development children are not receiving optimal care. Stuart Dexter leads autism support charity Daisy Chain in the constituency of my hon. Friend the Member for Stockton North (Alex Cunningham) and is in the Public Gallery today. He lives and breathes such stories of frustration every day.

Stuart told me that parents cannot understand why in Middlesbrough assessment takes four months to begin but in Stockton, the town next door, it takes three or four years. The two towns are next to each other and work with the same mental health trust, but have two completely different experiences of care. I can tell those parents why: there is no central leadership of the process, no measurement and no targets, and responsibility is fragmented. Local authorities and CCGs are not working together properly, and the staff delivering assessments work for four different organisations.

On behalf of hundreds of people in Stockton South living with autism, I will ask the Minister two questions. We all come into politics to make a difference and they are not party political. Will she include indicators on diagnosis waiting times in the mental health services data set, to measure how long it takes for people to get diagnosed? Will she commit to introducing a waiting time standard for autism diagnosis and to including it in the CCG improvement and assessment framework, setting a target for maximum waiting times? Those actions might seem small but they could be a huge and welcome leap forward in creating a diagnosis process that is fit for purpose. If they were included in the NHS mandate for 2018-19, we could make a massive difference for thousands of families.

Several hon. Members rose—

Mr George Howarth (in the Chair): Order. It might be helpful to announce that the three Front Benchers have generously agreed to cut their speeches to give us an additional six minutes. I will therefore be calling the Front Benchers from 10.36 am. Do the maths and try to accommodate all of your colleagues.

10.11 am

Robert Halfon (Harlow) (Con): It is a pleasure to serve under your chairmanship, Mr Howarth, and I congratulate the hon. Member for Enfield, Southgate (Bambos Charalambous) on securing the debate. I also congratulate the new Minister.
I have learned a lot about this issue from my local and national charity in Harlow, PACT for Autism, which does remarkable work for families. It has been made clear to me that, although there is help out there, as described today, the diagnosis process is incredibly complicated and goes on for years. A case in Harlow sums up everything that has been described:

“My son is 7 and we are going through the very slow and frustrating process of getting a diagnosis for ASD. We are a year into the process and... we have had 1 appointment with a paediatrician who confirmed he had High Functioning ASD and told us that she would see us in a few months to complete the background and then he would be diagnosed. She then backtracked and he has been put on a waiting list (9-12 months) for CDAC—I don’t even know what this is and I’m assuming that after this we will be put on a waiting list for ADOS which we have been told is a minimum of a year. My husband spoke to her yesterday because we have been waiting for over a month for the outcome letter from our appointment. She told my husband that we would be better getting a private diagnosis and then the NHS would rubber stamp it. I am feeling a bit lost—there seems to be no clear process and I am not sure what I need to be asking the NHS for.”

The average waiting time for an autism diagnosis has been described as being between 2.5 and 3.5 years for children and 2.5 years for adults, which is far too long. It hurts parents, who are incredibly anxious to support their children; it hurts schools, which will not be receiving the funding they need to help their students reach full potential; and it hurts the children themselves, whose struggle to understand themselves and their autism may lead to mental health difficulties.

We need to recognise that some individuals with autism do not get a diagnosis until they are adults. I understand from PACT for Autism that it is seeing an increase in contact from adults seeking support because local GPs seem unaware of the diagnostic pathway for adults and are “reluctant” to refer patients. It is also important to consider the support and guidance available to individuals and families during and after diagnosis. The diagnosis process can be complicated, sometimes with no follow-ups from the NHS.

On a positive note, however, in Harlow we are lucky to have some fantastic support in schools such as Milwards primary and Passmores secondary, which have specialist autism units. Recently, I went to the opening of the renewed Milwards autism hub: what is being done there is extraordinary. I pay tribute to head teacher Katherine Henson.

I ask the Government what resources are being put in place to implement and enforce fair waiting times for autism diagnosis, and what guidelines can be put in place to ensure that individuals with autism and their families receive the support they need during and after the diagnosis process. Furthermore, I urge the Minister to visit PACT for Autism in Harlow.

10.17 am

Alex Cunningham (Stockton North) (Lab): I was asked to speak in this debate by one of my constituents, Nichola, who has a three-year-old son called Thomas. My hon. Friend the Member for Stockton South (Dr Williams) referred to them.

This is a very personal story but, before I get into it, I add my tribute to Daisy Chain, the charity based only a few hundred yards from my home in Stockton North that supports children with autism and their parents. I am pleased that the great Daisy Chain team are represented here today.

Thomas has many autistic traits, such as communications difficulties and limited speech, and is behind in all areas of development, including having sensory issues. He will have to wait more than three years for a formal autism diagnosis. That is simply not good enough, and the consequences could follow Thomas through the rest of his life. He has been refused an education, health and care plan; the very fact that he does not have an official diagnosis of autism means that it is harder for him to get one, so Thomas is at severe risk of falling even further behind his peers.

High-quality and appropriate early years education is critical for all children. I am sure that we are all aware of how important those years are in the development and future opportunities of a child, and yet we are in danger of denying that high-quality and appropriate education to Thomas and many children like him.

Thomas struggles in busy, loud environments, and he can lash out as a result. He needs special attention, extra care and that education, health and care plan. He attends a mainstream nursery that has gone beyond what it needs to do for Thomas, ensuring that he has a one-to-one staff member with him at all times.
However, that has cost implications for the nursery, and it is not fair on Thomas or the other children. He needs a place in a specialist nursery—again, that takes us back to the education, health and care plan, and the official autism diagnosis. What a vicious circle!

Nichola has to begin applying for schools for Thomas to attend next September, but there is no education, health and care plan—I keep having to say that—so the process will be all the harder. At the moment, he is facing the prospect of mainstream school, which would not be suitable. Thomas is still in nappies and does not have the self-awareness that other children his age have.

I have already mentioned the Daisy Chain Project. It was founded in 2003 and serves as a haven for families across the Tees valley. Nichola speaks highly of the support that they get there. It provides a respite service but, again, without an official diagnosis, Nichola cannot access that support. I worry that young children such as Thomas will be left behind while their peers flourish. I worry that parents do not and will not have the support they need.

Families and education providers up and down the country are doing their best to cope, but they should be able to do so much more than just cope. We need a specific strategy for young people to secure early diagnosis and we need appropriate plans to support them. I hope that the Minister will tell us how we can do so much better.

10.20 am

Norman Lamb (North Norfolk) (LD): What is so powerful about this debate is that we have heard similar stories from all over the country of what feels like a completely dysfunctional system—stories of families fighting against the system for help for their children. I am always left thinking, “What about those families who don’t have the wherewithal to fight the system and don’t know about contacting their MP for help?” When we get involved, sometimes we can help those families, but what about the families who do not get in touch and do not know how to battle against the system?

One of my constituents is a 14-year-old boy who will wait so long that he will have left school by the time he has a diagnosis. Another is a 12-year-girl who has been pushed from pillar to post between a mental health trust and the council, which work in the same building. That has allowed them to address some of the challenges; as one mother told me on the doorstep, nearly in tears about her struggle to get support for her son, “It just shouldn’t have to be this difficult.” Like the hon. Member for Stockton South (Dr Williams) said, the Government have an absolute obligation to set a national maximum waiting time standard—not for the first appointment but for achieving a diagnosis—to give families hope. If we do that, we will end the awful postcode lottery and ensure that every child, wherever they live in the country, has the right to an early diagnosis. That would have a massive impact on their life chances and would save the state a fortune.

Sarah Jones (Croydon Central) (Lab): I congratulate my hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) on his speech and on calling this important debate. The things that he and others said about diagnosis and data, and the personal stories we have heard, are powerful and make a very good case.

When I go knocking on doors in Croydon, it is unusual not to meet somebody who has a child with autism—diagnosed or undiagnosed—and who is struggling to get the support they need. Since I have been an MP, several people have come to my surgeries or written to me to ask for help. People with autism face a raft of challenges; as one mother told me on the doorstep, nearly in tears about her struggle to get support for her son, “It just shouldn’t have to be this difficult.” Like the right hon. Member for North Norfolk (Norman Lamb), I fear for the people who do not have the wherewithal to seek out the services that they need.

We have heard about the unacceptable delays people face in securing a diagnosis and the impact that has on them. Parents have told me of the huge relief of getting a final diagnosis and the impact that has on their family. We have all seen the Public Health England survey that found that the median waiting time between referral and first appointment is 16 weeks, but in some areas it is far higher. In one local authority, the average wait is 125 weeks. Something clearly needs to change. I welcome calls for a commitment on NHS recording of diagnosis waiting times, and I hope that the Minister is able to make that commitment.

Early diagnosis is clearly vital, but diagnosis must be accompanied by a comprehensive set of early-stage services and proper funding. Three problems are impeding my constituents. The first is funding. The Government of course have the job of deciding how resources are distributed to local authorities, the NHS and other agencies. Croydon Council’s funding will be cut by 75% between 2010 and 2020, and it will have to make cuts of £45 million in the next few years. The impact of those cuts cannot be overstated. Croydon is doing what those cuts cannot be overstated. Croydon is doing what
introduction of a new special educational needs and disability system, the National Autistic Society reports that 74% of parents nationally have struggled to get the educational support that their child needs. There are worrying signs in my constituency that some academies are increasingly excluding children rather than engaging in the support that they need.

The final issue, which has been brought to me several times, is access to benefits for people who are unable to work. I have heard from several families who were refused personal independence payment but appealed and won their cases at tribunal. Constituents point to inefficiencies and lack of communication between agencies. I welcome this debate and I hope that the Minister will take action.

10.26 am

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op):
Thank you, Mr Howarth, for giving me the chance to say a few words about this important matter. I thank my hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) for calling this debate. I have a personal interest in this issue: my eldest son has autism, which I have had to learn about, live with and adapt to throughout my life as a parent. My first ever Westminster Hall debate, back in 2010, was on this very subject. From there, I got involved in the all-party group on autism, which is now ably chaired by the right hon. Member for Chesham and Amersham (Mrs Gillan). I also thank the hon. and learned Member for South Swindon (Robert Buckland). He is now the Solicitor General and cannot participate in the debate, but he has been a great champion and friend on these issues.

This is an absolutely crucial issue. People reach out to me all the time because they know that I am a parent of an autistic child—they have seen things in the media or they have looked up the work of the all-party group. People from outside my constituency have even turned up to my surgeries to try to talk to someone who they think can help and can try to guide them through the process, which is extremely difficult for a great many people. A child being diagnosed with autism is just the beginning of a difficult journey—people in that position have to cope with a whole range of things—but diagnosis is crucial. It is the pathway to intervention and help, and so many children have co-occurring mental health problems alongside autism that, to have any hope of addressing those, we must surely begin with the process of diagnosing autism.

We have all seen the figures. People are simply waiting too long—an average of three and a half years for children and two years for adults. Until recently, people in my constituency told me that they had to travel to Sheffield for an appointment for an adult autism diagnosis. I find that incredible, given the service provision that we should have in an area the size of Greater Manchester.

As my hon. Friend the Member for Stockton North (Alex Cunningham) said extremely well, all that contributes to a culture of making parents fight for the support that they need. It creates warrior parents, who have to struggle against the system when the system should be there to support them. The Government aspire to change that through education, health and care plans, but I cannot say with any honesty that they have succeeded. We have not yet achieved that cultural shift. I do not say that with any partisanship; I know that a great many colleagues want to work towards that. I had a lot of time for the former Minister, Edward Timpson—he lost his seat in the election—because of his work on this issue. We really must address it, and people on both sides of the House have that aspiration.

My hon. Friend the Member for Enfield, Southgate called for a primary care register. That absolutely should be the starting point, but I am clear that I want minimum national waiting times for diagnosis for autism, which a couple of Members have already mentioned. That is the only place we need the policy framework to get to, and given the support we have heard today, which parents like me up and down the country will sincerely appreciate, I believe we can get it there.

10.29 am

Jo Platt (Leigh) (Lab/Co-op): I thank my hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) for bringing this important debate here today. Like many others, I have many constituents who have contacted me and highlighted the effect that delays in diagnosis can have. The process is often a long and confusing experience for the child and a source of great stress for parents, carers and family members. My work with children and young people during my previous role within the local authority has given me a really good understanding and great insight into the huge gaps that children and families face. Delays in obtaining diagnosis vary widely from child to child and from area to area.

As others have done, I will read out a statement from a constituent; she has two autistic children. Debates such as this are for hearing directly from those affected. This is Katy, who said:

“My first child had a reasonably short period of assessment lasting 12 months, but my youngest son is just beginning the process and we have been advised that it could take up to three years. As he is nearly three, he would be expected to go onto a school place and as such could potentially struggle and fall behind.”

They will not get access to an education, health and care plan, and “he will not be accepted into a SEN school without this diagnosis.”

How is it right for her and her son to go through the agony of not receiving appropriate care due to the assessment process? That process has a huge impact on children being able to access the schooling environment and support they need.

Mike Amesbury: I want to illustrate this. A constituent has a son, Sam, who is seven years of age. They have been waiting a considerable length of time—months and months—and no longer know what to do or how long to wait. They came to me in frustration. With no diagnosis, there is no EHCP, which means no provision, as hon. Members from across the Chamber have said. They must battle on and on.

Jo Platt: That is exactly the point that we have all been raising. As mentioned by many here, people have gone through their entire lives without being diagnosed. In some cases, that does not present a real issue, but for others it presents decades of being misunderstood and misdiagnosed with other conditions.
Dawn is another woman in my constituency. She had spent all of her life being treated differently and feeling ill at ease with all that went on around her. This year, she was diagnosed with autism at the age of 46. She said to me that now that she understands her condition, the world makes sense. Dawn and many like her are determined to make a difference. She is exploring ways in which she can help and support other adults in the same situation and to advocate for better understanding of the condition. I applaud Wigan Council, because it understands the gaps and wants to bridge communities, businesses and other public services to create that better understanding for people affected.

I urge the Minister to ensure that the process of diagnosing and supporting people with autism is consistent across the country, with that process informing and supporting all public services and the wider community, and that the latest recommendations and resources are allocated at the earliest opportunity to support the individual’s needs and promote better outcomes for all.

Several hon. Members rose—

Mr George Howarth (in the Chair): Order. I will be calling the Front-Bench Members at 10.36 am. I call Jim Shannon.

10.33 am

Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Enfield, Southgate (Bambos Charalambous). When I think of families who deal daily with children who need that little bit more attention, I often wonder just how they do it. Many are doing it alone, with no help or coping strategies available to them as they await diagnosis.

Minister, we are stating facts, not pointing the finger, but the National Autistic Society highlighted that diagnosis can be a critical milestone for people on the autism spectrum. Of those who responded to its survey, 61% said that they were relieved to get a diagnosis, and 58% said that they got new or more support. It is therefore important that people with suspected autism are able to access timely diagnosis, wherever they are in the country, and that they get appropriate post-diagnosis support.

My knowledge of autism comes directly from contact with my constituents, based on benefit applications, the help that they need and the appeals process. I want to give an example that comes from the people—the mothers and children—whom I represent. There is an autistic boy; I will not name him or his parents. His parents do everything for him. They wash him and feed him. They bathe him and take him to the toilet. They amuse him, they hug him and they kiss him. They love him. They do all those things, and when he is at school and they are not doing that, they wash, iron, clean, shop and find time to pay the bills. They do everything they can for their son in every part of their life, but love is not enough to get the family through the sheer exhaustion and emotional and mental strain that is part and parcel of life with someone with special needs.

As elected representatives, we in this Chamber must do more to support those people and offer them the best that society can provide, to ensure that they do not reach the point of no return. The waiting times for diagnosis are shocking. In Northern Ireland, 2,079 children are waiting for diagnosis, and some 7,100 have been diagnosed. We have a duty to ensure that the mechanisms for diagnosis and support are there. At present, we are failing, and in this timely debate there is an opportunity for all of us to take a fresh look at how we can do things differently and more effectively.

10.36 am

Marion Fellows (Motherwell and Wishaw) (SNP): It is a pleasure to serve under your chairmanship, Mr Howarth. I will rattle through this to give others a better chance to speak. I should mention that I have been on Twitter, talking to someone in Scotland who is watching the debate with great interest because she has four children with autism. I congratulate the hon. Member for Enfield, Southgate (Bambos Charalambous) on obtaining the debate and congratulate everyone who has spoken so well and passionately during it.

In 2011, the Scottish National party Scottish Government launched a national strategy for autism, and they updated it in 2015. Some of the work done has included working with the Autism Achieve Alliance to produce action research that provides evidence to address waiting times for diagnosis. Things are not perfect in Scotland, but we have some advantages in being a smaller country. There are also plans to provide leadership for an improvement programme across NHS Scotland to improve diagnostic capacity, which we all agree is vital.

Scottish Autism worked in partnership with the Government to develop a web-based autism toolbox to improve accessibility to resource in schools across Scotland. Crucially, it also piloted one-stop shops for autism across Scotland. That is where I got involved. There was one in my constituency and, when the pilot programme ended, the local authority did not continue the work, so many families in my constituency were left bereft, with a much less comprehensive programme and much less support for families and people with autism.

I should pay tribute to the Minister for Childcare and Early Years in Scotland. He has a son with autism. He has done a lot of work, which has led to a number of things, such as Aberdeenshire Council’s national recognition for autism friendliness. He has piloted film and theatre programmes and shopping nights in shopping malls especially for people with autism, all of which help to improve the quality of life of those affected and their families.

In Scotland, as I have said, we have seen excellent work. We really want to make all people with autism live as independent lives as possible. As has been said repeatedly, diagnosis is vital for that. It gives such comfort to people with autism to know what is “wrong” with them. Once they know that, that allows them to see life in a different way, through their own eyes. I saw that when I taught in further education colleges.

The See Me initiative in Scotland has been important in showing people to look at people, not at conditions. I commend the Scottish Government for that initiative, on which they spend £1 million a year. That programme, which helps people to look at others and understand that they have issues—it is not that there is anything wrong but that they have difficulties in normal life—is mainly linked to mental health issues, but it helps people with autism as well.
There is still much work to be done, and the Scottish Government are trying to move towards better joined-up mental health. I know, and it has been said already in the debate, that autism is not a mental health issue, but it can foster mental health issues, so we need to look at how services in Scotland are joined up, and the transition from child to adult mental health issues.

Finally, I congratulate everyone who spoke so well and passionately in the debate. I would never have known anything about this subject had I not been forced to listen to constituents who lost their one-stop shop and the support that they so heavily depended on. They have other support, but they tell me that it is not nearly as good.

10.40 am

Barbara Keeley (Worsley and Eccles South) (Lab): It is an honour to speak with you in the Chair, Mr Howarth. I very much congratulate my hon. Friend the Member for Enfield, Southgate (Bambos Charalambous) on securing the debate. It is an important one because, as we have heard, diagnosis is the vital first step towards getting support for people with autism.

For children with autism, and their parents, getting a diagnosis is the first hurdle that they need to get over, to secure the support and education to which they are entitled. As my hon. Friend the Member for Enfield, Southgate mentioned, the NICE quality standard on autism recommends that people should wait no longer than three months once they are referred for their first diagnostic appointment. It is clear that people have to wait too long for a diagnosis of autism and that the waiting time can be gamed by delaying later appointments. Waiting to wait is not acceptable.

We heard that research has shown that waits can be two years for adults and three and a half years for children, but we have also heard of examples where things have taken much longer. We touched earlier on the Public Health England survey and the fact that in one local authority it is admitted that there are waits of 125 weeks. Hon. Members have spoken powerfully about long waiting times and their constituents’ experiences—and their own, in the case of my hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds).

I was contacted by one of my hon. Friends who could not take part in the debate, and want briefly to refer to the experience of one of her constituents. When her son was 18 months old, he suddenly stopped talking. That was raised with the health visitor at the child’s two-year review. The health visitor almost did not make a referral to a speech and language therapist, saying that the criterion for referral was that a child could say fewer than 10 words. At that time, the little boy could say only one word: “No”. It took a nine-month wait to get a first appointment with a speech and language therapist. At the second appointment, six months later, she said she would refer the child to a paediatrician. In the end, it took almost two years to get a diagnosis of autistic spectrum disorder from the paediatrician and the speech and language therapist working together.

Since then, the child has been discharged from speech and language therapy, despite the fact that he is still not speaking. His parents have had to get therapy for him privately, paid for with his disability living allowance money. The child spent half his young lifetime—from age two to age four—without the support that he needed to help his development. The mother says she felt “let down by the system”, but also that their family was one of the lucky ones, because, as we have heard, other parents had to wait longer to get a diagnosis. The issue for her was “the lack of availability of professionals...had we seen professionals when appointments were due I think it would have made the time to get a diagnosis”.

Delays in diagnosis can hinder the implementation of effective support and intervention strategies, but they can also—understandably—lead to parents losing confidence in healthcare professionals, particularly if they feel that appointments and waiting times are being gamed in the ways we have heard about. By contrast, surveys have shown that a positive diagnostic experience is associated with lower levels of stress and more effective coping strategies, which is what we are talking about giving to families, if waiting times for diagnosis can be cut. For adults with autism, a diagnosis can end years of feeling misunderstood and isolated. We have heard about an increased risk of suicide.

A number of Members raised the point that autism diagnosis waiting times are not currently collected as part of the mental health services data set. I understand that the National Autistic Society has worked with the Government on proposals to collect those data. Will the Minister confirm to the House today that the Government plan to commit to the routine recording of diagnosis waiting times from April 2018 and, importantly, tell us what plans they have to speed up the diagnosis process? NHS England does not currently collect data on the number of diagnoses or who is being diagnosed with autism. That makes it difficult to determine where there are gaps in diagnosis. The National Autistic Society says that between 75% and 80% of people who use their adult services are male. However, as my hon. Friend the Member for Enfield, Southgate said, there is concern that there is under-diagnosis of women and girls, who are not getting the support they need.

Likewise, the first generation of people diagnosed with autism are now reaching middle age. That means there is a generation of people for whom autism was not a diagnosable condition during their youth. There could be significant gaps in autism diagnosis among older people. We heard in the debate of a lady diagnosed only in her 40s, and it is important that our focus should not always be on children. I find it heart-rending to think about cases such as the one I outlined, but it can also be difficult for people get a diagnosis when they are older. NICE recently recommended the creation of an autism register so that we can identify areas where autism may be under-diagnosed. Does the Minister agree that such a register might help more autistic people get the diagnosis and the support that they are entitled to? Are there likely to be moves to create one?

An early diagnosis is important. Mental health conditions are more prevalent among people with autism than among the general population. A diagnosis can provide an understanding of why a child finds things difficult and, as in the case that I talked about, suddenly stops speaking. If there are signs of mental health issues or other problems, a diagnosis can make family and friends aware and open access to proper support. However, post-diagnosis support is not always there. A survey of
parents with autistic children found that many are left with no support during and after the diagnostic process, and many are not signposted to other advice and help. That is clearly important; there is a feeling of their being warrior parents and battling parents. Let us stop their having to do that. Some are even left without a written report of their child’s diagnosis.

In the example that I outlined, the four-year-old child is still not speaking but has been discharged already from speech and language therapy services, and his parents can obtain therapy for him only privately. What plans are in place to ensure that people who receive a diagnosis have access to the services to which they are entitled, and which their children need? Let us, from now, help the warrior parents and battling parents, and all the people who need a diagnosis to move ahead with their lives.

10.47 am

**The Parliamentary Under-Secretary of State for Health (Jackie Doyle-Price):** It is a pleasure to serve under your chairmanship this morning, Mr Howarth. Thank you for giving so many Members the opportunity to speak, because the debate has been extremely valuable. I congratulate the hon. Member for Enfield, Southgate (Bambos Charalambous) on securing it. The discussion was highly informed and showed how important Members consider the issue to be. That is to be celebrated, given the 2009 starting point that my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) mentioned.

There have been significant advances in the treatment of people with autism, notwithstanding the serious issues raised today. I will not pretend that things are as they should be, because clearly they are not. Our ambition is for people to receive a timely autism diagnosis, but the cases that hon. Members have raised today make it clear that the standards that families deserve, and that they have a right to expect, are not being met. All Members who said that we need to do more are right. I give the House an assurance that I am determined about our need to do better.

I look forward to cross-party work with the all-party parliamentary group, and to the review of where we have reached since the Autism Act 2009. I welcome the parliamentary group, and to the review of where we have reached since the Autism Act 2009. I welcome the appearance of all Members, because only by understanding the real-life experiences can we make everything work better. In Government we tend to work through such things as targets and processes, which ignore the fact that we are dealing with real people. When we are dealing with people who have conditions such as autism, the processes can leave them behind. It is down to all of us to be the conscience and to ensure that all our public services work better in this field. We do have a sense of urgency on this.

I want to deal with some of the common points that have been raised. Many Members wished to know when the autism data will be published. Our intention is that the data will start to be collected from next April, with a view to publication in 2019. That is hugely important, because it will enable us to see which local areas are doing the job and which are not. There is nothing like transparency to hold people to account and to ensure that we get the consistency and delivery of service so that nobody is left behind.

The Care Quality Commission and Ofsted are currently undertaking a five-year rolling programme of inspections, looking at how things are being implemented in local areas, how health services are working and how education authorities are dealing with education, health and care plans, which were mentioned in earlier contributions. We all know, and have witnessed, that so much is dependent on local leadership. If we can highlight good practice and where things are going well, as well as where things are not, we will be able to generate the pressure to increase performance across the board.

My right hon. Friend the Member for Chesham and Amersham mentioned mortality rates for people with autism. I know that the Minister for Disabled People, Health and Work, my hon. Friend the Member for Portsmouth North (Penny Mordaunt), shares my concern that people with autism and learning disabilities tend to get left behind when it comes to employment and access to health, which has an impact on mortality rates. She and I are very much prioritising that. I look forward to engaging with the all-party parliamentary group on those issues too, because we will have much to learn from its expertise.

The hon. Member for Worsley and Eccles South (Barbara Keeley) specifically asked whether we would commit to including autism in the primary care register. We have said that we expect GPs to do that and that we want to spread that good practice. We will be working with NHS Digital to do exactly that. Again, I am open to any suggestions in that space.

With regard to access to further services following a diagnosis, that is very much the space of local commissioners, but the inspections by the Care Quality Commission will enable us to hold local commissioners to account on exactly that.

**Alex Cunningham:** The Minister knows how frustrated parents are by the delay in getting an official diagnosis, but it is the knock-on effect on other assessments, such as education support plans, that really adds to their burden. Will she give any advice to local authorities and CCGs to look beyond the official diagnosis, to make some of those other things happen?

**Jackie Doyle-Price:** We very much send the message that parents of children with autism are entitled to good services and that is what they should expect. We need to spread that good practice and collect those data, in order to highlight exactly where it is not happening. When we look at the work that the Care Quality Commission has done to highlight good practice, we should be able to get some messages. We are looking for transparency to drive performance and to have those conversations. The NHS mandate for 2017-18 sets a priority for the NHS to reduce health inequalities for autistic people, so that is very much part of NHS England’s conversations with local CCGs.

**Siobhain McDonagh:** On that point, will the Minister refer to the issue of South West London and St George’s Mental Health NHS Trust and the five CCGs in south-west London?
Jackie Doyle-Price: I was just coming on to that. I have to say that I was very concerned by the issues that the hon. Lady raised. It occurs to me that there is a real risk that what they are suggesting could be seen as discriminatory. Certainly what she suggested should not be undertaken without real consultation with the local community and illumination of the issues concerned. She mentioned that she was going to write to me about that, so I look forward to considering it with a bit more reflection and then coming back with a response.

Mrs Gillan: While the Minister is discussing correspondence, she may not have the answer to what, for me, is a crucial question—the detail of the self-assessment framework that is sent to the top-tier councils. She will remember me mentioning that we know that one local authority has a 125-week waiting time. I appreciate that she will not have the detail here, but will she undertake to write to me in the next week and let me know when she will publish that detail, so that we can all access the information?

Jackie Doyle-Price: There is a good argument for being very open about this generally. The self-assessment framework obviously requires local authorities to mark their own homework, and even then we are not seeing the increase in performance that we would like to see. One of my main messages is that we can all learn from good practice elsewhere, and bad practice can also be a learning experience. The more sunlight we can bring to what is happening, the better. I am happy to write to my right hon. Friend on that.

That brings me to the results of the most recent self-assessment exercise, which show that only 22% of local authorities are meeting the recommendation of a maximum three months between referral and first appointment for an assessment. That is obviously not good enough. On the plus side, a further 23% said that they anticipated meeting recommended waiting times by March this year and that they would be able to sustain that, but that is still only half. Although the direction of travel is positive, there is a lot more work to do.

Norman Lamb: The Minister may be coming on to this, but will the Government consider introducing a national maximum waiting time standard for diagnosis, rather than for first appointment, so that every child knows that they will get that within a specified time?

Jackie Doyle-Price: I fully appreciate the right hon. Gentleman’s point. I am slightly uncomfortable about this, because often it can take a considerable amount of time for a proper assessment between first appointment and diagnosis, but perhaps we need to look at other measures. Generally, the more data we have in this area, the better we can measure performance. Clearly we need to ensure that we have sufficient specialists who are able to undertake these assessments and diagnoses. Sometimes that can be a challenge, so we need to ensure that local commissioners have access to those specialists.

Jonathan Reynolds: Many of us are flexible about how we will get to the system we want to see, and capacity is definitely an issue when it comes to specialists. On the point just made by the former Minister, the right hon. Member for North Norfolk (Norman Lamb), the problem is that at an initial assessment people are told, “You don’t need to go and have the official diagnosis yet. Try to persevere in mainstream school. See how the child develops.” The problem, as other Members have said, is that in the early stages of life, each month of development is so important, and we get to a point where, frankly, even if a diagnosis is given, so much has already been lost. That is the purpose of a national maximum diagnosis waiting time.

Jackie Doyle-Price: I hear the hon. Gentleman’s point, but the wraparound support and care will do more than any finite target time. I am happy to look at that.

We are running short of time and I really need to give the hon. Member for Enfield, Southgate time to respond. We have had a very constructive discussion today, and I look forward to engaging with all hon. Members on these issues.

Mr George Howarth (in the Chair): Before the hon. Gentleman responds, may I thank all Members who contributed today, and particularly those on the Front Benches? It was very difficult to get everybody in, but we managed it in the end—certainly all those who had applied to speak. I call Bambos Charalambous to respond.

10.58 am

Bambos Charalambous: I very much welcome the Minister’s admission that things are not as they should be and that these are real issues affecting real people. The data are very much to be welcomed and we look forward to their publication in 2019. Transparency and consistency are absolutely vital in this service. I am also very interested in the findings of any inspections by the CQC and Ofsted. Commissioners need to be held to account. We need to recognise that specialists include educational psychologists, speech therapists, psychiatrists and child psychologists. If a maximum waiting time standard is not possible, we should consider putting as much pressure as we can to ensure that diagnosis is made as soon as possible.

Motion lapsed (Standing Order No. 10(6)).
Future of RAF Northolt

11 am

Gareth Thomas (Harrow West) (Lab/Co-op): I beg to move,

That this House has considered the future of RAF Northolt.

I want to ask the Minister a number of substantive questions about an issue of concern to many of my constituents. What are the Ministry of Defence’s ambitions for the future of RAF Northolt? Do Ministers envisage, as their consultants scoped out, that RAF Northolt could become an alternative to London City airport, in north-west London? When will local residents have the chance to be consulted about this airport’s future? Can the Minister confirm that RAF Northolt will be brought into line with civilian safety requirements as a result of the up to £45 million-worth of runway works planned for next year? Those substantive questions are exercising the minds of many of my constituents in Harrow on the Hill and in south Harrow who are directly under the flight path into RAF Northolt.

I should say at the outset that RAF Northolt has a very proud history in the defence of our nation, and local residents feel a unique affection for it. RAF Northolt is still the Queen’s airport, and the military squadron based there has played a crucial role in many of the conflicts in which British servicemen and women continue to play an important role.

However, it is clear that the important military function is dwindling at RAF Northolt. To those who live under its flight path, it is increasingly apparent that RAF Northolt is a commercial airport in all but name, and as a result it has a major impact on local quality of life, with an increase in noise, concerns about safety and increasing concerns about the impact on air quality of all the extra flights.

I sought this debate specifically because the Ministry of Defence is about to undertake a £45 million renovation of RAF Northolt without any consultation with my constituents under the flight path or with other local residents. They are concerned that we might be about to see yet another escalation of commercial activity at RAF Northolt by the back door.

Official documents have revealed that RAF Northolt’s capacity could be up to 50,000 commercial flights a year, and regional airlines such as Flybe have been lobbying for access to use Northolt, so local residents’ concerns are legitimate and should be properly addressed by the Ministry of Defence. This is not “scaremongering”, as the Tory leader of Hillingdon Council recently put it.

The process of commercialisation at RAF Northolt started back in 2012, when Ministers decided to raise the annual limit for the number of commercial flights to 12,000 a year. Again, there was no direct consultation with local residents and certainly not with any of my constituents in Harrow who live under the flight path just 4 miles away. The Ministry of Defence did not even consult the then Conservative Mayor of London—now the right hon. Member for Uxbridge and South Ruislip (Boris Johnson)—who publicly opposed the plans on the grounds of air quality and traffic.

At about the same time, the Ministry of Defence commissioned a report by Ernst and Young to explore the commercial possibilities at Northolt. “Project Ark” laid out strategies to increase the number of commercial flights initially to 20,000 and ultimately to 30,000 a year, under a series of scenarios. It laid out a vision of Northolt as “an alternative to London City Airport” whose existing runway configuration could accommodate “small” types “of regional jets (up to approximately 100 seats)”. It also stated that Northolt could become “the UK regions’ key access airport for...Heathrow.”

Perhaps the most concerning element of a linked report by Mott MacDonald involved the safety implications of expanding the number of commercial flights. Its work assessed whether Northolt would be eligible for a licence under Civil Aviation Authority regulations. Owing to a “substantial number of obstacles” on all runway approaches, it concluded that RAF Northolt “could not be licensed” by the CAA “in its current form.” Those obstacles, numbering in the hundreds, include the petrol station at the bottom of the runway, a three-storey block of flats nearby and the spire of St Mary’s church in Harrow on the Hill in my constituency.

The most serious safety flaws relate to the close proximity of Northolt’s runway to the A40 and surrounding homes and residents. Indeed, in 1996, a business jet overshot the runway and crashed through the barrier into oncoming traffic. The brutal truth, I am told, is that most aircraft accidents occur on either take-off or landing. That is why we have regulations insisting on minimum clearances between an aircraft and obstacles on the ground—so that if an aircraft does get into difficulty, it has every chance of clearing them and landing safely.

The report by Mott MacDonald stated that although some changes could be made, the permanent nature of the obstacles meant that Northolt would never be up to the safety standards required for civilian flights. It could not have been clearer in its recommendation: future expansion of commercial flights would not be allowable under CAA guidelines.

Despite the warning, commercial flights continue to operate from RAF Northolt every single day. I do not need to remind anyone of the consequences of an accident at Northolt, given the proximity of a petrol station, hundreds of homes and that major travel route, the A40. And surely I do not need to remind anyone of what happens when a public authority ignores repeated safety warnings. I want to put those safety concerns on the record and ask directly why Ministers, knowing what they have known since 2012, allow any commercial flights from RAF Northolt at all. The current Civil Aviation Authority line is basically to say that it is up to pilots to decide whether Northolt is safe. It is no wonder that the Ministry of Defence did not release either the “Project Ark” report or the Mott MacDonald report until 2015. Even now, parts remain redacted.

Now we are told that RAF Northolt will close for eight months next year for the runway to be resurfaced and safety changes to be made. Last year alone, there were more than 10,000 commercial flights, compared with just 3,800 military ones.

Stephen Pound (Ealing North) (Lab): I apologise profusely to you, Mr Howarth, and to the Minister for not being able to stay to the end of the debate, as I have
to be on the Front Bench in the main Chamber for Northern Ireland questions. My hon. Friend the Member for Harrow West (Gareth Thomas) talked about the history of RAF Northolt, which after all precedes and predates the existence of the RAF, but he did not mention the glorious history of the Polish squadrons there. In addition, you will know, Mr Howarth, as a former Northern Ireland Minister, about the secure transportation from RAF Northolt, not just for the Queen's Flight but for ministerial flights. My constituents living in the Northolt area are horrified by the prospect of the skies darkening over UB5 and RAF Northolt becoming either a Heathrow hub or a “City Airport West”. Will my hon. Friend accept my assurance that my part of the world, which borders his, views the whole scheme with horror? We want to keep RAF Northolt and its history as it is.

Gareth Thomas: I am grateful for my hon. Friend’s intervention. I know that his constituency also has concerns about the future of RAF Northolt, and why shouldn’t it? There was a substantial increase in the number of commercial flights just five years ago. Now, Government-commissioned reports suggest a big increase to 50,000 commercial flights into RAF Northolt, and up to £45 million-worth of renovation works being done to the runway. It is not hard to understand why my hon. Friend’s constituents and mine are worried about where this is all leading.

When I first asked Ministers to reveal the cost of the renovation works at RAF Northolt, they refused to do so. That was despite the MOD revealing, in EU tender documents, a contract for the runway renovation works worth up to £45 million. I am no engineering expert, but that figure looks awfully high compared with the cost of resurfacing runways at similar sized airports. One thinks of the £21 million it cost to renew the runway at Manchester airport. Even RAF Waddington is managing it for some £35 million, albeit with a runway almost twice as long and a much longer projected shelf life.

I would like to ask the Minister for clarity on what the money—up to £45 million—is actually being spent on. Thus far, the official MOD line has been that it is managing it for some £35 million, albeit with a runway almost twice as long and a much longer projected shelf life. Surely the Government need to come clean on their long-term intentions for the airport’s future. As I understand it, the Ministry of Defence has also argued that the runway is too short for larger commercial jets. However, the “Project Ark” report directly contradicts that view, stating that the current runway can receive 100-seater jets of the type used by commercial airlines such as Flybe. Can the Minister confirm whether the runway, post-renovation, will still be a code 3 runway with a landing distance of 1,354 metres? Or will that configuration be changed? If so, in what way? Will the Minister also acknowledge that there is a difference between transcontinental airliners, which Northolt cannot accommodate, and regional jets, which it currently can? Fifty thousand flights of 100-seater aircraft are just as noisy and detrimental to air quality as a jumbo jet.

It is clear that at every turn the Government have sought to hide what is happening at Northolt from my constituents and those of other hon. Members, by using its military status as a smokescreen. That has meant a gradual worsening of quality of life and that an important discussion about safety has been swept under the carpet. The simple fact of the matter is that Northolt is no longer, in practical terms, a military airport. The vast majority of flights there are now commercial.

If this were any other airport, it would have to go through the planning system to make the kinds of changes we have seen over the past few years and that Ministers envisage over the next 12 months. It would also have had to carry out environmental impact assessments and consideration of noise controls. Again, the “Project Ark” report, commissioned by the MOD, confirms that, but RAF Northolt is not seeing any of those assessments, because it is designated under military airport regulations, as opposed to civilian airport regulations. In these circumstances, my constituents and other nearby residents have a right to be consulted on RAF Northolt’s future, before £45 million is spent on renovations, which would seem to continue the relentless march towards a full commercial operation at the Northolt aerodrome.

If all that is not enough, it appears that major regeneration projects are at risk because of questions about the future of RAF Northolt. The Ministry of Defence objected to the proposed redevelopment of the Grange Farm estate in my constituency—a project vital for creating more good quality social housing. To be fair, the MOD commissioned specialist aeronautical assessments, to verify the proposed effect of the redevelopment on RAF Northolt’s air traffic movements. Those assessments concluded that there would be no impact, yet the MOD has not withdrawn its objection generating revenue from the time paid for anyway; it is quite another making a new multimillion-pound investment, in these times of austerity, in order to generate further revenue. Can the Minister confirm how much revenue 12,000 commercial flights a year generate, and whether that will be enough to recoup the £45 million investment over a period of time? If that revenue is not enough to recoup the investment, will the number of commercial flights need to increase? Or does the MOD intend to increase the number of military flights—on which grounds public investment on this scale could, in my view, be justified?

Either way, my constituents and all those living near Northolt face a detrimental impact to their living standards. Surely the Government need to come clean on their long-term intentions for the airport’s future.
Since the 1980s, RAF Northolt has accepted up to 7,000 business aviation movements per year, but that was done under stringent terms and conditions to utilise the spare capacity. For that very reason, from 2011 to 2013 we conducted an extensive value-for-money evaluation of RAF Northolt’s future utilisation. Wide-ranging options were considered, including selling the aerodrome off as a civilian licensed airport, devising shared civilian and military usage to better maximise revenue, and retaining the aerodrome in military hands—although that would leave an irreducible spare capacity. I impress on the Chamber that those were simply options that were considered.

While the review was going on in 2012, the Ministry of Defence commissioned a series of reports under Project Ark and Project Noah. Those reports were not designed simply to open the floodgates—no pun intended—to civil movements at the station, but rather to analyse the various available options. Other evidence was also analysed. The benefit of spare military capacity at RAF Northolt’s aerodrome was ably demonstrated in 2012, when it played a vital role in the security of the London Olympics. RAF Typhoon and military helicopters were able to seamlessly deploy to the station as part of the multilayered deterrence and defence of Olympic sites. That could not have been achieved at a civilian-operated site.

In conclusion, it is time for some transparency about the future of RAF Northolt. If Ministers intend to extract greater commercial revenue from commercial flights at Northolt, that is clearly within their rights under current military aircraft regulations, but they should be open about that intention, and the people most affected in the area should have a say about the airport’s future. There should be a debate, not just in this House but in the communities affected. It is not right to continue to hide behind the military status of the airport, making small changes each time that in the long term add up to a significant change to the way in which RAF Northolt operates. I ask the Minister today to recognise those genuine concerns and grant my constituents and other nearby residents a full and open consultation on the future of RAF Northolt, before the runway redevelopment works commence.

11.17 am

The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood): Thank you for the opportunity to respond to this important debate, Mr Howarth; I congratulate the hon. Member for Harrow West (Gareth Thomas) on securing it. I have prepared some remarks in response to where I think he would like me to go, but I will write to him in due course about a number of specific issues that he raised, if I do not cover them in my remarks today.

I agree with the hon. Gentleman. Transparency is very helpful. If consultations and studies are taking place, they have to go through the course of those actions before any results can come forward. Once those are there, they should absolutely be shared. I will be delighted to meet him and representatives of his council in due course, once he has taken stock of what I have to say today.

I begin, as the hon. Gentleman did, by paying tribute to those who are connected with RAF Northolt—the community around RAF Northolt, who for many years have been so supportive of the aerodrome, and the personnel of RAF Northolt. It is not just an aerodrome, but a vibrant, core military station, with over 1,800 personnel based across 33 diverse units, from all three of the armed services and wider Government. Alongside 32 (The Royal) Squadron undertaking VIP and operational command support flying, there are many other major units at the station in ground roles. An Army bomb disposal squadron, the British forces post office, the Service Prosecution Authority, an aeronautical publication and mapping centre, two RAF bands and an operational RAF regiment unit, which also encompasses the ceremonial Queen’s Colour Squadron, are all based at the aerodrome.

I turn to the aerodrome itself. As the hon. Member for Harrow West has highlighted, it is used and needed by the military every single day. It is true that for a number of decades it has been underutilised in that role. Since the 1980s, RAF Northolt has accepted up to the Grange Farm redevelopment going ahead. Why not? That is the obvious question, and my constituents and council would like to know the answer. Will the Minister agree to meet me and a deputation from my local council, to discuss that specific concern about RAF Northolt?

In conclusion, it is time for some transparency about the future of RAF Northolt. If Ministers intend to extract greater commercial revenue from commercial flights at Northolt, that is clearly within their rights under current military aircraft regulations, but they should be open about that intention, and the people most affected in the area should have a say about the airport’s future. There should be a debate, not just in this House but in the communities affected. It is not right to continue to hide behind the military status of the airport, making small changes each time that in the long term add up to a significant change to the way in which RAF Northolt operates. I ask the Minister today to recognise those genuine concerns and grant my constituents and other nearby residents a full and open consultation on the future of RAF Northolt, before the runway redevelopment works commence.

Mr Ellwood: I am willing to meet councillors and other residents. I very much want to share the information we have, but we have to allow the Ministry of Defence to conduct its own studies in due course and share them as is deemed pertinent, as decisions and options are considered.

As I said, other evidence was analysed and the benefit of the aerodrome was demonstrated in its use during the Olympics, but military movements will always have priority at RAF Northolt. If necessary, civil business aviation movements can be fully stopped from using the station at any point. Ministers took those final decisions in the value-for-money review in 2013 and decided that the firm benefit was in retaining the aerodrome as a military aerodrome. It is still used by the military every day on vital operational tasks. We also retained the same stringent civilian operating terms and conditions, which exclude schedule airlines.

I make it clear that the whole review had nothing to do with Government options on the future of Heathrow; it was purely about the future of RAF Northolt. Our decision means that the aerodrome, although vital, will remain underutilised by the military for a large proportion of the time, but also that it has capacity to accept military contingency requirements that displace civil movements whenever required for the national benefit.

The review seeks to ensure that taxpayers’ money is used properly, so we still need value for money from that spare capacity when the military are not using the aerodrome. Further consideration was given to one “Project Ark” option that had the potential to increase civil use of the military aerodrome to up to 20,000
movements, to generate additional revenue from the underutilised spare capacity. That, in turn, would benefit taxpayers by offsetting the costs to the taxpaying public of the station's military operation. However, Ministers took the final decision to increase the self-imposed cap on civil movements to only 12,000 movements per year. That was implemented in April 2013, as the hon. Gentleman knows. I firmly assure hon. Members that there are no plans to revisit that decision.

Following the review decision, the “Project Ark” report and other review documents were archived and the project's other options remained hypothetical. I assure the hon. Gentleman and residents of the area that no current active planning is looking at any further changes to that 2013 decision about the cap or the operating terms and conditions. The unchanged, stringent terms and conditions that have been in place for civil movements for many years mean that in future we will not attract any aircraft larger than those that we have accepted for decades.

It was against these terms and conditions, which were reaffirmed in 2013, that Flybe made an unsolicited bid in 2015. No meetings about RAF Northolt have been held with any commercial airlines, but in late 2015 and early 2016, Ministers corresponded twice with the chief executive of Flybe to inform him that his bid was not being considered further.

The hon. Gentleman asked why there was no public consultation. In 2013, the decision was for a relatively modest increase; the terms and conditions of use remained unchanged, as I have stressed, and the existing infrastructure had the spare capacity to absorb the increase. No formal regulatory action was therefore required in any form, but the station did undertake extensive community engagement to keep residents informed once the decision had been taken. I will be delighted to continue that process, as the hon. Gentleman requests.

On the aviation regulatory and safety structure, the Military Aviation Authority is the single independent regulatory body for all defence aviation activity, and regulates Government aerodromes. The Civil Aviation Authority is responsible for the safety regulation oversight of civil aviation activity at Government aerodromes and sets out the requirements for civil operators that wish to use them. The robust oversight relationship between both regulators is formalised in a memorandum of understanding that demonstrates constant dialogue and joint audit and assurance activity where appropriate.

There is close stakeholder engagement with the CAA on changes related to air safety that may have an impact on civil aviation operations at RAF Northolt and on the oversight of published aeronautical information pertaining to it. The memorandum of understanding is reviewed annually to ensure that the MAA and the CAA continue to employ robust oversight and assurance of civil aviation activity at all Government aerodromes.

The runway resurfacing project at RAF Northolt aims to make improvements as required to upgrade existing military runway end safety features and extend the life of the main runway pavement to between 10 and 15 years. This planned life cycle replacement works in line with the safety cases for the military aircraft that operate from the station. I repeat firmly that the aim is not to accept bigger commercial aircraft, but to ensure that the runway has the strength to accept the larger military aircraft that may be required to visit the station in future. Alongside the BAe 146 military airframes based there, a number of European allies operate medium-airliner-sized military aircraft into RAF Northolt on military business. The RAF C-17 and A400M Atlas are the largest types of aircraft that visit the station.

In conclusion, RAF Northolt remains a core station with many diverse units. The aerodrome is needed by the military every day and is valuable for contingency, as we saw during the Olympics and the Ebola outbreak. A decision on its future use was taken in 2013, and we will not revisit that decision. After the military runway works are complete and the runway reopens, nothing will have changed: the same stringent terms and conditions on civil movements that have been in place for many years and that were reaffirmed in 2013 will remain in place. The MAA and the CAA continue to employ robust oversight and assurance of civil aviation activity.

Gareth Thomas: Does the Minister recognise that despite his words, there will still be widespread concern about the scale and cost of the runway works, and about what they might mean for the future? Will he commit to consulting residents to explain what that money will achieve?

Mr Ellwood: I have only a short time left, but the hon. Gentleman will be aware that we are comparing apples and pears. A runway's length, thickness and usage and an aircraft's heaviness all determine the total cost. I will write to him with more details.

Civil operating hours and numbers of passengers will remain limited, the movement cap of 12,000 that was set in 2013 will remain unchanged, and scheduled commercial operations will remain excluded. I hope that reassures the hon. Gentleman and the communities he represents.

Question put and agreed to.

11.29 am

Sitting suspended.
Parliamentary Candidates: Barriers for Women

[SIR ROGER GALE in the Chair]

2.30 pm

Mims Davies (Eastleigh) (Con): I beg to move,

That this House has considered the barriers for women in standing for Parliament.

Sir Roger, it is a pleasure to serve under your chairmanship and lead this debate this afternoon. Last week, I was in this Chamber discussing transparency at the BBC and expressing my disappointment at the large gender pay gap. I hope today that we can have a similarly productive conversation about the barriers facing women coming into politics.

As the 380th woman ever to be elected to this place and as the chair of the all-party parliamentary group on women in Parliament, I am grateful to have secured this important debate and I am also very grateful to all the hon. Members who are here today for attending this debate, on a subject that I know we are all passionate about—getting more women into politics and interested in politics, and encouraging women to put themselves forward for election to become a Member of this House or, as importantly, to get involved at a local level.

I recognise that that is not a simple task. Let me sell the job: “It has long hours. You will be open to abuse, sexism and jeering. The pressures and responsibilities of doing the job for constituents are immense. You won’t see your family as much as you’d like. In fact,”—as has been the case this week—“you might see your sleeping bag or sofa a little bit more, because the hours for this role can run rather late. Indeed, you don’t know how pregnancy, maternity or even caring responsibilities will fit around the job—you can’t find that on the Independent Parliamentary Standards Authority website.”

Hannah Bardell (Livingston) (SNP): The hon. Lady is making a great speech and I congratulate her on bringing this issue to the House. Does she agree that, in some respects, it was great to see no fewer than three babies in the Lobby last night? However, whether it is men or women who have had babies in recent weeks, they should not have to come into this place with their children and be breastfeeding or going through the Lobby. We should have a system, either proxy or digital, whereby people can vote remotely.

Mims Davies: I absolutely agree that it was most wonderful to see those children, because my children—several other MPs have said the same to me—would never have been that well-behaved. Clearly those children have had some experience of this place. If the demographics are changing, we must consider how we can work differently.

On paper, and in reality, the job that I have described does not sound all that appealing. However, we know the pros that come with our position: the wonderful opportunities to stand up for what is right, on issues that matter to us and to our constituents, and the fact that we are able to do something about what we care about. There is a platform to speak in this historic place. Nobody here, among all these talented colleagues, could fail to want to engage and use this opportunity for their constituents. We have a wonderful responsibility to marry the good and the bad, to demonstrate why what we do is worthwhile and to encourage fresh talent to join us—even if they are only seven months or even seven weeks old.

I am delighted to have served on the Women and Equalities Committee previously, under the chairmanship of my right hon. Friend the Member for Basingstoke (Mrs Miller), who is here today. I hope to join the Welsh Affairs Committee, having lived and worked in Wales for a number of years, and that is the magic of this place. Members can use their position and experience to do something that will really make a difference—luckily, I might, apparently, be making up the female numbers, although that was of course not my intention.

Craig Tracey (North Warwickshire) (Con): My hon. Friend is making a great case on an issue that I know she is very passionate about; I have worked with her on it before. I am the chair of the all-party parliamentary group on women and enterprise, and it is a big, big privilege for me to work with a really inspirational group of female entrepreneurs from across a range of businesses. Interestingly, however, virtually none of them see politics as a route forward for them. Does she agree that it is critical that we provide more role models and mentors to allow this huge untapped pool of talent to make their faces known in this place?

Mims Davies: I absolutely agree with my hon. Friend. In fact, I will come to that later in my speech, when I talk about the joint work of the all-party group on women in Parliament and the all-party group on women and enterprise. Unless we show that this is a worthwhile career for the other side of the country—male and female, north and south—we will absolutely be doing down the opportunities for everybody.

Rebecca Pow (Taunton Deane) (Con): My hon. Friend is making her case very passionately. She is number 380, so I beat her by one—I am the 379th woman elected to Parliament, which is something I am very proud of. Does she agree that we want to encourage women from all walks of life? We talk very much about how things fit in for young women with children or babies, but I am particularly aware that women who have had a career and brought up their children have an awful lot of expertise to offer as they get older. I do not know if I have a lot of expertise, but I put myself in that category: my youngest was 16 when I came here and has just left school. I feel that many women do not use all the knowledge and experience they have gained through their career; indeed, some of them start to wind down when they hit their 50s. Does my hon. Friend think there might be a way to encourage those women in particular to get involved?

Sir Roger Gale (in the Chair): Order. I gently suggest that interventions should be interventions, not speeches.

Mims Davies: Coming from a woman returner who freely admitted last night that she never reveals her age—I totally agree. It is my experience that has brought me here. I do not quite know where I fit in when it comes to maturity, but it does not matter; it is the mix that matters and the fact that we are all welcome here. Indeed, confidence in returning to work at any level, in any job, is so key for females.
We need to talk about the measures that the Women and Equalities Committee came up with, which address how the Government and political parties must and can increase female representation. I am sure that we all look forward to hearing the Minister’s comments later, but the paper that we have seen outlines the opportunities that the Government and political parties have—and, frankly, should be taking—to increase the number of women being put forward for election. That is the starting point; indeed, they are more likely to be elected if they are on the ballot. What is the old adage? “If you’re not on the ballot, you can’t win”—but just be careful: if you are on the ballot, you do not know who you are going to get. Funny, that. I look forward to hearing Members’ thoughts on that issue during the debate.

All of us, whether male or female Members of Parliament, have our individual stories about how we came to be here. For us, it was a little luck, or indeed a lot of luck; for others, it is a matter of “Try, try, try and try again”. Being an MP, of course, is a job like no other, in terms of the challenge in pursuing the goal of reaching Parliament. At the same time, it is really important for political parties, MPs, the Government and for us all as individuals to look at why so few women MPs overall have been elected. What can we do to improve the situation overall?

In 1918, the first woman, Constance Markievicz of Sinn Féin, was elected to this place, and we look forward to celebrating the centenary of that event in 2018. The following year, Nancy Astor was the first woman to take her seat in the House of Commons Chamber. Since then, 487 women in total have been elected to Parliament. That is something to celebrate, but it is also worth remembering that we have only just exceeded the number of men who were elected to the Commons in just one election in 2015.

I was elected in 2015, as one of the 191 women elected in that year. That was hailed at the time as a momentous step forward for the representation of women in our Parliament, given that there was a jump of almost a third compared with the number of women MPs in 2010. In June, we witnessed a further leap forward, with that number increasing to 208—sadly, on our side we lost some of our fantastic female colleagues, which was a disappointment to us all.

Our progress must be welcomed, and I am grateful to all of those who have put so much effort into supporting women in politics, certainly in our party. Some of our male colleagues have been active in movements such as Women2Win—I see some of them here in the Chamber today—as well as the Conservative Women’s Organisation, which offers a kind of soft landing within the party. I applaud the female and male Conservative MPs who are mentoring and supporting our future Conservative MPs and councillors. Their work is absolutely making a difference; we see that in the numbers.

In the light of that progress, I remain mindful—it is easy to lose sight of this—that although women make up half the population, they make up less than a third of the MPs in this place. We must not rest on our laurels, because there is so much more to be done. As MPs, we need to challenge and change the public perception of our role as MPs to make it more attractive for women to join us.

Coming from a family with no political links and no political passion, there was a time when the thought of becoming an MP would have seemed somewhat out of reach or rather unsuitable, but after two years in this place, I have realised that my assumptions of what makes an appropriate parliamentarian have changed. Actually, women are very much suited to decision-making processes. We urgently need to reach out into our communities and tear down the perceived barriers to this and other jobs. Where women can rise to the top, we need to ensure that our would-be colleagues feel that that is achievable for them.

Sadly, it takes a huge amount of courage these days for women to stand to be MPs, because we are often scrutinised through a different lens from our male colleagues. Interest in our personal lives, how we raise our children and how we look—which we wear, what our shoes look like and so on—is still interesting to people. We have not quite gone beyond that. Over the pond, a presidential candidate and former Secretary of State—we know who we are talking about—was branded a “nasty woman” during the presidential election. When a boy or a man asserts himself and considers himself a leader, that is okay, but we are still in the realm of women being seen as bossy when they want to lead. I have bravely addressed this by the shadow Home Secretary when she spoke out about the sexist and racist abuse she received through social media. Sadly, we know that she is not an isolated example. As was revealed back in January this year, almost two thirds of respondents to a BBC survey on the mistreatment of female MPs said that they had received sexist comments from fellow workers and fellow MPs.

I chose to cut my hair and have a political haircut to look more like a politician. I got here and decided to throw that book out the window. I have certainly looked at parliamentary procedures and processes and how we actually do things, and I know, having spoken to former trailblazing women MPs, that there was a certain look and style that we were supposed to conform to in order to fit in. I am delighted that we all know that we do not have to do that anymore. When we put ourselves out there to stand up for our communities, we feel incredibly vulnerable about how we look and what we do. New MPs enter a whole new world where inference and inference is under a level of public scrutiny that cannot be believed. Every single word we utter—I have already been speaking for some time—will never go away. Hansard has a lot to answer for. We have to be ready for that scrutiny, whether we are male or female.

Not only is there pressure for women to be here, but we need to be extraordinarily effective, both at home and at work. We all have to be superwomen now. It is not only that we as MPs have to look perfect and be perfect; there is a danger in all society that those participating and putting themselves in the public eye have to do everything brilliantly. I have heard that from some of our new female MPs. They have the pressure of not mucking up, not drawing attention to themselves once they get here—it is really difficult—and matching our experienced male colleagues. It is about justifying our female presence here and messing up the status quo in Westminster. All parliamentarians have the responsibility to demonstrate that the Westminster bubble is broader, more welcoming and better than it is perceived to be. It is more inclusive and the outdated notions are on their way out, and we have a part to play in that.
Dare I point out the obvious? We have a female Prime Minister. We also have a female Home Secretary. The Leader of the House is female. The Secretaries of State for Education, for Digital, Culture, Media and Sport and for International Development are all of the so-called fairer sex, but frankly they are just powerful women. In my party, we acknowledge that diversity in the Opposition and other parties is extremely strong. We should not be navel-gazing about whether we are getting things right; public perception of what it is to be a woman making a decision must be tackled, whether it is here or in any top job. Through that, we can ensure that hidden female talent, whether it is political or in any other role, is found, supported, mentored and encouraged, so that we all feel that we can stand for election.

I am really proud of the women in Parliament all-party parliamentary group and in particular the mentoring scheme we are developing with Lloyds Banking Group. That scheme gives insights into getting those top jobs to young women across the country. That includes not only the realities of being an MP, but the opportunities that exist in the workplace, and I am delighted to be bringing the scheme forward. There are so many all-party parliamentary groups focused on female, family, health and community issues, and I am proud of all the work that has been done by men and women on those groups.

The women and enterprise all-party group, led by my hon. Friend the Member for North Warwickshire (Craig Tracey), is to be applauded, as is the work on baby loss done by my hon. Friend the Member for Colchester (Will Quince) alongside my hon. Friend the Member for Eddisbury (Antoinette Sandbach). We are working on a cross-party basis—male and female—championing heart-breaking and difficult causes. Having more women here in Parliament gives us the opportunity as parliamentarians to champion and tackle those difficult and often unspoken challenges. It was shocking and poignant to hear that, until International Men’s Day last year, this House had simply not discussed or understood male suicide. We should be out in our communities highlighting and explaining that work to our constituents. I applaud the fact I have been given the opportunity to have this debate.

There should be a focus on specifically promoting this job to women who have never considered standing for election, as we heard from my hon. Friend the Member for North Warwickshire. As the Women and Equalities Committee report made clear, we cannot take it for granted that the number of women MPs will just carry on increasing. We are meant to push to be world leaders in women’s representation, so we need to be working closer to home. If we do not agree on targets, why are we so afraid of setting goals?

I started my journey into politics as a non-political local parish councillor, co-opted in after complaining about the local play facilities. Then I was elected on to a town and district council. Now I have the honour of serving the constituency of Eastleigh as its first female MP; some of the previous male incumbents had some complications, so my constituents turned to a woman.

Given my personal experience, I am so delighted to be here as an advocate for local government and an access point to politics and to Parliament, but efforts must be made to develop the pipeline of female councillors so that they can learn the challenges of local government and be able to enter a political career at a less intimidating point. Councils are less political and are community-led—surely a more attractive place for someone to be, if they find they have time on their hands. Women must be welcomed into parties. They must be given the opportunity to stand for winnable seats and have a realistic route to political success. I welcome the fact that in 2017, my party actively looked to field women as candidates in 50% of the retirement seats, which were winnable.

If we cannot set targets or goals, how on earth can we get people to fill out the application forms? I spent four years toying with the opportunity to become a candidate to be a Member of Parliament. The timing was not right for my career; I felt I needed time to gather my experiences and personal confidence before taking the plunge. Carers and women returners will know that—this resonates beyond politics—as men and women we must support our loved ones on their next employment step. We all have a lot to give.

Incidentally, one of the recommendations in the Women and Equalities Committee report called on the Government to take action by supporting all-women shortlists. I must say I am not massively in favour of such shortlists, even though I ended up on one myself. I must admit that the last man standing stepped down due to life-changing issues, so I was called in. On reflection, I am not totally certain that I would have wished to have been the token female candidate, added to the list for diversity’s sake. After all that dithering on my application form, I was finally there to be counted.

Hannah Bardell: Does the hon. Lady agree that all-female shortlists should be a temporary measure, until we strike the right gender balance? Of course, nobody wants to be on an all-female shortlist, but has anybody in this House who has been elected from one ever had that thrown back at them? To be fair to the media, I do not believe that they have.

Mims Davies: I absolutely agree—once someone is here and doing the job, how the heck does it matter how they got here? Perhaps we do need to have a good look at that. I am not a fan of all-female shortlists, but if we want to make change happen, perhaps we have to be bold. We do not want to fill the Chamber with women just because they are women; we want all our Members of Parliament, from whatever party, to bring experience and ability to the table.

My speaking notes are telling me to move on to motherhood—I was going to call that “the elephant in the room”, but I am not sure that is terribly flattering. I want to talk about balancing politics with motherhood. I am really grateful to those, both in the room and elsewhere on the parliamentary estate, who help me juggle my commitments. I know that everyone here with caring responsibilities feels exactly the same. Our duties in Westminster and to our constituents are very much helped by the support that we get from our families. None of us takes that at all for granted. I have had a wealth of support from colleagues, staff and my team. In fact, when I stopped bringing out my baby buggy when leafleting, people were really upset—they had nothing to put their bags on.
I am also really proud, now that I have got here, to think about how we make it easier for those with caring responsibilities. I am delighted to be on Mr Speaker’s exciting diversity committee, which seeks to make a parliamentary career more appealing for everybody, not just the typical parliamentary stock. I thank Mr Speaker for his attention to making this House more accessible. Incidentally, I look forward to chairing the upcoming roundtable with the all-party parliamentary group on women in Parliament on flexible working practices and the impact of technology on women in the workplace. All our colleagues are benefiting from technology and we need to look at how it works in this place.

My experience of being a mum and juggling many metaphorical and literal balls comes in very handy as we dash around speaking and, more importantly, listening on behalf of our constituents, on issues from education to animal welfare. An ability to flip and change is really useful in this place, not to mention the practice that we, as parents, have at diplomacy. There is nothing wrong with using the constructive, supportive attitude that can come from caring for small children or loved ones to help us participate in parliamentary life. I am still very much a learner, but I hope that those diplomatic skills will continue to hold me in good stead.

Those qualities and experiences are what make Members of Parliament returning to the House from maternity or parental leave really important. I hope that many women will take the advantage that motherhood can give them career-wise, both in and outside politics. A male friend of mine once said to me, “Do you know what? Don’t take it for granted. You’ve got a chance to reassess your life and look at what suits you. Many men don’t often feel that they’ve got that opportunity.”

Kelly Tolhurst (Rochester and Strood) (Con): I congratulate my hon. Friend on securing this debate and commend her for what she has done—prior to being elected here, and since—for women in politics. She has done a wonderful job. I am in awe of all my colleagues across the House who have young children. I have not got a family, and every day I am amazed at how well my female colleagues on both sides of the House are able to juggle the challenges.

Does my hon. Friend agree that having this debate and talking about so many women in politics having families shows women outside the House that having a family never stops a woman from achieving what she wants as an individual—whether in politics or in big jobs in any industry? There is no limit to what she can achieve.

Mims Davies: I wholeheartedly agree. The problem is often the job market: what job can be worked 30 weeks a year from 9 until 3, to cater for the children? What pays enough for someone not to spend that time with their children? We are really lucky here; when I say to my children, “I am so excited and busy and it’s worth doing,” they understand. It is not just me taking time away from them.

As many parliamentarians can see, the barriers that we have just heard about really do stop people coming to this place. The “Improving Parliament” report in 2014, which assessed the selection, retention and supply of women to this House, looked closely at the issue. It flagged up the unpredictable parliamentary calendar, the challenges of managing two geographical workplaces and a lack of clarification for MPs with primary caring responsibilities about the impact that has on their work as major factors that influence a prospective Member of Parliament—or somebody who wants to become a parent.

Such a person might say, “I want to become a Member of Parliament, but I actually do not know what that means for my parental responsibilities, let alone my parental leave.” We have a debate tomorrow about abuse of candidates—particularly abuse received by women. That is also a major player in people’s lives and life decisions now. As we well know, when we are often asked, “What on earth have you done? You’re putting yourself out there for major scrutiny.”

There is no formal parental leave for Members of Parliament, despite the fact that since 2010, 17 babies have been born to 12 women MPs. It is bordering on ironic that we as MPs are doing so much for the wider workforce, yet are unable to look at our own working arrangements. There is currently no formal pairing and that makes options difficult for both male and female Members of Parliament. There is no voting by proxy and no flexible crèche that can cater for ad hoc childcare arrangements. In short, there are no real practicalities to assist with parenthood because, frankly, at the moment Parliament fails to set a proper example as an employer.

As a result, prospective candidates commit themselves to the demands of the job, which requires a huge amount of attention, but are not officially able to look at the flexibility that a parent needs.

I have touched on the support that we all luckily receive. Frankly, if we are looking to achieve true diversity in the long term, informal arrangements are not enough to combat the huge amount of guilt, let alone the practicalities, attached to being a working parent. I am not alone in this room in saying that my priorities lie with being a parent. Given that the role of the MP is so attractive and important, I might also often not be alone in saying, why on earth would we need a requirement for maternity leave? We run our own diaries and have some level of flexibility, but we all know that this job comes first. Luckily, our families and children have thick skins and, it seems, boundless patience.

It is notable that the Danish Parliament allows an MP, male or female, up to 12 months’ paid leave which, in practice, is always granted. In Sweden, the same rules for parental leave applicable to the general public apply to MPs—in fact, it is possible for them to take 480 days’ parental allowance. I think we would all miss our constituencies quite a lot if we took all that off—I do not know where we would be—but it is time for us to be bold and look to update our parliamentary practices, so that we can keep up with our goal of achieving parity.

We need to recognise that this is an unstable career path. If we want people to stand, take their seat, relocate and balance their homes—the norm for an MP—we need to ask whether ordinary people can afford to become an MP and whether the current Independent Parliamentary Standards Authority is fit for purpose when it comes to facilitating a parliamentary career and a growing family. Considering the issues of disability and diversity, which come to the fore when looking at our careers, is IPSA really fit for purpose for everybody who would wish, or is able, to pursue such a career? Can we honestly say to anyone—anywhere, regardless of gender, marital status, family commitments or caring
responsibilities—that they can afford to be here and are able to be here? We are looking for a big commitment from any MP, male or female, in taking on an insecure, non-guaranteed career.

We must not, of course, use such scrutiny to stop the public being able to elect and vote out their representatives in Parliament, but it is fundamental to our democracy that we ensure that we look properly at diversity. I have no desire to challenge who the electorate choose, but I want to ensure that a wide range of the most able candidates can get on the ballot paper.

Craig Tracey: My hon. Friend is making a powerful case. Does she agree that having more women in Parliament is not simply the right thing to do? Diverse company boards are more successful on every single measure, so it stands to reason that we will get even better results in that, as we have heard, and vice versa. I admire so many male colleagues who have done and do so much to empower all generations in politics. We must reconnect with our voters and demonstrate that Westminster does not have to be out of touch. I urge voters and the media to look more deeply at who we are: dig, and we are more interested and more diverse—honestly.

The idea that the UK can enjoy more from the “feminine touch” is faintly ridiculous. The phrase is outdated, but the fact is that women are more linked into public office, have lower levels of corruption, are more keen on peace and reconciliation, and find it more important to promote policies that address the challenges facing disadvantaged groups. Everything is to be gained by encouraging women and breaking down the barriers: working across party, for me, is one of the most important parts of the job.

I used to work in radio, where we had a saying that provides an analogy for what I want to say today. Sometimes, radio DJs love a hit record before anyone else has heard it, and they play it incessantly—to death; they then hate it, but by that point everyone else has caught up and loves it. I have the responsibility today of playing the tune with the goal of encouraging more equality, diversity and women in Parliament. It is the responsibility of all of us in this place to ensure that others have the opportunity to follow. There have been trailblazers such as the right hon. and learned Member for Camberwell and Peckham (Ms Harman), the right hon. Member for Barking (Dame Margaret Hodge), my right hon. Friends the Members for Meriden (Dame Caroline Spelman), for Chesham and Amersham (Mrs Gillan) and for Loughborough (Nicky Morgan), and my hon. Friends the Members for Gosport (Caroline Dinenage) and for Devizes (Claire Perry). So many people have warmly welcomed us and given huge amounts of advice to all of us here. Without those women trailblazers, where would we all be?

We have an opportunity to achieve parity of attitudes inside and outside Parliament. If we can reflect the outside world in this House, we will be in absolutely the right place. I ask the Minister for action to be led sincerely by the Government and all political parties, so that we can increase women’s representation in this place. Along with many other colleagues in the Chamber, I will welcome all the Minister’s comments and action to ensure that that happens.

Several hon. Members rose—

Sir Roger Gale (in the Chair): Order. Seven Members have written in asking to speak and some others are standing who have not, but if you do the maths it does not work. I will set a time limit on speeches of three minutes, but I request a self-denying ordinance—even at three minutes, not everyone will get in. I apologise for that, but that is the way it is.

3.6 pm

Ms Harriet Harman (Camberwell and Peckham) (Lab): I warmly congratulate the hon. Member for Eastleigh (Mims Davies) on securing the debate and on everything she said. She told us that she dithered about Hodgson—her application form to be the Member of Parliament for Eastleigh but, my goodness me, since she arrived here she has not dithered at all. I pay tribute to her. It is
baffling to me when I hear Conservative women Members of Parliament making a speech that I myself might have made, but I guess that shows that daughters of the women’s movement are in all parts of the House. I warmly appreciate what the hon. Lady said.

The Minister for Women is now a woman; the first Minister for Women was a man, so that is progress. We have a Select Committee, a Women and Equalities Committee, which is ably chaired and pushing things forward. My goodness me, we even have women MPs from Scotland, and that is incredibly important. There used to be only two women MPs in the whole of the north, and I remember complaining to my Labour colleagues, who said, “Women in the north do not want to be MPs”—but oh yes, they did. One of my colleagues even said, “There are no women in the north,” which was obviously not true.

In particular, I support what the hon. Member for Eastleigh said about having baby leave for Members of Parliament; we are not doing women any favours by letting them be in the House of Commons. It is a democratic imperative that our Parliament is representative, which means of women as well as men, and it is a fact of life that women have babies. As she said, 17 babies have been born to women MPs since 2010, and more will be on the way. We set the rules for maternity and paternity leave outside this place, but we have none for ourselves. Although Whips are much more civilised than they used to be—not entirely civilised, but more civilised—what woman or man should be beholden or grateful to the Whip for letting them have time off? We need it to be on the table, transparent and as of right.

Also, the vote of such MPs should be recorded, which is why we should have proxy votes. The constituency is entitled to have its Member voting, even one who has just had a baby. That is why I suggest a system of proxy votes, so that when we go past our wonderful Clerks with their iPad, we give not only our own name but the name of someone on whose behalf we are casting a proxy vote. The constituency will then be represented.

I agree with what the hon. Lady said about IPSA. It is chaired by someone who formerly chaired the Maternity Alliance, and I hope that IPSA will look at maternity cover, so that we can have six months’ leave, as people do in the civil service. That should apply as much to men as women. Nowadays men aspire to be more involved with their children than they did in the past.

I will finish with an anecdote. I remember sitting in a Committee when one of my colleagues jumped up and said, “On a point of order, Mr Chair.” He looked at his pager and said, “My wife’s just had a baby.” Everybody said, “Hear, hear!” and I thought, “Why on earth are they saying that?” That is not a good example of fatherhood or motherhood. It is perhaps better to have a Select Committee, a Women and Equalities Committee, when it comes to positive discrimination. No matter what the party is, we must consider that. We need to do our job, but the public have a role. I will state very clearly: if they want more female MPs, it is probably a good idea to stop abusing the ones they have already. It is important we consider that. We need to do our job, but the public have a responsibility as well.

Many ideas and suggestions have been put forward. In most circumstances I am the kind of person who agrees not to take anything off the table. My hon. Friend the Member for Eastleigh mentioned that our party is often a little worried, not so much about targets and goals, but about quotas, which is the one area I am a little queasy about. All-women shortlists concern me and many people. I do not quite get the moral superiority of replacing one form of discrimination with another when it comes to positive discrimination. No matter how well intended it may be, on the basis of gender it prevents a capable and qualified person from having the opportunity to take a role, so we need to be careful about that. All sorts of things need to be considered, and I would support many of the options.

It is the role of all MPs, male and female, to do everything we can to encourage a more diverse Parliament. I will play my role in encouraging as many female candidates as possible, because Parliament would be a better place and our politics would be better. I call on all colleagues to do the same.

3.13 pm

Hannah Bardell (Livingston) (SNP): It is a pleasure to serve under your chairmanship, Sir Roger. I congratulate the hon. Member for Eastleigh (Mims Davies) on securing the debate today. She gave a fantastic speech.
It is great to be in a debate where there is so much consensus on women’s role in this place and in society.

In the words of Emmeline Pankhurst, “We are here, not because we are law-breakers; we are here in our efforts to become law-makers.”

Emmeline Pankhurst made those comments when she was tried for trying to break into Parliament. We are lucky that none of us here today, women or men, had to break in. We are just across the Hall from the cupboard where Emily Wilding Davison hid on the night of the census. Unfortunately, there is no public face to that memorial; you have to be a Member to get in there. Something about this building and our surroundings are in some ways exclusionary and difficult to penetrate. We have to think about the kind of Parliament and the kind of building we are in. In more modern Parliaments, in places such as Scotland, Wales and Northern Ireland, there is a seat for every Member and they can vote by simply pushing a button. The fact that they do not have to queue up for 20 minutes makes it more modern, open and attractive.

I am proud of what Scotland has achieved in terms of gender balance. We have one of only a handful of gender-balanced Cabinets in Scotland and we have our first female First Minister. We also had up until recently three female leaders leading the Scottish National party, the Conservatives and Labour, although sadly Kezia Dugdale has recently moved on. There is a huge amount to be said also for our predecessors and the giants on whose shoulders I and my SNP colleagues stand. Winnie Ewing was elected to this place 50 years ago and she is the only parliamentarian to have sat in the European Parliament, the House of Commons and the Scottish Parliament.

I was inspired to stand by my mother, who stood in 2010 in my Livingston constituency. Sadly, she was defeated by a man, but I got the pleasure of standing against him five years later and beating him, so I succeeded where she had failed. My opposite numbers in my constituency, Fiona Hyslop MSP and Angela Constance MSP, are both women. Neither of them came from shortlists. West Lothian and Livingston have had a proud tradition of producing female parliamentarians. I will not give away all of our secrets, but it has been about having an open and inclusive process, encouraging women from the grassroots up, and particularly encouraging young women.

What we see now in the Scottish Youth Parliament and in the UK Youth Parliament is many more young people and many more women engaged in politics and interested in standing. That is something we should all be proud of, but we have a duty in how we speak to each other in the Chamber and how we conduct our public discourse. It is very important to remember that and to do all we can to encourage more women into Parliament.

3.16 pm

Kirstene Hair (Angus) (Con): I thank my hon. Friend the Member for Eastleigh (Mims Davies) for securing such an important debate today. As a 28 year-old female Scottish Conservative elected to this House, I bucked many trends on 8 June. I am one of the youngest MPs, I am a Scottish Conservative MP and, of course, I am female. As the other speakers have mentioned, there has been considerable progress made to encourage females into parliamentary careers. The recent election statistics are incredibly encouraging and show the highest number of female MPs to date, at 208.

The Conservative party has an incredibly proud record on promoting women in Government. The first woman to sit in the House of Commons, Nancy Astor, was a Conservative. We were the first party in the western world to elect a female leader and Prime Minister. We have now had two female Prime Ministers and are continuing to work hard to attract female candidates in local and national elections and to participate in our party through the Women2Win movement. Back home in Scotland we have a female leader who we hope by 2021 will be the second female First Minister of Scotland.

I absolutely agree that more could be done to encourage females into a parliamentary career. Our 32% ratio of women in the House of Commons puts us at 46th in the world rankings. Of course, having fewer females in the House has an effect on our Committees, our Cabinet and other roles. Perhaps I am in a minority, but I strongly believe that I have never been disadvantaged or advantaged in life because of gender. What I have achieved in whatever area has been down to my strong will, determination and merit. In order to deliver a promising future for women in politics, we must seek to break the barriers as opposed to seeking to reach targeted quotas. Success has to be based on merit. What are those barriers and how do we break them?

Women often take on a greater support role within the home, even in days of increasing equality and less of his and hers tasks. They regularly take on the majority of tasks in the home, acting as a support for partners and their children. Careers in politics seem to have a stigma of male dominance and a public perception of an aggressive environment. The demands of the role of a Member of Parliament split the week into two locations—in my case, six hours apart. With a constantly changing diary there is little certainty and routine, which is what families and young children need.

For me, this is one of the largest obstacles in the way of a female parliamentary career: the difficulty of integrating family life into Parliament with long hours, late-night sitting and often working seven days a week with little down time. Those aspects of the role of a parliamentarian make it impossible to spend as much time at home as one might wish to. Perhaps it is therefore the responsibility of us as females in politics to reach out to the public, further promote what the role involves and remove the uncertainty and fear that surrounds it. It is demanding and it is not easy to juggle life, but it is hugely rewarding. Not one of us would deny that. We must explore in more depth further family-friendly measures, including some of those mentioned today. Studies show that the early years of a child’s life are of the utmost importance in their development. The roles of a Member and a parent are not mutually exclusive.

The public perception of the role must also be addressed. Throughout—

Sir Roger Gale (in the Chair): Order. I hate doing this, but I am afraid three minutes means three minutes.
Jim Shannon (Strangford) (DUP): I congratulate the hon. Member for Eastleigh (Mims Davies) on her excellent speech and on raising an important issue. I am my party’s spokesperson on women and equalities, and I can remember buying my parliamentary aide a fridge magnet with a quotation from the late, great Margaret Thatcher, which said:

“If you want something talked about, ask a man. If you want something done, ask a woman.”

My wife, incidentally, has one on her fridge, as a constant reminder of who is in charge in my house, but that is by the way.

I took the quote to heart, and that is why five out of six of my full-time and part-time staff are female. I like to get work done. I say that tongue in cheek, but I am happy to state that I am pleased about the number of women taking their place in this Parliament, especially my hon. Friend the Member for Belfast South (Emma Little Pengelly). She was once an intern in my office, many years ago when I was a Member of the Legislative Assembly, and it is a pleasure to see her in this place, working alongside me and all of us.

More than 60% of my party’s membership are women, which suggests that women are politically aware and interested. I believe in hiring people for the right reason, and for their fitness for the purpose. I believe that 50:50 recruiting in the Police Service of Northern Ireland was wrong—it was not fairness or equality. My party is led by Arlene Foster, a capable and intelligent lady who is formidable and caring. My colleague Michelle McIlveen MLA also works very hard. They are both role models for young aspiring politicians.

My parliamentary aide would say that the first step in shattering the glass ceiling needs to be taken by women themselves, who feel they cannot have it all and excel in their jobs and their home life, and that they must choose. She had tremendous difficulty in leaving her two children under the age of two—Essie and Lily—in care while she worked 12-hour days for me. That had been no problem in her drive to have a career before she had the children. A year down the line she has managed to ensure that she excels in her job, with her children no worse off. The hon. Member for Eastleigh showed in her introductory remarks that she knows about that. I like to think that I facilitated some of the flexibility that was needed; my aide says that the first step was when she realised she could do both.

I am a man who believes that every one of us is different and brings something different to the table—not because of our gender but because of our life experience. That means encouraging those who are fit for this job to stand up and put themselves forward for it, knowing that they will be supported by people who judge not by gender but by ability, heart and capability.

Antoinette Sandbach (Eddisbury) (Con): I am glad to be able to speak in this debate, and I thank my hon. Friend the Member for Eastleigh (Mims Davies) for proposing it. The right hon. and learned Member for Camberwell and Peckham (Ms Harman) does not know this, but she played a large part in my coming to this place, partly because of difficulties encountered in practice at the Bar—she was the Solicitor General at the time—and chambers rent. A percentage of rent based on a three-year average was taken from women, so if someone had to take time off for maternity leave, that had a direct impact. That caused me to explore other avenues to vent my frustrations, and it ended up with my coming here.

I wanted to speak because of my experience as a single mother. Parties need to do much more to tackle the particular struggles faced by candidates to get elected, and to give them support. I thank my hon. Friend the Under-Secretary of State for Work and Pensions, the Member for Hexham (Guy Opperman), and, indeed, the Prime Minister, for setting up Women2Win, and for the support that they gave me when I stood in 2010. Baroness Jenkin also played a vital role. That level of mentoring and support was key.

It is not just a question of getting the gender balance right; it is about the diversity of backgrounds and voices in Parliament. We come here with our life experience, which proves invaluable when we consider legislation. I am grateful to the all-party parliamentary group on women in Parliament. I have offered to mentor a single parent in my constituency and would very much like to get her involved. I say to other women, “It doesn’t matter whether you are a Conservative; please get involved in politics and what you believe in. Realise that you can make changes.” It is possible to make changes in this place, as we all know, as a Back Bencher. It is not necessary to be a Minister. There are myriad ways of doing it. People who are not elected can influence their MPs and get involved. I see many wonderful women in the Public Gallery: they should get involved and come into this place, because we have fantastic opportunities here.

There is a struggle over childcare and balancing family life. I urge the House authorities to consider the simple step of making recess dates fit school holidays and half terms. It is not a difficult thing to do, but such small steps would allow us to spend a bit of time with our children. I was elected to the Welsh Assembly, which is very gender-balanced, but I could not see my daughter and she had to board, aged eight. That is the difficult choice that women have to make.

Chris Bryant (Rhondda) (Lab): I congratulate the hon. Member for Eastleigh (Mims Davies) on securing this important debate. I support all-women shortlists for a simple reason, which is that in 2001, when I was first elected to Parliament, 10 Labour MPs in safe seats stood down in Wales. Did we select five men and five women, or six men and four women? No, we selected 10 men to replace them. Before the Conservatives say that they do better, there has never been a Conservative woman MP in Wales. [Interruption.] There have been Conservative women in the Assembly, but not a single one elected to Parliament. All-women shortlists have made a difference to my party and it is a delight. The fact that there are more Labour women MPs has made it easier for women to get selected in other political parties as well, so the issue applies to all of us.

The biggest barrier is financial. It is very costly to start the process of trying to get selected, and women are still paid less than men, so inevitably the barrier is worse for them than for men. Incidentally, many of the early women MPs were, of course, very posh and wealthy,
[Chris Bryant]

Countess Markievicz was elected and Nancy Astor was no pauper. Others included Lady Vera Terrington and Gwendolen Guinness, who was a member of the Guinness family. Even on the Labour side quite a lot came from wealthy families, such as the Daltons.

The second barrier is the vitriol and abuse that have already been mentioned. It goes mostly to women. Some goes to gay men and ethnic minority MPs. If someone fits into several of those categories, it is even worse. The treatment of my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) is often racist and misogynist and we can surely conduct ourselves better. I should like Facebook, Twitter and so on to end anonymity so that people are not hiding all the time. Police also need to take incidents far more seriously in relation to politicians, because we are vulnerable, and it is not long ago that one of our kin—our family—was murdered: Jo Cox, last year.

The words of George Osborne about the Prime Minister are disgraceful. He cannot say that he wants her chopped up in bags in the freezer, as he is today reported to have said. He should apologise and withdraw that statement. That kind of language is misogynist in its basis and it needs to be done away with.

I wholeheartedly agree with all the things that have been said about maternity. We need more mothers in Parliament. One of the most shocking elements here is that some nights can go on for ever.

Victoria Atkins (Louth and Horncastle) (Con): Will the hon. Gentleman give way?

Chris Bryant: I do not think I can, because I am about to be cut off and it would only prevent another woman from being able to speak. It is probably better, therefore, that I shut up.

Sir Roger Gale (in the Chair): Actually, Members who give way get injury time. I am afraid that the next speech must be the final one from the Back Benches. If anyone has not got in, they should take note that they can intervene.

3.29 pm

Kit Malthouse (North West Hampshire) (Con): I was honoured when I was asked to be co-chairman of Women2Win—and pleased, because I recognise that gender equality in this place is the responsibility of men as much as women.

I have three points to make. First, I am conscious that role models matter. I know because I am the proud owner, with my wife, of a pair of five-year-old twins, a girl and a boy. Pleasingly, our young daughter has been given all sorts of role models by books such as “Winnie Finn, Worm Farmer”, “Rosie Revere, Engineer”, “Ada Twist, Scientist” and “Fantastically Great Women Who Changed the World”. One day, while describing a picture with a spacecraft in it, I referred to the spaceman being inside. I realised that we were making progress when she said to me, “Daddy, how do you know it’s a man?”

On the flip side, the responsibility of men was made clear to me when my son argued with my wife about whether there could be female bus drivers, because he had never seen one. These things matter. That is why the education programme in this place—getting schoolchildren in to talk to them about what MPs do and who they are—is so important.

Hannah Bardell: Does the hon. Gentleman agree that gender stereotyping is, in many respects, reinforced in children’s early years by toys and books? My mum, who was a single parent, could find only one book with a single parent in it.

Kit Malthouse: The hon. Lady is absolutely right; there is certainly not enough literature and so on for young people, but the situation is better than it used to be. I recommend “Princess Smartypants” for young girls who want a good combination.

It was a real shock to come here after 16 years in London government, where politicians do not actually get a lot of abuse, and realise how much abuse female MPs take compared with male MPs. I am with the hon. Member for Rhondda (Chris Bryant) about getting rid of anonymity online. Women generally—not just female MPs or female journalists—get enormous amounts of abuse online compared with men, and we need to think carefully about anonymity.

I also want to mention what we project in this building. It is often said that women are put off coming here by the atmosphere: the aggression, the confrontation—all the stuff that appears in the media. In fact, 90% of our work in this place is not like that. The real picture, in Committee, in debates such as this one and elsewhere, is much more consensual and less aggressive.

Mrs Maria Miller (Basingstoke) (Con): I thank my hon. Friend and parliamentary neighbour for giving way. It is important to say that not just political parties but the Government and Parliament need to think about ways of encouraging more women to come here. Too often we say that it is down to women themselves.

Kit Malthouse: I completely agree. It is incumbent on everyone—women, the Government, men and society—to present the real picture of what happens here, so that women who are put off by the principal atmosphere projected in the media realise that there are other aspects of the work beyond the yah-boo politics in the Chamber.

I am with those who suggest that we should have a proxy system. Frankly, that should be not just for Members who are on maternity leave but for those with serious illnesses. It is strange that the maths of the House can be changed—often significantly, as we might find—by someone happening to suffer an illness or by someone having a baby. I think a sensible proxy system for use in particular circumstances would be widely supported in the House and in the country as a sensible measure to enhance our democracy, as the right hon. and learned Member for Camberwell and Peckham (Ms Harman) said.

3.33 pm

Angela Crawley (Lanark and Hamilton East) (SNP): It is a pleasure to serve under your chairmanship, Sir Roger. I am grateful to the hon. Member for Eastleigh (Mims Davies) for calling this debate. While we wrangle
over Brexit and other serious matters, we often forget to highlight and address the systemic and obvious barriers in society.

I came to this place because I was inspired to create change and I wanted to tackle the everyday inequality that I saw in the houses that surrounded me on the streets that I grew up on—the everyday challenges that real people face, such as struggling to heat their homes and to eat. We are privileged to sit in this House and to have the opportunities that are afforded to us, and it absolutely incumbent upon us to address those issues and tackle the big systemic problems in society.

I was first elected to local government when I was 24 years old. I remember at the time asking my colleagues and friends, “How did you get into politics?” Each and every one of the women I asked told me, “Well, someone asked me.” Each of the men who answered that question said, “Well, I just thought I’d be good at the job.” That probably sounds like quite a lot of my colleagues. The fact is that women often have to be encouraged and inspired, and I suspect that most of us are here only because someone encouraged and inspired us. We have a responsibility to make sure that we tackle those issues and change the gender balance of this place at the next election—whenever that may be.

We can start right here and now. The Government can address some of the barriers in the House and we can start to challenge ourselves. I watched a Member in last night’s debate look across the Chamber, gesticulate to the men—we women are invisible, of course—and ask when any of them had last been home to put their child to bed, and suggest that they should talk all night. That kind of attitude reminds us that we have so much work to do to get where we need to be.

Victoria Atkins: I was in that debate as well. In fairness to that Member, he was saying that the so-called family-friendly hours are not in fact family friendly. I do not know whether his messaging was correct, but I think he was making precisely the same point as the hon. Lady—that they are not family friendly.

Angela Crawley: I agree that that Member’s point may have been misconstrued, but the point is this: we can stand here in our privileged position and talk all day and all night, but there are not enough women in this House. We do not fully represent society. Women have to be able to afford to get here, have childcare, sit in hustings where men ask them, “What are you going to do about your children?” and experience the silly things that happen to us every day—if it has not happened to us, I am sure that we have heard about it happening to someone else. There are systemic barriers in society, barriers in this building and barriers in the fact that we did not get home until whatever time last night or the night before but we are here today.

Chris Bryant: Parenting or caring for another person often requires predictable timing, and the worst thing about Parliament is that it is so unpredictable. Whips engaging in shenanigans, like they did yesterday, makes it much more difficult for many women—in particular mothers—to see how they could possibly operate here.

Angela Crawley: I wholeheartedly agree. I am sure that everyone agrees that this place has a negative impact on many people’s family life and work-life balance. I do not intend to cry and play a tiny fiddle on behalf of MPs, but if we cannot get it right here, how do we expect anyone to get it right elsewhere? Whether the lack of women is due to family, childcare, caring responsibilities, society, the media, our parties and their structures or our inability to challenge, we need mechanisms to get women here. I am sorry, but that is just where we are. Until we do not need them, that is what we will do. We should push for more.

I am inspired by the hon. Member for Eastleigh. I have the privilege of sitting on the Women and Equalities Committee with the right hon. Member for Basingstoke (Mrs Miller), and it is a privilege to work with the right hon. and learned Member for Camberwell and Peckham (Ms Harman), who has inspired me for a great many years, and with my hon. Friend the Member for Livingston (Hannah Bardell), to name but a few, but this place must change and action must happen. If we are to inspire the next generation of daughters and women to get here, we need to change the structure of this place, through proxy votes and by tackling attitudes and changing its unpredictability. The ridiculous need to grandstand, act macho, hold the Floor, filibuster, waste everyone’s time and ruin a lot of people’s lives is not the way to operate a business and it is not efficient.

How will the Minister ensure that this Government tackle the barriers to women standing for Parliament? Will she ensure that making this Parliament more family friendly is her priority? Will she ensure that there is a way to tackle party structures and the attitudes of this place so that women can get here in the first place and that opportunity is not just our privilege?

Hannah Bardell: Will my hon. Friend give way?

Angela Crawley: I am coming to a close, so I will continue. Will the Government commit to rise to the challenge and be world leaders? Will they make that happen? Will they take on this issue as their responsibility? Will the Minister lead and ensure that this place has the representation that we all want?

3.39 pm

Dawn Butler (Brent Central) (Lab): It is a pleasure to serve under your chairmanship, Sir Roger. I thank the hon. Member for Eastleigh (Mims Davies) for securing this important debate.

Women make up 51% of the UK population—and if it were not for them, the other 49% would not be here. It is no big ask for Parliament to be represented 50:50. I am proud that Labour has more women than all the other political parties put together, and I am really proud that Labour’s shadow Cabinet is 50:50. That is in line with our support for “50:50”, the cross-party campaign that aims to encourage and inspire support for political engagement.

I agree with almost everything that has been said in the debate. However, it is our duty in this House to ask difficult questions and highlight the uncomfortable truths
on barriers to women entering Parliament. Some of the solutions have been spoken about today, such as proxy votes and baby leave, and I agree with all of those things. We have also touched on abuse of women—especially on the internet; there is a debate on that tomorrow.

My hon. Friend the Members for Wansbeck (Ian Lavery) and for Lancaster and Fleetwood (Cat Smith) penned a letter to the chair of the Conservative party, the right hon. Member for Derbyshire Dales (Sir Patrick McLoughlin). I want to highlight some of its points. It said:

“We are writing to express our dismay and deep concern at the vitriolic personal attacks that defined the Conservative Party’s election campaign. The Conservatives ran a negative, nasty campaign, propagating personal attacks, smears and untruths, particularly aimed at one of the most prominent women MPs, and indeed the first black woman MP, Diane Abbott.”

That campaign contributed to the awful, horrific abuse that my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott) was subjected to. The Conservative party spent millions of pounds on abusive Facebook campaigns, and we in this House have a responsibility to lead by example—not just with our words, but with our actions.

Mrs Miller: What has characterised the debate so far has been consensus and the notion that this is a shared problem. I hope the hon. Lady agrees on the importance of that consensus continuing. Does she agree that what we really need is a plan, not a series of tactics, undertaken by Parliament, the Government or political parties? At the moment, we have no plan.

Dawn Butler: I agree. I am sorry to disappoint the right hon. Lady in breaking the consensus, but it is my job to talk about the uncomfortable truths on the barriers to women entering Parliament.

Victoria Atkins: Will the hon. Lady give way?

Kelly Tolhurst: Will the hon. Lady give way?

Dawn Butler: The right hon. Member for Basingstoke is right. I will come to some more solutions and ways to ensure that we make this place more acceptable and accessible to women, to which I hope the Government will respond.

Sometimes, the issue is not with women standing. Women often stand for positions but find that other barriers stop them from being selected or elected. Some of that is racism, discrimination, sexism and misogyny. As uncomfortable as it is to listen to, I am afraid we have to talk about these issues, because they are barriers to women entering Parliament.

Chris Bryant: My hon. Friend has noticed that one of the Select Committees just appointed has not a single woman on it. Would it not be a good change to our Standing Orders to say that no Committee of this House can be nominated if it has no woman on it?

Dawn Butler: That is an extremely valid point. We are a Parliament that should seek to hear the voices of all Members of this House, and that includes women. There should not be all-male Committees in this day and age.
be a great politician.” In fact, they often thought that I was just too mouthy to do anything. It has been an extremely hard journey, and I want to ensure that, when I leave this place, the journey for women of Parliament coming through is smoother. The Government are in a position to do an awful lot to tackle the barriers for women entering Parliament and to ensure that we have a 50:50 Parliament. If I might be so bold, the Labour party still has a long way to go, but the all-women shortlist has done a lot in terms of ensuring that this House is more representative than it ever has been.

**Victoria Atkins:** Will the hon. Lady please ask her Whips Office to pair mums of newborn babies so that they can be slipped from this place? I understand that Labour Whips are refusing to pair mums who should be on maternity leave; they are being dragged back to the Chamber. Please can she encourage her Whips Office to do that?

**Dawn Butler:** That is an important point. We have already spoken about pairing and having people subbing for others, but it does not help when the Government act in such an irresponsible manner when conducting the business of the House—threatening to keep MPs here until three o’clock in the morning, with mothers and fathers having to bring their babies through the Lobby. When the Government do not say when we can have Opposition day debates or when they are going to have certain discussions, that does not help with the pairing of Members of Parliament. However, I will try to adopt a consensual tone by saying that anything that can be introduced to ensure that Parliament is fairer and more family-friendly should be supported by all parts of the House.

3.49 pm

**The Minister of State, Department for Education (Anne Milton):** It is a pleasure to serve under your chairmanship, Sir Roger, and to congratulate my hon. Friend the Member for Eastleigh (Mims Davies) on securing the debate. I was tempted to say “Stop squabbling,” and it is very likely that I will forget the speech I have in front of me: my one point is that if we want to change things, we have to take down the party political barriers. There is fault on every side, but all political parties have done what they can and what they feel is appropriate to make sure that some of the barriers come down.

I go to women’s forums where people stand up and say, particularly in business, “We have done so well.” I get a bit tired of hearing how well we have done; the truth is that we have not done well enough. I am absolutely clear about one thing: as women, we have to take down those barriers. Only then can we get change.

**Mrs Miller:** My right hon. Friend is absolutely right to say that we need to do more. We need the data to understand exactly how much more we need to do. As she knows, the Government could enact section 106 of the Equality Act 2010, so that parties publish the data on candidates who are standing. The Government have rejected that proposal from my Committee.

**Anne Milton:** That was a compliment, Sir Roger. It is the tenacity of people such as my right hon. Friend that will change things. It is almost 100 years since the Parliament (Qualification of Women) Act 1918 was passed, which made it possible for women to stand as parliamentary candidates. Next year is the centenary, which is an opportunity for us, as women in Parliament, to do something to make sure that we remember the message. It is extraordinary to think that that Act received Royal Assent on 21 November 1918, just 10 days after the end of the first world war. Even while Europe was reeling from four years of devastating conflict, Parliament recognised the necessity for equality by introducing and passing a Bill.

The question we need to take away is whether we still recognise that necessity for equality today. Those of us in this chamber do, but we need to make sure that we never let that ball drop. The 1918 Act came after years of protest and debate for women’s suffrage. Brave women fought and died, and were imprisoned and demonised by Government and the police. Thousands petitioned and marched throughout Britain. The struggle was bruising. Nancy Astor has been mentioned already. In her maiden speech, she said: “it was very difficult for some hon. Members to receive the first lady M.P. into the House. It was almost as difficult for some of them as it was for the lady M.P. herself to come in.”—[Official Report, 24 February 1920; Vol. 125, c. 1623.]

This is the most diverse Parliament in British history, with 208 female MPs: 32% of the House. Some 45 MPs identify as lesbian, gay or bisexual, and 52 MPs are from a black, Asian or minority ethnic background—interestingly, they are 26 women and 26 men. However, that progress has been painfully slow, and 100 years on the House does not reflect the public it serves. One hon. Member referred to there having been only 489 women MPs, with 33 of those first elected in 2017. In 2015, we finally exceeded the existing number of sitting male MPs. Women make up 51% of the population and, as the shadow spokesperson rightly pointed out, the men would not be here if it was not for us.

It would be ridiculous to believe that, in a population of 66 million, there are not 124 women who are capable and absolutely willing to take on the job of MP. Women made up a record 29% of candidates in 2017, but it is a stark fact that in 104 constituencies there were no women candidates at all. That equates to about 7.5 million people who had no option to vote for a woman.

The problem is twofold. My hon. Friend the Member for Eastleigh talked about barriers and the problems of women who have children, and we looked at a number of those, but there are also the social and structural limits that we systematically place on women and girls. Women are less likely to consider themselves knowledgeable about subjects than men, despite growing evidence that proves there is no difference. Many women feel excluded or uninformed, because time and again they are shown that the opinions and authority of men are valued over theirs. The overwhelming majority of expert opinion and commentary in all public spheres is given by men.

Much work has been done in recent years to improve the diversity of experts called on by the news media. The 30% Club, which was launched by women, created a database of women experts for the media to contact on a range of topics. However, we need to see sustained efforts. I was recently told a story by a member of the
Government who was phoned up by a mainstream radio news outlet in the past couple of years but who was stood down at the last minute and told, “It’s alright; we’ve already got a woman.” It is shocking that, in this day and age, mainstream media still feel it acceptable to say something like that.

Chris Bryant: We are not very good on that in Parliament either, are we? Often, every single witness—brought in at MPs’ request—in a Select Committee evidence session will be a man. Surely that should be a thing of the past.

Anne Milton: It absolutely must, and I take the opportunity to praise Mr Speaker for his chairing of the diversity and inclusion group. We have looked at exactly that—opportunities for crèche facilities for expert witnesses and so on.

There is no doubt that parenthood remains a structural and practical barrier for many women. Of those not in work due to caring responsibilities, 89% are women; I am not denying that men perform some of those roles, but 89% are women. Mothers have been underrepresented in Parliament. Interestingly, a 2013 survey of MPs found that 55% of the women had children, which is low, compared with 72% of the men. Women juggle their dual lives as parent and a parliamentarian, working against long and unpredictable working weeks—an issue that the hon. Member for Rhondda (Chris Bryant) rightly raised.

I will pick up on a couple of points. My hon. Friend the Member for North West Hampshire (Kit Malthouse) mentioned gender stereotyping. It is a critical issue and I am pleased that the Advertising Standards Authority has recently taken action on it. All-women shortlists also came up. I also struggle with them; they ensure compliance but not a change in culture, and as women in this place we need to aim for a change in culture. I went into politics with absolutely no political background at all. Somebody once described me as an “accidental Member of Parliament”, which I feel I was. I did not feel as though people like me were well represented—a woman with a background in the public sector—and that was one of the driving forces behind why I came here.

I would like to feel as though I will leave something behind me. The shadow Front-Bench spokesperson talked about things the Government can do, and that plays its part, but we have to change the culture. We have to leave women feeling that they have an equal chance of getting here. It is critical that they come, so that we have the benefit of their skills, life experience and the unique contribution that they make, and to make sure that the voice of 50% of the population is equally represented in this place.

Mims Davies: I thank all Members from across the House for the spirit and tone of the debate. It would be remiss of me not to mention the candidates department, which I hope is being swamped with applications from females as we speak. I will use and adapt two Madeleine Albright quotes to end the debate: there is a special place in hell for women and men who do not support other women; and we should use the debate to form our opinions, and use those opinions to create discussions, so that we can all work to break and end barriers.

Motion lapsed (Standing Order No. 10(6)).
I want to emphasise at the outset that the facility we have in Corby at the moment—the Corby urgent care centre—is class-leading, hugely popular, well used and a beacon of best practice. I know that representatives of Lakeside Plus, which is the current provider, are watching this debate closely. At this point, I want to say a huge thank you to Lakeside Plus for the quality of service it has provided since 2012, when the Corby urgent care centre opened under the coalition Government. I am proud that it was Conservatives in government who delivered this class-leading facility for my constituents.

The dedicated staff who work there day in, day out do a remarkable job, and that is something I hear all the time. When I knock on doors in the constituency and am out in the town centre, that is the message I hear loud and clear.

Back on 20 July, I spoke in the final debate before the summer recess, which was an important opportunity, given the press release issued by Corby clinical commissioning group on 13 July that led to concern locally about the potential loss of this service at the end of September. Fortunately, we are in a better position now than we were when I spoke in that debate on 20 July. That is because on 29 August, the governing body of the CCG met, and the CCG subsequently communicated with me to advise that at that meeting a number of things had been agreed to, including a rolling four-month extension to Lakeside Plus’s contract, subject to legal agreement, and a “robust timeline” for patient, public and stakeholder engagement and consultation.

That is obviously a very important step forward and, in some respects, provides reassurance to my constituents in the short term.

I understand that the contract extension has not yet been agreed, and the clock is ticking. Once we get to the end of September, that is the cliff edge. I want to see urgent action taken by the CCG, getting around the table with Lakeside Plus to get the contract signed, to take the cliff edge out of the equation, because that is what my constituents are most worried about at this point—and with good reason, because we can conclude that, were the facility to close on 30 September, it would be very difficult for it to be reopened. We must avoid that cliff edge, and I urge everybody concerned to get around the table and ensure that we get the agreement signed as quickly as possible.

Mr Philip Hollobone (Kettering) (Con): I congratulate my hon. Friend on securing this debate and on his tireless efforts, not only in this House but locally in Corby, to fight this cause. It is a hugely popular facility. My constituents in Kettering know that without the Corby urgent care centre, the pressure on Kettering General Hospital would be even greater. The Minister knows how busy Kettering General Hospital is because he had the good heart to visit it recently. I am 100% behind my hon. Friend in his campaign.

Tom Pursglove: I am very grateful to my hon. Friend, who has been unstinting in his support for the Corby urgent care centre and the local campaign. He recognises, quite rightly, the pressures that the facility relieves Kettering General Hospital of. Kettering General Hospital is obviously a very important facility in our community. I will touch on those pressures a little bit later, but I very much appreciate his support for what we are doing.

I have talked about the short-term situation. In the longer term, the CCG appears to be committed to much more thorough consultation, first with a pre-consultation, and followed by a thorough consultation on options, which I understand would run between November and January. I welcome that, but I am clear that corners must not be cut in that process. The whole community must be engaged. It is not enough to engage with a group of 700 people in a patient participation group; that is just not good enough.

Andrew Lewer (Northampton South) (Con): I thank my hon. Friend for securing this debate. His reference to Kettering General Hospital and this fairly narrow consultation leads me to ask whether he agrees that not only Kettering General Hospital but Northampton General Hospital would be impacted by this. Have those he has been working with made references to that in the course of their discussions?

Tom Pursglove: I am grateful to my county colleague for his intervention. He is absolutely right. As this campaign has progressed since July, I have been receiving communication from people across the county and from outside the county who say they make use of the Corby urgent care centre rather than going to the acute hospitals in our area. I have no doubt that not only Kettering General Hospital but Northampton General Hospital would be affected. This is not just a Corby issue by any means, although it is obviously very important to Corby residents. It is also fundamental to the wider health infrastructure of north Northamptonshire.

I want Corby CCG to be very aware of and alive to the fact that I will be watching the consultation process ahead of us like a hawk, because the consultation that has gone on previously has not been good enough. I think the CCG would recognise, if it were honest, that that has not been good enough, and we need to see improvement. I will not hesitate to ask difficult questions, should they need to be asked. I will also be clear with the CCG that it ought to make no mistake that in the long term we need urgent care facilities in our town. There are a number of key reasons for that.

The first is the growth agenda. There can be no doubt that in north Northamptonshire, there will be increasing pressures on our health infrastructure more generally in the years ahead. We are taking thousands and thousands of new homes, not just in Corby but in east Northamptonshire, Kettering and Wellingborough. That inevitably brings pressures for existing health services.
I have already referred to the KGH pressures, which are very pertinent. I am pleased, as I am sure my hon. Friend the Member for Kettering (Mr Hollobone) will be, that the recent Care Quality Commission inspection saw quite considerable improvement compared with the last inspection. We welcome that, but I do not want to see all that good work undone by additional people who would previously have gone to the Corby urgent care centre turning up at A&E.

One flaw in the CCG’s argument to date has been that it has never been able to account for the number of people who currently go to the urgent care centre and who, if that were not available, would go on to Kettering General Hospital. I am very concerned about that. We must not forget that last year, 70,000 people made use of the Corby urgent care centre, and only 6% of those went on to Kettering General Hospital for further treatment. That gives us an idea of the impact here. I think we would also all recognise that Corby has significant health needs, particularly on the back of the fact that we are an industrial town. Our town has been built on our industries, which inevitably leads to acute health needs among the local population.

I know that local people share my strength of feeling on this. The “Save Corby Urgent Care Centre” group has done a fantastic job, particularly online, harnessing local opinion and local support for the campaign. In fact, tomorrow night at the end of business, I shall present a petition signed by more than 2,500 local people in support of the urgent care centre. I pay tribute to Lyn Buckingham, Maria Bryan and others for the work that they have been doing on the issue.

As the local Member of Parliament, I am proud to say that the fact that we have a Labour council in Corby does not mean that we do not work together for what is best for the people of our area. Tom Beattie, the Labour leader of the council, and I have worked very closely on this issue, as we do on others, such as the steel issue, because party politics does not matter when it comes to these issues. People do not want to see politicians squabbling and arguing about petty points; they want solutions to the problems, so I am pleased that that cross-party work continues in our community. I want to say again a big thank you to my Northamptonshire colleagues for their support on this issue, because, as I said, it affects not just my constituents, but people in their areas.

The final thing giving me heart in terms of the strength of local feeling is that I launched a parliamentary postcode campaign on this issue, and although not that many have yet been delivered—that process is going on at the moment—we are seeing hundreds and hundreds returned. I look forward to the opportunity to present sacks of those cards to the commissioners in the months ahead, as part of the consultation process, to hammer home how strongly we as a community feel about the issue. They are also coming in thick and fast on email, and not just from people in Northamptonshire.

I also thank my hon. Friend the Minister for his interest. Obviously, we have just had a recess, which is not necessarily a particularly good time for challenges to occur in constituencies, but I have fully appreciated the fact that he has always been willing and available to talk about this issue when concerns have been brought to my attention. That availability is appreciated.

Often, politicians are accused of talking about problems, raising issues, but having no solutions. When I look at this issue, there are some things that really stand out for me that I think are just common sense. What concerns me is that when we look at the figures for same-day access in Corby, for example, we are not doing well enough. There are clearly key challenges ahead, and the CCG’s performance on that particular matter has to improve.

However, that should not be at the expense of urgent care facilities in the town, and local people should not be penalised in relation to the urgent care centre as a result of the current contract not having been handled as it should have been by the commissioners. Obviously, the expert determination speaks to that point. I do not need to say any more on that, but local people should not be penalised, in terms of the health services available to them going forward, as a result of the contract not having been handled as it should have been.

It is clear to me that if we improved GP access, the cost of the urgent care centre service would reduce, because if more of my constituents, or more of those people from the surrounding areas, could see their GP on the day that they needed an appointment, they would not have cause to go to the urgent care centre, where they have perhaps been going because the access has not been good enough to date. It should be about doing both: improving GP access at the same time as providing urgent care facilities. I argue very strongly that the cost of the urgent care facilities would be less were the GP access better.

I will continue to advance these arguments in the months ahead. I am conscious that county colleagues who are present may want to say a few words, so I shall wrap up, but I want to be very clear about the fact that losing this facility would be a betrayal of local people. The proof is in the pudding: it is making an impact. The idea of losing it is obscene when we consider that other areas look at Corby urgent care centre with envy. For example, people in Wellingborough want to see, at the Isebrook site, a very similar service replicated. Were we to lose Corby urgent care centre, that would also undermine the whole model that we have been working on, cross-party, for some years. I am talking about a hub-and-spoke model—ensuring that we have the urgent care hub on the Kettering General Hospital site, with a spoke in Wellingborough and a spoke in Corby. That makes absolute sense, and I do not want the good work that has been done on it undone, because this facility is class-leading and can demonstrate that it has made quite an impact. I say again that I am in no doubt that losing the facility would be a disaster for Kettering General Hospital. I also recognise that Corby CCG has responsibility for Kettering General Hospital as its pinned CCG.

As I said in the debate before the summer recess, my message to the CCG remains very clear: please don’t let us down.

4.14 pm

Mr Peter Bone (Wellingborough) (Con): It is a great pleasure to serve under your chairmanship, Mr Chope. I am very grateful to my hon. Friend the Member for Corby (Tom Pursglove) and my hon. Friend the Member for Wellingborough and a spoke in Corby. That makes absolute sense, and I do not want the good work that has been done on it undone, because this facility is class-leading and can demonstrate that it has made quite an impact. I say again that I am in no doubt that losing the facility would be a disaster for Kettering General Hospital. I also recognise that Corby CCG has responsibility for Kettering General Hospital as its pinned CCG.

As I said in the debate before the summer recess, my message to the CCG remains very clear: please don’t let us down.
I congratulate my hon. Friend the Member for Corby both on initiating the debate and on his campaigning across his constituency on many issues, but particularly on Corby urgent care centre. His listening campaign has galvanised support from all over the town and the surrounding areas, and it is the surroundings areas that I want to mention, because people from Wellingborough go to Corby urgent care centre. Wellingborough is one of those towns that does not have an urgent care centre or a hospital, so if someone unfortunately has an emergency, they have to travel to Kettering and, on occasion, to Northampton, which is not a good situation. The urgent care centre allows people to be seen more quickly, and the system really works. I saw one of my constituents who had fallen ill, could not see the doctor that day in Wellingborough, went to Corby urgent care centre and was then referred on to Kettering, so the system works. I am grateful to my hon. Friends the Members for Kettering (Mr Hollobone) and for Northampton South (Andrew Lewer) for being here, because they represent the two constituencies with the two major hospitals. The problem is that if we get rid of Corby urgent care centre, we will finish up with more and more people going to Kettering A&E and to Northampton General Hospital.

For a long time now—since before my hon. Friend the Member for Corby was even elected—there has been a campaign for a hub at Kettering. That would be a national leader and is something that the Department has supported. We would have the urgent care centre in Corby, which we already have; we could have an urgent care centre at Kettering General; and we would have an urgent care centre at the Isebrook Hospital in Wellingborough. That is my plea to the commissioning groups, because I have been round the site where they are going to put the urgent care centre in Wellingborough, but I am afraid the commissioning groups have let us down. I have introduced in this Parliament a Bill, which you may be aware of, Mr Chope, to merge the two commissioning groups, the Northamptonshire Clinical Commissioning Groups (Merger) Bill, because having a Corby commissioning group—the smallest in the country—is hopeless. I am not much more impressed by the Nene group, so let us put them together and see whether we can get something better. I have also introduced a Bill that would bring the hub system to Northamptonshire—the North Northamptonshire (Urgent Care Facilities) Bill.

I am really grateful to my hon. Friend the Member for Corby for letting me speak in the debate. He is doing an absolutely terrific job in Corby. He said right at the beginning of his speech that these debates should be used only for really important occasions. The first time I was in Westminster Hall, the aim was to keep open Rushden fire station, using a listening campaign, and we achieved that, so I hope that as a result of this debate we will ensure that Corby urgent care centre stays open.

4.18 pm

The Minister of State, Department of Health (Mr Philip Dunne): Thank you, Mr Chope, for chairing the debate in your inimitable style. I was intrigued to learn that my constituents’ interests on the Floor of the House. It is good to see him so well supported again today by his constituency neighbours from Wellingborough and Kettering.

We have discussed this matter privately and, to a limited degree, on the Floor of the House. My hon. Friend the Member for Corby referred to the Adjournment debate to which he contributed before Parliament rose for the summer recess. We have also discussed during the summer, as events unfolded in a more unpredictable way, what could be done to secure the future of the facility for which he has advocated so well today.

I feel reasonably up to speed with events in Corby; for the benefit of other Members present, I will rehearse a small number of them. I will not go into too much detail, not least because at the heart of the issue has been a contractual dispute, which has limited the ability of participants to describe the nature of it. That has, in itself, given rise to some problems in communicating to the local population what the problem has been. We remain bound by the confidentiality arrangements around the legal procedure, but suffice it to say that, as my hon. Friend correctly observes, we are close to a point where action has to be taken to maintain the facility from the end of this month.

From my conversations with the CCG leadership in preparation for this debate, I can assure my hon. Friend that on that side of the negotiating table they are determined to ensure that continuity of service is provided through the rolling four-month contract. They alerted him to that contract at the end of last month and are engaging with the provider, Lakeside Plus, to try to reach agreement. There is no doubt that without an agreement, some of the services would have to be provided in an alternative and less satisfactory way for the local population. That is inevitable, if it is put together in a short timeframe.

It is in everybody’s interest to make this work, but it will be a precursor to a longer-term solution, which is clearly required for the local population. I am pleased that my hon. Friend recognises that such a solution needs to be widely consulted on. Indeed, he is pressing for a more fulsome consultation than is perhaps typical. Given the circumstances surrounding this case, I will be urging the CCG regarding that full consultation. I have been alerted that it is due to start in November, and think that he has been given the same information.

I was not aware of a pre-consultation, and am not quite sure what it means. Hopefully, it means providing an opportunity to ensure that the full consultation is as detailed as necessary. I am quite sure that my hon. Friend will encourage all those who have been in touch with him to participate in that consultation when it gets under way. I was pleased to learn from him about the cross-party nature of the support and full engagement that he has been working, alongside the action group, to generate. I am sure that all those taking an interest will participate in the consultation.

To touch on the substance of the issue, I should say that the GP practice co-located with the urgent care centre has the largest patient list of any GP practice in the midlands, certainly, and possibly across NHS England’s footprint, so it has some unusual characteristics. One of the pressures on that practice, which my hon. Friend
[Mr Philip Dunne] alluded to, is access to that GP surgery. Pressure is put on the urgent care centre by the difficulty in securing access to that part of the GP provision in the area. My understanding is that there is a federation of GPs, beyond the immediate catchment of the UCC but within the CCG area, that has much better access. Work should be done as part of the consultation to see how the performance across the entire CCG area can be improved to relieve some of the pressure on the urgent care centre.

A consequence of that pressure is that the original contract, designed to undertake 120 patient episodes a day, has been dealing with more like 170 patients a day attending the urgent care centre. Of those patients, the vast majority—88%—could be dealt with either in that facility or in the GP practice itself. As I understand it, 12% definitely require treatment at the urgent care centre, and some of those are then referred to either Kettering General Hospital or, in a small number of cases, to Northampton’s A&E facility.

There is a need for an urgent care setting, but there is as much of a need to ensure that those who could be treated in the primary care environment can be. Part of the consultation will look at the appropriateness of a primary care home arrangement. That is an establishment that brings together primary care providers, social care providers and other providers, such as pharmacies, within an area, to provide a more integrated primary care service. That in itself might have benefits for improving access to treatment for the population served by the UCC at present.

My hon. Friend will be well aware of the history of the contracting challenge between the CCG and Lakeside Plus. I will not exhaust his patience by going into that in any detail, but will simply say that it is the intent of the CCG to re-establish a contractual relationship. The CCG wishes to have this moving forward on a four-month rolling basis while the consultation takes place, and then any subsequent arrangements will need to go out to tender. The intent is that this contract will continue until the successor arrangements are in place, so that there is continuity of care for his constituents—something that the Department absolutely supports.

I conclude by saying that it is really important that we use this public consultation to get the model of care right for the people in the area served by the UCC. That needs to take into account the evidence base for the clinical model, the right to patient choice for the people who will be using it, to meet the local need—my hon. Friend spoke eloquently about the particular local needs in the Corby area, and those are recognised—and also value for money. The approach has to be coherent and comprehensive, to come up with the right solution for the future.

I heard what my hon. Friend’s neighbour, my hon. Friend the Member for Wellingborough (Mr Bone), said about looking for a similar hub in Wellingborough. I will look with interest to see how his private Member’s Bill progresses, to endeavour to bring that about. I also note his comments regarding the structure of the CCGs in the area. That is really a matter for the STP—the sustainability and transformation partnership—to make progress on and decide the structure of both commissioning and provision of service in the area. It is not really for me to comment on that off the cuff here today, but I note what he says and am aware that this is one of the smallest CCGs in the country. I am also aware that there is a very substantial programme of collaboration already underway with the neighbouring CCG at Nene, so I think that the CCGs themselves see the benefits of closer integration of their working.

On that basis, I say to my hon. Friend the Member for Corby that I will endeavour to keep him informed as matters come to my attention, and I am quite sure he will continue to keep me and the Department informed as well.

Question put and agreed to.

Mr Christopher Chope (in the Chair): Order. As we have got a minute and a half spare, we can go straight on to the next debate because the Minister is here. I now call the next speaker, Mr Linden.
Scotland-Malawi Relationship

4.28 pm

David Linden (Glasgow East) (SNP): I beg to move, That this House has considered the Scotland-Malawi relationship.

It is a pleasure to serve under your chairmanship, Mr Chope, having spent the afternoon with you in the Procedure Committee.

I am pleased to have secured today’s debate, and am very grateful to be able to give the House a chance to discuss and celebrate our very important and successful bilateral relationship. Before I speak about some of the more pressing matters, I would like to talk about the connection, the significance of which is seen through the numerous links to Malawi in every single one of the 59 constituencies in Scotland. I do not doubt that some of the other hon. Members present will be keen to use this debate to highlight some of those cultural links and will try to keep my comments brief to allow other Members to speak. I am happy to take appropriate interventions as well.

I pay tribute to the Scotland Malawi Partnership for all its work to promote the relationship between our nations. It has been invaluable in helping me to prepare for this debate. In particular, I thank and pay tribute to David Hope-Jones, its chief executive, who is tireless in his resolve to celebrate the scale, energy and impact of Scotland’s bilateral relationship with Malawi.

I cannot speak on this subject without honouring another David—now would probably be a good time for someone to intervene with those immortal words, “Dr Livingstone, I presume?” The doctor is a famed figure across the globe, but nowhere more so than in his home nation of Scotland and in Malawi, where he travelled extensively on missionary work. David Livingstone’s influence on Malawi is evident right across the country. Its commercial centre and oldest city, Blantyre, was named after his birthplace in Lanarkshire. The history of the great Scotsman’s travels and crusades against slavery is taught to every schoolchild in Malawi even today, which ensures that he remains a much revered figure.

It should therefore come as no surprise that almost 200,000 Malawians are now involved in the Scotland Malawi Partnership, along with 100,000 Scots. The organisation’s impact should not be underestimated: some 2 million Malawians benefit directly from the partnership and 4 million benefit indirectly. In Scotland, almost half the population know someone with a connection to Malawi—an absolutely remarkable statistic.

There are 1,131 Scottish organisations and community champions with active links to Malawi, such as the Scottish Catholic International Aid Fund, Classrooms for Malawi, Mary’s Meals, Oxfam Scotland and 500 Miles. Glasgow City Council also has strong links. Successive Lords Provost have made the link a real priority since 2005, with each visiting Malawi and outdoing the last in raising funds, engaging and inspiring more people in Scotland and Malawi to connect for their mutual benefit. I recently met our newly appointed Lord Provost, Councillor Eva Bolander. I take great pleasure in informing the House that she will continue the tradition and is ready for the challenge.

A number of Glasgow City Council’s schools already have thriving relationships and partnerships with Malawi. These are active, dignified, two-way, school-to-school links that inform and inspire generations of young Scots to be good global citizens and that are transforming lives in Malawi and in Scotland.

Brendan O’Hara (Argyll and Bute) (SNP): I congratulate my hon. Friend on securing this debate. Will he join me in recognising and commending the excellent work of a disproportionately large number of people in my constituency to support the people of Malawi? He has already mentioned the excellent work of Mary’s Meals, but we also have the Mid Argyll Malawi Twinning Group, the Imani Development Foundation in Oban, the Netherlorn Churches’ project “Seed for life. Feed for life”, many secondary schools such as the Rothesay Academy, Dunoon Grammar School, and the primary schools of Strone, Dalmally and Iona.

David Linden: I wholeheartedly join my hon. Friend in commending those wonderful local organisations. We have seen the generous, welcoming spirit of Argyll and Bute in its international work in recent years. I am more than happy to put that on the record.

In my constituency, Carmyle Primary School, St Joachim’s Catholic Primary School, Croftcroigh School, Swinton Primary School, Eastbank Academy and my own former high school, Bannerman High School, all participate in programmes to connect our distinct but intertwined communities over thousands of miles. On a recent visit back to Bannerman, I was delighted to learn that the school is preparing for a trip to Malawi next year, which I hope to be able to join.

Bannerman High School’s preparations are likely to be a lot easier than those of Malawians who wish to travel to Scotland, however. That brings me to my first substantive issue: the extremely serious shortcomings in the UK Government’s handling of visa applications. The Scotland Malawi Partnership has reported that over the past decade, its members have experienced an increasing number of issues with visa applications. Worryingly, many of them feel that the situation is worse now than it has ever been. Some argue that Malawians who apply for visas to visit the United Kingdom are treated with contempt from the outset, with ever increasing charges and an ever decreasing quality of service.

The partnership reports that what it sees as the dysfunctional processing of UK visas not only affects its work and the work of its members across Scottish civil society, but has a serious negative impact on the Government’s own development and diplomatic efforts, causing reputational damage. It is quite clear that this is not an isolated issue. The partnership’s experience is that Scottish churches, schools, non-governmental organisations, businesses, NHS boards, hospitals, universities and community groups have had to cancel visits, often at a considerable cost, because UK visas have not been processed correctly or in time.

When concerns have been raised in this place, the Government have been quick to point out that about 82% of UK visa applications from Malawi are successful—perhaps the Minister might ask the relevant Minister to break down for me how that percentage was arrived at. I understand that a significant proportion of Scotland
Malawi Partnership members who start the process of applying for a UK visitor visa are not able to complete it because of systemic failures, so I would be keen to find out whether those incomplete applications are included within that percentage. I would also like to know if the figure includes visas that are awarded on the day of travel or even after the scheduled travel date.

The second substantive issue is the 1955 Malawi-UK double taxation treaty. I appreciate that Ministers may have been somewhat distracted by Brexit and disrupted by the snap general election, but the Government have not yet honoured their promise—and it was a promise—to update that treaty. The final deadline of July 2017 has now passed. My hon. Friend the Member for Dundee West (Chris Law) recently asked a written question about the matter, but I am afraid the Treasury’s answer was disappointingly non-committal about the timeframe for completion. Its reason for delay—that the Government of Malawi had raised further points for consideration in August 2016—was somewhat at odds with the promise made by the then Financial Secretary to the Treasury last December that “we hope to conclude soon.”—[Official Report, 16 December 2016; Vol. 618, c. 1142.]

Nine months on, we seem to be no further forward. I do not think that I am overstepping the mark when I say that the UK Government appear to be dragging their heels. They ought to get on with their day job and bring this matter to resolution. I do not consider it unreasonable to ask them to let us know exactly when they aim to have the treaty signed off. Any update would be most welcome.

The Minister for Africa (Rory Stewart): Would the hon. Gentleman like to reflect on whether this is an entirely one-sided problem, or whether there are any issues on the Malawian side of the double taxation treaty that may also be holding things up?

David Linden: The point is that we need to get on with getting this sorted. The Government have been quite clear about setting a timeframe, but I can see from my constituency caseload that they are perhaps too focused on other matters at the moment. I would like Ministers in the Treasury to honour their promise to get this sorted. As I said, I do not think it is unreasonable for the Government to let us know exactly when they aim to have the treaty signed off. Perhaps the Treasury can follow that up, although I appreciate that it is not the Minister’s Department.

My third concern is investment in Malawi. It is only fair to point out that the Scotland Malawi Partnership applauds the CDC-DFID impact accelerator programme, which enables smaller investments that are better suited to a country such as Malawi. I echo the partnership’s calls for the Government to build on that and urge the CDC to increase the investment going to Malawi.

I am conscious of time, as I know other hon. Members wish to speak. The final issue I will raise is DFID’s engagement with civic links between Scotland and Malawi. The Department’s small charities challenge fund aims to better engage smaller NGOs, but there are concerns about the design of the programme, such as the fear that payment in lieu will render the fund inaccessible for smaller organisations in Scotland. Will the Minister undertake to discuss that with his colleagues, so that this well-intentioned fund can be tweaked to be of greater benefit to organisations that have the potential to do great work with its support?

Let me finish by looking positively towards the future of the bilateral relationship between our nations. The phenomenal work being done in Scotland and Malawi, which I hope other hon. Members will highlight, is certainly something to be celebrated. Our ties continue to be strengthened and further developed. Our 150-year relationship bridges the gap. Let each of us continue to build upon that. In the words of Dr Livingstone, “I will go anywhere, provided it is forward.”

4.39 pm

Colin Clark (Gordon) (Con): I congratulate the hon. Member for Glasgow East (David Linden) on securing this debate.

Malawi obviously has a great effect over all of Scotland, and I will mention one or two of my colleagues who cannot be here today. Scottish organisations such as Scotland’s Rural College, part of which is in my constituency of Gordon, and the Co-operative College have developed innovative solutions for agriculture and trade—which, being a farmer myself, is something that is close to my heart—helping to increase sustainable daily production and helping farmers to get the best return from their crop. That has transformed Malawi into a regional hub for the development of cattle vaccines, which protects livelihoods and food security for hundreds of thousands of people.

The hon. Member for Glasgow East has mentioned a number of schools already; I will not go over them all again. However, Williamwood school in East Renfrewshire, which is in the constituency of my hon. Friend the Member for East Renfrewshire (Paul Masterton), has sent more than a hundred pupils on visits to towns in Malawi and raised more than £25,000 for Classrooms for Malawi, leading to the construction of a local nursery and the completion of 14 classrooms at Ekwendeni Primary School.

In my own constituency of Gordon, Famine Relief for Orphans in Malawi has worked with communities in Malawi for more than a decade. Originally set up to provide food for feeding stations, it worked in response to the floods in Malawi in 2015 and 2017, and over time it has provided funds to build two health clinics, a health worker’s house and two school classrooms with composting toilets.

My hon. Friend the Member for Angus (Kirstene Hair) has also supported development opportunities in Malawi for some time now. She told me that she visited an excellent event in her constituency last Saturday, which highlighted the brilliant work of the Dalitso Project, an organisation based in Arbroath, since 2007. It runs two day care centres and orphan residences. It now cares for 310 children and provides jobs for 30 staff.

I want to add my voice to that of the hon. Member for Glasgow East. I am aware of the difficulties for Malawian citizens of obtaining a visa for the UK. There have been many reports of the system being dysfunctional. Furthermore, the 1955 UK-Malawi double taxation treaty dearly needs updating. Now is the time to use the strength of our relationship to overcome these hurdles.
4.41 pm  

Mr Alistair Carmichael (Orkney and Shetland) (LD): It is a pleasure to take part in this debate and I congratulate the hon. Member for Glasgow East (David Linden) on securing it.

The links between Scotland and Malawi were well documented by the hon. Gentleman. They have their roots in history, but they are still flourishing now. I suppose that traditionally they existed through the links between the Church of Scotland and the Church of Central Africa Presbyterian, which remain strong to this day. Indeed, my own presbytery in Orkney is linked with the Thyolo Highlands Presbytery in Malawi. These are the sort of direct and meaningful links that exist.

Like other hon. Members, there are schools in my constituency that have direct links and partnerships with schools in Malawi. Westray Junior High School and Sanday Junior High School in particular have done a lot in recent years to offer their pupils an opportunity to see the life of their contemporaries in Malawi and to offer people in Malawi a chance to come in the other direction.

Those are very commendable links—the sort of links that should give us confidence that the civic links between Scotland and Malawi will continue to grow and endure, built as they are on links between communities and individuals within those communities. Indeed, at this point I should also pay tribute to the Scotland Malawi Partnership, which provided me with a briefing for this debate. I suspect that it has done for other hon. Members what it has done for me—namely, listing the links that exist within our communities.

In fact, there is another link that the Scotland Malawi Partnership was obviously not aware of, because it did not appear on its list. Nevertheless, it is an absolute exemplar of the sort of project that we should see and indeed do see across Scotland. It is the Malawi Music Fund, which is based in Orkney. It was set up by a constituent of mine, Glensys Hughes, who taught music in secondary schools in Malawi in 2006; she took a year out to go there. She came back and with her knowledge and experience she then built up links. The traffic between the two countries has continued to this day. Malawi Music Fund runs residential workshops and also raises funds for bursaries for secondary education, which, as hon. Members will know, is not free in Malawi.

Just this weekend, I met a dance teacher in Orkney, Joanna Davies, who had just been in Malawi with Orkney’s Malawi Music Fund. She told me, with some excitement, of her plans to bring a dance teacher and dancer from Malawi to Orkney—a link that she had built during the visit. I listened with a curious mix of inspiration and despondency. I could not help being inspired by the enthusiasm of somebody who had gone out and made a connection with somebody she had identified, from her own professional experience, as very talented. I was despondent, however, that by encouraging her to go forward with a visit or programme for this young man, I was almost certainly creating my own casework, because from the profile she described, I just know that getting him a visa will be an absolute nightmare.

It need not be like that. As a constituency MP, I have seen a number of projects over the years in which visitors come from Malawi to the United Kingdom. I have lost count of the number of times I have sat at my desk, bashing the phones and trying to get some common sense out of UK Visas and Immigration, the UK Border Agency, Border Force or whatever it was called at the time. It is the same old story every time: “We don’t believe that these people are going to go back, notwithstanding the basis on which they have been brought here.”

Patrick Grady (Glasgow North) (SNP): I apologise for coming late to the debate; pepani chomene, as we say in Chitumbuka. Is it not one of the greatest ironies of visas that the visitors who apply have so often been funded by Government institutions? These are UK Government and Scottish Government programmes that are vouched for by highly reliable organisations, but that does not seem to make a blind bit of difference to the Home Office.

Mr Carmichael: In calling it ironic, the hon. Gentleman is being kind to those responsible. Whether or not it is ironic, it sure and tell is frustrating and totally unnecessary. I have found myself speaking to Heathrow Border Force staff on a Saturday, with every document that could possibly be required, but it is always the same old story: any ambiguity in any of the information provided is always interpreted to the detriment, not the advantage, of the person seeking entry.

Alison Thewliss (Glasgow Central) (SNP): The right hon. Gentleman makes some very good points; I share his frustration in my own constituency cases. Does he agree that it fundamentally undermines the reciprocal nature of the relationship that we can go to Malawi relatively easily, but people from Malawi cannot come here? It is difficult to have a friendship of equals when we do not treat people from Malawi as equals in the immigration system.

Mr Carmichael: Indeed. It strikes at the very heart of the nature of the relationship, which ought to be a partnership. I was struck by the last thing Joanna Davies said on Saturday, after I outlined a fraction of what she would have to deal with before her friend’s visit: “When we go there, we have absolutely none of these difficulties.” That is the experience that many of us have had, and I hope the Minister will take on board the hon. Lady’s good point. It is difficult and occasionally impossible to build the sorts of links that I believe the Minister wants, if another part of the Government is impossible to build the sorts of links that I believe the Minister wants, if another part of the Government is operating in a way that undermines the efforts of such groups.

The hon. Member for Glasgow East mentioned the 1955 UK-Malawi double taxation treaty. It is to be regretted, to say the least, that we are still speaking about this; I rather thought that we had got beyond that and that we had sufficient undertakings. If there are difficulties at the Malawi end, we need to hear more about them, but surely in a modern agreement the partners should be equal. The characterisation of the 1955 treaty is one of a colonial power to its colony. I hope that when the Minister talks about difficulties coming in each way, that is not an indication of the UK Government’s attitude in the present day.

Rory Stewart: It is a little uncomfortable, but the question of the trade relationships is about technical legal definitions and trade. The problem is not an ideological
problem; it is not a problem of colonial history or timetables. It is a problem of such things as very specific legal definitions of geography. These things cannot be solved by simply standing up, trying to shame the British Government and telling us to get on with it. The Malawian Government have to make some moves in the negotiation. The negotiation cannot be resolved in the way the right hon. Gentleman suggests.

Mr Carmichael: I was a legal practitioner before I came to this House, so I am well acquainted with the issues around interpretation and negotiation. All I would say is that if the Government are experiencing difficulties in revising a 62-year-old treaty with a former colony—now a partner in the Commonwealth—they may have a taste of what is ahead of them in other upcoming negotiations. The Minister may wish to educate some of his ministerial colleagues in that regard.

In conclusion, we often hold up Malawi as an example of some of the negatives: poverty, the debt burden and some of the social issues, such as the oppression of LGBT+ people within the country. That is an inevitable fact in how the issues are seen. I suggest that today's debate offers us an opportunity to hold up Malawi and our relationship with it in a rather more positive light. How Malawi has built its links with Scotland—the civic links, church links, school links and business links—could in many ways inform the opportunities open to other African countries. I spent two weeks with Voluntary Services Overseas in Cameroon a couple of years ago. The problems facing people in Cameroon are not dissimilar to those affecting people in Malawi, but there is not the same plethora of local groups and civic engagement across Cameroon. Malawi could bring some of its experience to bear, perhaps through an organisation such as the Commonwealth, to show the opportunities for civic engagement and the results that could be produced when that is made to work properly.

4.53 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): Thank you, Mr Chope, for the opportunity to speak in this important debate marking the relationship between Malawi and Scotland. I start by paying tribute to Dr Jack Thompson, one of the Scotland Malawi Partnership board members. He passed away last month. He played a huge role in bringing our two countries together, and he will be missed.

It is a real pleasure to be able to say a few words about the warm historical ties between our two countries and what we can do in the future. Scotland has long had a close relationship with southern Africa, with many Scots making that part of the world their home in days gone by. In recent times, many Africans have chosen to make Scotland their home. I welcome that diversity and I want to see more of it. I am hugely proud to be a Lanarkshire man and to represent my area in Parliament, but Lanarkshire men have been making their mark for generations. None other than David Livingstone left Scotland generations ago and formed a lasting bond between Malawi and Scotland.

Health and wellbeing matter to us all, particularly those of us on the Labour Benches. Today's debate on public sector pay showed that; the motion has just been accepted, which I welcome. Health and wellbeing are at the heart of our partnership and friendship. In Edinburgh just last month, Sarah Brown, the education campaigner and wife of the former Prime Minister Gordon Brown, rightly paid tribute to the role Scotland has played in reducing the numbers of women dying during childbirth and during pregnancy. There has also been good work on HIV and support for older people. In education, the links between our young people grow and grow—year after year, some 94,000 people throughout Scotland have active links with Malawi.

Stephen Gethins (North East Fife) (SNP): The hon. Gentleman makes an excellent point about health and wellbeing, and I know of his constituency association with Dr David Livingstone. Will he acknowledge, with me, that the association continues to this day—not least through the University of St Andrews and its connection with the College of Medicine in Malawi? The university is doing some fantastic work and is continuing the good work of David Livingstone.

Hugh Gaffney: I thank the hon. Gentleman for that. I certainly recommend such work, as I recommend anyone on a visit to Blantyre to see the tribute we pay to David Livingstone.

Forty-six per cent. of Scots know someone who has been to Malawi, supported someone living and learning in Malawi, or donated to charities supporting good work in Malawi. I pay tribute to all those Scots who have played a part and I ask more to do so.

Chris Stephens (Glasgow South West) (SNP): The hon. Gentleman mentioned education. Rosshall Academy and St Marnock’s Primary School in my constituency are partnered with schools in Malawi. Does he agree that two-way communication ensures that generations of young Scots become good global citizens?

Hugh Gaffney: I certainly pay that tribute to education, and I will come on to it, as many schools in my area are involved.

I will say a word about the Scotland Malawi Partnership, which exists to co-ordinate, support and represent the huge number of civic links that Scotland has with Malawi. It is a small charity working independently, but it is changing lives. Organisations from across Scotland include half of Scotland’s local authorities, every Scottish university and most of the colleges, as well as more than 100 primary and secondary schools, hundreds of faith groups, hospitals, businesses, charities, NGOs and, more widely, several grassroots community-based organisations.

Mr Paul J. Sweeney (Glasgow North East) (Lab/Co-op): My hon. Friend makes great mention of the level and depth of support in Scotland for Malawi, in particular for its development. Will he take particular note of the Mary’s Meals charity, which supports 320,000 children by ensuring that they have at least one nutritious meal a day as part of their education? That is a vital component of ensuring a resilient education system in Malawi.

Hugh Gaffney: I certainly welcome Mary’s Meals. My hon. Friend is right in what he was saying. It is a charity from Scotland, and the work we do in Scotland through...
such groups is absolutely fantastic for our nation. I urge as many people as possible to join the Scotland Malawi Partnership and attend the 2017 annual general meeting on Saturday 30 September.

I pay tribute to my Labour colleague, the noble Lord Jack McConnell, who inspired the signing of the Scotland Malawi Partnership, and to the Scottish Government for their work in this area. Labour has a proud record of international work, support and investment. We did so much to help the poorest in our world, to support small businesses, to encourage and defend the rights of women and girls and, importantly, to deliver on the values of never walking by on the other side.

The days of Lady Penelope and Parker are over; this is about equality, solidarity and decency. My constituency has a proud and active number of residents building strong links with Malawi. We talked earlier about education, and in my constituency we have schools such as Coatbridge High School, St Mary's Primary School and St Michael's Primary School twinning with schools in Malawi, allowing our young people to share ideas, experiences and ambitions. That is at the foundation of building a better world for us all, no matter where we stay.

It is worth noting that Scotland and Malawi have been drawn in the same group for my favourite sport, netball, at the Commonwealth games next April. I am hopeful that our long-standing friendship will withstand the result of the game, which I am quite sure will be a Scottish victory.

I am grateful for the opportunity to speak in this debate, and I congratulate the hon. Member for Glasgow East (David Linden) on securing it.

4.59 pm

Patrick Grady (Glasgow North) (SNP): I am grateful to you for calling me, Mr Chope, because I appreciate that I came late to the Chamber. I was detained in a Select Committee, so my apologies—pepani chomene; zikomo kwambiri—my hon. Friend the Member for Glasgow East (David Linden) on securing it.

I was fortunate enough to secure an Adjournment debate on St Andrew’s Day 2015 to mark the 10th anniversary of the Scotland-Malawi relationship. In the nearly two years since, the relationship has continued to get stronger. The Scotland Malawi Partnership continues to publish evidence of its impact and outreach in both Scotland and Malawi.

One of the most formative experiences of my life was spending a year working in the north of the country, teaching in St Peter’s secondary school in the wonderful city of Mzuzu. I made many tremendous friends, who have stayed with me for life, and had a huge number of valuable experiences interacting with the young people and seeing how daily life pans out for people in some of the most difficult circumstances in the world.

I echo the points made about the value of the relationship in both directions. We in Scotland and the United Kingdom have just as much opportunity to learn from our friends, colleagues and communities in Malawi as they have to learn from our different experiences here in the UK.

There has been a lot of mention of constituency links. In my own constituency, a number of different projects and schools have connections and partnerships. I would particularly highlight the University of Glasgow’s Wellcome Centre for Molecular Parasitology, which is running the Blantyre-Blantyre project. It is funded by the Scottish Government and a number of other funders to study life expectancy and different health interventions in Blantyre, Malawi and Blantyre, Scotland, and to share the learning experiences and the lessons from both those communities.

Ian Murray (Edinburgh South) (Lab): The hon. Gentleman highlights some of the projects in his constituency, including education projects. South Morningside, Bruntsfield and Gilmerton primaries in my constituency have direct links with primary schools in Malawi. Will he reflect on the fact that that might be why this partnership has grown, flourished and endured for so long—that younger people are involved and they take that through the rest of their lives?

Patrick Grady: That is absolutely correct. It is more than 10 years ago now that I spent time living there, although I do not know that I would have counted as a young person even when I was there. In my 2015 debate, I said that it would be a fascinating job of work to fund research that tracks the experiences. I say that to the Minister again today. Many of the partnerships and school visits took place when the children were quite young, in secondary school. They will now be well into their careers. We should track the impact that that has had, as well as the impact on their counterparts in Malawi, so that we can start to quantify and see how we can continue to build on it.

Mr Sweeney: Will the hon. Gentleman give way?

Patrick Grady: I am conscious of the time.

We need to make sure that there is support for the institutions of Government. I would reiterate the points made about visas, so that we can show that we are genuinely welcoming. People who are sponsored and supported by organisations in Scotland, very often with Government money, are able to come here, take part in those visits and feel the benefits, and the communities they visit are able to feel the benefits.

Likewise, there is a need to get the tax treaty correct. The way that we will ultimately help Malawi and countries across sub-Saharan Africa and the developing world is when they are able to mobilise their own resources and invest in their own infrastructure. That means they have to have tax treaties and financial institutions and structures fit for the 21st century.

I am grateful for your indulgence, Mr Chope. I congratulate all the speakers and look forward to the Minister’s reply. Zikomo kwambiri.

Mr Christopher Chope (in the Chair): I am going to call the Minister no later than 20 past five. I hope the two Opposition spokespeople will be able to share the time between now and then, should they so wish.

5.4 pm

Chris Law (Dundee West) (SNP): It is good to see you in your position, Mr Chope, and it is a pleasure to be back in Westminster Hall. I congratulate my
hon. Friend the Member for Glasgow East (David Linden) on securing this important debate.

We have heard today that the links between Scotland and Malawi go back more than 150 years. They are built on a sense of dignified partnership and civil engagement. It is a relationship of mutual understanding and respect. The friendship between Scots and Malawians began, as we have heard, in the late 1850s, with a warm welcome extended to abolitionist and missionary David Livingstone and his companions when they entered what is now Malawi for the first time. The Scotland-Malawi relationship is arguably one of the world’s strongest north-south people-to-people links. It is defined by respect for a two-way partnership, rather than simply a one-way charity. As we have heard, almost 100,000 Scots are actively involved in links with Malawi, and almost double that number of Malawians are actively involved in links with Scotland. In fact, almost half of all Scots personally now know someone involved in a link with Malawi. That is an incredible achievement, is it not?

As my hon. Friend the Member for Glasgow East said, the partnership succeeds in mobilising energy from across all sections of Scottish civil society, with hundreds of Scottish schools, churches, community groups, universities, businesses and hospitals actively involved.

Alison Thewliss: My hon. Friend mentioned the links that schools have made. Is he aware of the Glasgow-Malawi Leaders of Learning programme that Maureen McKenna, the director of education in Glasgow, has piloted? It has taken 35 staff from Glasgow since 2012 over to Malawi and fostered really great links between Malawi and Glasgow.

Chris Law: I am aware of it. It is just one of many examples of the partnership between Scotland and Malawi and how it continues to grow. I certainly will touch on a couple more examples.

To give one example in my constituency, Dundee University medical school is partnered with the University of Malawi’s College of Medicine and Kamuzu Central Hospital in Lilongwe, providing outstanding opportunities for final-year Dundee medical students though placements at partner institutions in Malawi. Those placements are used to help to develop medical and educational infrastructure in Malawi by supporting staffing and staff development.

A further example is the twinning project between Westgate health centre in Dundee and Matalawe clinic in Zomba. They maintain two-way communication between Dundee and Malawi via internet access at the clinic. They also provide locally sourced equipment for the clinic, and local Dundee artists display their paintings for sale in the waiting room, with 25% of the purchase price then donated to the project.

Neil Gray (Airdrie and Shotts) (SNP): We have heard a lot in this debate about the constituency and school links. In my constituency, St Margaret’s High School has set up an orphanage. It has improved attendance and attainment at its partner school, Chisitu, New Monkland Primary School, Clarkston Primary School and St Dominic’s nursery are also all doing great work.

Does my hon. Friend agree that the work done on fostering those links from an early age is so important for both countries and needs to continue?

Chris Law: I absolutely agree. It is also about understanding people from different parts of the world, and the exchange, the cultural relationship and the building of bonds.

I would like to turn my attention to the 1955 UK-Malawi double taxation treaty. I echo the comments and concerns of my hon. Friend the Member for Glasgow East and other colleagues who urged the Government to update that treaty. It is without doubt a completely unfair and outdated treaty. It is so outdated, in fact, that it cannot cover not only digital and IT services but televisions, which go back to before my date of birth. We know that both Governments have committed to updating the treaty. However, in the last Parliament UK Ministers repeatedly stated that it would be imminently finalised, and a final deadline of July 2017 was stated and once again missed. I do not know about your thoughts on this, Mr Chope, but to me, “imminently” means immediately. Here we are, with something so simple still to resolve. I look forward to hearing the Minister’s comments shortly.

I would also like to draw the Minister’s attention to the issue of UK visas, which we have heard about today. Malawians regularly report that getting a visa for the UK is almost impossible because they are faced with endless bureaucracy, failing systems and non-existent customer service, and they can only ever speak with private businesses contracted to work for the UK Government. The failures of that system, week in, week out, have the potential to undermine not only the 150-year-old Scotland-Malawi friendship but the UK Government’s own development, diplomatic and trade interests in Africa. I therefore urge the Minister today to support a full public review of the UK Government’s visa-issuing processes for those invited to the UK as part of our credible, long-standing civic links.

On a lighter note—I will finish on this—I believe that this debate has captured and celebrated the scale, energy and impact of the bilateral relationship between Scotland and Malawi. The relationship is stronger and more engaging today than ever before and represents the best of Scottish internationalism. For the reasons I have stated, Scotland can rightly be proud of the distinctive and effective approach it has taken over the last 150 years to international development, and I am sure that all in the Chamber would agree that they wish this partnership to not only endure but strengthen for many years to come.

5.9 pm

Liz McInnes (Heywood and Middleton) (Lab): It is a pleasure to serve under your chairmanship, Mr Chope. It is also a pleasure to follow the hon. Member for Dundee West (Chris Law), who has summed up the issues succinctly. It is my pleasure also to speak for the Opposition in this debate. I thank the hon. Member for Glasgow East (David Linden) for securing this important debate.

The relationship between Scotland and Malawi, as most contributors have said, is rooted deep in history, going back more than 150 years to the work of Dr David Livingstone. In addition to the historical nature of the relationship, the Scottish Government justified their
decision to focus effort on Malawi on the basis of developmental need. Malawi is one of the world’s poorest countries and ranked 170th out of 176 countries in the human development index, which includes such factors as income, education and health achievements.

Today it was my pleasure to speak to Lord Jack McConnell of Glenscorrodale, who, as the then First Minister of Scotland, signed off the Scottish international development programme. He emphasised to me the cross-party nature of the agreement. That has been reflected in today’s debate and in the excellent contributions made by all the speakers. I particularly note the comments of the hon. Member for Gordon (Colin Clark), who talked about the various exchange projects in his community, including help with schools in Malawi and also giving aid to famine victims.

The right hon. Member for Orkney and Shetland (Mr Carmichael) talked about the opportunities for Scottish schoolchildren to see the lives of children in Malawi, which we would all agree is an education in itself and an opportunity that not all schoolchildren get. He also talked about the Malawi Music Fund. Many speakers touched on the issues of obtaining visas for Malawian visitors who wish to participate in exchange visits to this country. I am interested to hear what the Minister says about visas.

Mr Sweeney: My hon. Friend makes the point about how the relationship is not simply to do with development, but about how the value added by Malawian citizens making their home in Scotland is a great thing too. I particularly think of the African Challenge Scotland partnership in my constituency, which promotes citizenship and activity with the African community in Glasgow. Is that not a demonstration of the opportunities that better visa relationships with Malawi would offer and a greater cross-pollination of activity and cultural sharing between our two countries?

Liz McInnes: I thank my hon. Friend for that intervention. I agree that it is difficult to think of anything negative that comes out of such relationships. They educate our children and make them more aware of their role as international citizens. Today I was at a meeting about the Send My Friend to School project, which serves a similar purpose. It teaches schoolchildren about the world outside the UK and makes them think about the plight of young children growing up in developing countries. Children getting such an education gives us all hope for the future.

The double taxation treaty of 1955 was also mentioned and remains an issue. Despite the Minister’s interventions, I think we would like a response to the concerns raised. My hon. Friend the Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) talked about health and wellbeing and about improvements in HIV treatment and in maternal mortality. He also talked about the Commonwealth games. Perhaps netball is one area where Scotland will not offer assistance to Malawi, but we look forward to the game with interest.

The hon. Member for Glasgow North (Patrick Grady) brought an invaluable personal experience of working in Malawi to the debate. There is no substitute for visiting a country and finding out exactly what makes it tick. Spending time there and working there is an education in itself.

On the issue of aid, it is important that the impact of aid spending is correctly and appropriately assessed. I want to ask the Minister about the 2016 Springfield Centre report, which highlights issues with Scottish Government aid to Malawi. It questions the sustainability of some of the actions taken and how their impact is measured, with actions taken not necessarily being reflected in their impact. I would be interested to hear the Minister’s comments on that.

I also emphasise the role played by the British Council in Malawi, which works closely with the Scotland-Malawi Partnership, particularly in schools. The head of youth and schools at the Scotland Malawi Partnership will be visiting Malawi later this month, where she will discuss how the Scotland Malawi Partnership and the British Council can support each other and work together over the coming year.

The British Council has a strong programme, “Connecting Classrooms”, which focuses on skills development and capacity building of teachers across the country. The British Council has for many years been sharing information on those Malawi schools participating in “Connecting Classrooms” to facilitate links. Of the 180 school links over the last six years, 70% are between Malawi and Scotland. The British Council is working with the Scotland Malawi Partnership and Education Scotland to increase that further, using the professional partnership’s visit in February next year as a platform to do that.

Ian Murray: My hon. Friend, as always, is making a wonderful speech from the Front Bench. I think it would be appropriate to pay tribute to David Hope-Jones, the chief executive of the Scotland Malawi Partnership. He has not yet been mentioned in this debate, but he does so much, not only to enhance the partnership but to provide us all with the information we require in this kind of debate.

Liz McInnes: I thank my hon. Friend for putting the name of David Hope-Jones on the record, and I apologise for my omission.

The British Council Scotland has worked closely with colleagues in Malawi on the Future News Worldwide programme—a journalism and media-training project, conceived in 2014. Recently, two young Malawian journalists were selected out of almost 2,000 applicants to attend the annual Future News Worldwide conference, held in the Scottish Parliament in Edinburgh in July of this year. There, they received exclusive training from some of the world’s leading media organisations, including Reuters, CNN, Facebook, the BBC and Google News Lab, and connected with 100 young journalists from across the globe.

The Scottish Government launched a new international development strategy last autumn, focusing on a small number of key countries: Malawi, Rwanda, Zambia and Pakistan. The Scotland Malawi Partnership helps to ensure that Malawi has a continued high profile in Scotland, particularly in schools and among youth organisations. According to the University of Edinburgh, more than 94,000 Scots are actively involved in links with Malawi each year. Separate research suggests that an estimated 46% of Scots now personally know someone...
[Liz McInnes]

with a connection to Malawi—whether a parent with a church link, a child involved in a school partnership, or a friend active in linked communities.

It could be argued that this relationship is mutually beneficial. More than 300,000 Scots benefit from it, not least through the 160 school-to-school links, which are now an integral part of the educational experience for young Scots. I would be interested to hear the Minister’s views on that issue, which has been a running theme throughout the speeches and interventions in this debate.

5.18 pm

The Minister for Africa (Rory Stewart): It is an honour to serve under your chairmanship, Mr Chope. I pay tribute to the hon. Member for Glasgow East (David Linden) for introducing this debate, but above all I pay tribute to the Scotland Malawi Partnership—genuinely one of the most unique, remarkable, interesting and human interweavings of two nations anywhere in the world.

Right hon. and hon. Members have spoken powerfully about those links. The hon. Member for North East Fife (Stephen Gethins) spoke about the links between the University of St Andrews, the University of Edinburgh and the University of Aberdeen in maternal healthcare, obstetrics and specialist tropical diseases. The hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) spoke about responses in childbirth.

That is all part of a pattern of a dense interweaving of different types of interaction. The right hon. Member for Orkney and Shetland (Mr Carmichael) spoke about interactions in music. My hon. Friend the Member for Gordon (Colin Clark) spoke about the relationships that exist in exchanges. The hon. Members for Glasgow South West (Chris Stephens) and Edinburgh South (Ian Murray) spoke about school partnerships and connections. Everything that has been said, including by the hon. Member for Glasgow East about Mary’s Meals and by the hon. Member for Glasgow North (Patrick Grady) about the personal experience of his extraordinary year spent teaching in Malawi, shows the genius of the Scotland Malawi Partnership. Those are just a dozen out of 1,300 different examples of Scottish individuals, small Scottish charities and Scottish institutions linking to Malawi.

There are three things from which we can learn. The first is, to use a horrible jargon phrase, the civic multiplier—the way in which the Scotland Malawi Partnership, with a relatively modest amount of money, can draw on all the institutions to create a much richer partnership and be more than the sum of its parts. The second element, which has come through time and again in today’s speeches, is mutual respect. Everyone who spoke talked a great deal about equality and about how we can learn as much from Malawi as it can learn from us. Finally, there is the genius of co-ordination and connections. Since 2005 the work of the Scotland Malawi Partnership has been not to create the connections, but to find them and mine them—to draw them out of the soil and reveal to us that thick web of connections between two nations, essentially putting Malawians on the board. That is a very important part of the work of the Scotland Malawi Partnership.

Along with the Scotland Malawi Partnership and, indeed, the good work done by the Scottish Government in Malawi, the Department for International Development is also a major player there. In financial terms it is a considerably larger player, as we spend probably 12 times more a year. We are doing something slightly different. We pay a huge tribute to the Scotland Malawi Partnership, but we recognise that there is space for other things.

We work on a systems level. We have been working since the 1960s, and during that time we have spent well over £1 billion on trying to transform the country’s fundamental governmental systems. That means addressing health systems, not merely through the ways that we have been discussing, such as university exchanges, but by getting into the details of how drugs are bought, procured and moved into clinics, and of how to deal with HR mechanisms of health clinics. It means thinking about enrolments in education. Almost every boy and girl in Malawi now goes to primary school, but the question is how we move on and think about quality. As for agriculture, Malawi is heavily dependent on maize, which is a challenge. There are not always markets for maize and the Malawian Government are currently reluctant to allow people to export it. There is a question not only about transforming the markets for it, but about how to diversify into other crops.

There are therefore two different relationships: the very rich one between the constituencies of those right hon. and hon. Members who have spoken, the Scottish people and Malawi; and the bigger relationship with the British Government. What can we learn from each other? Perhaps I may modestly and bravely suggest things for the Scotland Malawi Partnership to consider.

It has been an incredibly successful partnership, but two or three things occur to me. The first is whether the wonderful friendship, partnership and diplomatic relations that have been developed could occasionally be used to challenge the Malawian Government about uncomfortable issues, such as corruption. Can the relationships be used to talk about that—or about family planning? The Malawian Government have brought the fertility rate in Malawi down from 5.7, but the average family size is still 4.5 children. That is a major challenge for a country that is already densely populated. Is the Scotland Malawi Partnership prepared to speak about that?

The hon. Member for Heywood and Middleton (Liz McInnes) raised some recent surveys about the Scottish Government’s work in Malawi. Indeed, we in DFID could reflect on some of those questions about innovation and sustainability, and how the human, personal connections, which are often really good, can be sustained into the future. How can we achieve structural transformation and get beyond supporting 300 people in a particular place today to changing the Malawian Government system, so that they could do that themselves?

Two areas of learning have emerged for the Department: the questions of the double taxation treaty and of visas. My interventions have probably revealed my views on the double taxation treaty, but I think we can do more on visas. Progress has been made. We have now identified a designated UK Border Force officer, who will focus on Malawi visas to try to facilitate the Scotland Malawi Partnership. That may save the right hon. Member for Orkney and Shetland from having to spend every Saturday talking to the UK Border Force. However, there is more that can be done.
More broadly, the big lesson from the Scotland Malawi Partnership may be for the Department for International Development itself. The Scotland Malawi Partnership shows us a great deal. It shows us the powerful example of a man such as David Hope-Jones and what leadership can mean. In a pretty remarkable achievement, this man has succeeded in ensuring that 15 Members of Parliament appear to have read in detail the 1955 double taxation treaty, the 1978 amendment to it and all 16 of its articles. I am delighted that they show such authority and detailed knowledge. That shows David Hope-Jones’s extraordinary success in communicating with Parliament.

More seriously, at the centre of the Scotland Malawi Partnership is its use of the idea of history and identity—something that perhaps the United Kingdom could be more confident in doing. We have heard a great deal about David Livingstone, but this relationship is not one that could necessarily have been taken for granted. Like all relationships, it was nurtured and developed. There was no inevitability about the relationship being between Scotland and Malawi. The hon. Member for Dundee West (Chris Law) could have made a powerful argument that the natural relationship might be between Dundee and Calcutta. There are many profound relationships between Scotland and many different parts of the world. Malawi was chosen for good reasons, and over time, through talking about it, that relationship has become more powerful, more interesting and more human. There is a great deal we can learn from that.

There is also a precedent point: as the world changes, as African economies grow and as China and India come in, the amount of British money going into Africa will form a smaller proportion of those economies. Learning that we cannot necessarily do everything, and that we may want to take a leaf out of the book of the Scotland Malawi Partnership and learn how to operate at a smaller scale, is important for the British Government.

Mr Carmichael: I sense that the Minister has said as much as he is going to say about the double taxation treaty. Given that we have not met the deadline that his ministerial colleagues previously identified, what new deadline have the Government set for themselves? Does he not understand that this taxation treaty is more important to Malawi than it is to Britain?

Rory Stewart: I am afraid I do not have time to address that point, but as a lawyer the right hon. Gentleman should be aware that setting arbitrary deadlines is completely irrelevant in that type of negotiation, and his intervention was extremely inappropriate given the time. We can talk about that in much more detail later, and we can discuss the 16 articles if we wish. Deadlines are not the key; the key is the Malawian political position on the treaty. Setting an arbitrary deadline is not likely to help us.

If we could move away from the right hon. Gentleman’s confrontational tone and towards what I had hoped he would address, namely a more positive discussion on how we can learn from the Scotland Malawi Partnership, I would like in the remaining 45 seconds to touch on what those lessons could be. The first is about learning how to operate at a smaller scale. The second is about learning how to use history and identity. The third is about learning how to use civic connections, and the fourth and most important lesson is about learning how to place the human at the centre.

What is so striking about the Scotland Malawi Partnership is that it has found ways of engaging a whole human population. Britain could do that in Malawi or in Tanzania, Uganda or Nigeria. It is a very exciting way of thinking about how to do development in the 21st century. The fact that so many right hon. and hon. Members are here championing international development shows how these human connections give us the legitimacy and centre to make progress. I wish they would also champion international development in the main Chamber and champion the UK aid budget in the same way. I will end by saying zikomo kwambiri—thank you very much.

5.29 pm

David Linden: I thank the Minister for his remarks. We have discussed the double taxation treaty and the issue of the deadline—I should clarify that the deadline was set by the UK Government. I am grateful to hon. Members for turning out in such numbers for the debate. It has highlighted that there is a real appetite to foster and develop this relationship on a cross-party basis in Scotland. I hope that all hon. Members present will join me and come together to form an all-party parliamentary group over the coming weeks and months. I thank hon. Members for their indulgence.

Question put and agreed to.

Resolved,

That this House has considered the Scotland-Malawi relationship.

5.30 pm

Sitting adjourned.
Westminster Hall

Thursday 14 September 2017

[IAN P AiSLEY in the Chair]

Energy in Wales

1.30 pm

Albert Owen (Ynys Môn) (Lab): I beg to move, That this House has considered energy in Wales.

It is always a pleasure to serve under your chairmanship, Mr Paisley.

I look forward to hearing the Minister’s response, though I am a tad disappointed that it is the Under-Secretary of State for Wales, the hon. Member for Aberconwy (Guto Bebb) who will respond on behalf of the Government. If the Department for Business, Energy and Industrial Strategy truly wanted to spread wealth across the whole of the United Kingdom, and if energy and the industrial strategy were the central plank of this Government’s approach, I would at least have expected an Energy Minister to come along today. However, the Under-Secretary is a very good friend of mine—he helped me with many projects even before he became a Member of Parliament—and I know that he understands the subject of energy in Wales.

The purpose of this debate is to take stock of energy in Wales, to press the reset button—that is a polite way of telling the Government to get their finger out on certain projects—and, although it might not sound like I am doing so, to recreate a consensus. I stress the word “recreate” and will come to that in a moment. My contribution will look fairly at the good, the bad and the frustrating in energy policy, including some very welcome consensus in the late 1990s and the noughties, right through until about 2012.

Wales has enormous potential in energy. It has the potential to drive the energy policy of the whole United Kingdom and, indeed, its industrial strategy. We have natural resources, human resources and skills in the energy sector; welcoming local communities to host many of the proposed projects; and a forward-looking Welsh Government.

Nick Thomas-Symonds (Torfaen) (Lab): Does my hon. Friend agree that we need the UK Government to commit to big projects? Whether we are talking about the electrification of the railway to Swansea or the tidal lagoon, such commitment to Wales has been missing from this Government.

Albert Owen: We are at a crucial time with the UK Government. As I said in my opening remarks, if BEIS, in particular, and other Departments are serious about spreading wealth across the United Kingdom, they need to look at Wales in a more positive way.

Chris Elmore (Ogmore) (Lab): Following on from the comments of my hon. Friend the Member for Torfaen (Nick Thomas-Symonds), if the Government were to invest in electrification and the lagoon projects, much-needed jobs would be delivered throughout south Wales, as well as in north Wales and Ynys Môn. Such commitment from the Government would help with some of the longer-term unemployment issues that some parts of Wales have had for a number of years. It would also improve the skills agenda in Wales.

Albert Owen: My hon. Friend is absolutely right. When we talk about energy projects, we are talking about building infrastructure, helping the environment, climate change, jobs and skills. They are important and linked to the other projects he mentioned. Wales not only complements the United Kingdom, but can lead the United Kingdom and rekindle a pioneering spirit in many projects.

Since I entered this House, I have been interested in energy. I used to work in the energy sector. One of my first jobs was in the oil industry: for many years I was a galley boy on an oil tanker going around the middle east. During the 1970s I saw some of the big issues of the oil crisis at first hand, when people talked about developing renewable, solar and other technologies because of the crisis. Sometimes it takes a crisis to focus attention and to concentrate minds. Afterwards, however, we went back to oil and coal, carrying on as normal in many ways.

I am proud that we now have the Climate Change Act 2008. I was proud to vote for it and I think I am the only Member present in this Chamber who did so. It was a pioneering Act that showed that the United Kingdom was a lead nation in looking after the environment. To complement the Act, to ensure that we reduce carbon and improve the environment, we need low-carbon projects. There have been some good results.

As the Minister knows, I am pro-renewables, pro-nuclear and pro-energy efficiency, and I see no contradiction in taking all three views, if we are to achieve the targets we all want. Even ardent climate change deniers now acknowledge that the climate is changing and accept—humbly, some of them—that mankind is contributing to that. We need to dispel the idea that the climate is not changing and that we need do nothing. We have to do something for this and future generations.

I repeat that I was very proud that under the previous Labour Government, but with the support of all parties in the House, we passed the Climate Change Act. We need a rich mix of energy technologies, to ensure that we reach our targets. When I sat on the Select Committee on Welsh Affairs, we produced a number of reports on energy in Wales and they were very good platforms to build on. I have also been on the Select Committee on Energy and Climate Change and am now on the Business, Energy and Industrial Strategy Committee, and we are considering the issue. I have scrutinised Governments of both colours—of three colours if we include the coalition, which was a mix of Conservatives and Liberals—but, to be fair, in the early days there was a consensus on how to progress.

We need to push the case for new renewables, new nuclear and new opportunities for jobs and skills in the future. I welcome the initiatives of previous Governments. The renewables obligation was introduced to help kick-start solar and wind, the development of which is now producing lower-cost clean energy. That was because of subsidy, which is not a dirty word but an essential tool to get firsts of a kind going. We need the help and support of subsidy. We rightly subsidise our buses and trains; we should be subsidising the development of renewable and future generation technologies.
I repeat that I welcome the consensus between the two major parties that promoted and developed a low-carbon economy. In 2001 and 2003, during a review, I lobbied the Labour Government to introduce new nuclear and to push the wind agenda to offshore as well as onshore. The Conservatives adopted that policy and supported the Climate Change Act. There was a great period of continuity from when the Conservatives were in opposition and Labour in government, to when the coalition came to office and the stewardship of the then Energy Minister, Charles Hendry, to whose name we will no doubt return. That continuity gave essential certainty to investors, which is important because such projects are long term and cannot be done in a single parliamentary cycle. In many cases, we need to consider working over two or three Parliaments.

That was the good part. The bad part was the populism of the coalition, with some of the Conservatives dancing to the tune of The Daily Telegraph and many others, pulling projects because they were not popular. The wind industry was coming to the end of its subsidies anyway, but the Conservative-led coalition turning against it hampered investment in the sector. Offshore wind is now back on the agenda; many of the projects started in 2006 and 2007 are now coming to fruition and producing the wind energy the country needs. Wind is important. I know it has its critics, because it is intermittent, but that means it can be switched off when demand is at a certain level. We can have continuous demand and supply, but also demand when needed.

We moved from a good period to a frustrating period because of external factors—the global financial crisis—when external investment became difficult to obtain. I understand that, but we need a stimulus. We needed it then, and I argued that the stimulus could have come in the form of investment in the energy requirement. That would have created the jobs and skills necessary to boost a flat economy that is on its knees.

I acknowledge that whoever won the 2010 general election would have had to reform the electricity market. I sat on the Committee that discussed the relevant legislation before it went through. I did not agree with everything in it, but I did agree with the principle of reforming the electricity market to ensure certainty for investors and value for money for the consumer. Energy Ministers have changed frequently—that has been a problem with both Labour and Conservative Governments—so we have perhaps not given energy the attention it deserves. I support the contract for difference principle and the need for a capacity market mechanism, but during the period of populism I referred to, the oil price and energy prices went up, and that became a big political issue. We were significantly reliant on oil and gas prices, because we were not developing the renewable, new nuclear and low-carbon technologies we should have been.

Wales is still heavily reliant on oil and gas as part of our mix, so we need to move forward. It is ironic that Wales and Scotland are huge producers of energy, yet household and business bills are higher in those areas than in the rest of the United Kingdom. It is totally unfair that a consumer in Wales pays extra for their energy. They might be close to a power station that generates energy for the grid but, because of the transmission and distribution mechanisms, they end up paying more for it. I would not say that the energy market is completely broken, but it is fractured and those issues need to be addressed. Wales is still reliant on gas and coal, and it needs to wean itself off them. I am disappointed that combined storage schemes for coal and for oil have not progressed in the past five to six years. We could have retrofitted many of our power stations so that we had clean coal and oil production as we transitioned to renewables, but we did not do so.

Let me turn to some of the technologies. I will start with marine technology, which is important. We have a history in Wales of small hydro schemes. The Dinorwig pumping station in many ways revolutionised storage. We need to consider storage, and here is a scheme that was developed in Wales many years ago that pumps electricity up at night, when energy prices are low, and stores it.

Albert Owen: I will come to price mechanisms in a moment, but my hon. Friend agree that we should ask the Government to secure a price per unit for wind energy for a year, rather than price variation?

Tonia Antoniazzi (Gower) (Lab): Does my hon. Friend agree that smaller hydro schemes—the potential of hydro in Wales by addressing that revaluation?

Albert Owen: I welcome the hon. Member for Ceredigion (Ben Lake) to the House—this is the first opportunity I have had to do so. He is a new Member and he will get used to making shorter interventions as he gets going.

The hon. Gentleman is absolutely right: we need to look at barriers and at whether the rates system deters such schemes. We are going back to basics with some of
these smaller hydro projects. Many farms and small communities had their own hydro projects many years ago. We get an awful lot of wind and rain in west Wales, and the west of the United Kingdom, and we need to harness that. Many of the windmills that produced food in the past were driven by both hydro and wind; we are only returning to that.

Wales and the UK’s west coast have enormous marine energy potential. Their tidal ranges are some of the best in the world. The Welsh Government and the UK Government have done numerous studies in Scotland, west Wales and the west of England, yet although prototypes have been set up, many have not been developed. Indeed, I visited Strangford lough in Northern Ireland to see some of the pioneering schemes there, but those have not reached the necessary commercial scale because of a lack of investment. There is a blockage, and it is in all our interests to undo that blockage and ensure that such schemes are successful.

Minesto, a Swedish company in my constituency, is moving forward a project, which the Minister knows about, 8 km off the coast of Holyhead that links with the port of Holyhead. Not-for-profit organisation Menter Môn, which the Minister also knows about, is involved in the grid connection there and will benefit from that. That project is up and going.

This Parliament and the Welsh and Scottish Governments have talked for some time about tidal lagoons; we now need to move forward with them. We could have a cluster in Wales because of the tidal range from Colwyn Bay to Swansea Bay—the potential is absolutely there. I am sure that colleagues will want to elaborate on the Swansea Bay tidal lagoon, but I mention it because it has been identified as a first-of-a-kind project that could go forward. The Government have taken it seriously and a lot of development work has been done on it.

This Government set up the electricity market review and capacity mechanisms that I talked about, and they also set up the Hendry review, which reported at the beginning of this year. Reports take time, and I understand the Government’s frustration when they get external issues. Brexit is dominant, and we had a two-month election period that everyone wanted—apart from the issues. Brexit is dominant, and we had a two-month election period that everyone wanted—apart from the issues. We get an awful lot of wind and rain in west Wales, and the west of England, yet although prototypes have been set up, many have not been developed. Indeed, I visited Strangford lough in Northern Ireland to see some of the pioneering schemes there, but those have not reached the necessary commercial scale because of a lack of investment. There is a blockage, and it is in all our interests to undo that blockage and ensure that such schemes are successful.

Minesto, a Swedish company in my constituency, is moving forward a project, which the Minister knows about, 8 km off the coast of Holyhead that links with the port of Holyhead. Not-for-profit organisation Menter Môn, which the Minister also knows about, is involved in the grid connection there and will benefit from that. That project is up and going.

This Parliament and the Welsh and Scottish Governments have talked for some time about tidal lagoons; we now need to move forward with them. We could have a cluster in Wales because of the tidal range from Colwyn Bay to Swansea Bay—the potential is absolutely there. I am sure that colleagues will want to elaborate on the Swansea Bay tidal lagoon, but I mention it because it has been identified as a first-of-a-kind project that could go forward. The Government have taken it seriously and a lot of development work has been done on it.

Tidal lagoons could generate 250 MW to 350 MW of electricity. The tidal range allows some 14 hours of generation per day—it is huge. That would enhance the area, since it could be used for tourism as well as for producing much-needed low-carbon energy. Of course, we need great connections, which are controversial. I will come to connections for transmission and distribution; we need to handle them properly and have them underground so they are not unsightly.

I urge the Minister to give us a response to the Hendry review. It is no good the Government saying, “We’re looking at it”—they have been looking at it for many months. The civil servants were not involved in the election campaign; they were diligently doing their work in the BEIS office. They should come up with recommendations for Ministers, and Ministers should have the grace to make their mind up and come back to the House to say where they are going. Investors need certainty; they do not need the Government to abandon decisions after setting up a review. In my humble opinion, the only thing holding the project back, have a peeked at the potential mechanisms and the price—the first of its kind will be expensive—is the political will of the Government. It will be the job of the Minister to convince the House that that is not the case. The only way he will be able to do that is by announcing the date of an announcement. The Government should stop prevaricating and do that immediately. The Orkney isles, the west coast of England and south Wales have the potential for marine technology.

Let me turn to new nuclear, because it is important that we keep these projects on track. Again, this is older technology that has been modernised for the 21st century. In my constituency, the Wylfa power station site generated safe nuclear power for a record number of years, which created jobs for many decades. In fact, it is the only industry I know where classmates who left school at the same time as me worked in the same high-quality, high-paid jobs in one industry, thereby contributing to the local economy. The supply chain is huge and the technical skills are high.

We need to move forward. The project that started in 2007 to 2009 is on track. We now have new developers in Hitachi with proven technology and capacity, and I know that, working with the Welsh Government, the local community, local government and the UK Government, we can move forward on the project and produce high-quality jobs. There is some £12 billion of investment, which I remind Members—I have raised this enough times—is the equivalent of the London Olympics being invested in north-west Wales. There is huge potential to develop the economies of Anglesey, Conwy, Gwynedd and the whole of north Wales. Indeed, it is the biggest project in Wales in terms of jobs—construction jobs and ongoing jobs as well.

The Minister is aware of this, but I also want to talk about small module reactors and the potential for them. I met with the Advanced Manufacturing Research Centre in Sheffield and have also visited. It has got all these companies together so that we can forge the modules for nuclear reactors with British steel in the United Kingdom and deliver the kits to different locations. Trawsfynydd is ideally located for that. It has a welcoming community that would play host, and it has the infrastructure in place. What we need, once again, is for BEIS to stop sitting on reports and papers and to start making announcements. That is what the business world and local communities want to hear: the trade unions and business working together to develop these high-skilled jobs.

I could also talk about many other projects. Orthios wants to develop an eco-park in my constituency. It was not successful in the auctions—the auctions are cumbersome, and it did not meet the criteria. We need to simplify those criteria. The threshold of 299 MW has, I think, been reduced to 150 MW, so it did not qualify.

We also have great offshore wind projects. My hon. Friend the Member for Vale of Clwyd (Chris Ruane) may interject, or he may wait—he is now a patient Front Benchers and statesman—and respond in his speech. Many people opposed the offshore project, including the previous Secretary of State, the right hon. Member
for Clwyd West (Mr Jones), who I remember lobbying the Welsh Affairs Committee when we went to north Wales, saying, “Save our shore,” because the project was not wanted. It has now developed and was a flagship of the Conservative-led coalition Government in which he served. He suddenly changed his mind on that and then flew the flag for wind farm development. My point is that sometimes these projects are controversial and appear costly when looked at, but they are a worthwhile investment because they produce low-carbon energy off stream and jobs in localities. Celtic Array Rhiannon, just off my constituency, would have been the biggest offshore wind farm. That was aborted in many ways because of the mechanism as well as technology developments, but the potential is still there.

I am conscious that I have taken a lot of time, but I want to talk about distribution and transmission. Hon. Members will be aware that British Gas hiked its gas prices and that many other companies, including Scottish Power, have highlighted that the high cost of distribution and transmission has pushed bills up. I am sure, Mr Paisley, that you are diligent and look at your bill either online or in paper form, like I do. When we look at it, we see that 25% is for distribution and transmission costs. That is a huge amount of the bill.

If we are serious about reducing and capping energy prices, we need to look at distribution costs. The national grid is a monopoly—there is no competition in it—and it almost holds developers at ransom. I know it is regulated, but it does not work. Had there been a different result in the general election, the Labour party would have nationalised it or introduced a not-for-profit model, like we have for water in Wales. We are used to not-for-profit organisations, which reinvest all their money into infrastructure. Welsh Water—Dŵr Cymru—is an excellent example of that. Instead of paying directors in the United States of America and shareholders, it puts the money back into the communities in which it works.

The proposal for pylons across Anglesey and north-west Wales is controversial: 1950s-style pylons are to be attached to 21st-century nuclear power. National Grid needs to listen to the communities it is working with and look at undergrounding and subsea rather than pylons.

Finally, we need to deal with energy prices. As I have said, Wales has high bills compared with the rest of the United Kingdom. Transmission is cited as one of the reasons for that. There are also higher levels of fuel poverty in Wales and pockets of fuel poverty. I know there are issues elsewhere in the United Kingdom, but we do need to address that. When we invest properly in new technology, we are creating a better country and high-skilled jobs. If I had more time, I would go into energy poverty issues, but we do need to deal with them.

The coalition Government changed the criteria for measuring fuel poverty. They were archaic in many ways—the Queen was in fuel poverty because a high percentage of Buckingham Palace’s outgoings were on energy—but the serious point is that many people in Wales, in areas that produce a lot of energy, are paying a higher price and are in fuel poverty. The Welsh Assembly and devolved Administrations have done good work in that area, and I hope that the Government are listening. There needs to be more work on that as we go forwards.

I called for the debate because I believe there is huge potential for Wales to be a huge contributor to the United Kingdom’s industrial strategy when it comes to energy and manufacturing. We have successful projects going forward, which is good for Wales, for the United Kingdom, for Welsh businesses and for the consumer. They will reduce carbon emissions into the environment and help to deal with climate change. The skills issue, raised by my hon. Friend the Member for Ogmore (Chris Elmore), is essential. These projects create clusters of high-skilled science parks and faculties for research and development, which link into higher and further education institutes. This is a win-win situation.

I support the Government’s principle of an industrial strategy. They talked about nuclear and energy as being part of that. Electric cars are a good thing, but we need to get on with it. We need to press the reset button and get these projects going. We need to invest in them and work together to produce the low-carbon economy that the Minister, the Department for Business, Energy and Industrial Strategy and everyone in the Chamber wants to see. Wales can be the pioneer, creating the jobs, the technology and the energy that the country needs.

I hope that the Minister is in listening mode and that he has some answers for us. If he does not, I hope he will pass these points on to the BEIS Minister, who may have the grace to come to the next debate with “energy” in the title. Wales is part of the United Kingdom and part of the industrial strategy, and Ministers need to be aware of that. Wales is a forward-looking country when it comes to many things, including energy. We want the best for the people we come here to represent and we want a better, clean environment, clean air, and climate change to be dealt with. We want to play a leading part in that.

2 pm

Geraint Davies (Swansea West) (Lab/Co-op): Thank you very much, Mr Paisley. It is a great pleasure to follow the excellent speech made by my hon. Friend the Member for Ynys Môn (Albert Owen). As the Minister will know, within the next few weeks the Government will launch their clean growth plan. I very much hope that he will use all his energies to ensure that the Swansea bay tidal lagoon, the tidal lagoon planned for north Wales and rail electrification to Swansea will be in that plan. Without trying to be rude to him, he is a Minister in the Wales Office: my great fear is that it is a small Department with very little bite and, arguably, very little bark. We hope that he speaks up for Wales on green energy.

I have to say that my other great fear is that the Swansea bay tidal lagoon and rail electrification to Swansea are set to burn on the altar of Brexit fundamentalism. I say that because the Government now face a bill from the EU of perhaps more than £50 billion, which translates to thousands of pounds for every family in Swansea and in Wales. The Government are now dashing out forward looking, long-term green plans—whether rail electrification to Swansea or the Swansea bay tidal lagoon—and prioritising London and the south-east once more, where they are not needed. They are looking at the short term, not the long term, and thinking about how they can pay that bill so that they can keep on pushing forward with a project that people now realise does not resemble anything like what they voted for.
I stood in the general election on a platform of saying that I will defend the 25,000 jobs in Swansea bay that depend on access to the single market, promote rail electrification and keep it on track, keep the lagoon moving forward and oppose fracking. On that basis, my vote went up by 50% in both share and number. I will stick to my pledges and will use this occasion to again promote the Swansea bay tidal lagoon. The tidal lagoon has been talked about for years. George Osborne, the then Chancellor, announced in his November 2014 autumn statement that he thought the lagoon was a fantastic idea and that he wanted to get work on it moving. David Cameron echoed that, and then the Hendry review gave it and its costings a clean bill of health.

However, we now have uncertainty and prevarication, which is making investors, who came around the table to support this important, pioneering project in good faith, wonder will happen next. We face uncertainties owing to Brexit, but people in Swansea and in Wales need the certainty that we will make these investments. On costings, the Treasury is obviously looking around and saying, “Oh, well how does the unit price for the Swansea bay tidal lagoon compare with the spot price for oil?”, but one has to remember—as I am sure you do, Mr Paisley—that 80% of fossil fuels that have already been identified cannot be exploited if we are to avoid irreversible climate change, sustain our commitment to the Paris agreement and fulfil our obligations under the Climate Change Act 2008. In the medium term, the price of oil will go up if we are not allowed to exploit it, while the value of green energy will be much greater. We need to pioneer forward.

Economists’ evaluations of the Swansea bay tidal lagoon showed that, if there is a marginal increase in the actual units of electricity produced—we are talking about a relatively small amount of global energy from this particular lagoon; enough to power 120,000 households—the actual cost is very small for market entry into what could be a global marketplace in a green future. The short termism of the bean counters at the Treasury, who ask about the cost over the next few years, is therefore completely counterproductive. We are looking to have a portfolio of lagoons around Britain and then beyond, to start off an export market during tough times. We know that the lagoon is in fact cheaper than new nuclear and, as I have said, it will be cheaper than oil in the future.

We want a green future for Wales and for Britain, and we want our fair share of infrastructure investment. We should be getting our fair share of HS2, for instance, which would be £2 billion that could be invested in infrastructure, whether that is rail electrification or helping to support the green energy of the future.

I am proud to say that I sit on the Welsh Affairs Committee, and we will produce reports on rail electrification and the lagoon. It is useful to have these exchanges, but the Minister needs to know that other Ministers, from energy to rail, will sit in front of us and will have to answer these questions, rather than flipping them away in the main Chamber in two seconds. We will issue responses to those. Infrastructure investment is important for lifting productivity in Wales, where, as the Minister knows, gross value added is only 70% of the UK average. We are delivering on skills and education to lift productivity, but we need to deliver on infrastructure, which we are not. That is why this is so vital.

On a green future, like my hon. Friend for Ogmore (Chris Elmore), who has just left, I think there is also a case for investing in and supporting Ford’s attempt to generate batteries to support a new generation of electric cars as part of a plan to push forward with electric infrastructure across Wales. Investors need to know what is happening; there has been a lot of uncertainty, and not only with Brexit. While it is a long way away, I understand there was no consultation with industry on the announcement of the ban on sales of new petrol and diesel cars after 2040, which I welcome.

We need to work with industry in setting our objectives in the clean growth plan to show our ambition. They should be ready for action, and we should put our money where our mouth is.

The question for people in Wales has always been “How green is my valley?” and, we very much hope that it will be a very green valley. We are here to ask the Minister to do everything he can to support both the Swansea bay tidal lagoon and other green energy, as my hon. Friend the Member for Ynys Môn said, and an integrated green future that provides productivity, prosperity and hope for all of us for the future.

2.7 pm

Carolyn Harris (Swansea East) (Lab): It is a pleasure to serve under your chairmanship, Mr Paisley. I congratulate my hon. Friend the Member for Ynys Môn (Albert Owen) on securing the debate. In March last year, I stood in the main Chamber and spoke in the St David’s day debate about how accustomed to waiting for things we are in Wales. We waited so long for rail electrification, which is now merely another broken promise from the Government, and we waited for the Welsh national team to reach the European championships. That one was worth waiting for.

Albert Owen: We beat Northern Ireland as well.

Carolyn Harris: No comment. We were also waiting for Charles Hendry’s review on the Swansea bay tidal lagoon, which was published 10 months later. It was conclusive, and it provided the assurance that the Government sought on whether tidal lagoons could play a cost-effective role in the UK energy mix. It recommended moving forward with a pathfinder lagoon in Swansea bay “as soon as is reasonably practicable”.

That was eight months ago, and once again we are still waiting.

Since the review’s publication, the Government have made no concerted effort to proceed. The Conservative party’s manifesto for the 2017 general election merely touched on renewable energy in Wales, with a promise to “explore ways to harness Welsh natural resources for the generation of power” but failed to make any commitment to the Swansea bay tidal lagoon. By comparison, all other major political parties committed in their manifestos that it should happen as a priority. Since the election, we have heard nothing more from the Government about any plans to develop the project.

We all know that the tidal lagoon is the way forward; it harnesses natural power from the rise and fall of the tides, so offers an entirely predictable year-round supply.
It is a guaranteed power source for generations to come, and the long-term cost benefits speak for themselves. The Welsh Labour Government, local councils and city regions all support a tidal lagoon in Swansea. Welsh businesses, community leaders and the people of Wales and Swansea support it. Swansea is ready for this now.

There are many benefits that will have immediate impacts on the economy and the community. The lagoon will bring an estimated 2,000 new jobs to the region, and there will be a demand for approximately 100,000 tonnes of locally sourced steel. The tidal lagoon already has 1,300 British businesses registered on its supply chain database. This is a golden opportunity to use British resources to develop British industry in Wales. Why are we stalling?

In his review, Sir Charles Hendry said:

“We can either stand back and watch other countries take the lead…or we can decide that we should do what the UK has done so well in the past—spotting an opportunity, developing the technology and creating an industry.”

As Britain moves into a post-Brexit world, we need to ask whether we want to be leaders or followers. Today, I ask the Minister that very question. Are we ready to be world leaders and develop this new energy source in south Wales, or are we going to be left behind waiting, this time for someone else to steal our lead? We cannot afford to let this slip through our fingers. We need an answer. We need the lagoon, and we need it now.

Ian Paisley (in the Chair): I call Tonia Antoniazzi.

2.11 pm

Tonia Antoniazzi (Gower) (Lab): Thank you, Mr Paisley. You have indeed improved your pronunciation of my name. I would like to thank my hon. Friend the Member for Ynys Môn (Albert Owen) for securing this debate.

With the Government pursuing an ill-advised and short-sighted attack on renewables, the UK is set to miss its target. To put that into context, the EU is set to meet its target of producing 20% of its energy needs from renewable sources by 2020. The UK is missing even its own unambitious targets. That has not happened in a policy vacuum: it is a direct result of the Tories scrapping subsidies for onshore wind farms, solar energy, biomass fuel conversion, and killing the flagship green biomass fuel conversion, and killing the flagship green energy to power 155,000 homes for the next 120 years. Where the Government’s short-sightedness has created a huge hole in our capacity to power our country in future years, the Swansea bay tidal lagoon offers us a way forward.

The benefits are not just environmental. West Wales was found by the Inequality Briefing to be the poorest region in northern Europe. Large infrastructure projects are few and far between. The Swansea bay tidal lagoon offers a rare glimpse of UK Government-provided hope in an area too often forgotten about by those who currently run Westminster.

Geraint Davies: My hon. Friend, who is a great advocate for the lagoon, will know that the constitution of the Welsh Government contains a commitment to sustainable development. With talks about changing powers post-Brexit, does she agree that this is the time to move the power to take leadership of green projects with the resources from Westminster to Wales, so that we can get on with the job of delivering a green future with our lagoon?

Tonia Antoniazzi: I agree with my hon. Friend. We have to move forward, and we need the infrastructure commitment from Westminster to be able to do that.

The tidal lagoon has a projected £1.3 billion capital spend, the majority of which will be spent in Wales and across the UK. The construction period is expected to contribute £316 million in gross value added to the Welsh economy and £76 million a year thereafter. In an area still struggling to recover from the loss of mining and manufacturing industries, the Swansea bay tidal lagoon offers a bright future for Wales post-Brexit.

Despite the money invested so far and the Government-commissioned Hendry report calling for the project to be signed off as soon as possible, where are we? The Government have now been sitting on the Hendry review for longer than it took Charles Hendry to conduct it. That is not acceptable. Investors’ money will not last forever, and we need to move on.

Labour’s Welsh Government and First Minister Carwyn Jones are delivering for Wales. We have Labour’s Swansea Council leader Rob Stewart delivering through the city deal. Everybody is behind it, but when the Conservatives such as the Gower solar farm through their Energy Wales plan. Energy Wales is a framework and delivery plan for how Wales will transition to becoming a low-carbon country. Only a few years after its inception, solar farms such as the one in my constituency are springing up as a result of the Welsh Government’s foresight on this issue. Gower offers the perfect environment for a wide range of renewables, including the impressive onshore wind farm in Mynydd y Gwair.

In this harsh climate for renewables, new solutions and radical ideas are needed. We are talking about the Swansea bay tidal lagoon today, which is supported by parties of all colours. It is particularly notable that Conservatives from Swansea took to the seas this summer to support the tidal lagoon. Welsh Tories are behind it, so what is going on? The conditions around the Swansea bay make it perfect for a project of this nature. Both the River Tawe and River Neath enter the sea there. The proposal would build 16 hydro turbines and a six-mile breakwater wall around the area, generating enough energy to power 155,000 homes for the next 120 years. Where the Government’s short-sightedness has created a huge hole in our capacity to power our country in future years, the Swansea bay tidal lagoon offers us a way forward.
in Westminster have a chance to deliver for renewable energy, for investment and for my constituency of Gower; they dither and delay.

Ultimately, it is not just my constituency that would feel the benefits of this project. Swansea bay tidal lagoon is a pathfinder project; we all know that. It offers a completely scalable blueprint for the programme, opening up the opportunity for a fleet of tidal lagoons across the country of varying sizes. Economies of scale apply, so the proposed follow-up larger lagoons could provide an even cheaper energy price. The Swansea bay tidal lagoon is therefore the litmus test for a renewable energy revolution across the UK.

2.18 pm

Chris Ruane (Vale of Clwyd) (Lab): It is a pleasure to serve under your esteemed chairmanship, Mr Paisley. May I also congratulate my hon. Friend the Member for Ynys Môn (Albert Owen) on securing this important debate? He coined the phrase “energy island” to describe his constituency. His dynamism and personal energy are recognised far and wide, in the Chamber and across Wales. In fact, I think if National Grid were to plug a couple of power cables into him, it could probably power the whole of north Wales—that might be painful, though.

My hon. Friend made a comprehensive speech, lasting half an hour—and thank God he did, because I think the debate will run short. He touched on many big projects, such as Wylfa Newydd and the tidal lagoon project for Wales, but also smaller projects, including small solar projects, Dinorwig pumping station and clean coal as a transition. It was a wide and comprehensive speech, and once again I congratulate him.

Wales as a nation is blessed with natural geographical and geological assets, which have contributed to the energy of these islands for centuries. Our coalmines supplied the energy for the industrial revolution; as we all know, the first industrial revolution in the world was in the United Kingdom. That energy was supplied from south Wales coalmines. They supplied the steel mills, the factories and the steamers that traded around the world. I pay tribute to the brave miners who dug black diamonds from the earth. As the saying goes, the earth does not give up its treasures lightly. Many miners lost their lives. In fact, there were 200 mining disasters and 6,000 men died. The first disaster was in 1766 and the last in 2011.

I pay tribute to the miners. The loyalty of and sacrifice by those brave men was rewarded by the previous Conservative Governments’ pit closure programmes in the 1980s and 1990s. The Minister may laugh, but the constituencies and communities affected are still suffering to this day.

The Parliamentary Under-Secretary of State for Wales (Guto Bebb): There is this myth about the closure of mines by Conservative Governments. Will the hon. Gentleman confirm that more pits closed in Wales under the leadership of the Labour party, under Labour Governments, than under any Conservative Government?

Chris Ruane: The big difference between what occurred under Labour and under the Conservatives is that the communities were left high and dry under the Conservatives. It was a political decision to close those mines. It was quite because of the industrial action by the miners. That was the big difference, and those communities are still suffering today. I want to move on to more modern times, but I thought I would just give the historical perspective.

Albert Owen: I hear this argument from the Conservatives about closures under the Wilson and Callaghan Governments. Those mines were exhausted; there was no coal left—that was one reason why they closed them—or they were dangerous and flooding. That was why they closed them down; it was not for political reasons, but for economic reasons.

Chris Ruane: I will move on now, Mr Paisley.

We now live in greener, cleaner times, but the Conservative Government’s attitude to energy, and especially renewable energy, in Wales has not changed. I was privileged to open Wales’s first offshore wind farm—in fact, according to Wikipedia, it was the UK’s first major renewable power project—which was located off the coast of my constituency, off Rhyl and Prestatyn. North Hoyle was a pilot, test-bed project for this new industry in the UK. It had the full support of the Welsh Government, the UK Labour Government, the local MP—me—and Ann Jones, the Assembly Member. Can I ask the Minister whether he supported that project—the wind farms off north Wales—when it was proposed?

Guto Bebb: The hon. Gentleman asks whether I supported the project. The project in question was completed well before I was elected to this place.

Chris Ruane: Gwynt y Môr?

Guto Bebb: In relation to Gwynt y Môr, I was on the beach in Llandudno, insisting that the Gwynt y Môr project should ensure that there would be a local supply chain, and I am very proud of the fact that the further education college, Coleg Llandrillo Menai, is supporting the training of people to work on that site. The hon. Gentleman tries to score a cheap point, but fails again.

Chris Ruane: I am pleased that the Minister is able to say that, but as has been said, there were Conservative Members in County Conwy who did not support the project.

Guto Bebb: Is it not the case that the diktat for some of the wind farms was opposed by every single councillor in Conwy, including the Labour leader of Conwy Council at that time?

Chris Ruane: The leadership in Denbighshire was totally different, but again, we move on.

The North Hoyle project was an outstanding success, and I pay tribute to npower renewables, which has donated £80,000 a year since 2003 to local charities in the communities of Rhyl and Prestatyn. It was a blueprint for other renewable companies to embed themselves in those communities. Again, the support for these projects came from Labour politicians.

Guto Bebb: Will the hon. Gentleman give way?
Chris Ruane: No. The Minister has had two bites of the cherry. He will have bags of time at the end as well; he can expand as he sees fit.

When the previous Prime Minister, David Cameron, was a candidate for leader of his party, he tried to curry favour in Wales. He visited the Tory party conference in Llandudno, pointed to the turbines outside in the sea and described them as giant bird blenders.

Guto Bebb: The hon. Gentleman must give way.

Chris Ruane: The Minister will have a chance to respond. David Cameron then went down to Notting Hill and put a giant bird blender on top of his chimney.

[Interruption.]

I am talking about research, building skills and manufacturing expertise, and all those could be exported around the world. The Government have shown little enthusiasm for this sector, and it is beginning to dry up. There is lots of enthusiasm all over Wales and especially around the Swansea area. Can I ask the Minister a question?

Guto Bebb indicated dissent.

Chris Ruane: He says I cannot, but I am going to ask it anyway. Will he declare his love for the lagoon? There is a local campaign called “Love the Lagoon”—it involves Conservative councillors, Conservative politicians and Conservative Members who are keen to expand that because they can see the benefit for their community.

Let us look at some of the arguments that the Government have put or may put forward for weakening their support for tidal lagoons. Will they be saying that prices for wind power have dropped so much that it will make lagoons unviable? The success of wind energy is down to early political and financial support, and we want the financial support that we offered then to be replicated now by the Conservative Government to make sure that these proposals go ahead.

The Swansea lagoon, like North Hoyle, was a test bed—a pilot project to test the effectiveness of lagoons and to learn from that experience. The cost of funding the Swansea lagoon—the pathfinder—is equivalent to the cost of a pint of milk a day for every household in the UK. That is a sound investment, as far as I am concerned. If it works, we can expand it to Cardiff bay, Liverpool bay, Colwyn Bay and England, to make sure that we stay at the forefront of this great, new, green technology.

The Welsh Government have given their full support to tidal lagoons. Senior Cabinet Ministers from many Departments have met Charles Hendry and fully engaged with him. The Welsh Government have invested in the
Ben Lake: I acknowledge the support that the Welsh Government have provided for the tidal lagoon. The National Assembly also declared by resolution its support for it, cross-party.

Chris Ruane: Absolutely, there was cross-party support. I think that there are even Conservatives who support it down there. In the meantime, we have prevarication and procrastination by the UK Government on the matter of lagoons. Welsh Government Ministers wrote to their UK counterparts in April and June of this year, and I believe that the June letters have still not been responded to. Will the Minister look into that?

Tidal lagoons also have an added benefit in that they will protect the coastlines where they are located from flooding. Both Denbighshire and Conwy have suffered terrible floods. The Minister will remember the floods in the early ‘90s in Sir Anthony Meyer’s old seat, Clwyd North West, in Conwy county. Five thousand homes flooded. We had floods as recently as two years ago in my constituency. There has been coastal flooding from waves and the sea. That would be prevented if we were able to establish these tidal lagoons off the coast of Wales.

Guto Bebb: Will the hon. Gentleman quickly give way?

Chris Ruane: This is the last time.

Guto Bebb: I am very grateful to the hon. Gentleman for quickly giving way. His point on the flood defences is really important, but does it not highlight the fact that tidal lagoons are often about more than just energy generation?

Chris Ruane: That is the point that I am trying to make. They are about tourism, flood defence, manufacturing, skills and research. That is why Welsh Ministers from different Departments have engaged on the issue, and that is what we want to see from the UK Government. We want to see Ministers from the Department for Business, Energy and Industrial Strategy, the Department for Environment, Food and Rural Affairs and other UK Departments engaging positively with Charles Hendry, the Welsh Government and the Welsh Assembly to make sure that these projects go ahead.

One of the arguments made—perhaps not by the Minister, but by others—is that with wind power and solar power, the wind is not always blowing and the sun is not always shining. With tidal lagoons we can predict down to the minute when the energy will be created over the next 125 years. It is all down to the moon and the movement of tides. That could create a predictable baseline of support for our national energy mix, on top of solar, wind power and nuclear, so that we have a good baseload of support.

All these renewable energy sources also become more viable with the advent of batteries. The lagoon will produce energy throughout the night, and if that can be stored in batteries it can benefit the rise of the battery-powered car industry in the UK. I ask the Minister to take these issues way and to consider them carefully. Hopefully, cost will not be an issue. I believe that £700 million will be saved by the cancellation of the electrification of the Cardiff to Swansea route. Can some of that money—just a fraction of it—be used to prime the Swansea economy and to support it?

I move on now to Wylfa Newydd. At £12 billion, it will be single largest investment project in Wales over the next 10 years. It has the potential to transform the economy of not only Ynys Môn and Gwynedd, but the whole of north Wales. Again, the Welsh Government have been working flat out to secure this development. It is their No. 1 priority as far as the economy is concerned. Successful delivery will involve many Welsh Government Departments if we are to maximise the economic benefit and reduce any negative effects on the environment and culture in Wales, so there is total engagement.

Big issues need to be addressed, such as the new power station’s access to the national grid and the building of a third crossing over the Menai strait. All those ducks need to be put in a row before this project starts. Again, we are looking for engagement and consensus between the Minister, MPs and Departments in Whitehall and the Welsh Government. There are many stakeholders, including local authorities; the company itself, Horizon Nuclear Power; the North Wales Economic Ambition Board; and the national Government. There is a good mix of groups and organisations, and we need to gel them together to get this renewable energy up and running in Wales.

Geraint Davies: I do not mean to take my hon. Friend off track, but I will just take him back to what he mentioned a moment ago about the cost of rail electrification to Swansea being put somewhere else. I just make the point that there are many of us across Swansea who want to hold the Conservatives to David Cameron’s promise to bring about electrification, and to keep that money in that project and deliver electrification for Swansea bay.

Ian Paisley (in the Chair): Order. I call Chris Ruane. I encourage you to bring your remarks to an end and to start to wind up. I want to give the Minister time to respond.

Chris Ruane: I will do that, Mr Paisley—absolutely. Our No. 1 fight in Wales at the moment is to ensure that electrification from Cardiff to Swansea takes place. We have not given up. We will still be pestering. We tabled questions last week and this week, and are organising meetings. We have not given up on that.

In conclusion, we have two great opportunities to return Wales to her former glory as a provider of the nation’s energy, this time with cleaner, greener technologies that will last hundreds of years, create tens of thousands of jobs and, most importantly, save the planet. I urge the Minister and his Government to rise up to the challenge, do their bit for Wales, the UK and the planet, and get these projects moving.

2.38 pm

The Parliamentary Under-Secretary of State for Wales (Guto Bebb): It is a pleasure to serve under your chairmanship this afternoon, Mr Paisley.
I congratulate the hon. Member for Ynys Môn (Albert Owen) on his comprehensive financial report. The Hendry report included a comprehensive financial review. It is only fair for the Departments in question and the Government to take the issue seriously.

Albert Owen: I am sorry, but I need to establish this. I have been trying to tie this issue into the electricity market reform and the mechanisms set up by this Government. The Hendry review fits into that. We have cost-effective mechanisms and capacity mechanisms. For joined-up thinking, we now need a decision from the Government.

Guto Bebb: That is the same question that I have been asked several times in Welsh questions and in this debate. The answer is the same: we will provide the right answer in due course, but it is important that we take our time to consider all the implications.

Geraint Davies rose—

Guto Bebb: No, I will not take another intervention on this issue. I would like to move on to the main elements of the debate—the issues raised by the hon. Member for Ynys Môn. As he rightly said, there has been an element of political knockabout towards the end of this debate, but it is important to highlight that in Wales we have an opportunity to contribute significantly to the energy mix in the United Kingdom, and to lead on energy generation. To those hon. Members participating in the debate who commented that we have not provided that leadership or that opportunity, I highlight recently consented projects in Wales: the Brechfa Forest wind farm, the Clocaenog Forest wind farm, the South Hook combined heat and power station, the Hirwaun power station, the internal power generation enhancement at Tata Steel and the North Wales wind farm circuit connection, which has benefited both my constituency and that of the hon. Member for Vale of Clwyd. We have had the Brechfa Forest connection; the Glyn Rhonwy
pumped storage system, also approved recently; and the Wrexham energy centre at the Wrexham industrial estate.

If we were to believe the comments of the Labour party—

Geraint Davies: On a point of order, Mr Paisley. Is it in order for the Member to refer directly to a comment that I made about the Government's prevarication over three or four years about the cost of energy, which has created massive uncertainty in the business community, but not to allow me to intervene on that point?

Ian Paisley (in the Chair): You have made a point, but I do not believe that it is a point of order.

Guto Bebb: I highlight again, therefore, in response to the comments that this Government have not supported energy generation in Wales, that the facts speak for themselves. The opportunities for further development have been discussed by the hon. Member for Ynys Môn and other hon. Members. I turn particularly to Anglesey's potential for nuclear.

I think that everybody who is committed to the economic regeneration of north-west Wales is aware of the potential in nuclear. The hon. Gentleman has been rightly applauded by colleagues from all parties for the work that he has done to ensure that the development of nuclear does not happen in a vacuum but is fully integrated into the further and higher education sectors. We in north Wales can only be proud of how the HE and FE sectors are investing, in advance of any decision on the nuclear station on Ynys Môn, in order to ensure that the economic opportunities that come along with it are available for local people as well. We should be proud of that integration. Similarly, he highlighted that renewable energy is a success story in Wales. One of those successes, as I mentioned in an intervention, is the way that the FE sector in north Wales has tried to ensure that work opportunities servicing wind farms off the coast are open to local people.

North Wales is taking an integrated approach. The Government—both the Wales Office and the Department for Business, Energy and Industrial Strategy—recognise that as a positive sign of an area that is looking constructively at how we can contribute to the UK energy mix. Nuclear offers great opportunities as well as great challenges. This Government are the first to have commissioned and agreed to a new nuclear power station, but that was also a long-drawn-out process, because the sums involved and the implications of the investment are significant. The same will be true of the new Wylfa Newydd. It is imperative, in my view, that we reach a successful conclusion. In Horizon, we have significant partners willing to work with Government, but the decisions have to be right.

As a Minister in the Wales Office, I am pleased. I take with a pinch of salt the view of the hon. Member for Ynys Môn that I should not be in my place today, but I would have attended this debate regardless. Since taking my position at the Wales Office, I have been pleased to visit the current Wylfa station before decommissioning started, I will be pleased to visit the new proposed site and I have been pleased to visit Trawsfynydd, because the Wales Office knows full well how the energy mix in Wales can contribute to our economic redevelopment. That is why so many Conservatives in south Wales support the lagoon.

The small modular reactor opportunity is also an exciting prospect. The hon. Member for Ynys Môn mentioned the cabling systems that will be required to transfer electricity from Wylfa Newydd; my understanding is that the potential site of a small modular reactor in Trawsfynydd already has enhanced connectivity to the national grid. I take seriously the opportunity to build a small modular reactor in Trawsfynydd, and I am pleased to say to the House that I will visit there on Tuesday with a Minister for the northern powerhouse. We understand that although the consequences of a decision on Wylfa Newydd or a small modular reactor in Trawsfynydd would benefit the economy in north Wales, they are far more significant than that. As hon. Members have said, they have the potential not just to transform the economy of north Wales—as other projects could in south Wales—but to have an impact on the wider supply chain within the United Kingdom.

Contrary to Opposition Members' comments, the Government have invested in city region deals for Cardiff and Swansea, so I must ask why we are accused of ignoring the Swansea city region. One reason for the Welsh and UK Governments' keenness to see a cross-border north Wales growth deal is the energy supply chains. The energy opportunities in north Wales are not confined to north Wales; they are dependent on cross-border connectivity.

Geraint Davies: In the short time available, will the Minister say whether he has any idea when the decision will be made on the lagoon—not what it will be, but when it will be made? Will it be part of the clean growth plan?

Guto Bebb: I am surprised by that question, because the hon. Gentleman represents Swansea East—

Carolyn Harris: I'm East!

Guto Bebb: I apologise; I meant Swansea West. The hon. Gentleman should be aware that the Swansea city deal includes a number of projects, but the tidal lagoon is not one of them, although it has certainly contributed to the development of the city region. I would have expected him, as the local MP, to understand what was within the deal in question.

Geraint Davies: I was asking about the timetable, not the city deal.

Ian Paisley (in the Chair): Order. The Minister has not given way, as the hon. Gentleman knows.

Guto Bebb: Thank you, Mr Paisley. The tidal lagoon was not part of the Swansea region deal, as the hon. Member for Swansea West should have been aware.

Geraint Davies: I am.

Guto Bebb: Good.

I should also address the possibility of moving forward with the small modular reactor—as I said, we will visit Trawsfynydd very shortly—and the renewables issues
that hon. Members have raised. Our track record on renewables is positive. I fully accept that wind farm costs have fallen quite significantly as a result of investments made, but I think the comments of the hon. Member for Vale of Clwyd about the success of our renewables project since we have been in government were unreasonable. There has been more than £52 billion of investment in renewables since 2010—not an insignificant sum.

As for expected energy generation, we are now on track to deliver 35% of the UK’s electricity demand through renewable sources. Far from being a failure, that is a success story that we should be proud of. I am surprised by the accusation that the Government have not been proactive in our investment within the renewables sector. The evidence points the other way. It is all very well talking about projections, but in 2015 we achieved 25% of energy generation through renewable sources.

These are successful outcomes of an integrated Government policy that should be supported. Their success is reflected in the fall in the cost of renewable sources of energy. Opposition Members talk about failure to support developments in Wales, but it is worth pointing out that 49,662 sites in Wales are generating renewable energy—another success story that we should be proud of.

That point brings me on to an issue raised by the hon. Member for Ceredigion (Ben Lake). I have not responded to him in this Chamber before, so I welcome him to his place. He is absolutely right that one of the success stories of north-west Wales has been community hydro projects. My constituency has a few such projects, and I know full well that there are similar projects in the constituency of the hon. Member for Arfon (Hywel Williams), who is not here today. Community energy projects are really exciting, because they generate electricity locally and give a financial benefit to the locality. The Government support such developments, which are crucial to our energy policy, but we need to highlight to the Welsh Government how they are taxed differently in Wales from in Scotland and England.

The Welsh Government have been very constructive on energy generation in many ways, but the taxes on community projects—on equipment used in small hydro plants, for example—are not beneficial to the development of further community projects. That can be contrasted with the situation in England, which is a result of the UK Government’s decisions, and in Scotland. The Barnett consequentials of the decisions made in England could be applied in Wales; certainly the funding has gone to Wales.

We have a good story to tell on renewables. It is a success story that has really touched the grassroots, but we need to make sure that it continues, and that requires action both from the Welsh Government and from Westminster.

I apologise that I am running out of time, but I would like to allow the hon. Member for Ynys Môn time to conclude. He mentioned marine energy opportunities beyond tidal lagoons. I fully understand why tidal lagoons have dominated the debate—the hon. Members for Gower (Tonia Antoniazzi), for Swansea East (Carolyn Harris) and for Swansea West have a real interest in the issue, as do Members throughout Wales, because we understand the potential—but there is a real opportunity for innovatively designed marine energy proposals in Wales. I know that for a fact, because I have visited potential developments off Holyhead and off the Pembrokeshire coast. This is an opportunity for new technology to be developed to put Wales at the forefront of renewable energy opportunities.

The Government are looking carefully at these issues. We want to be supportive, which is why I have visited sites in Pembrokeshire and Ynys Môn and met Anglesey developers. We want to see renewable technologies operating in Wales, but within the context of an energy policy that is fair to the consumer and the business user and supports the development of the energy sector in Wales and the job creation that goes with it.

I thank the hon. Member for Ynys Môn again for bringing the matter to our attention. I apologise if I did not respond to every issue he raised, but 15 minutes is 15 minutes, and I am more than happy to write to him with further guidance on any specific issues. To hon. Members who are concerned about the wait for the tidal lagoon decision, I say that the Wales Office continues to argue strongly for that decision to be made, but—as has consistently been stated—it must be right for Swansea, for people who support the tidal lagoon there, and for our energy policy and its costs. That is the decision that the Government will deliver in due course.

Ian Paisley (in the Chair): At the beginning of the debate I thought we might run out of speakers. We clearly did not; Members were very energised. Will the Member who moved the motion, the hon. Member for Ynys Môn (Albert Owen), give us a two-minute wind-up?

2.57 pm

Albert Owen: I will not take two minutes, because Members who are here for the next debate missed my opening remarks; they would be at a loss if I came to a lengthy conclusion.

Welsh Members of Parliament are passionate about energy in Wales. We have a good record; we pioneered many technologies in the past, and we want to do so in the future. I take on board what the Minister said about the continuation of renewables policy, but the heavy lifting was done by the previous Government. This is the time and the opportunity for the Government to show their credentials. They started the Hendry review; it is time for them to respond positively to that review and to move forward.

I give the Government nine out of 10 on new nuclear. We need to move forward on small module reactors. We need to be pioneers. I want Wales to be central to the industrial strategy, which it can and will be if the Wales Office, BEIS and others work with the Welsh Government, with business and with the community, so that Wales is at the forefront of energy in the United Kingdom.

Question put and agreed to.

Resolved.

That this House has considered energy in Wales.
Armed Forces Pay

[STEVE MCCABE in the Chair]

3 pm

Stephen Morgan (Portsmouth South) (Lab): I beg to move,

That this House has considered armed forces pay.

It is a pleasure to serve under your chairmanship, Mr McCabe, and to have secured my first debate in Westminster Hall today, following my maiden speech in the main Chamber yesterday.

Portsmouth has a proud military history. It is one of the most famous ports in the world and our association with the Royal Navy continues to go from strength to strength. Our naval base is home to almost two thirds of the Navy’s surface ships and we have recently welcomed the new aircraft carrier, HMS Queen Elizabeth. We look forward to welcoming the second new carrier, HMS Prince of Wales, in the near future.

The Navy is an intrinsic part of my home city, its DNA and my own family’s history, and the naval dockyard is hugely significant to the local economy. A tenth of Portsmouth’s workforce is employed there, either in the armed forces or as part of the civilian workforce who support the Navy’s work there. I pay tribute to all their work, but for today’s debate I will focus on the work of our armed forces and specifically on their pay.

I called for this debate because our armed forces have been subject to years of pay restraint in the face of rising costs and increasing pressure on their incomes. This week, we have all seen the displeasure of public sector workers about the 1% pay cap as well as the hard work of their various unions in speaking out for them, which, hopefully, is now starting to effect real change. However, our armed forces do not have that voice; we have a responsibility in this place to be their voice. We have to speak out about their pay, pensions and working conditions if they are to see any improvements.

I will focus on three areas today: pay restraint; rising costs; and, finally, recruitment and retention. First, there is pay restraint. Like other public sector workers, members of our armed forces have been subject to pay restraint for several years. New figures from the House of Commons Library show that the starting salary of an Army private is now down 5.3% in real terms since 2010—a cut of more than £1,000 a year.

I suspect that the Minister will tell us that it is the Armed Forces Pay Review Body that makes recommendations for armed forces pay, and that the Government have accepted those recommendations. However, it is clear from the review body’s 2017 report that they are making recommendations with the constraint of the cap in mind. The report states that both the Chief Secretary to the Treasury and the Defence Secretary reinforced that approach in Government policy. The report even goes so far as highlighting the review body’s concern with the cap, saying that

“We commented last year that we were concerned about the sustainability of the current ongoing pay restraint policy, and that continues to be our view”.

I ask the Minister today whether similar constraints will be put on the review body when it makes recommendations in the future. If the Government decide to lift the public sector pay cap for our armed forces, will the review body be given a chance to produce an interim report so that new pay levels for our armed forces can come in as quickly as possible?

The second area that I will cover is rising costs. It is not just the case that pay is being restrained; it also comes at a time of rising costs for families across the UK, with some specific rising costs for forces’ families, which my constituents have raised with me personally. There is a new combined accommodation assessment model that uses new grading criteria, and it will see charges increase for about three quarters of service families accommodation occupants.

Armed forces personnel have also seen their national insurance contributions rise. Again, I refer to the pay review body’s 2017 report, which made the situation very clear:

“A common theme from our visits was that the one per cent basic pay award… was not perceived as an increase as it coincided with increases in National Insurance, changes in tax credits and… increases”—that is, other increases—“that left a number of Service personnel seeing a reduction in take home pay.”

My third and final point is about recruitment and retention. Pay restraint is not only hurting our armed forces personnel in the pocket but it is clear that it is having an impact on the ability to recruit and retain personnel. When it comes to recruitment and retention, our armed forces are in crisis. All of our services are running at a liability of 5.1%. Figures released just today show that, for the first time and even by the Government’s new and questionable definition of “trained”, the Army has fallen below 82,000 in number. Its full-time “trained” strength is 81,920 and the numbers are trending downward.

That is nothing short of a broken manifesto commitment by the Conservatives. They promised us that they would keep Army numbers above 82,000. The Government now urgently need to take action, and although I recognise that dealing with pay will not solve all the existing problems, it is a good place to start. This year’s armed forces continuous attitude survey showed how unimpressed our services personnel are with their pay. Only 33% of respondents were satisfied with their basic rate of pay. By comparison, in 2010 satisfaction with pay was at 52%. Can the Minister identify what might have changed since 2010 to cause that 19% drop?

Among all those members of our armed forces who have put their notice in to leave, pay was the fifth most significant factor in making that decision. However, when we look just at “Other Ranks”, pay was the fourth most cited reason. Opportunities outside the armed forces also played a strong role in people’s decision to leave. The Army Pay Review Body’s latest report highlights that the review body has experienced this attitude at first hand, stating on page 53 that

“our visit programme made clear that Service personnel are becoming increasingly frustrated with public sector pay policy. They feel their pay is being unfairly constrained in a period when costs are rising, private sector earnings are starting to recover, and the high tempo demands on the Armed Forces have not diminished.”

The evidence is there: voluntary outflow is hugely high and recruitment is stagnant. If the Government do not get to grips with this problem soon, operational capability will start to diminish. Our armed forces are
enormously professional and are respected around the world. They can do a lot with a little, but we have to be realistic: if we do not meet recruitment targets, they are not going to be able to do everything that we want them to.

So far, I have been disappointed with the Government’s responses to questions from my colleagues about recruitment targets. When asked for specific details about future targets, Ministers have responded with vague, single-sentence answers, such as:

“The Government is committed to maintaining the overall size of the Armed Forces”,

which the Minister for the Armed Forces recently wrote in response to the shadow Defence Secretary, my hon. Friend the Member for Llanelli (Nia Griffith). This makes me concerned that the Government are not taking this issue seriously.

In conclusion, I have recently returned—hot-foot—from the Defence Academy of the United Kingdom, where I saw at first hand some of the challenges that our armed forces face, and I want to put on the record my encouragement to any Member of Parliament to consider attending this useful scheme. However, some of those on the frontline have said to me that they now feel undervalued and unappreciated, and that morale is low. When I asked them what I personally could do as a new Member of Parliament, their feedback was, “Make sure the Government make us feel valued again”.

Given all his experience, the Minister will understand the severity of the current problems regarding the plans to lift the 1% pay cap for the armed forces. I hope that he will get to grips with that issue.

3.8 pm

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): It is an honour to follow my hon. Friend the Member for Portsmouth South (Stephen Morgan), who made such an eloquent maiden speech in the main Chamber yesterday. To throw himself in at the deep end with a maiden speech and then a 90-minute Westminster Hall debate less than 24 hours later shows the grit and determination that Portsmouth seems to instil in its MPs. I commend him on securing this debate.

I share my hon. Friend’s interest in the armed forces. As the son of a submariner, I know that armed forces pay is not only about supporting and rewarding those people who serve our country but about putting food on the table for families right across the country. Nowhere is that closer to my heart than in Devonport, which is the country’s largest naval base—indeed, it is the largest base in western Europe—and home to many of the frontline fighting forces that our country so relies on. It is also home to half our nation’s frigates and to our amphibious assault craft, including HMS Ocean, which at the moment is doing such a good job in supporting the relief effort for our overseas territories and our friends in the Caribbean.

Plymouth, Sutton and Devonport is also the spiritual home of the Royal Marines, at Stonehouse Barracks. Sadly, that base is due to close under Conservative Government cuts. We are also home to the Army and the Artillery at the Royal Citadel: again, a base that is closing. The Army numbers and the Royal Marines and Navy personnel in Plymouth are an integral part of our city. The cap has had an effect not only on the ability of those forces’ families to afford to pay their bills, but on the contribution that they can make to our local economy.

Figures from the Library show that the number of armed forces personnel in the Navy and Royal Marines in Plymouth have fallen from 7,240 in 2010 to 5,000 now. Each job lost and each job transferred away from Devonport means less money spent in our communities and in our shops. There is a further cut in terms of officers in the Army and even in the RAF, which is not something that Plymouth is widely known for, although we have a few of them.

It is important to look in detail at what the pay means for each of the different ranks in the armed forces. There is a real manpower and personnel crisis in our armed forces, not only in terms of recruitment, but in retention as well. In particular, I want to talk about what it means for the engineering grades in the Royal Navy. Within the engineering sector there is a real concern about how many engineers we are producing and where we are recruiting them. If it were not for the assistance of our friends in the US Coast Guard and in fellow NATO countries, we would not currently be able to put the ships to sea that we are able to because we have so few homegrown engineers. One of the big reasons why engineers are leaving the senior service is pay: not only the pay cap, but the draw of larger rewards in the private sector.

In the far south-west, if someone holds an engineering qualification, particularly a nuclear engineering qualification, they are in heavy demand. The ability of the nuclear industry to continue to grow with the new nuclear builds and the potential decommissioning work adds to the draw of the private sector for a lot of our Royal Navy engineering grades. That needs to be looked at because the pay cap is an arbitrary tool that has been applied for ideological reasons; it does not look at what the consequences are. Can the Minister tell us what is the additional cost of recruitment and the additional cost of the uplift that we need to bring in freelance and other types of engineers to support our Royal Navy and whether a relaxation of the pay cap for those grades would be a more efficient use of public money?

Figures from the Library show that, throughout the entire military, if there had been a 3% increase over the course of the pay cap since 2010, a private would now be earning over £3,000 more. A corporal and equivalent ranks would be earning nearly £5,000 more. Lieutenants—many people mispronounce that; I think they watch too much “Star Trek” and Americanise our grades—could be earning £4,000 more, and majors and equivalent ranks whose actual pay was £59,783 could have been earning £66,886. All of those are a draw against staying in our military.

The British armed forces are the finest fighting forces in the world. The arbitrary, ideologically driven pay cap affects not only our ability to retain the first-class talent that we have within our armed forces, especially at engineering grades in our naval dockyards and bases that both I and my hon. Friend the Member for Portsmouth South represent—it also affects how we recruit people to those grades. Will the Minister address what we are doing about engineering grades in the Royal Navy?

I imagine that Members here today share a common desire for the Royal Navy to succeed. An integral part of the Royal Navy’s success is looking not only at the
capability of hulls and what we put on them—the new frigates, the new carriers, the new offshore patrol vehicles, the Type 45s and other ships—but at the personnel on board. I am really concerned that if the arbitrary pay cap continues in our armed forces, we will hollow out the expertise, especially around the specialist grades that we need to put our ships to sea. In a more uncertain world, we need to retain and recruit the very best for our engineering grades and for our frontline fighting forces.

The Government could take a big step forward and consider whether an arbitrary pay cap for our armed forces is the right way forward. Relaxing that pay cap or removing it altogether to ensure that people are paid the same in real terms this year as they should have been last year would be a way of recognising not only the fantastic work they do, but would recognise that in their pay cheque as well. I have had—I am sure my hon. Friend the Member for Portsmouth South has as well—people come to me since the election to say they are growing sick and tired of politicians saying warm words when people in our armed forces have stepped up to serve the country, but not rewarding them when it comes to the budget settlement about how much those people take home.

As we are all here because we respect and value the work of our armed forces, I ask the Minister to think seriously about how the pay cap is having a serious effect on retention and recruitment of specialist personnel in our armed forces and how that could be addressed in the coming years. We know a lot of skilled engineers are facing retirement, so we will be hollowing out our engineering grades. Will the Minister address those points when he responds?

3.15 pm

Stewart Malcolm McDonald (Glasgow South) (SNP):

It is a pleasure to see you preside over proceedings this afternoon, Chair. I congratulate the hon. Member for Portsmouth South (Stephen Morgan) on securing this debate and doing so just 24 hours after he gave his maiden speech, also on the issue of public sector pay restraint. It is obvious, given his first two outings in Parliament, that he will be a thorn in the side as far as public sector pay is concerned. He is absolutely right, so I wish him well.

Earlier this week I saw a tweet from the hon. Member for Plymouth, Sutton and Devonport (Luke Pollard). It said that he and his hon. Friend the Member for Portsmouth South often get mixed up because people think they represent the same cities. If they carry on in this vein, following each other, that will likely continue for the life of the Parliament. If you will allow me, Mr Chairman, I also wish to put on record my thanks—I hope other Members will join me, particularly the Minister—to a former Member of this House who sadly did not hold on to her seat at the general election: Kirsten Oswald, the former SNP armed forces spokesperson, who did a tremendous amount of work on the issue we are debating this afternoon.

I am surprised to see that there is not a single Conservative Back Bencher here to defend the Government’s position. Given their defence of the European Union (Withdrawal) Bill on Monday, the power grab on Tuesday and the pay cap on Wednesday, I thought they would at least make it along to defend their own Government, but clearly armed forces pay restraint was just a step too far. It seems there are indeed brass necks on the Tory Benches. Is it any wonder? The Conservatives have continuously painted themselves as the sole party in this Parliament that defends and stands up for the armed forces, while continuously painting my party and lambasting the Labour party as being what they see as weak on defence. But we have heard the figures this afternoon: targets for the size of the Army have been missed; morale is low; recruitment is in crisis; and pay has been cut and cut, by over £1,000 a year, with pay restraint for the past seven years.

There are other issues surrounding the pay and conditions of members of the armed forces. One of those was highlighted by a colleague of mine in the Scottish Parliament, Gordon MacDonald, the MSP for Edinburgh Pentlands. It concerned Ministry of Defence housing where the rents go up all across the country. In Scotland the new charging system introduced by the MOD has seen 81% of service families having to pay more rent than under the old regime. Complaints about MOD housing in Scotland, outsourced to Carillion, have gone up by a massive 43%.

I do not wish to speak for long because I am keen to hear from the Minister, who is very diligent. Although we crossed swords a couple of times in the previous Parliament, and no doubt will do so again in this Parliament, I and many in my party have a great deal of respect for him. I look forward to hearing what he has to say, but I will end with this. As was adumbrated in the House yesterday by members of my party, the Scottish Government have now committed to lifting the pay cap for all public sector workers in devolved Government agencies. It is about time this Government followed suit. The utterly bizarre stunt that was pulled yesterday, when they did not even have the gumption to march through the Lobby and vote for what we all know they believe, says it all. It made this place look like a banana Parliament. I have spent my political life arguing that it is a banana Parliament, but yesterday was perhaps the best—or should I say the worst—example of that.

I commend the Scottish Government for what they do to support service personnel, service families and veterans in Scotland as far as they can. The “Renewing our Commitments” document that they published last year came with £5 million of funding to try to support service families, who are having to deal with the burdens of the pay cuts imposed on them by Whitehall.

Defending the country is of course the first duty of Government. It is increasingly difficult to know how that is to be done with hollowed-out armed forces, a recruitment crisis and forces whose morale is at an all-time low. It is not just a matter of our commitments to them—and those commitments are supreme. We must ask what effect there will be on national security, and whether the current situation allows us properly to live up to the commitments that we make to our allies, to be a strong and ready fighting force to protect the people of this country.

I look forward to hearing what the Minister has to say, and I congratulate the hon. Member for Portsmouth South on securing the debate. I look forward to seeing him take on the Government, on this issue and many others, as the Parliament progresses.

3.21 pm

Wayne David (Caerphilly) (Lab):

It is a pleasure to serve under your chairmanship, Mr McCabe. I congratulate my hon. Friend the Member for Portsmouth South
It is essential to provide an objective facility so that honest earning are starting to recover, and the high tempo demands on Service personnel are becoming increasingly frustrated with the picture that it sees, objectively. It states: “The Regular strength of the UK Armed Forces is currently 138,350, 4.8% below the required number...In the year to April 2017, 12,950 people joined the UK Regular Armed Forces but in the same period 14,970 left.”

I share the regret that has been expressed that no Conservative Back Benchers are here for this important debate.

We must ask the reason for this unfortunate trend, and, as the right hon. Member for Rayleigh and Wickford said, there are several clear reasons. He comments that “while more personnel continue to leave each year than to join, the recruiting organisations across the Services are increasingly ‘running to stand still’ to try to fill the widening gaps in the ranks. Whilst the most serious problems remain in the Army, this is also likely to prove an increasing challenge for the Royal Navy and the RAF as their liability will increase by several hundred over the next few years.”

He hints that the problem can be put down, in part, to concerns about the future prospects that the armed forces offer, and declining standards of accommodation, with quite minimal improvements, in many areas. There is also real concern about the levels of remuneration available—or not.

The findings and recommendations in this year’s report by the Armed Forces Pay Review Body are governed by Government diktat, but it is nevertheless obliged to paint the picture that it sees, objectively. It states: “On levels of pay generally, our visit programme made clear that Service personnel are becoming increasingly frustrated with public sector pay policy. They feel their pay is being unfairly constrained in a period when costs are rising, private sector earnings are starting to recover, and the high tempo demands on the Armed Forces have not diminished.”

I think that that is objectively correct, and it underlines the unfairness of the Government’s policy and attitude. It is essential to provide an objective facility so that honest recommendations can be made. Unless the Government have real reasons to reject those recommendations, they should be obliged to accept them. New figures from the House of Commons Library show that, for example, the starting salary of an Army private is down 5.3% in real terms since 2010. That is a cut of more than £1,000 a year.

We all want young men and women to join the armed forces in greater numbers, but—hand on heart—how on earth can anyone be persuaded to go into something with limited career prospects, where the living conditions for them and their family would be far from good, and where they would be likely to see a continuing fall in their standard of living? It is clearly unacceptable, and we strongly urge the Government to take a comprehensive approach to lifting the 1% public sector pay cap and to allow the Armed Forces Pay Review Body to make recommendations on pay rises for the armed forces. The Government should allow it to do so without restriction.

That seems to be a perfectly reasonable request, and it is one that many in the House support, including, I suspect, many Conservative Members—that is why they are not here to support the Government this afternoon. It will be warmly welcomed by the armed forces and those proud men and women who defend our country, sometimes in the most difficult circumstances. A point was made earlier about how the armed forces do not have a trade union to speak for them and are constrained in their access to the media to get their message across.

Stewart Malcolm McDonald: The issue of an armed forces trade union for non-commissioned personnel featured in the Scottish National party’s manifesto. I am unsure about the hon. Gentleman’s party’s manifesto, but it sounds as though he supports the principle. Will he note that, just this month, a captain has been named as the general secretary of the trade union for non-commissioned personnel. He note that, just this month, a captain has been named as the general secretary of the trade union for non-commissioned personnel in Denmark? Is it not about time that we followed countries such as Denmark, Germany and the Netherlands and established that here in this country?

Wayne David: I hear what the hon. Gentleman is saying, and there is a strong argument for it, but it would be unfortunate if we allowed that issue, important as it may be, to distract us from the central issue before us this afternoon, which is our request—it is a cross-party request, I hope—for the Government to comprehensively lift their 1% pay restraint on the public sector, including the armed forces.

In conclusion, as things stand at the moment, there are few external voices to support the armed forces. The armed forces themselves are constrained in what they can say, so it is all the more up to us to put forward their case with strength, determination and, I hope, unity. Through that, the Government can clearly hear the voice of the House of the Commons. They should adopt common sense and fairness and change their policy forthwith.

3.31 pm

The Parliamentary Under-Secretary of State for Defence (Mr Toby Ellwood): It is a pleasure to serve under your chairmanship, Mr McCabe, and to respond to this debate. I declare an interest, which is in the Register of Members’ Financial Interests: I am ex-Army and a lieutenant colonel in the reserves. I pay tribute to the
other coastal towns that have been represented in the debate by the hon. Members for Portsmouth South (Stephen Morgan) and for Plymouth, Sutton and Devonport (Luke Pollard), I represent Bournemouth. I think the only Members present who do not represent coastal towns are the spokesmen for the SNP and the Labour party, the hon. Members for Glasgow South (Stewart Malcolm McDonald) and for Caerphilly (Wayne David). Nevertheless, the debate has been helpful in understanding and sharing concerns about public sector pay specific to the armed forces.

A number of Members have made perhaps a little bit of a political point, asking where the Conservative Members are in this important debate. I could say to the SNP spokesman that there are no SNP Back Benchers here either; he is his party’s sole representative. Many Members who would have been here today are participating in the armed forces parliamentary scheme. That is why they are absent.

I pay tribute to the hon. Member for Portsmouth South for calling this debate. Like the hon. Member for Plymouth, Sutton and Devonport, he represents a historical city that has a connection with all services, but specifically the senior service. We need to place the debate in context and against the backdrop of the nation’s finances, which ultimately are the question mark hanging over the size of the coffers that the Treasury has to provide financial support not only to the Ministry of Defence, but to all armed forces. I will not go into the politics of the situation, but when we came into government in 2010 there was a significant deficit. That deficit has been reduced by three quarters and the economy is now growing. The low taxes we are seeing are growing creation in our economy. We have record lows in unemployment, which is a good thing.

However, let us be honest: the election result and the debates during the campaign showed a nation concerned about our public sector and the length of time that the pay freeze has affected them. That concern was shared not only by those individuals affected, but by those who support our teachers, nurses, doctors, fire service, police, ambulance service and armed forces. Our armed forces do not have the voice of the unions, as has been mentioned a number of times. Members will be aware that the Government have been continuing the difficult task of balancing the books, but we must recognise that that ultimately means a period of pay restraint that has affected all public sector workers, including the armed forces.

We are aware, as we bring fiscal discipline back to the public finances, that that restraint has had an impact on the salaries of our people, but looking forward, the Government’s recent announcement of greater flexibility where required in public sector pay means that the independent pay review bodies can now make their own judgments on future pay awards, which will mitigate the impact. As the Chief Secretary to the Treasury said on Tuesday, our public sector workers, including those in the armed forces, are among the most extraordinarily talented and hard-working people in our society. I would go further: our public services are one of the things that define Britain across the world, by which I mean not just our blue light services, but our armed forces in particular. I echo other contributors by saying that professionalism is what defines us and gives us our reputation across the globe. It is important that we look after the people using equipment in operations. They make their mark and step forward to make a contribution with allies as a force for good in this very difficult and challenging age. They, like everyone else, deserve to have fulfilling jobs that are fairly rewarded. We have to take a balanced approach to public spending, dealing with our debts to keep our economy strong while also ensuring that we invest in our public services.

Wayne David: Will the Minister give way?

Mr Ellwood: I think there might be enough time for me to do so.

Wayne David: The Minister is hinting at something important, but I would like clarification. He talks about greater flexibility for the Armed Forces Pay Review Body. Is he suggesting that were that greater flexibility to produce a recommendation for a significant increase for the armed forces, the Government would accept that immediately, without question?

Mr Ellwood: I will not do what the Leader of the Opposition suggested when we came back to office after the general election, which was a knee-jerk removal of the 1% pay freeze. That was suggested in proposed amendments to the Queen’s Speech. I will work extremely hard to ensure that that ambition is fulfilled. If the hon. Member for Caerphilly recognises and reads what is happening this week, there is greater clarity to provide independence, to ensure that Departments are free to reflect what is required in this day and age.

The Government will continue to ensure that the overall package for public sector workers is fair to them and that we can deliver world-class public services that are affordable within the public finances and fair to taxpayers. The last spending review budgeted for 1% average basic pay awards, as has been mentioned a number of times, but that is in addition to progression pay for specific workforces, such as the armed forces, and that must not be forgotten. There will still be a need for pay discipline over the coming years to ensure the affordability of the public services and the sustainability of public sector employment. The Government recognise that in some parts of the public sector, particularly in areas of skill shortages—such as with engineers, as has been mentioned—more flexibility may be required to deliver those world-class public services, including in return for improvements to public sector productivity.

The detail of the 2018-19 remit for the Armed Forces Pay Review Body and the Senior Salaries Review Body—I stress that they are both independent bodies that provide advice to the Prime Minister and Secretary of State on pay and remuneration for the armed forces—is still under consideration and will be agreed as part of the Budget process. Recommendations from the AFPRB and SSRB are expected in the new year.

The Government, as I have emphasised, fully recognise the invaluable work undertaken by our gallant members of the armed forces, often in dangerous and difficult circumstances. A good example is the response of our personnel to the recent events in the Caribbean and Hurricane Irma. That is a timely example of the professionalism of our armed forces in a crisis. More than 1,100 armed forces personnel have been deployed so far under Operation Ruman, to provide relief to the...
people of the devastated Caribbean islands. A further 600 are en route on board HMS Ocean, which was mentioned earlier. I am sure all hon. Members will join me in paying tribute to the valuable work of our armed forces personnel.

The armed forces pay and wider remuneration package is designed to reward their unique service to our country and to support the recruitment and retention of personnel. The Government are of the view that the armed forces receive an attractive package of terms and conditions of service, which have not been mentioned so far and include a competitive salary with incremental pay scales. I stress that there are pay bands for privates, lieutenants and other ranks, such as captain. Each year they move up the band and their salary does not stay still. In fact, across the armed forces, the average individual pay rise has been about 1.5%.

Wayne David: As someone with a distinguished service record, does the Minister personally think that remuneration in the armed forces is adequate? What is his personal view?

Mr Ellwood: I am going to do everything I can to make sure that we do our best to have the remuneration package that our armed forces deserve, but we have to bear in mind the context and the backdrop, which I have spelled out. There has to be fiscal recognition of the place we are in, but I agree with the hon. Gentleman that we should all work as hard as possible to make the case and ensure that personnel get the salary they deserve and need.

There is also a non-contributory pension scheme, subsidised accommodation and food, and access to free medical and dental care. Service personnel also have access to an allowance package that provides financial assistance towards additional costs incurred as a result of their service. Throughout the pay restraint period, many personnel in the armed forces have received an annual increase in pay of well above 1%.

During the period of pay restraint, armed forces pay has not stood still. In 2016 we introduced a major revision to armed forces pay in the form of the Pay 16 pay model, which was designed to simplify an individual’s pay journey, enabling them more accurately to predict their future career earnings. That has also rebalanced pay to reward armed forces personnel more effectively in line with their skills, while addressing many of the concerns raised by the AFPRB regarding the previous Pay 2000 structure.

We also employ remunerative measures to address issues of recruitment and retention, which have been mentioned, to ensure that our armed forces are manned to the required levels and with the requisite skills. Where there are particular issues in recruiting or retaining personnel, for which career management action by the services has had limited impact, we have the option of introducing targeted payments. Those payments can range from time-limited financial incentives to longer-term recruitment and retention payments that recognise the particular challenges we face in retaining certain defence specialists, such as military pilots or submariners.

Armed forces pay is subject to annual review by the Armed Forces Pay Review Body and the Senior Salaries Review Body, which are independent bodies tasked with providing the Government with recommendations on armed forces pay and charges for all military personnel, including the reserves. Their terms of reference require them to give consideration to the need of the services to recruit, retain and motivate suitably able and qualified people, taking account of the particular circumstances of service life.

As part of its review, the AFPRB undertakes a detailed and comprehensive programme of work each year, which consists of a package of both written and oral evidence from the Secretary of State for Defence, senior officials and service families federations, representatives of which I had the pleasure of meeting only yesterday. The AFPRB also undertakes a series of visits to military units to hear directly from service personnel about their views on pay. In 2017, the AFPRB met more than 2,300 service personnel and 154 spouses and partners during 186 discussion groups. It visited establishments both in the UK and overseas, including operational theatres and ships.

In addition to the evidence it receives from Government, the AFPRB also commissions its own independent analysis and research, including on the pay comparability of the armed forces within the wider UK economy. A programme of visits has just concluded and the Government look forward to receiving the AFPRB recommendations next year.

Turning to the 2017 report, which the hon. Member for Caerphilly mentioned, in January this year the AFPRB and SSRB recommended a 1% pay increase for service personnel, taking into account the evidence received and independent pay comparability data. Those recommendations took into account the need to recruit, retain and motivate high-calibre people; the Government’s policies on the public services; inflation targets and the public funds available for Defence. The AFPRB reported that it believed that a 1% increase in base pay would “broadly maintain pay comparability with the civilian sector.”

We need to bear that in mind, because that is the competing area.

The Government accepted in full the recommendations of the AFPRB and SSRB. I take this opportunity to thank the members of both pay review bodies for their work; it is greatly respected.

Turning to future pay, on which we want to focus, as I stated previously the detail of the 2018-19 pay remit for the pay review bodies is still under consideration and will be agreed as part of the budget process. As the Secretary of State said this week at the Defence and Security Equipment International conference, “we will have greater flexibility to respond to the recommendations of the Armed Forces Pay Review Body.”

I hope that answers directly the question posed by the hon. Member for Caerphilly. It is for the AFPRB to make its recommendations for 2018-19, and as I mentioned earlier its remit allows it to consider any specific recruitment and retention issues that may apply to the armed forces. I am sure it will consider some of the issues raised in this debate. Over the coming months, the Chief Secretary will write to all the pay review bodies setting out the Government’s pay policy. The Defence Secretary will submit formal evidence to the AFPRB, setting out any specific recruitment and retention issues.

The armed forces are among the most extraordinarily talented and hard-working people in our society. The Government are committed to ensuring that the overall
package that they and other public sector workers receive reflects the value we place on their work. The last spending review budgeted for 1% average basic pay awards, but the Government recognise that in some parts of the public sector, particularly in areas of skills shortage, more flexibility may be required, as reflected in this week’s announcement. There does, however, need to be pay discipline over the coming years, to ensure the affordability of the public services and the sustainability of public sector employment.

I make a personal statement that I will do all I can, as Minister for Defence People and Veterans, to make sure that the remuneration package that our gallant armed forces personnel get is what they deserve.

3.47 pm

Stephen Morgan: I pay tribute to everyone who has spoken in this debate. I thank my hon. Friend the Member for Plymouth, Sutton and Devonport (Luke Pollard) for his important comments on the contribution that armed forces personnel make to local economies, and on the shortages for engineering jobs. I understand that that is also the case with chefs, and it is certainly an issue in Portsmouth too.

I also thank my colleague from the SNP, the hon. Member for Glasgow South (Stewart Malcolm McDonald), for his contribution on what the devolved Government in Scotland are doing and for his important message about the lack of Back-Bench Conservative Members in this debate. That says a lot about their support for the armed forces and it is a concern.

I thank the Labour spokesperson, my hon. Friend the Member for Caerphilly (Wayne David), for his contribution on accommodation. He reminded us of the key findings of recent reports and the real challenges we face on recruitment to the armed forces.

As I said in my introduction to the debate, it is for us in this place to speak up for those who dedicate their lives to the armed forces, because they often feel unable to do so owing to a sense of loyalty to Queen and country. We have heard about the impact that the cap has had on morale, retention and recruitment. I will continue to work with colleagues throughout the House to build a cross-party consensus to hold the Government to account and to ensure that the armed forces get the pay they deserve.

Question put and agreed to.

Resolved,

That this House has considered armed forces pay.

3.49 pm

Sitting adjourned.
Written Statements

Tuesday 5 September 2017

TREASURY

Finance Bill

The Financial Secretary to the Treasury (Mel Stride):
The Finance Bill will be published on 8 September.
Explanatory notes on the Bill will be available in the Vote Office and the Printed Paper Office and placed in the Libraries of both Houses on 12 September.
Copies of the explanatory notes will also be available on gov.uk.

[HCWS107]

Contingent Liability

The Chancellor of the Exchequer (Mr Philip Hammond):
The Governor of the Bank of England requested on 3 August 2017 to raise the limit on purchases that may be undertaken by the asset purchase facility (APF). This will ensure that the term funding scheme (TFS) can continue to lend central bank reserves to banks and building societies during a defined drawdown window at rates close to Bank rate, to ensure that the very low level of Bank rate is passed through to households and businesses.

When the Monetary Policy Committee (MPC) first introduced the scheme in August 2016, I agreed with the Governor of the Bank of England that total TFS drawings would be determined by usage of the scheme. I have therefore authorised an increase in the total size of the APF used to finance the TFS from £100 billion to £115 billion, in line with the current profile of TFS drawings and based on a drawdown window that will close at the end of February 2018. This will bring the maximum size of the APF to £560 billion.

In line with the requirements in the MPC remit, the amendments to the APF that could affect the allocation of credit and pose risks to the Exchequer have been discussed with Treasury officials. The risk control framework previously agreed with the Treasury will remain in place.

The Government will continue to indemnify the Bank and the APF from any losses arising out of, or in connection with, the facility. If the liability is called, provision for any payment will be sought through the normal Supply procedure.

On 3 August 2017, I wrote to the Chairs of the Public Accounts Committee and Treasury Committee and invited them to raise any objections to my decision. A full departmental minute is laid in the House of Commons providing more detail on this contingent liability.

[HCWS108]

DEFENCE

Iraq

The Secretary of State for Defence (Sir Michael Fallon):
Since my quarterly counter-Daesh statement on 13 July, Official Report, column 445, after a period of reset and recovery, the Iraqi security forces have delivered a swift victory over Daesh in Tal Afar. On 20 August, with coalition support, they began the operation to retake the town. On 31 August, Prime Minister Abadi announced the liberation of Tal Afar and all of Ninewah province. I congratulate Prime Minister Abadi, and all of the Iraqi security forces for their success. There is, however, still more work to be done and the UK will continue to support the ISF in their efforts to finally clear Daesh from Iraq.

As part of the next phase of the coalition plan to defeat Daesh, the coalition asked the UK to provide additional support in constructing supplementary accommodation and office space at Al Asad air base in Iraq to enable operations in the Euphrates river valley. A team of Royal Engineers infrastructure specialists has therefore deployed for a period of around five months, to undertake this vital work. The soldiers had been held at readiness in the UK for such a task. These troops will remain inside the secure air base. This deployment will temporarily raise the number of UK troops based in Iraq as part of Operation Shader to just over 600.

[HCWS106]
Written Statements

Wednesday 6 September 2017

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Green Investment Bank: Employee Indemnity

The Minister of State, Department for Business, Energy and Industrial Strategy (Claire Perry): The Government completed the sale of the Green Investment Bank (GIB) to Macquarie on 18 August 2017. The Secretary of State for Business, Energy and Industrial Strategy has provided an indemnity for GIB employees in relation to a specific diligence and disclosure exercise conducted as part of the sale process. This indemnity created a notifiable contingent liability.

On 7 March 2017, Government notified the Chairs of the PAC and BEIS Committees of their intention to enter into this contingent liability in accordance with the non-standard notification procedure set out in “Managing Public Money” because the GIB sale process was subject to strict commercial confidentiality agreements that limited the information that could be disclosed publicly by either bidders or the Government. The indemnity was then entered into on 19 April 2017, the date on which the Government signed an agreement to sell GIB to Macquarie.

The indemnity is for GIB employees who were involved in a specific diligence and disclosure exercise, in their personal capacity and not for GIB as an organisation, as it was never intended that any individual GIB employee would assume personal liability for claims made as a result of the support that they have provided the Secretary of State, except where there has been fraud, wilful default or bad faith. The indemnity is uncapped and not time-limited. The prospect of a claim is assessed as remote and that of a claim against the Government’s indemnity very remote. This indemnity cannot be called upon by any of the parties to the sale as they have waived the right to bring a claim against GIB employees. A claim can only be brought by a third party.

If the liability is called upon, provision for payment will be made through the normal Supply procedure. The Treasury approved the proposal in principle prior to the then Chairs of the PAC and BEIS Committees being notified.

As a matter of record, I have today laid a copy of a departmental minute for both Houses explaining the procedure followed and containing a description of the liabilities undertaken.

[HCWS114]

Corporate Governance Reform Green Paper

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): One of the UK’s biggest assets in competing in the global economy is its reputation for being a dependable and confident place in which to do business. This has been maintained by keeping the corporate governance framework up to date.

The Government published the Green Paper on corporate governance reform last November. It focused on three specific aspects of corporate governance where the Government saw particular scope to strengthen the current framework—executive pay, corporate governance in large privately held businesses, and the steps that company boards take to engage and listen to employees, suppliers and other groups with an interest in corporate performance.

The Green Paper attracted 375 responses from a wide cross-section of business and society and have provided Government with a solid basis on which to take decisions. It has also benefited from the work of the Business, Energy and Industrial Strategy Committee which published recommendations for corporate governance reform in April.

Three key themes emerged from responses to the consultation.

First, in relation to executive pay, there were widely held concerns that a small minority of companies are not responding adequately when they encounter significant shareholder opposition to levels of executive pay and that remuneration committees need to do more to demonstrate that they are sensitive to pay and conditions across the wider workforce.

Second, a widely held view that large companies could do more to strengthen the employee, customer, supplier and wider stakeholder voice at boardroom level as a key factor in improving boardroom decision-making, delivering more sustainable business performance and building wider public confidence in the way businesses are run.

Third, there was a widely held view that there should be more transparency and accountability for corporate governance in large privately held businesses, reflecting their economic and social significance.

The Government have now published their response to the consultation setting out the proposals that they now intend to take forward to address these and other corporate governance issues. They involve a combination of secondary legislation, enhancements to the UK corporate governance code (which is overseen by the Financial Reporting Council) and voluntary, business-led action.

The Government intend to introduce secondary legislation to:

- Require quoted companies to report annually the ratio of chief executive total remuneration to the average pay of the company’s UK employees, and to set out more clearly in remuneration policies the impact of share price growth on long-term executive pay outcomes;
- Require all companies of significant size to explain how their directors comply with their requirements under Section 172 of the Companies Act 2006 to have regard to employee and other interests;
- Require the UK’s largest companies, including privately-held businesses, to disclose their corporate governance arrangements, including whether they follow any formal code, except where they are already subject to an equivalent reporting requirement.

The Government have also invited the Financial Reporting Council (FRC), as part of their consultation on a revised UK corporate governance code later this year, to consider a number of new provisions including:

- Giving company remuneration committees a broader responsibility for overseeing pay and incentives across the company and explaining how these relate to executive pay incentives;
Requiring companies to be more specific about the steps they should take to address significant shareholder dissent on executive pay (and other matters);

Requiring companies, on a comply or explain basis, to adopt one of three employee engagement mechanisms: a designated non-executive director, an employee advisory council or a director from the workforce.

The Government have asked business and professional bodies to take forward related business-led initiatives, including:

Inviting the CBI, the Institute of Directors, the British Venture Capital Association and the Institute of Family Businesses to work with the FRC to develop a voluntary set of corporate governance principles for large, privately held businesses; and

Asking the Investment Association to implement its proposal to establish and maintain a public register of companies receiving significant shareholder votes against resolutions, including on executive pay.

In addition, the Government have asked the FRC, the Financial Conduct Authority and the Insolvency Service to conclude new or, in some cases, revised letters of understanding with each other before the end of this year to ensure the most effective use of their existing powers to sanction directors and ensure the integrity of corporate governance reporting. The Government will consider, in the light of this work, whether further action is required.

Implementation of these measures will improve shareholder scrutiny of executive remuneration, strengthen the employee voice in board-rooms and build confidence in the way companies, both listed and privates are run. They will build on the UK’s corporate governance strengths and help ensure that we are equipped for the economic opportunities and challenges that lie ahead.

The Government’s full response to the Green Paper consultation is available on the gov.uk website and copies have been placed in the Library of the House.

TREATY

Finance (No. 2) Bill: Draft Legislation

The Financial Secretary to the Treasury (Mel Stride): As has been previously announced, the Government will introduce a Finance Bill following the autumn Budget.

In line with the approach to tax policy making, set out in the 2010 “Tax Consultation Framework”, the Government are committed, where possible, to publishing most tax legislation in draft for technical consultation before the relevant Finance Bill is laid before Parliament.

The Government will publish draft clauses for the Finance Bill on Wednesday 13 September 2017, along with accompanying explanatory notes, tax information and impact notes and other supporting documents.

The consultation on the draft clauses will be open until Wednesday 25 October 2017.

Counter-Terrorism Asset Freezing Regime

The Economic Secretary to the Treasury (Stephen Barclay): Under the Terrorist Asset-Freezing etc. Act 2010 (TAF 2010), the Treasury is required to report to Parliament, quarterly, on its operation of the UK’s asset-freezing regime mandated by UN Security Council resolutions 1373 and 1452.

This report covers the period from 1 October 2016 to 31 December 2016. This report also covers the UK implementation of the UN’s ISIL (Daesh) and Al-Qaeda asset freezing regime (ISIL-AQ) and the operation of the EU asset-freezing regime in the UK under EU regulation (EC) 2580/2001 which implements UNSCR 1373 against external terrorist threats to the EU.

Under the ISIL-AQ asset-freezing regime, the UN has responsibility for designations and the Treasury, through its Office of Financial Sanctions implementation (OFSI), has responsibility for licensing and compliance with the regime in the UK under the ISIL (Daesh) and Al-Qaeda (Asset-Freezing) regulations 2011.

Under EU regulation 2580/2001, the EU has responsibility for designations and OFSI has responsibility for licensing and compliance with the regime in the UK under part 1 of TAF 2010.

A new EU asset-freezing regime under EU regulation (2016/1686) was implemented on 22 September 2016. This permits the EU to make autonomous Al-Qaeda and ISIL (Daesh) listings. Once a designation is made under this regime it will appear in the table available as an online attachment.

Annexes A and B to this statement provide a breakdown, by name, of all those designated by the UK and the EU in pursuance of UN Security Council resolution 1373.

The table, available as an online attachment, sets out the key asset-freezing activity in the UK during the quarter.

Legal Proceedings

In November a Court of Appeal considered whether or not Begg met the minimum criteria for the grant of a protective costs order and concluded that he did. The Court of Appeal thereafter remitted the matter back to the High Court for the protective costs order to be granted.

Annex A: Designated persons under TAF 2010 by name

Individuals

1. Hamed ABDOLLAHI*
2. Imad Khalil AL-ALAMI
3. Abdelkarim Hussein AL-NASSER*
4. Ibrahim Salih AL-YACOUB*
5. Mansoor ARBABI*AR
6. Usama HAMDAN
7. Hasan IZZ-AL-DIN*
8. Mohammed KHALED
9. Musa Abu MARZOUK
10. Khalid MISHAAL
11. Khalid Sheikh MOHAMMED*
12. Abdul Reza SHAHLLAI*
13. Ali Gholam SHAKURI*
14. Qasem SOLEIMANI*
Entities
1. Basque Fatherland and Liberty (ETA)
2. Ejército de Liberación Nacional (ELN)*
3. Hizballah Military Wing, including external security organisation*
4. Popular Front for the Liberation of Palestine—General Command (PFLP-GC)*
5. Popular Front for the Liberation of Palestine (PFLP)*
6. Sendero Luminoso (SL)*
7. Popular Front for the Liberation of Palestine—General Command (PFLP-GC)*
8. Gama'a al-Islamiyya (a.k.a. Al-Gama'a al-Islamiyya) Army)*
9. Ejército de Liberación Nacional (National Liberation Army)*
10. Communist Party of the Philippines, including New People’s Army (NPA), Philippines
11. Devrimci Halk Kurtuluş Partisi-Cephesi—DHKP/C
12. Hofstadgroep
13. Islami Büyük Doğu Akınıncıl Cephesi (IBDA-C) (Great Islamic Eastern Warriors Front)
14. Khalistan Zindabad Force (KZF)
15. Kurdistan Workers Party (PKK) (a.k.a. Kongra-Gel)
16. Liberation Tigers of Tamil Eelam (LTTE)
17. Palestinian Islamic Jihad (PIJ)
18. Popular Front for the Liberation of Palestine—General Command (PFLP-GC)*
19. Popular Front for the Liberation of Palestine (PFLP)*
20. Sendero Luminoso (SL) (Shining Path)*
21. Teyrbanen Azadiya Kurdistan (TAK)

Persons
1. Hamed ABDOLLAHI*
2. Abdelkarim Hussein AL-NASSER*
3. Ibrahim Salih AL-YACOUB*
4. Manssor ARBABSIAR*
5. Mohammed BOUYERI
6. Hassan Hassan EL HAJJ
7. Hasan IZZ-AL-DIN*
8. Farad MELIAD
9. Khalid Sheikh MOHAMMED*
10. Dalokay SANLI
11. Abdul Reza SHAHLAI*
12. Ali Gholam SHAKURI*
13. Qasem SOLEIMANI*

Groups and Entities
1. Abu Nidal Organisation (ANO)
2. Al-Aqsa E.V.
3. Al-Aqsa Martyrs’ Brigade
4. Babbar Khalsa
5. Communist Party of the Philippines, including New People’s Army (NPA), Philippines
6. Devrimci Halk Kurtuluş Partisi-Cephesi—DHKP/C (Revolutionary People’s Liberation Army/Front/Party)
7. Ejército de Liberación Nacional (National Liberation Army)*
8. Gama’a al-Islamiyya (a.k.a. Al-Gama’a al-Islamiyya) (Islamic Group—IG)
9. Hamas, including Hamas-Izz al-Din al-Qassem
10. Hizballah Military Wing, including external security organisation
11. Hizbul Mujahideen (HM)
12. Hofstadgroep
13. Islami Büyük Doğu Akınıncıl Cephesi (IBDA-C) (Great Islamic Eastern Warriors Front)
14. Khalistan Zindabad Force (KZF)
15. Kurdistan Workers Party (PKK) (a.k.a. Kongra-Gel)
16. Liberation Tigers of Tamil Eelam (LTTE)
17. Palestinian Islamic Jihad (PIJ)
18. Popular Front for the Liberation of Palestine—General Command (PFLP-GC)*
19. Popular Front for the Liberation of Palestine (PFLP)*
20. Sendero Luminoso (SL) (Shining Path)*
21. Teyrbanen Azadiya Kurdistan (TAK)

1Financial institutions update OFSI on individual account balances annually. The figures in the first row of the table are based on account balances which were last reported to HM Treasury on 30 September 2016. At the end of each quarter HM Treasury will adjust the figures to reflect any accounts that have been frozen or unfrozen in that quarter.
4EU listing rests on UK designation under TAF A 2010

EDUCATION

Childcare Update

The Minister of State, Department for Education (Mr Robert Goodwill): On 1 September 2017, 30 hours of free childcare for working parents of three and four-year-olds went live nationally in England, saving families up to £5,000 per year per child. Alongside the childcare support the Government provide through tax-free childcare and universal credit, this additional free childcare is easing working families’ budgets, helping them to balance the cost of childcare with work.

The Government investment programme will deliver a record £6 billion per year in childcare by 2020, which includes an extra £1 billion per year to deliver the free entitlements. In addition, a further £100 million in capital funding has been committed to help providers create additional 30 hours places.

More than 200,000 30 hours codes have been issued to eligible parents wishing to take up a place this autumn, which exceeds our target for this term. These families join the existing 15,000 families who are already benefiting from 30 hours’ free childcare in the 12 early delivery areas.

An independent evaluation of four of these early delivery areas, published on 31 August, found that 30 hours incentivised many parents to increase their working hours or move into work, and parents were overwhelmingly positive about the offer. The report can be found here: www.gov.uk/government/publications/early-rollout-of-30-hours-free-childcare-evaluation. These findings build on the evaluation of the first eight delivery areas, which found that 23% of mothers and around one in 10 fathers are working more as a result. The evaluation also shows that more than three quarters of parents reported greater flexibility in their working life as a result of 30 hours, enabling them to spend more time together at home with their children, reducing stress and improving family finances. Importantly, the report found that more than eight out of 10 childcare providers who are offering the existing 15 hours entitlements also went on to offer 30 hours. This demonstrates that the sector has responded very positively to the additional demand for childcare places from working families.
During the autumn, I will be closely monitoring delivery to ensure continued improvements to the offer for parents and providers. The Childcare Choices website has now received over 1 million visits since launching in March, and the Department for Education will continue to work with local authorities to ensure parents have high-quality information about accessing the offer.

I will continue to work closely with Her Majesty's Treasury Ministers to ensure that parents are able to access the HMRC-run childcare service smoothly. The majority of parents have successfully applied using the childcare service. Some parents experienced difficulties accessing the service through the system by the 31 August application deadline but those parents who are eligible, and applied before the deadline, will have a code to allow them to access our 30 hours' free childcare.

**HEALTH**

**Infected Blood Inquiry**

The Parliamentary Under-Secretary of State for Health (Jackie Doyle-Price): Following the announcement of the Government's intention to hold an inquiry into infected blood on 11 July, I am writing to update the House on progress.

Bishop James Jones, former Chair of the Hillsborough Independent Panel and Chair of the Gosport Independent Panel, had a telephone meeting with the all-party parliamentary group on haemophilia and contaminated blood and a number of the campaign groups on 27 July. Following this meeting, the Bishop informed the Department of Health of the request to remove the 18 August deadline for views on the format and scope of the upcoming independent inquiry. The Government also heard this view from the correspondence we have received. It is important that the inquiry is informed by the views of the people who have been affected by contaminated blood.

The Government have therefore decided to extend the deadline to 18 October 2017, to ensure that we hear as many opinions as possible. The Government have written to the beneficiaries of the payment schemes directly to inform them of this change. We are grateful to those who have already sent their views; these will be taken into consideration.

We are also aware of the requests from some stakeholders to move the sponsorship of the inquiry to another Government Department. We can confirm that this is being considered as part of the consultation and that no decision has yet been taken on sponsorship.

The Government will provide a further update to the House after the consultation closes on 18 October.

**EXITING THE EUROPEAN UNION**

**The UK's Future Partnership with the EU: Publications**

The Secretary of State for Exiting the European Union (Mr David Davis): Over the summer, the Government have published a series of papers setting out key issues that form part of the Government's vision for the future deep and special partnership between the UK and the EU.

Each paper reflects the engagement the Government have sought from external parties with expertise in these policy areas, drawing on the very extensive work undertaken across Government since last year's referendum. Taken together, these papers are an essential step towards building a new partnership to promote our shared interests and values.

These future partnership papers published to date are:

- Future customs arrangements (15 August);
- Providing a cross-border civil judicial co-operation framework (22 August);
- Enforcement and dispute resolution (23 August); and
- The exchange and protection of personal data (24 August).

Today we are publishing the next paper in this series: Collaboration on science and innovation.

Since the start of summer recess, the Government have also published position papers in advance of formal negotiation rounds with the EU, and technical notes to support the negotiations.

The position papers are:

- Northern Ireland and Ireland (16 August);
- Confidentiality and access to documents (21 August); and
- Continuity in the availability of goods for the EU and the UK (21 August).

The technical notes are:

- Spent fuel and radioactive waste (28 August);
- Existing contracts for the supply of nuclear material (28 August);
- Functionality and Protocol 7 (28 August); and
- The comparison of EU-UK positions on citizens' rights (joint technical note) (first published 20 July; updated 31 August).

Copies of all these papers, and any further position and future partnership papers, will be deposited in the Libraries of both Houses.
In order to reach this objective, in August this year, the British embassy in Beirut placed an order worth £1,818,996.02 for equipment—"Hesco" border defensive barriers—to support the construction of LAF Land Border Regiment towers. The decision was taken to order the materials in August, albeit during the parliamentary recess, to ensure that the materials would arrive in time to allow construction before winter.

The provision of this assistance is fully in line with the Government’s security and stability objectives in the middle east. FCO officials carry out regular reviews of our programmes in Lebanon to ensure funding is not directed to non-state actors.

HEALTH

NHS Recruitment

The Minister of State, Department of Health (Mr Philip Dunne): I am today updating the House on the future of NHS Professionals Ltd (the company).

The Department of Health has today announced that NHS Professionals Ltd—a company which supplies flexible staffing to the NHS—will remain in wholly public ownership, after offers to buy a majority stake in the company undervalued its growing potential.

In November 2016, the Government decided to instigate a sale of a majority share in NHS Professionals Ltd as a potential path to providing it with the extra expertise, technology and investment it needed to work with more hospitals and drive greater savings for the NHS. However, after careful consideration, the Government have concluded that none of the offers received for the company through the open, rigorous bidding process reflected the company’s growing potential and improved performance.

NHS Professionals was established as a limited liability company by the last Labour Government in 2010, with a specific intention to give it greater commercial freedoms and “prepare it for sale” (Department of Health, “Explanatory Memorandum to The NHS Professionals Special Health Authority (Abolition) Order 2010”, February 2010). It currently holds a bank of over 90,000 workers filling more than 2 million shifts, saving the NHS £70 million every year. However, it only works with around a quarter of trusts, meaning that many others rely heavily on more expensive agencies to supply additional staff. We would like more trusts to work together to fill shifts via collaborative banks, and there will be opportunities for NHS Professionals Ltd and others to support this work.

Since the decision was taken to seek offers for the company, NHSP has significantly increased its performance such that audited profit before tax for the year ended 31 March 2017 was 44% higher than in the previous year. This improvement in financial performance continues to be built upon in the first quarter of the current year. The company’s improved financial and operational performance means it can now invest in improved IT infrastructure, expand its services to the NHS and transform into a world-class provider of flexible staff while remaining under public ownership—generating further savings for the NHS, all of which will continue to be reinvested in frontline services.

The Government are fully committed to providing world-class NHS services that are free at the point of the use, now and in the future.

FOREIGN AND COMMONWEALTH OFFICE

FCO Services

The Minister for Asia and the Pacific (Mark Field): FCO Services operates as a trading fund of the FCO. I have set it the following performance targets for 2017-2018:

- A return on capital employed of at least 3.5% (statutory commitment);
- An in-year surplus before financing and dividend costs;
- A productivity ratio of at least 80%, measuring actual billable hours vs. available billable hours;
- A customer satisfaction result of at least 80%;
- An overall improvement on the average 2016 index Your Say score for “Employee Engagement” measuring above 58%; and
- An overall improvement on the average 2016 index Your Say score for “My Manager”, measuring above 62%.

FCO Services will report to Parliament on its success against these targets through its annual report for 2017-2018.

Lebanon: Border Assistance

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): The United Kingdom is strongly committed to supporting Lebanon’s peace, stability and prosperity. Through a long-standing Conflict Stability and Security Fund project worth £22.6 million over three years, the UK is helping the Lebanese armed forces (LAF) secure the Lebanon-Syria border. This includes building 30 border watchtowers and over 20 forward operating bases along the border. Our ambition is for Lebanon to have complete authority over its border with Syria.
The Lord Chancellor and Secretary of State for Justice (Mr David Lidington): Earlier today, I notified the market via the London Stock Exchange Group that I would today lay a Command Paper “The Personal Injury Discount Rate How it should be set in future Draft Legislation” (Cm 9500) before Parliament.

The paper invites comments on draft legislation to give effect to the Government’s proposals to change the way in which the personal injury discount rate is set in England and Wales. If enacted, the proposals will lead to the rate being:

- set by reference to expected rates of return on a low risk diversified portfolio of investments rather than very low risk investments as at present.
- reviewed promptly after the legislation comes into force and, thereafter, at least every three years.
- set by the Lord Chancellor following consultation with an expert panel (other than on the initial review which would be by the Lord Chancellor with advice from the Government Actuary) and, as at present, HM Treasury.

The proposals have been developed in the light of the responses to the consultation paper “The Personal Injury Discount Rate: How it should be set in future”, which was published on 30 March, and related research. It is not possible to predict accurately now what the rate will be when it is set under the proposals, as this will depend on decisions made in the light of the then current circumstances. Nonetheless, without restricting the future exercise of the proposed power, the Government might expect, based on the evidence currently available and using illustrative assumptions, that if a single rate were set today under the proposals the real rate might fall within the range of 0% to 1%.

I am also publishing today:
- the Government’s response to the consultation;
- an impact assessment in relation to the proposals prepared by the Ministry of Justice;
- the Government Actuary’s Department’s report “Ministry of Justice Personal Injury Discount Rate Analysis” (dated 19 July 2017); and
- the British Institute of International and Comparative Law “Briefing Note on the Discount Rate applying to Quantum in Personal Injury Cases: Comparative Perspectives” (dated 20 March 2017).

I will place copies of all these documents in the Libraries of both Houses and they will be available at: https://www.gov.uk/government/consultations/personal-injury-discount-rate-how-it-should-be-set-in-future and https://consult.justice.gov.uk/digital-communications/personal-injury-discount-rate/.

The Secretary of State for Transport (Chris Grayling):

Airports National Policy Statement

In my statement on 13 July this year, I said I would set out the next steps of the draft airports national policy statement (NPS) process following the summer recess.

The Government consulted on a draft airports NPS between 2 February and 25 May this year.

We received over 70,000 responses, and work to analyse them is ongoing. I would like to thank everyone who took the time to feed in their views.

In the consultation document, my Department was clear that further work was under way to update the evidence base, including revised aviation demand forecasts and the Government’s final air quality plan. It was intended these documents would be presented for consideration during the initial consultation, but the timing of the general election meant this was not possible.

I am therefore confirming that there is a need to conduct a short period of further consultation to allow this updated evidence to be taken into account. This further consultation will focus mainly on the specific elements of the NPS affected, and is expected to begin later this year.

I appointed the former Senior President of Tribunals, Sir Jeremy Sullivan, to provide independent oversight of the consultation process. I am very grateful to him for his hard work in helping to ensure that the consultation was as open, fair and transparent as possible. Today I am publishing his report on the initial consultation, and can announce that he has agreed to oversee the period of further consultation.

In my statement in July I said that the timing of the election—in particular the need to re-start the Select Committee process—meant we now expect to lay any final NPS in the first half of 2018 for a vote in the House of Commons. This Government remain committed to realising the benefits that airport expansion could bring, and I can confirm that we do not expect this additional period of consultation to impact on the timetable for parliamentary scrutiny of the NPS.
The Minister for Europe and the Americas (Sir Alan Duncan): I have today placed a copy of the Government Hospitality Wine Cellar Annual Report for the Financial Year 2016-17 in the Libraries of both Houses.

Following the outcome of the review of the Government Hospitality Wine Cellar in 2011, this sixth annual report or statement continues our commitment to annual reports to Parliament on the use of the Wine Cellar, covering consumption, stock purchases, costs, and value for money. The Wine Cellar has been self-funding since 2011-12, through the sale of some high-value stock and payments made by other Government Departments for events organised by Government hospitality.

The report notes that:

- Consumption by volume fell by 12% in FY 2016-17 due to fewer Government events, particularly during the EU referendum period.
- Sales of stock amounted to £40,800 (cf. £40,390 in FY 15-16);
- Further funds from other Government Departments added £16,234 to the overall receipts (cf. £15,848 in 15-16);
- Purchases amounted to £45,042, an increase of 12% by value cf. £40,177 in 15-16;
- The highest volume of purchases was of English wines at 49% of the total;
- The highest consumption level by volume was again of English and Welsh wine, at 52% of the total (cf. 44% in 15-16).

[HCWS122]
Written Statements

Tuesday 12 September 2017

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

The 2016 Government Chemist Review

The Minister for Universities, Science, Research and Innovation (Joseph Johnson): The 20th annual review of the Government Chemist has been received. The review will be placed in the Libraries of both Houses and those of the devolved Administrations in Wales and Northern Ireland. The review will also be laid before the Scottish Parliament.

The Government Chemist is the referee analyst named in Acts of Parliament. The Government Chemist’s team carry out analysis in high-profile or legally disputed cases. A diverse range of referee analysis work was carried out during 2016, including measurement disputes relating to mycotoxins, authenticity, protein allergens and sulphites.

[HCWS123]

TREASURY

Public Services

The Chief Secretary to the Treasury (Elizabeth Truss): Our public sector workers are among the most extraordinarily talented and hardworking people in our society. They, like everyone else, deserve to have fulfilling jobs that are fairly rewarded.

We take a balanced approach to public spending, dealing with our debts to keep our economy strong, while also making sure we invest in our public services.

The Government will continue to ensure that the overall package for public sector workers is fair to them and ensure that we can deliver world class public services, while also being affordable within the public finances and fair to taxpayers as a whole.

The last spending review budgeted for 1% average basic pay awards, in addition to progression pay for specific workforces, and there will still be a need for pay discipline over the coming years, to ensure the affordability of the public services and the sustainability of public sector employment.

However, the Government recognise that in some parts of the public sector, particularly in areas of skill shortage, more flexibility may be required to deliver world class public services including in return for improvements to public sector productivity.

The detail of 2018-19 pay remits for specific pay review bodies will be discussed and agreed as part of the Budget process and set out in due course.

Police and prison officer pay awards

The following sets out the Government’s response to the recommendations in the third annual report of the Police Remuneration Review Body (PRRB) and the sixteenth report of the Prison Service Pay Review Body (PSPRB) which were published today.

My right hon. Friend the Home Secretary (Amber Rudd) has decided to award officers in the PRRB remit group a pay award worth a total of 2% to each officer in 2017-18, consisting of a 1% consolidated pay increase in addition to a one-off 1% non-consolidated payment to officers in that remit group. This award will be funded within existing budgets.

The police pay award will be implemented with effect from 1 September 2017 as follows:

A 1% increase to base pay for all ranks.
An additional one-off non-consolidated payment to officers at federated and superintending ranks.
A 1% increase to the London Weighting payment.
A 1% increase to the Dog Handlers’ Allowance.

The Home Secretary’s full decision on all recommendations will be published alongside the PRRB report, on their website. These awards will be funded within existing budgets.

In addition, the supplement to the 2017 report of the senior salaries review body making recommendations on the pay of chief police officers has also been published today. The Home Secretary has accepted these recommendations.

My right hon. Friend the Justice Secretary (David Lidington) has accepted the PSPRB recommendations, giving all prison staff a pay increase. This pay award will help recruit and retain staff with the right experience and expertise to keep our prisons safe and secure. This is in line with the recommendation of the PSPRB. This award will be funded within existing budgets.

The prison officer pay award is as follows and will be implemented in October’s pay and backdated to 1 April 2017:

All prison officers and operational support grades in bands 2-5 will receive a consolidated increase of at least £400, including those on their pay band maximum.

All uniformed staff on ‘Fair and Sustainable’ terms in bands 2-5 below the maximum will also progress by one pay point.

Managers in bands 7-11 on ‘Fair and Sustainable’ terms will receive pay progression above 1% depending on their performance rating and place in their pay band.

Managers on closed grades will get at least 1%, and those below their pay scale maximum will get more.

I thank all three Chairs and members of the independent Pay Review Bodies for their hard work in producing these recommendations.

Copies of the reports are available in the Vote Office and will be published online.

[HCWS127]

COMMUNITIES AND LOCAL GOVERNMENT

Rotherham Metropolitan Borough Council

The Secretary of State for Communities and Local Government (Sajid Javid): Rotherham Metropolitan Borough Council has made steady and significant progress in its improvement journey since February 2015 when the Secretary of State for Education and I appointed a team of Commissioners to undertake all executive and some non-executive functions in the council. This progress has led to the majority of functions being returned to the council over the last 18 months.

On 18 July 2017, I announced my intention, after careful consideration of the recommendation from the Commissioner team, to return a further five service
areas to the council—performance management, waste collection, human resources, asset management and community safety. On the same day, representations were invited from the authority regarding this intention. I have considered the representations, including from the chief executive. I am satisfied that the council is now able to exercise functions relating to these service areas in compliance with the best value duty as set out in the Local Government Act 1999, and that the people of Rotherham can have confidence that this will be the case.

Today, I exercised my powers under section 15 of the Local Government Act 1999 to return five functions to the council so that councillors became responsible for decision making in these areas. To do so, the Education Secretary and I also issued further directions updating the previous directions issued on 21 March 2017. Handing back these powers increases democratic control and is a significant milestone for the council on its improvement journey.

With effect from 12 September, the commissioners provide oversight on these five service areas as well as the set of functions returned last year and ensure that they are exercised in accordance with the statutory best value duty. Commissioners also continue to retain powers in children’s services (including all services relating to child sexual exploitation), the appointment and dismissal of statutory officers and payment of special allowances.

[HCWS128]

DIGITAL, CULTURE, MEDIA AND SPORT

The 1954 Hague Convention and Protocols

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (John Glen): The United Kingdom has formally ratified the 1954 Hague convention for the protection of cultural property in the event of armed conflict and acceded to its two protocols of 1954 and 1999.

Our instruments of ratification and accession were formally deposited with UNESCO this morning. Subject to confirmation by UNESCO, the convention and protocols will come into force for the United Kingdom on 12 December 2017.

The convention and protocols are intended to protect cultural property from damage, destruction, looting and unlawful removal during armed conflict. The Cultural Property (Armed Conflicts) Act 2017 makes the necessary provision in our domestic law to ensure that we can meet our obligations under the convention and protocols.

We intend to bring the provisions of the Act into force on the same date that the convention and protocols come into force.

Before the convention, protocols and Act come into force, we plan to announce and publish a number of implementation measures.

We will announce and publish a list of categories of cultural property in the United Kingdom which we believe meets the definition of cultural property set out in article 1 of the convention and is therefore protected by the convention and protocols. This will be a UK-wide list, agreed with the devolved Administrations. It will not be a definitive or exhaustive list, but it will act as a guide to the cultural property in the United Kingdom which we consider to be protected by the convention and protocols.

We will also make an announcement about safeguarding measures for cultural property in England which is protected by the convention and protocols. The devolved Administrations are responsible for safeguarding cultural property in Scotland, Wales and Northern Ireland.

The convention and Act regulate the use of the cultural emblem (also known as the “blue shield”) that signifies cultural property protected by the convention and protocols and certain personnel engaged in the protection of cultural property. In accordance with the Act, we will publish some permissions to use the cultural emblem in England, which will come into effect on the day on which the convention, protocols and Act come into force. There will be a general permission for education and training purposes and permissions for specific organisations which need to make use of the emblem.

We will make an announcement about our approach to granting permissions to display the cultural emblem in connection with immovable cultural property in England which is protected by the convention and protocols.

Under the Act, the devolved Administrations are responsible for granting permissions to use and display the cultural emblem in Scotland, Wales and Northern Ireland.

We will also publish guidance on the new offence of dealing in unlawfully exported cultural property, which is created by section 17 of the Act, to help people comply with the Act.

[HCWS125]

DEFENCE

Gifting Equipment: Libya

The Secretary of State for Defence (Sir Michael Fallon): I have today laid before the House a departmental minute describing a package of Counter-Improvised Explosive Device (C-IED) equipment that the UK intends to gift to the Government of National Accord of Libya. The value of the package is £2,977,374.91, plus around £60,000 for packaging and shipping.

The provision of this equipment is to support a C-IED training programme for Libyan military and police units. The training programme is being funded by the Governments of Germany and the United States, and will be delivered by a contractor.

In December 2016 the forces of the GNA concluded a hard-fought battle to liberate the city of Sirte from Daesh. However, the city is now littered with unexploded ordnance and IEDs deliberately planted by the retreating terrorists. Citizens that have returned to the city now face a severe threat from such devices, which is preventing a normal pattern of life from returning. Through this multinational effort to equip and train Libyan units, we will develop a sustainable solution to tackling the IED threat that is destroying the lives of innocent Libyans.

The Treasury has approved the proposal in principle. If, during the period of 14 parliamentary sitting days beginning on the date on which this minute was laid, a Member signifies an objection by giving notice of a parliamentary question or a motion relating to the minute, or by otherwise raising the matter in the House, final approval of the gift will be withheld pending an examination of the objection.

[HCWS124]
EXITING THE EUROPEAN UNION

Foreign Policy, Defence and Development: Future Partnership

The Secretary of State for Exiting the European Union (Mr David Davis): Today we are publishing the latest in the series of papers on the Government’s approach to the deep and special partnership the UK seeks with the EU. This paper sets out the Government’s vision for future UK-EU co-operation on Foreign Policy, Defence and Security, and Development.

Copies of this paper, and any further position and future partnership papers, will be deposited in the Libraries of both Houses.

[HCWS126]
CABINET OFFICE

Cabinet Office Consolidated Fund Standing Service

The Parliamentary Secretary, Cabinet Office (Chris Skidmore):
The UK general election took place on 8 June 2017, resulting in an increase in non-voted programme resource departmental expenditure limit of £140,850,000.

This forecast covers England, Scotland and Wales and comprises:

- £98,310,000 to cover fees and expenses incurred by returning officers in running the poll.
- £42,540,000 to cover primarily the delivery of elections addresses at public expense by the universal service provider (Royal Mail) in accordance with legislation.

The additional non-voted resources of £140,850,000 will be shown in Cabinet Office’s supplementary estimate 2017-18.

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Having drawn down £140,850,000, the Cabinet Office will transfer £14,359,330 at supplementary estimate 2017-18 to the Scotland Office to cover forecast election expenses in Scotland.

[HCWS130]

HOME DEPARTMENT

Biometrics Commissioner: Annual Report

The Minister for Security (Mr Ben Wallace): My hon. Friend the Minister of State, Home Office (Baroness Williams of Trafford) has today made the following written statement:

I am pleased to announce that my right hon. Friend the Home Secretary is today publishing the third annual report of the Biometrics Commissioner, together with the Government’s response.

The Biometrics Commissioner, Paul Wiles, is appointed under section 20 of the Protection of Freedoms Act 2012. His responsibilities are:

- to decide applications by the police for extended retention of DNA profiles and fingerprints from persons arrested for serious offences but not charged or convicted;
- to keep under review national security determinations made by chief officers under which DNA profiles and fingerprints may be retained for national security purposes;
- to exercise general oversight of police use of DNA samples, DNA profiles and fingerprints. His report is a statutory requirement of section 21 of the Protection of Freedoms Act 2012.

I am grateful to Mr Wiles for this report. No redactions to it have been made on the grounds of national security. The Government have considered it and produced a response.

Copies of the report will be available from the Vote Office. The Government’s response will be placed in the Library of the House.

[HCWS129]
Written Statements
Thursday 14 September 2017

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Energy Policy

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): As part of preparations for EU exit, the UK is establishing a domestic nuclear safeguards regime to ensure that the UK continues to maintain its position as a responsible nuclear state and that withdrawal from Euratom will not result in the weakening of our future safeguards standards and oversight in the UK.

This Government believe that it is vitally important that the new domestic nuclear safeguards regime, to be run by the Office for Nuclear Regulation, is as comprehensive and robust as that currently provided by Euratom. The Government have therefore decided that it will be establishing a domestic regime which will deliver to existing Euratom standards and exceeds the standard that the international community would require from the UK as a member of the International Atomic Energy Agency (IAEA). International oversight will be a key part of the future regime. The UK is seeking to conclude new agreements with the IAEA that follow the same principles as our current ones. This will ensure that the IAEA retains its right to inspect all civil nuclear facilities, and continue to receive all current safeguards reporting, ensuring that international verification of our safeguards activity continues to be robust.

Discussions with the European Union are ongoing. We will be exploring a number of options for smooth transition from the current Euratom regime to a domestic one. The unique and important nature of the civil nuclear sector means that there is strong mutual interest in ensuring that the UK and Euratom community continue to work closely together in the future. The UK’s ambition is to maintain a close and effective relationship with the Euratom community and the rest of the world that harnesses the UK’s and the Euratom community’s expertise and maximises shared interests. By maintaining our current safeguards and standards we are providing the best possible basis for continued close cooperation with Euratom in the future.

Whatever the outcome of those discussions, the Government are committed to a future regime that provides at least the existing levels of assurance. The legislation to provide for this was announced in the Queen’s Speech and will be brought forward in due course. This policy statement provides important context both for parliamentary consideration of that Bill, and for the forthcoming talks with the European Union, which take place in the last week of September.

[HCWS137]

CABINET OFFICE
Ministerial Correction

The Parliamentary Secretary, Cabinet Office (Chris Skidmore): During the Westminster Hall debate on 12 April 2016, the Minister for Civil Society should have said that the potential cost of introducing a National Defence Medal had been estimated as £475 million by the Ministry of Defence, not by the Independent Military Medals Review. The incorrect attribution was repeated in a written parliamentary answer by the then Minister for the Cabinet Office on 25 April 2016.

[HCWS138]

TREASURY

Bermuda/Kyrgyzstan

The Financial Secretary to the Treasury (Mel Stride): An exchange of letters was signed with Bermuda in London on 19 June 2017 and in Hamilton on 27 June 2017. The text replaces the original exchange of letters signed in London on 4 December 2007.

A first-time double taxation agreement with Kyrgyzstan was signed on 13 June 2017. The texts of the exchange of letters and the double taxation agreement have been deposited in the Libraries of both Houses and are available on the HM Revenue and Customs pages of the gov.uk website. The texts will be scheduled to draft Orders in Council and laid before the House of Commons in due course.

[HCWS134]

COMMUNITIES AND LOCAL GOVERNMENT

Business Rate Reliefs

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): At the spring Budget, my right hon. Friend the Chancellor announced a £435 million package of support for ratepayers over the next four years following the 2017 business rate revaluation. Overall, the revaluation was revenue neutral with the majority of businesses seeing a fall in their rates.

The package of support announced at the Budget comprised three schemes: one that caps the annual bill increase for any ratepayer losing small business rate relief or rural rate relief as a result of the revaluation to £600; a second that provides a £300 million fund for local authorities to distribute over four years to help hard-pressed businesses facing higher rates bills; and a third that gives a £1,000 discount to all pubs with a rateable value of less than £100,000.

The package of support announced at the Budget available on the HM Revenue and Customs pages of the.gov.uk website. The texts will be scheduled to draft Orders in Council and laid before the House of Commons in due course.

The package of support announced at the Budget comprised three schemes: one that caps the annual bill increase for any ratepayer losing small business rate relief or rural rate relief as a result of the revaluation to £600; a second that provides a £300 million fund for local authorities to distribute over four years to help hard-pressed businesses facing higher rates bills; and a third that gives a £1,000 discount to all pubs with a rateable value of less than £100,000. On top of this, from April 2017, the Government permanently doubled the rate of small business rate relief and increased the threshold for eligibility, meaning that 600,000 small businesses now pay no business rates at all.

All of these schemes are being delivered by local government and I am pleased to confirm that some local authorities have made significant progress towards implementation. The London Borough of Westminster has already rebilled eligible businesses under the pubs and supporting small business schemes. The consultation on Westminster’s discretionary scheme which will provide over £11 million in the first year alone has now closed. Formal approval to the scheme is due this week, with applications invited from this Friday.

Furthermore, some authorities have awarded relief to eligible ratepayers on all three schemes. For example, Leeds City Council has provided over £1.5 million in
relief to over 3,600 ratepayers, including 50% discounts on bill increases to 3,300 small and medium sized ratepayers under their discretionary scheme. Some smaller authorities have also made excellent progress. For example South Norfolk and Rutland Councils have implemented all three schemes. Rutland County Council has provided almost £250,000 in relief to over 100 ratepayers to offset average rateable value increases of 13.5%, and is awarding a discount of 26% to eligible businesses.

The Government have been consistently clear that we expect local authorities to make rapid progress in helping business by implementing these relief schemes. Overall, however, despite various examples of good practice, the pace of providing relief to ratepayers has not been acceptable. I have written today to those authorities that have not fully implemented all three schemes asking them to rebill businesses that are set to benefit from relief as soon as possible. From Tuesday 3 October, I will publish a list of those authorities that have notified them to rebill businesses that are set to benefit from relief as soon as possible. From Tuesday 3 October, I will publish a list of those authorities that have notified

[HCWS140]

EDUCATION

Primary Assessment: England

The Secretary of State for Education (Justine Greening): Primary education is fundamentally important to ensuring that every child receives the best possible start in life. As I set out in my statement to Parliament in March this year, the primary assessment and accountability system has a crucial role to play in ensuring that every child, no matter what their background or where they go to school, benefits from a high-quality primary education.

Last October, I set out my intention to establish a settled, trusted primary assessment system. To help us move towards this, we published earlier this year parallel consultation documents on the long-term future of primary assessment and on future assessment arrangements for children, working below the standard of the national curriculum tests. These consultations considered a number of the key issues facing the primary assessment and accountability system, including how the assessment system can help teachers to prepare pupils to succeed at school, and how end of key stage teacher assessments could be improved. The consultations closed in June and I am grateful to the many people and organisations, and particularly the headteachers and teachers, who took the time to provide thoughtful, considered responses.

Having considered the views expressed, I am today publishing the Government’s responses to both consultations, which set out how we will establish a stable and effective primary assessment system. These documents include commitments to:

improve the early years foundation stage profile by: revising the early learning goals to make them clearer and align them more closely with teaching in key stage 1; this will support us to meet our manifesto commitment to strengthen the teaching of literacy and numeracy in the early years. We will also strengthen the way assessment information is passed on to year 1 teachers; and review the guidance and moderation process to reduce administration burdens;

improve school-level progress measures, and give schools credit for the education that they provide to their pupils in the reception year, year 1 and year 2, by introducing a statutory assessment in reception to replace the existing key stage 1 baseline;

reduce workload and administration burdens on teachers by making end of key stage 1 assessments non-statutory in all-through primary schools, once the new reception baseline has become established, with national sampling to be introduced so that we can continue to monitor standards;

remove the statutory duty to report teacher assessment in reading and mathematics at the end of key stage 2 from the 2018 to 2019 academic year onwards which will form part of our drive to bear down on unnecessary administrative burdens, while keeping our rigorous key stage 2 national curriculum tests in these subjects, which will enable schools to uphold high standards while also reducing workload and administrative burdens on teachers;

improve the way that writing is assessed, so that teachers have more scope to use their professional judgment when assessing pupil performance;

aid children’s fluency in mathematics through the introduction of a multiplication tables check, from the summer of 2020, to be administered to pupils at the end of year 4. This will help us to deliver on our commitment that every child will know their times tables off by heart by the time that they leave primary school; and

improve the statutory assessment of pupils working below the standard of national curriculum tests by extending the interim pre-key stage standards to cover all pupils engaged in subject specific learning, and by piloting the Rochford review’s recommended approach to assessing pupils who are not yet engaged in subject specific learning. We will continue to work closely with headteachers, teachers and all those with an interest in primary education as we implement these changes, building on the dialogue started by the consultation. It is by working together that we will achieve our goal of a proportionate assessment system that supports every child to meet their full potential.

Copies of both of these Government responses will be placed in the Libraries of both Houses of Parliament.

[HCWS139]

FOREIGN AND COMMONWEALTH OFFICE

Hong Kong: Sino-British Joint Declaration

The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson): The latest six-monthly report on the implementation of the Sino-British joint declaration on Hong Kong was published today, and can be found as an online attachment. It covers the period from 1 January to 30 June 2017.

The report has been placed in the Library of the House. A copy is also available on the Foreign and Commonwealth Office website: https://www.gov.uk/government/organisations/foreign-commonwealth-office.

I commend the report to the House.

Attachments can be viewed online at: http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2017-09-14/HCWS131/
INTERNATIONAL TRADE

Trade Matters

The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox):
EU–Canada comprehensive and economic trade agreement (CETA)—provisional application

The Government wish to inform the House that on 21 September 2017, the comprehensive and economic trade agreement (CETA) between the EU and Canada will be provisionally applied. The date of provisional application was confirmed by the European Commission to EU member states in the last meeting of the Trade Policy Committee.

The UK has always been a strong supporter of CETA and remains a constructive partner in support of EU free trade agreements.

Canada is one of the world’s most developed economies and a significant trading partner for the UK. The provisional application of CETA will benefit consumers and provide opportunities for British businesses with 98% of all Canadian tariff lines being eliminated.

This will create major opportunities for UK businesses across the whole economy and the Government are now working with our Canadian partners to ensure that UK businesses take full advantage of the provisional application of this agreement.

JUSTICE

Judicial Conduct Investigations Office

The Lord Chancellor and Secretary of State for Justice (Mr David Lidington): With the concurrence of the Lord Chief Justice, I will today publish the 11th annual report of the Judicial Conduct Investigations Office (JCIO), formerly known as the Office for Judicial Complaints.

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

The judiciary comprises approximately 26,000 individuals serving across a range of jurisdictions. Over the past year, the JCIO received 2,126 complaints against judicial office holders and 526 written enquiries. Only 42 investigations resulted in disciplinary action. The JCIO met all of its key performance indicators for processing complaints.

I have placed copies of the report in the Libraries of both Houses, the Vote Office and the Printed Paper Office. Copies are also available online at: http://judicialcomplaints.judiciary.gov.uk/publications.htm.

PRIME MINISTER

Grenfell Tower Inquiry: Terms of Reference

The Prime Minister (Mrs Theresa May): On 15 August 2017, I announced the formal setting up of a public inquiry into the Grenfell Tower fire, to be chaired by Sir Martin Moore-Bick, and its terms of reference. This followed Sir Martin Moore-Bick’s letter to me of 10 August, which advised me of the outcome of the public consultation on the scope of the terms of reference, and his recommendations. I was happy to accept Sir Martin’s recommendations without amendment.

The inquiry’s full terms of reference are:

- to examine the circumstances surrounding the fire at Grenfell Tower on 14 June 2017, including the immediate cause or causes of the fire and the means by which it spread to the whole of the building;
- the design and construction of the building and the decisions relating to its modification, refurbishment and management;
- the scope and adequacy of building regulations, fire regulations and other legislation, guidance and industry practice relating to the design, construction, equipping and management of high-rise residential buildings;
- whether such regulations, legislation, guidance and industry practice were complied with in the case of Grenfell Tower and the fire safety measures adopted in relation to it;
- the arrangements made by the local authority or other responsible bodies for receiving and acting upon information either obtained from local residents or available from other sources (including information derived from fires in other buildings) relating to the risk of fire at Grenfell Tower, and the action taken in response to such information;
- the fire prevention and fire safety measures in place at Grenfell Tower on 14 June 2017;
- the response of the London Fire Brigade to the fire; and
- the response of central and local government in the days immediately following the fire; and

to report its findings to the Prime Minister as soon as possible and to make recommendations.

Sir Martin has said that he is considering appointing assessors to assist him in his task. He considers it likely that he shall wish to appoint a diverse group of people whose experience extends to the occupation and management of social housing and the administration of local government more generally, as well as to matters of a more technical scientific nature. He also states that at a later stage, he may also wish to appoint others to assist on particular aspects of the investigation. He will make his decisions public in due course. I have not appointed any other members to the inquiry panel at this stage. However, the Inquiries Act 2005 allows for appointments to be made, with the consent of Sir Martin, during the course of the inquiry. This enables the composition of the inquiry panel to be kept under review.

My exchange of correspondence with Sir Martin is in the Library of the House.

Sir Martin is holding a preliminary hearing later today where he will set out further detail on how he intends on conducting the inquiry.

In addition to the work of the inquiry, my right hon. Friend the Secretary of State for Communities and Local Government has already announced an independent review into building regulations and fire safety, led by Dame Judith Hackitt. This will urgently assess the effectiveness of current building and fire safety regulations and related compliance and enforcement issues, with a focus on multi-occupancy high-rise residential buildings. The review will co-operate fully with the inquiry. Sir Martin has set out his reasons for not looking into the broader social housing issues but, as he said in his letter, they should not be ignored and I am determined that these important questions are not left unanswered. As a first step, I have asked my hon. Friend the Housing Minister (Alok Sharma) to personally meet and hear from as
many social tenants as possible, as well as other residents of social housing estates, both in the immediate area around Grenfell Tower and across the country. The Housing Minister has already met a number of representative groups and will continue to meet tenants during October and November.

[HCWS135]

WALES

National Assembly for Wales Elections 2016

The Secretary of State for Wales (Alun Cairns): The Government are today publishing their response to the Electoral Commission’s report on the administration of the 2016 elections to the National Assembly for Wales.

We are grateful to the Commission for preparing its report and for its ongoing work to support the administration of elections. We note that, following the implementation of the Wales Act 2017, powers over Assembly elections will be devolved to the National Assembly for Wales and Welsh Ministers. It will therefore be the responsibility of the Welsh Government to implement the Commission’s recommendations in respect of the next scheduled Assembly elections in 2021. The Government will consider the Commission’s wider recommendations in respect of polls that remain non-devolved.

Copies of the Government’s response will be placed in the Library of both Houses.

[HCWS133]
Petitions

Tuesday 5 September 2017

OBSERVATIONS

COMMUNITIES AND LOCAL GOVERNMENT

Planning application in Irthlingborough

The petition of the residents of the UK,

Declares that the planning application 17/00969/OUT should be rejected; further that local roads are not suitable for increased traffic flow, and already pose issues for emergency vehicles; further that local schools are already at full capacity; further that local doctors and dentists are already at full capacity; further that the land is situated next to the Nene Wetlands conservation area and it is known that various species live on or around that land; further that the land is on a flood plain and the developer has been unable to satisfy the requirements outlined by the Environment Agency in respect of this; further that, the land was sold for use as agricultural or equine land, and it is believed that when the land was put up for sale an interested party approached the council to seek outline planning permission to build stables on this land and permission was denied; and further that the developer has not carried out an acoustic survey in relation to the electrical transformer as requested by environmental protection.

The petitioners therefore request that the House of Commons urges the Government to compel East Northamptonshire Council to reject the planning application to build 124 houses on green belt land to the rear of Nicholas Road, Irthlingborough.

And the petitioners remain, etc.—[Presented by Tom Pursglove, Official Report, 20 July 2017; Vol. 627, c. 1096.]

Adoption

Declares that the petitioner is the mother of a four year old girl who has been placed for non-consensual adoption by Essex Children’s Services. The arguments used to justify this by the Local Authority have varied over time, including relying on hearsay. Further, although she passed all drugs tests from her General Practitioner, a court-appointed expert made findings against her. She was given permission to appeal, and the court-appointed expert accepted he was wrong. However, her child was not returned to her care as she was considered to be settled with adopters.

The petitioner therefore requests that the House of Commons Education and Justice Committees investigate the use of adoption targets by Local Authorities and whether they impact on the independence of evidence provided to the courts; further requests that cases like hers, where children are adopted even though the case against the parent is disproven, are considered when reviewing how procedures operate in care proceedings, and how experts are not prosecuted for giving false information, and how people in her position might obtain a re-hearing of the case.

And the petitioner remains, etc.—[Official Report, 6 March 2017; Vol. 622, c. 19P.]

Observations from the Minister of State, Department for Education (Mr Robert Goodwill): The Government do not set targets in relation to adoption. Whilst it believes that adoption can be the right permanence option for some children, it is also clear that decisions must be made in the best interests of each individual child and by the independent courts (drawing on evidence from local authorities and others).

It is important also to recognise that the Association of Directors for Children's Services (which represents senior leaders in local authorities across England) has commented on targets:

"Local authorities were challenged to increase the effectiveness of their adoption processes several years ago including increasing the number of adoptions as children were perceived to be waiting too long for adoptive parents or ending up missing the opportunity for adoption due to lengthy care proceedings...Some are likely to have set targets to increase adoptions if they have been challenged for the low number of adoption outcomes achieved. Irrespective of any targets in place the welfare of the child remains the paramount consideration during care proceedings and where adoption is not in the best interest of the child it will not be pursued...The ultimate safeguard is the court which will not agree to the removal of a child into care unless this can be evidenced to be right for the child and will not agree to adoption as a plan unless that is also believed to be right for the child.”

It follows that the Government believe that the law in this area is clear and that there are sufficient safeguards in place to ensure that the views of birth parents are heard before any court decisions are taken on whether a child should be taken into the care of a local authority or be adopted in England.
The law sets out that children should live with their birth parents wherever possible, and that families should be given extra support to help keep them together. In most cases, support from the family’s local authority enables any concerns about the child or their family to be addressed and for children to remain with their families.

However, in some situations where a child is identified as suffering significant harm (or at risk of suffering significant harm) and that is attributable to the care given to the child the local authority has a statutory duty to intervene to undertake child protection enquiries and to take action to safeguard and promote the child’s welfare.

In every case where a child is taken into care, the local authority must apply for an order before a court and the parents will have the opportunity to refute any allegations being made and contest the case. The court must consider all the evidence before it and then can only make a care order where it concludes that there is reasonable cause to believe that the child is suffering from, or is likely to suffer, significant harm and that is attributable to the care given to the child, or likely to be given to him if the order were not made. Where the court makes an order placing a child in the care of a local authority, the authority should continue to work with the family with a view to the child returning home. However, a stage may be reached where it is apparent that the child cannot return home. It is at this stage that the local authority must make alternative plans to provide the child with a permanent placement.

When considering placements for children in care, local authorities have a legal duty to first consider care arrangements by family and friends, including those living outside the UK. Where a placement with the child’s parent is not possible, the responsible authority should place the child in “the most appropriate placement available”, that is, the one that they consider will best promote and safeguard the child’s welfare. In determining which is the most appropriate placement the local authority must “give preference to” a placement with a connected person i.e. a relative, friend or other person connected with the child who is also a local authority foster parent, reflecting the principle that children should, wherever possible be brought up in their families and communities. The court will consider whether local authorities have met their legal duties on this issue.

Adoption is one permanence option that is open for a local authority to consider. The law on adoption makes clear that children cannot be adopted without their parents’ consent unless the court is satisfied that the welfare of the child requires the parents’ consent to be dispensed with. This might be because the court is satisfied that the parents cannot be found; because they are incapable of giving their consent or because it has reason to believe the welfare of the child requires consent to be dispensed with.

It is important to be clear that parents have legal representatives who are appointed to support them and ensure their views are heard, and to help them challenge any evidence put forward. Where, despite these checks and balances in the system, there are concerns about any individual case and its conclusion, cases can be subject to appeal. Birth parents are able to appeal against: the decision to take their child into care; contest decisions to place the child for adoption; and they may also seek leave to appeal a decision to make an adoption order. Legal representatives will be able to advise parents on appeals processes. The paramount consideration of the court when making any decision is the child’s welfare throughout his or her life.


The Government, of course, review legislation, statutory guidance and procedures from time to time—both to reflect changes in policy but also the experiences of those either working in or engaging with child protection authorities and the wider family justice system.

In relation to expert witnesses and the evidence that they give, the Children and Families Act 2014 contains provisions which set out the threshold relating to the use of expert evidence. This includes a duty on the court to permit expert evidence to be put before it only when it is necessary, in the opinion of the court, to assist the court to resolve the proceedings justly.

Where the court does give permission for expert evidence to be put before it, the expert has an overriding duty to the court (rule 25.3 of the Family procedure Rules 2010). It is the duty of the expert to help the court on the matters within their expertise. The duty to the court overrides any obligation to the person from whom the expert has received instructions or by whom the expert is paid.

The overriding duty to the court is referred to in paragraph 3.1 of Practice Direction 25B entitled “The Duties of an Expert, the Expert’s Report and Arrangements for an Expert to Attend Court”. Paragraph 9.1 of this Practice Direction sets out what the expert’s report must contain and this includes a statement that the expert understands their duty to the court and has complied with that duty. The expert also has to state that he or she has complied with the Standards for Expert Witnesses in Children’s Proceedings set out in the Annex to Practice Direction 25B. One of the standards is that the expert has a working knowledge of, and complies with the requirements of Practice Directions relevant to providing reports for and giving evidence to the family courts in England and Wales. The expert’s report then has to be verified by a statement of truth given by the expert.

Practice Direction 25C (Children Proceedings—The Use of Single Joint Experts and The Process Leading to An Expert Being Instructed Or Expert Evidence Being
Put Before The Court) states that wherever possible, expert evidence in children proceedings should be obtained from a single joint expert instructed by both or all of the parties. “A single joint expert” means a person who provides expert evidence for use in proceedings on behalf of two or more parties (including the applicant) to the proceedings.

Statutory guidance – “Court orders and pre-proceedings”

We would expect local authorities and the courts to act in accordance with the statutory guidance and practice directions, ensuring that any expert witness is just that.

In relation to the prosecution of expert witnesses for giving false information, like all those called to give evidence in court, expert witnesses are required to give evidence under oath and to be cross examined by the legal representatives of the parties to the case in which they are giving evidence. If it is proven that an expert witness told a deliberate lie under oath then, depending on the status of the case, they could be open to potential action (including prosecution) under either contempt of court provisions or the laws pertaining to perjury. However, it is important to be clear that a distinction has to be made between an expert witness telling a deliberate lie and simply offering their expert opinion—which might be based on research or professional practice—with which a party to a case may disagree.

HEALTH
Higham Ferrers General Practise Surgery

The Humble Petition of residents of Higham Ferrers, Northamptonshire and the surrounding area,

Sheweth,

That the Petitioners believe that the Higham Ferrers General Practise Surgery is facing significant strain and requires support to meet its waiting time and quality of care obligations to patients.

Wherefore your Petitioners pray that your Honourable House urges the Department of Health, NHS England and the Higham Ferrers Surgery to work together to ensure that waiting times are reduced and the quality of care improves at the Higham Ferrers Surgery.

And your Petitioners, as in duty bound, will ever pray, &c.—[Presented by Mr Peter Bone, Official Report, 20 July 2017; Vol. 627, c. 1096.]

Observations from the Parliamentary Under-Secretary of State for Health (Steve Brine): We recognise the workload and recruitment pressures on GPs in the East Northamptonshire area. NHS England (Central Midlands) is holding regular meetings with the Higham Ferrers practice and we understand that Higham Ferrers is also working with nearby practices to find ways to improve the services they provide for their patients.

We are committed to improving GP services for patients. The General Practice Forward View published in April 2016 announced that investment in General Practice will increase from £9.6 billion in 2015/16 to over £12 billion by 2020/21, representing a 14% real-terms increase, almost double the real-terms increase for the rest of the NHS. As part of this, a £508 million five-year Sustainability & Transformation package is supporting practices in reducing workload, increasing efficiency and modernising infrastructure and technology.
Petition

Monday 11 September 2017

OBSERVATIONS

EDUCATION

Children with Special Educational Needs

The petition of Alan and Karen Entwistle,

Declares that the petitioners are the parents of a son who is visually impaired and has learning difficulties because of prematurity and has been diagnosed as autistic by Great Ormond Street hospital; further declares that the petitioners have had difficulties getting the local education authority (Lancashire) to work with them and recognise that they as parents have a uniquely good understanding of the needs of their son; declares that the continual legal disputes with the local authority have now cost the family over 80,000 and depleted all their savings; further declares that the local authority decided to prosecute the family (on the anniversary of their eldest son’s death) for not sending their son to a school that they believed would be harmful to him; further declares that they were unable to fund legal advice to defend themselves, but did manage to get pro bono support as a consequence of this were found that they had no case to answer.

The petitioners therefore request the House of Commons Education Select Committee investigate the use of legislation relating to absence from school by local authorities to ensure that their child of compulsory school age would not otherwise receive suitable education. A SAO should only be served after the local authority is satisfied that their child is receiving suitable education. In these rare cases, a local authority may decide that a School Attendance Order (SAO) is appropriate to seek an Education Supervision Order (SAO) the local authority must also consider whether it is appropriate to provide disagreement resolution and mediation services to parents and to promote these as a way of resolving disputes without recourse to legal remedies. Before appealing to the Tribunal parents must consider using mediation as a means of resolving disagreements with the local authority (except where the only disagreement is about the school named in an EHC plan—in these cases it is not compulsory to consider mediation).

If it is not possible to resolve disagreements through mediation, then parents may appeal to the First-tier Tribunal (Special Educational Needs and Disability). The Tribunal aims to be facilitative and accessible, so it should not be necessary to employ legal support when making or defending an appeal. No additional weight is given to evidence because it is presented by a lawyer, and many parents pursue their case successfully without legal representation.

Where, despite the involvement of mediation and disagreement resolution services and the Tribunal, parents and the local authority are still not in agreement about special educational provision for a child, and this results in the child not attending school, the authority must make arrangements where for any reason, a child of a compulsory school age would not otherwise receive suitable education. In these rare cases, a local authority may decide that a School Attendance Order (SAO) is necessary to ensure that the child is not disadvantaged by missing valuable time at school.

In particular, if the Tribunal has ordered the naming of a particular school and the parents refuse to send their child to that school, the local authority may consider that in issuing a SAO it is making sure that the Tribunal order is enforced (the Tribunal itself has no powers of enforcement). A SAO may also be served if a parent, having chosen to home educate their child, fails to satisfy the local authority that their child is receiving suitable education. A SAO should only be served after all reasonable steps have been taken to try to resolve the situation. The SAO will name a school where the parent must register their child to receive education. Where a child has an EHC plan that names a school, that school shall be named in the SAO.

Where a parent fails to comply with a SAO, they may be committing an offence and can be prosecuted under section 443 of the Education Act 1996. When deciding whether to prosecute a parent for failing to comply with a SAO, the local authority must also consider whether it is appropriate to seek an Education Supervision Order.
(ESO) under section 447 of the Education Act 1996. The local authority may seek an ESO instead of or as well as prosecuting the parent.

In carrying out its statutory duties under the Children and Families Act 2014 and the related SEND Regulations and SEND Code of Practice, a local authority is expected to act reasonably. If parents consider that a local authority has acted unreasonably in carrying out its duties, they can complain to the Local Government Ombudsman (LGO). If the LGO finds in favour of the parents, it can make recommendations as to how the local authority might put matters right. In the vast majority of cases, local authorities accept and implement recommendations from the LGO. The LGO can look only at the manner in which a local authority has carried out its duties, not the merits of decisions that have been properly taken.

If, having complained to the LGO, parents feel that issues have not been resolved, they can complain to the Secretary of State under Sections 496 and 497 of the Education Act 1996. These provisions enable the Secretary of State to take expedient action where a local authority (or the governing body of a school) has failed to carry out a statutory duty or has done so unreasonably. “Unreasonably” has been defined by the courts as acting in a way that no other local authority, having regard to its statutory duties, would act. Any action that the Secretary of State takes must be expedient in the sense that there must be something the local authority (or governing body) could be directed to do that would put matters right.

The reforms in the Children and Families Act 2014 were the biggest change to the SEND system in a generation. The Department have been monitoring the implementation of these reforms through termly implementation surveys of local authorities, as well as parallel surveys of parent/carer organisations. SEND professional advisers have followed up any concerns identified in particular local authorities.
Ministerial Corrections

Tuesday 5 September 2017

HOME DEPARTMENT

Immigration Act 2016: Section 67

The following is an extract from proceedings on an urgent question about the implementation of section 67 of the Immigration Act 2016 on 19 July 2017.

Brandon Lewis: We consulted local authorities, which is what we said we would do when the legislation was in front of the House. That is what has led to the figure of 480, and the FOI request he is talking about does not consider what local authorities can provide. It is about the 0.7% threshold, which is an entirely different calculation, so perhaps he should go away and look further at that.

Letter of correction from Brandon Lewis:

An error has been identified in the response given to the hon. Member for Westmorland and Lonsdale (Tim Farron) during proceedings on an urgent question about the implementation of section 67 of the Immigration Act 2016.

The correct response should have been:

Brandon Lewis: My right hon. Friend, with his experience, is absolutely right: we must ensure that we do not create a pull factor. It must be remembered that under our schemes we have already brought over some 7,000 children and families from the region.

The following is an extract from proceedings on an urgent question about the implementation of section 67 of the Immigration Act 2016 on 19 July 2017.

Brandon Lewis: Transfers have been happening, and we are determined to deliver on exactly what we set out. We will continue to do so—it is part of the 23,000 people, and it should be remembered that we have brought over 7,000 children already.

Letter of correction from Brandon Lewis:

An error has been identified in the response given to my right hon. Friend the Member for Forest of Dean (Mr Harper) during proceedings on an urgent question about the implementation of section 67 of the Immigration Act 2016.

The correct response should have been:

Brandon Lewis: Transfers have been happening, and we are determined to deliver on exactly what we set out. We will continue to do so—it is part of the 23,000 people, and it should be remembered that we have brought over 7,000 children and families already.

COMMUNITIES AND LOCAL GOVERNMENT

Grenfell Tower

The following is an extract from the statement on Grenfell Tower on 20 July 2017.

Sajid Javid: The police continue to list 80 people as either dead or missing and presumed dead. Thirty-nine victims have so far been formally identified, with 39 inquests opened by the coroner and adjourned pending the public inquiry and the police investigation.

Letter of correction from Sajid Javid:

An error has been identified in my statement on Grenfell Tower.

The correct response should have been:

Sajid Javid: The police continue to list 80 people as either dead or missing and presumed dead. As of 20 July, 39 victims have so far been formally identified, with 38 inquests opened by the coroner and adjourned pending the public inquiry and the police investigation.